



Northern Ireland
Assembly

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(Hansard)
and
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PROCEEDINGS**

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(11 March 2013 to 14 April 2013)

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Official Report (Hansard)

Assembly Sitings

Northern Ireland Assembly

Monday 11 March 2013

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

Members observed two minutes' silence.

Assembly Business

Mr Speaker: Before we turn to today's business, I want to raise an issue that, I must say, has been concerning and troubling me for some time. Standing Order 1(2) states that the Speaker's ruling will be final on all questions of procedure and order. That is absolutely clear; there is certainly no ambiguity around that Standing Order. However, I must say that, in recent months, I have seen a growing trend of Members challenging decisions made by myself or even the Deputy Speakers in the House. In particular, we have had many Members frequently criticise decisions made on the selection of amendments to motions and Bills, matters of the day and even questions for urgent oral answer. For Members to refer to those decisions and an item of business not selected is a challenge to the authority and the final decision of the Speaker.

Until now, I have tried to be relaxed about the issue, but we have got to the point where certain Members table questions for urgent oral answer and matters of the day knowing full well and having received advice that they just cannot be selected for a number of reasons, be they legal reasons or procedural reasons around Standing Orders. Members are putting issues before the Business Office knowing — knowing — that they cannot be accepted. They then table them and raise bogus points of order in order to gain publicity and to play politics, run to the press and present themselves as victims and martyrs around all these issues. That almost says more about Members of the House than about anything else. I ask Members to consult their conscience around some of these issues and stop trying to play politics and trying to bring the Speaker's role into politics.

I know that it is easy for Members to think that these questions are clear-cut, on the basis of issues in their constituency or on what is at the top of the news agenda for that day. I say to the whole House that my decision is not based on my views of the case or policy in question. I have specific responsibilities, and I have to take a good range of considerations into account. Members will know that. Some of the decisions are not easy. They include Standing Orders, rulings, legal issues and other mechanisms that are available to me to establish procedure, to ensure the smooth running and order of the House and to protect the integrity of the House and the business that goes through it. I want to be clear in saying to the whole House that my decisions are final. Members have to accept that they are made impartially and in good faith.

Members will know that I very much operate an open door policy in my office. Members will also know that I have a listening ear, irrespective of what subject they might bring to my office. I always try to treat Members in a very respectful way. I hope that they will treat my office in the same way. From today, the Deputy Speakers and I will enforce Standing Orders more rigidly to underline that. If Members persist in challenging the authority of the Chair, they will find that they will have to resume their seat and business will move on. In extreme cases, Members will find that they will not be called for some time, or, under Standing Order 65(1), a Member may be ordered to leave the Chamber for the rest of the day. Standing Orders specifically give me that sanction for Members who persistently or wilfully disregard the authority of the Speaker. That should, therefore, underline the fact that it is unacceptable for Members to challenge or question rulings of the Chair. I hope that I have made myself clear this afternoon to all concerned. I trust that I will not need to return to the matter.

Finally, I advise the House that I am still considering other serious issues arising from last week's debate. I will return to the House in the very near future. I will not take any points of order on this issue. I say to all Members that it is disappointing that I, as Speaker, have to come to the House to give such rulings. The only reason that I do so is that a number of Members have persistently misused the situation, especially in and around the business of the House. Let us move on.

Committee Membership: Committee for the Office of the First Minister and deputy First Minister

Mr Speaker: The next item in the Order Paper is a motion on Committee membership. As with similar motions, this will be treated as a business motion. Therefore, there will be no debate.

Resolved:

That Mr Leslie Cree replace Mr Robin Swann as a member of the Committee for the Office of the First Minister and deputy First Minister. — [Mr Swann.]

Financial Assistance for Political Parties Scheme 2013

Mr Weir: I beg to move

That, as set out in section 2(4) of the Financial Assistance for Political Parties Act (Northern Ireland) 2000, this Assembly approves the revised scheme (NIA 101/11-15) laid before the Assembly on 22 February 2013 for payments to political parties for the purpose of assisting Members of the Northern Ireland Assembly who are connected with such parties to perform their Assembly duties.

I move the motion on behalf of the Assembly Commission. Members will be aware that the Financial Assistance for Political Parties Act (Northern Ireland) 2000 provides for payment to political parties for the purpose of assisting Members to perform their duties. It does not provide payment to individual Members. It is proposed that the revised scheme will be put in place to strengthen the existing governance arrangements in the administration of the scheme.

The background is that the Assembly Commission undertook a full review of the existing scheme in 2012, following recommendations highlighted by internal audit and raised by the Northern Ireland Audit Office. We consulted all parties when developing the revised scheme, which proposes six main changes that provide for a range of enhanced definition and administrative controls. I will take Members briefly through these changes.

The scheme has been revised to provide a clearer definition of Assembly duties, in line with the Northern Ireland Assembly Members' salary, allowances, expenses and pensions determination of 2012. The scheme also adopted the 10 principles — consistent with the Nolan principles — that were agreed by the Assembly in 2010 and which would underpin the basis of assistance provided. In line with good governance and current best practice, the scheme provides that all parties that employ staff and fund those staff from the assistance provided by the FAPP scheme will utilise the Assembly's payroll processes in the administration of those payments. The scheme contains a condition that all payments will be made on receipt of supporting documentation, in the same way as office cost expenditure payments are made, and that all claims will be published in line with the current publication of Members' expenses. The Assembly Commission has also agreed that an independent audit of FAPP expenditure and claims will be undertaken at the end of each financial year. The Finance Office has developed guidance in line with the revised scheme. Following the scheme's approval, that will be issued to all party leaders.

The revised scheme will strengthen our existing governance and administrative arrangements and provide for greater guidance on the operation of financial assistance for political parties.

Question put and agreed to.

Resolved:

That, as set out in section 2(4) of the Financial Assistance for Political Parties Act (Northern Ireland) 2000, this Assembly approves the revised scheme (NIA 101/11-15) laid before the Assembly on 22 February 2013 for payments to political parties for the purpose of assisting Members of the Northern Ireland Assembly who are connected with such parties to perform their Assembly duties.

Executive Committee Business

Mental Health (Private Hospitals) Regulations (Northern Ireland) 2013

Mr Poots (The Minister of Health, Social Services and Public Safety): I beg to move

That the Mental Health (Private Hospitals) Regulations (Northern Ireland) 2013 be affirmed.

I seek the Assembly's affirmation of these regulations. Under current mental health legislation — the Mental Health (Northern Ireland) Order 1986 — a private hospital may be registered to treat mentally ill patients on a voluntary basis. Such a facility is required to register with the Department and the Regulation and Quality Improvement Authority (RQIA), to be subject to routine inspection by the RQIA and to treat patients to at least the same standard as statutory hospitals. However, for a private hospital to detain patients, my Department is required to apply the provisions of the Mental Health Order through regulations made under article 95 of the order. One of the key reasons for making these regulations is to avoid a situation in which a voluntary patient in a private hospital becomes so unwell as to require detention and has to be moved to a statutory hospital for continuing treatment. Clearly, moving a patient at a time of mental health crisis from one hospital to another and from one team of clinicians to another would not be in their best interests.

The proposal to make regulations permitting private hospitals to treat detained patients was the subject of a public consultation between 21 November 2011 and 23 January 2012. Over 500 organisations, professional bodies, public representatives and individuals were contacted and their views sought. There were 21 responses. In general, respondents supported the proposal. The main issue of concern was the safeguards that would be put in place to ensure that patients in a private hospital were not detained unnecessarily or for longer than necessary. The Mental Health Order already provides safeguards when patients are detained. They include prescribing those who may apply to have an individual detained; prescribing the medical officers who may detain the patient; prescribing the documentation to be used; a requirement for documentation to be copied to the RQIA; and referral to the Mental Health Review Tribunal to have the detention reviewed by an independent, legally constituted body.

One of the respondents to the consultation was the Attorney General. He advised that an additional safeguard should be a mechanism for review by an appropriate doctor who is not employed by the private hospital in which a person is to be detained. My Department has accepted that advice, and officials have worked closely with their RQIA colleagues to develop a protocol to deliver the added safeguard.

The provision of specialist services locally can prevent the need to send patients outside Northern Ireland for such treatment. However, I stress that neither the Department nor the Health and Social Care Board has commissioned any private mental health facility to be established locally. The opening of such a facility is a commercial decision for private sector interests. Any decision to refer a patient to such a facility will be a clinical one based on patient need

and will require the endorsement of the Health and Social Care Board. In line with the Bamford review, the emphasis remains on treating patients in the community so as to avoid the need for hospitalisation.

12.15 pm

Ms S Ramsey (The Chairperson of the Committee for Health, Social Services and Public Safety): Go raibh maith agat, a Cheann Comhairle. Mr McDevitt was like an Olympic runner there behind me so that he would not get caught out.

The Minister has explained the purpose of the rule, which requires Assembly support before coming into operation. The rule widens the provisions of the Mental Health Order 1986 to enable private hospitals to treat patients detained under the order. Legislating to permit a private facility to treat detained patients would avoid the circumstance, as outlined by the Minister, in which a voluntary patient receiving care would have to transfer to a statutory facility should the need for detention arise.

The Committee originally considered the SL1 on 7 September 2011 and had concerns over the protection of patients. Therefore, we decided to take further evidence. The Committee received a briefing from departmental officials on 21 September 2011. We also engaged with the Royal College of Psychiatrists and the Children's Law Centre on 5 October and 12 October 2011, and they raised concerns and gave views on the legislation. At that stage, the Committee still had concerns with the proposed legislation, so it asked the Department to carry out a public consultation, which it did.

Following a further departmental briefing on 14 March 2012, the Committee considered the responses to the public consultation. As the Minister said, given that the majority of respondents were in agreement that the legislation should be extended to include private hospitals, we agreed that we were content for the Department to continue making the rule. The Committee considered the draft rule at its meeting on 12 December 2012 and recommended that it be affirmed by the Assembly. At that point, the Examiner of Statutory Rules indicated that there were minor errors in the numbering structure of the regulations and recommended that the rule be revoked and re-enacted, amending the numbering. That has been completed, and the Committee has agreed the updated statutory rule. I therefore support the motion on behalf of the Committee.

Mr Wells: This has been discussed at length in Committee and has come back and forwards to it on numerous occasions. It was discussed while I was Chair and, more recently, when Ms Ramsey was Chair. It was given a much higher level of scrutiny than this form of legislation would normally enjoy, and we have teased out many complex points.

I must emphasise that this does not establish the principle of private sector involvement in this section of the health service. That was established long ago under direct rule. We are dealing here with regulations governing the control of such a facility. That has not been an issue until now, because there was no private provision before. However, a planning application has been lodged and has been successful, and, accordingly, we have to have the regulations. I concur with the Chair's views and support

the legislation as something that is extremely necessary, given developments.

Mr McDevitt: I echo what has been said by the Chair and the Deputy Chair. We may or may not fundamentally support this development at policy level, but it has now happened and therefore requires regulation. I commend the Minister for addressing that immediately. We could learn a lesson from that in the regulation of other aspects outside the health service, but that is a subject for another day and time. I am happy to support the regulation, although that does not mean that I am entirely happy with the direction of travel in having a clinic established outside the NHS.

Mr Beggs: I, too, support the regulation. It is important that all aspects of healthcare be regulated, and I am content that there is a need for regulation in this area.

Mr Poots: I thank the Members who spoke, including the Chair and Deputy Chair, and for the general support that the motion received.

I will just clarify that the proposed development in the private sector would, if it happens, provide a service that is not currently available in Northern Ireland. We currently acquire those services from the private sector outside Northern Ireland. Quite a number of years ago, I personally dealt with families with young people with eating disorders, and the calamity that that brings upon them is absolutely huge. If a service is established here in Northern Ireland, as opposed to us having to send young people away from their family to England and support their family to visit them every other weekend, that would be a fairly significant step forward. This legislation is wider than one facility, and I appreciate Members' support for it.

Question put and agreed to.

Resolved:

That the Mental Health (Private Hospitals) Regulations (Northern Ireland) 2013 be affirmed.

Committee Business

Ovarian Cancer Awareness

Mr Speaker: The Business Committee has allowed 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.

Ms S Ramsey (The Chairperson of the Committee for Health, Social Services and Public Safety): I beg to move

That this Assembly notes with concern the results of the Target Ovarian Cancer pathfinder study 2012, which revealed low levels of awareness of the symptoms of ovarian cancer among women in Northern Ireland and delays in diagnosis and treatment; and calls on the Minister of Health, Social Services and Public Safety to consider a public awareness campaign on this issue.

Go raibh maith agat, a Cheann Comhairle. On behalf of the Committee for Health, Social Services and Public Safety, I am delighted to move the motion. I would like to provide some background information on ovarian cancer for other Members and other Committees. It is the fourth most common cause of cancer death among women and accounts for 6.5% of female cancer deaths each year. Here, the average number of deaths per year from ovarian cancer is around 120. The cause of ovarian cancer is not fully understood, but there is an increased risk for women who have a strong family history of the disease. Age is another factor, with 80% of women diagnosed with ovarian cancer being over 50. However, it does affect women as young as 20.

Currently, unlike cervical cancer, there is no reliable screening test for ovarian cancer. Although ovarian cancer can be a deadly disease — as I said, it kills around 120 per year — if it is diagnosed at the earliest stage it can be treated effectively with surgery and chemotherapy, leading to survival rates of up to 90%. Our five-year survival rate is just 36%, which is one of the worst in Europe. That is a sobering thought.

I know that we are all aware of family members or constituents who have suffered and died from ovarian cancer. We are also aware of a woman called Una Crudden, who has ovarian cancer and who went through treatment and support with four other women. She is the only one still alive. I want to take the opportunity during the debate to thank Una and others and commend her for the work that she has done over the past weeks and months to bring this to our attention. People such as Una are fighting their own battle and have decided to take the battle one step further, so they need to be commended.

If we are improve on poor outcomes for our women, ovarian cancer needs to be detected earlier. That means that women and GPs need to be on the lookout for early signs and symptoms. The recent Target Ovarian Cancer pathfinder study found that women here were among the least aware when it came to symptoms of ovarian cancer. The survey showed that only 3% of women would be very confident in identifying a symptom.

The three main symptoms are persistent pelvic and abdominal pain; persistent bloating of the abdomen;

and difficulty eating and feeling full quickly. This is not a criticism of the Chamber being very male-dominated, but I would appreciate it if Members relayed those symptoms to everyone they know. We need to play our part as well in tackling and targeting ovarian cancer. Not only are the majority of women not aware of the fact that these symptoms can be caused by ovarian cancer, but some GPs are not fully up to speed either.

The Target Ovarian Cancer pathfinder study found that almost a third of women with the disease have to wait six months or more after visiting their GPs to receive a positive diagnosis. Misdiagnosis of the disease is common, with doctors mistakenly diagnosing irritable bowel syndrome, ovarian cysts or infections. It is also worrying that only one in 20 GPs is concerned when a woman reports difficulty with eating, even though that is one of the eight key symptoms of ovarian cancer. That shows that there is still a job of work to do before all GPs are aware of all the symptoms of the disease.

Knowledge of the symptoms of the disease would allow women to seek appropriate help and let GPs access diagnostic tests as swiftly as possible to save lives. There is evidence to suggest that 500 lives a year could be saved across these islands through early diagnosis. As I said, it is recognised that early diagnosis is key to survival. However, 32% of sufferers are diagnosed for the first time when they present at A&E. That is a shocking statistic. By that stage, it is unfortunately too late for many. For three quarters of those women, the cancer has already spread to other organs.

The future direction of the health service is set out in Transforming Your Care, and we hear day and daily about Transforming Your Care. The direction of that is all about prevention and early intervention. It is about keeping people out of hospitals and providing treatment in the primary care sector when appropriate. A situation where people are being diagnosed with a serious cancer for the first time at A&E is totally at odds with the sort of health service that Transforming Your Care wants to develop. It is totally at odds with what the health service should be in the future, and it is a worry.

The Health Committee encourages the Minister to take a proactive approach. We need to make people aware of the symptoms of the disease, encourage them to have those symptoms investigated early and provide doctors, especially our GPs, with the tools to provide early treatment. We need to empower individuals and medical professionals to deal with conditions early. It is all about early intervention and, in some cases, prevention.

The Committee asks the Minister to launch a public awareness campaign highlighting the key symptoms of ovarian cancer. The general public are just not aware. A lot of Members in the Chamber are probably not aware, and I would go as far as to say that a sizeable percentage of women are not aware. So, a campaign would be useful. As is mentioned in a lot of debates here in both a negative and positive sense, we live in an age where social media is part of our daily life. The health service and the Department need to make best use of that technology as a way to reach people and educate them about this disease.

I note that the Minister has included a specific action on raising awareness of ovarian cancer in the draft commissioning plan for 2013-14. That is to be welcomed,

and I commend the Minister and his Department for doing that. The Committee is to hold an evidence session on the plan at its meeting next week. We will use that opportunity to explore further what specific actions will be taken.

I also note that the Health and Social Care Board will consider whether women should be given information about the symptoms of ovarian cancer when they go for cervical cancer and breast screening appointments. That seems like a common sense approach, and I cannot understand why it is not happening. However, I welcome that approach if it is going to happen.

I think that it would be even better that, when women were there for appointments for breast cancer or cervical cancer, they were given a full health check. A number of weeks ago, the Committee advocated that in a motion on what were termed yearly MOT checks, but that is a debate for another day.

12.30 pm

In the time left, and as I said at the start, we need to pay tribute to those fighting their own battles but who are taking on this battle for others. It is important to formally pay tribute, not only to those women individually but to the local charities that support women who have suffered with ovarian cancer and their families. Angels of Hope is based in Belfast and was founded in 2003. We have all probably heard of that organisation at some stage. It does a lot of good work in providing counselling and complementary therapies. As I said, recognition must also go to individuals like Una, who have come through the other end of this illness. They are still here to tell their stories and are encouraging others to get tested. Many of them are doing great work in raising public awareness through the media. I commend their courage and determination in doing that.

I do not think that anybody would divide the House on the motion. The Committee needs to be commended for bringing forward the motion. Sometimes, it is a matter only of giving people the right information and steering them in the right direction. That can actually go a long way towards people getting early intervention, and can ensure that they get the right diagnosis so that they can get the right treatment. I commend the motion to the Assembly.

Ms P Bradley: As a member of the Health Committee, I support the motion. Cancer is not a subject that anyone thinks about with any great degree of comfort. It is a disease that comes in many forms, and almost every family in Northern Ireland has felt its presence in some form. We know a number of key facts about what can lead to positive outcomes for those who receive a cancer diagnosis. Foremost is the early detection of the signs and symptoms that indicate that something is not right within our bodies. We are forever hearing that we need to be aware of our bodies to be able to spot changes that should be brought to our GP's attention. We have discussed health inequalities many times in the Chamber and the need to empower people to take responsibility for their own health. We know that awareness-raising campaigns can make a real difference and provide the knowledge that people need to look after their own health.

Ovarian cancer is a silent disease. Often, the symptoms are unknown. In the pathfinder study, only 3% of the population stated that they felt very confident in spotting the symptoms. Other issues include doctors often

misdiagnosing the symptoms as other, less serious conditions or, more worryingly, when GPs do order further tests, there have been times when those tests have been refused. The study showed a worrying level of confusion in the general population between ovarian cancer and cervical cancer.

At this point, Mr Speaker, I would like to join the Chair in her comments about Mrs Una Crudden. A couple of weeks ago, I had the pleasure of meeting her here at Stormont. I met a very determined and courageous lady. In our chat, we discussed diagnosis and signs and symptoms. It is unbelievable that, in this day and age, women still believe that a cervical smear can detect ovarian cancer. The message that we need to put out today is that that test does not detect ovarian cancer; it only detects cervical cancer. That point needs to be highlighted. We need to address those issues urgently to ensure that women have the best chance of long-term survival.

If there was any doubt about the benefit of early diagnosis, the statistics speak for themselves. Of ovarian cancers detected in its early stage, the five-year survival rate is 92%. However, in Northern Ireland, the rate is just 36%; one of the worst in Europe. Again, if there is any doubt whether an advertising campaign would help to save lives, look at the statistics. As the Chair of the Health Committee stated, one quarter of women diagnosed with ovarian cancer took over three months before visiting the GP with their problems; half took one month to do so. Those few weeks are precious when you have such a disease. They can make all the difference. Once women went to their GP, a high proportion of them had to wait six months before getting a diagnosis. That is just not acceptable.

We need to empower women so that they feel confident and able to say to their GP that something is not right. We have to work to ensure that women are not misdiagnosed with conditions such as IBS or urinary infections, and we have to ensure that they are not unduly frightened either. There are many strands that we need to address, but one of the most important is raising awareness. The Department has heightened awareness of bowel cancer with a sustained campaign to highlight not just the most common symptoms but the lesser known signs. That will have a dramatic effect on the survival rates.

We, in this Assembly, have a real chance to make a massive difference in the lives of women and their families across Northern Ireland. The experts calculate that early detection means that women's lives could be saved if we matched Europe's best rates. That means there are chairs that could have been filled at the family table on mother's day yesterday — daughters, sisters, cousins, nieces and best friends. I support the motion.

Mr McDevitt: I thank the Chair of the Health Committee and colleagues, particularly Paula Bradley for her campaigning on this issue. I am very happy to lead the contributions on behalf of the SDLP.

Mrs Una Crudden has been referred to on several occasions by colleagues, and she is in the House today. This is a debate that, I think, is only happening because of her advocacy and courage. One of the things that I can do, as a man participating in this debate, is to put some of Una's words on the record. She gave an interview last month to the Belfast Media Group in which she talked

about her story. If you will allow me to, Mr Speaker, I will read a little of what she said. She said:

"I was diagnosed in December 2009. I had been attending the doctor for the three months prior and I was told it was Irritable Bowel Syndrome (IBS). A lot of the symptoms of ovarian cancer are very similar to IBS – your abdomen swells, you have a change in your bowel motions and you feel full very quickly after taking only a few mouthfuls of food. I had continuous sharp pains in my side, which started to get worse.

I started to suffer terrible pain in my pelvic area and then was fast-tracked to Lagan Valley where I was diagnosed with ovarian cancer and was told I had a 13-inch tumour inside me.

I feel it was my persistence in that I wasn't getting or feeling any better and kept going back that enabled me to keep going. I've had three rounds of chemotherapy and I'm going back to the hospital this month for my cancer review.

At the time there were five of us diagnosed together and I'm the last one left – the others have died and every one of us was misdiagnosed with IBS.

It's really disturbing to read the statistics that so many women are misdiagnosed. Women have to remember that, if detected early, 92 per cent of them, with treatment, can survive, compared to only 36 per cent, which is where the figure stands at the minute.

Women need to be more aware of their own bodies and symptoms – they should insist on being tested if they have any of them."

That kind of sums it up. Many of us will know women like Una who have had to face up to a diagnosis of a cancer that will be terminal. We will know many men in such a position as well. The thing that always strikes me is how women deal with this: they fight their condition, but they also fight their diagnosis. They ask the questions and show the resilience that got them through life, that made them mothers and that just means that women are who they are. Those of us who are not female stand, often, in stark contrast: we do not tend to show the same resilience when met with that type of news.

This House and our Executive need to reflect on how important it is to keep fighters with us and to give them the opportunity to continue to live, because if they are capable of this level of fight with a limited perspective of survival, imagine the contribution they could make if their illness was detected early and they were properly given the right to fulfil their potential as citizens.

That sums it up for me. It is about having a health service that is determined to do everything that it can to give those who are faced with a diagnosis every chance they deserve. We are not doing that for women who are victims of ovarian cancer, and we need to start doing so.

Mr Beggs: I also support the motion. Ovarian cancer is one of the commonest forms of cancer affecting women in Northern Ireland. In 2011, it accounted for 2.6% of female cancer cases, and one in 87 women is affected by it. Each of us will probably know someone who will be affected by it in her lifetime, and we should all think carefully about

that. However, it also accounts for 6-6% of all cancer deaths. Why is there such a significant difference between the level of the occurrence and the resulting deaths? The evidence points to late diagnosis being a contributory factor.

It is widely known that the sooner a cancer is identified and treatment commences, the better the outcomes. One of the most concerning figures in the Target Ovarian Cancer pathfinder study is that almost one third of ovarian cancers are detected at an accident and emergency department. Either women have not presented to a GP — I understand that one in 10 women does not present to a GP with some of the classic symptoms — or there has not been a speedy enough diagnosis via the GP services. That needs to improve. The study also shows that one third of women faced a delay of six months or more between first presenting to their GP and being correctly diagnosed with ovarian cancer. In Northern Ireland, as other Members said, we have 120 deaths a year; that could be 32 deaths a year in the Northern Trust, which covers my area. Delays contribute to that higher number of deaths, and it has been estimated that, if the UK matched the best treatment in other parts of Europe, 500 women's lives could be saved each year.

Given the risks associated with ovarian cancer, you would have thought that its symptoms would have been common knowledge. It is important to continue to highlight the symptoms so that more people are aware of them. They include persistent bloating; abdominal distension; pelvic/abdominal pain; difficulty eating; feeling full; and urinary frequency and urgency issues. Clearly, everyone should take great care with those issues. As I indicated, only four out of 10 women visit their GP within one month of experiencing symptoms of ovarian cancer. There must be greater public awareness. Almost 60% of symptoms were initially put down by GPs to, for example, irritable bowel syndrome, ovarian cysts or urinary infections. Greater awareness among GPs is also needed so that the issue is not masked by other diagnoses without the appropriate level of inspection. It is encouraging that there is greater use of CA125 blood tests, which are a clear marker, but further improvement is needed.

The stage of the diagnosis is a huge factor in survival rates, with 100% of patients identified at stage 1 surviving more than one year, compared with only 30% of those identified at stage 4. It is imperative that GPs quickly investigate the symptoms of ovarian cancer and make swift referrals when necessary. One of the issues that has been highlighted to me is the need for greater and speedier access to ultrasound, which can be one of the diagnostic tools.

Marion Janner, who is recognised as a successful public campaigner on public awareness issues, wrote in 2002 that the most consistent message from all research on how people learn, including how they are motivated to engage with new information, is to make it interactive. I call on the Minister to ensure that we start an interactive information campaign in Northern Ireland so that the public and GPs are better informed.

12.45 pm

I thank Target Ovarian Cancer for its study, which brings this issue to the fore. Like other Members, I thank Una Crudden for her efforts to improve the health of others by

bringing the issue into the public domain and making more people aware of it. I hope that, as a result of this debate, there will be more public awareness of ovarian cancer, —

Mr Speaker: The Member's time is almost gone.

Mr Beggs: — that patients will, increasingly, present earlier to GPs and that professionals with greater knowledge and using the powerful diagnosis methods available will identify cancer and enable earlier intervention, with the associated improved outcomes.

Mr McCarthy: I thank Sue Ramsey, the Chair of our Health Committee, for bringing this important motion to the Chamber. As a member of the Health Committee and on behalf of the Alliance Party, I fully support the motion. It can be broken down into three vital issues: low awareness of the symptoms of ovarian cancer in Northern Ireland; delays in diagnosis and treatment; and the need for the Health Minister and Department to front a public awareness campaign as soon as possible — immediately, if possible.

I consider the motion to be extremely important. It is a case of life and death, and any action to prevent ovarian cancer or, indeed, any other cancers in women or men must be a priority for everyone in our National Health Service. If we can prevent cancer or identify the disease at a very early stage, we can prevent unnecessary suffering, unnecessary worry and, indeed, huge cost to the health service.

I appeal to Departments, including the Department of Health, Social Services and Public Safety, the Department of the Environment and the Department of Education, to acknowledge the huge volume of cancer victims who live along the east coast of Northern Ireland. People in the constituencies of Strangford, North Down, South Down and perhaps even further north or south suffer inordinately from cancer, and it is said that residue from the Sellafield nuclear plant across the Irish Sea could be a major contributor. I appeal for investigations of this serious issue.

The findings of the ovarian cancer pathfinder study on delays in diagnosis make grim reading. Experts say — it has been said in the debate — that 500 lives a year could be saved if the disease were caught at a very early stage. Surely, we must make this a priority. The pathfinder study surveyed health professionals, and 55% of clinicians said that tackling early diagnosis was the most urgent issue to ensure that our womenfolk have as good a chance of survival as women in any other country. I was extremely disappointed to read that our GPs did not have direct, urgent access to diagnostic scans. The study also showed that many women — about a third — faced a delay of six months or more between first seeing their GP and getting a correct diagnosis.

Given what I have just said, I fully support Target Ovarian Cancer when it asks the Assembly to help to raise GPs' awareness of symptoms and, last but not least, to ensure that all GPs have direct access to diagnostic tests. I understand that all GPs have access to CA125 blood test equipment. I sympathise with our GPs, who are coming under excessive pressure in all sorts of ways. It is up to our Health Department to ensure that local surgeries have the tools, equipment and time to diagnose early and, of course, that treatments are immediately available. It is disappointing that, as other Members have said, local women are not confident of spotting a symptom of ovarian

cancer and that only 23% of Northern Irish women know that persistent bloating could be a symptom.

In conclusion, I thank the Research and Information Service for its excellent information and everyone involved in the pathfinder study in 2012. It is all there for everyone to see, and I wish to pay tribute to all our local women who suffer from ovarian cancer.

Like others, I met Una Crudden — a truly remarkable local person — this morning, along with Frances from the ovarian cancer group. It is our duty as Assembly Members to listen to Una and ensure that we do what we can to carry out her wishes on behalf of so many people in Northern Ireland. Let us get a publicity awareness campaign going now, as we have done for smoking and alcohol addiction and bowel cancer. All sorts of campaigns are already going. Our womenfolk deserve and indeed are entitled to exactly the same treatment.

Mr Speaker: The Member's time is almost gone.

Mr McCarthy: I support the motion.

Ms Brown: I speak to the motion as a member of the Health Committee.

Like others, I am concerned about the results of the study. Survival rates from ovarian cancer, as for so many other forms of cancer, are much higher if the condition is identified early. It is therefore imperative that women who have concerns attend their GP or nurse as soon as possible. Of course, for a woman to be concerned, one of the first problems that she faces is exactly what she should know about the illness or be aware of. I am in no doubt whatsoever that we need to raise awareness of ovarian cancer and stress the importance of identifying symptoms sooner rather than later and of seeking medical assistance immediately. Awareness has been raised of breast cancer, testicular cancer and, more recently, bowel cancer, but we must not forget about ovarian cancer, which, if not identified early, has such a poor survival rate.

I will reiterate the main symptoms of ovarian cancer, which I had to look up. I am sure that most of us would not know what we are looking for. The symptoms are persistent pelvic or abdominal pain; increased abdominal size or persistent bloating; and difficulty eating and feeling full quickly.

I do not apologise for repeating the statistics that follow. Many Members have already done so, but it is vital that the seriousness of the condition be realised. Research has found that 92% of women diagnosed at an early stage have a five-year survival rate. Regrettably and appallingly, that percentage is much lower in the UK, where we have a five-year survival rate of just 36%. That is the worst rate in Europe. However, one in four women does not seek medical advice until she has experienced symptoms or had concerns for at least three months. We can all identify with that. We know the pain that worries us and does not seem right, but we carry on regardless owing to the pressures of everyday life. In the case of ovarian cancer, I urge women to familiarise themselves with the symptoms and act immediately if they suspect that something is not quite right. Women have become well versed in identifying symptoms that affect their children, such as those for meningitis, for example; it is now time that they looked out for themselves as well.

Another concern is that, regardless of the low rate in early diagnosis due to failure to seek medical help sooner, misdiagnosis is far too common. There is therefore an onus on GPs to ensure that they rule out ovarian cancer in the first instance and do not take any risks. However, there is also evidence that diagnostic testing has been refused in one in 10 cases.

I appreciate that the system is under severe pressure at this time, especially when it comes to resources, but that is not a sufficient excuse to permit the situation to continue. There is sufficient evidence to highlight the fact that 75% of women diagnosed with ovarian cancer are diagnosed after the cancer has spread, which limits options and reduces the survival rate. That statistic alone is an indictment of our healthcare system, and it must be addressed. Screening programmes have been rolled out for breast cancer, cervical cancer and bowel cancer in recent years. A reliable method of screening for ovarian cancer has yet to be identified. It is imperative that the Health and Social Care Board and the Department look into identifying a screening programme in order to improve rates of diagnosis and life expectancy.

I know that the Minister of Health will take the issue on board and take note of the debate. I support the motion.

Ms Maeve McLaughlin: Go raibh maith agat, a Cheann Comhairle. I also speak as a member of the Health Committee and in support of the motion. I welcome the opportunity to speak on an extremely important subject.

It is important that anything that society can do to target information and to detect and prevent the awful disease that is cancer be done. The motion focuses on ovarian cancer and the pathfinder study, which revealed low levels of awareness of symptoms and delays in diagnosis and treatment. There are approximately 160 cases diagnosed in the North of Ireland each year and 120 deaths. Ovarian cancer kills over four times as many women as cervical cancer. The pathfinder study highlighted that one in 10 women — 10% — living with ovarian cancer in the North died within a month of diagnosis compared with 1% of women with breast cancer.

Late diagnosis and, possibly, treatment are deemed to be the root cause of the poor survival rate when compared with other countries. As Mr Beggs pointed out, 30% of women are diagnosed following an admission to A&E, and those are stark figures. Just over 42% of GPs in the North have access to urgent ultrasound to assess women for ovarian cancer. That means that the majority of GPs will have to refer women to hospital for a non-urgent appointment for them to have an assessment.

Positively, as has been pointed out, all GPs in the North now have access to the CA125 blood test, which is the first test recommended by the recent NICE guidance. If the cancer is diagnosed at an early stage, women have a 92% chance of surviving for five years.

As I said, anything that we can do as a society and as an Assembly to assist awareness, detection and prevention must be actioned. Therefore, I refer to the concept of Connected Health in the field of research and innovation. While developments on the radiotherapy unit at Altnagelvin are welcome — some disappointment has been expressed about the lapse in timescale — it is important that we advance proposals around Connected Health. The north-west continues to be the only region that has the facility to

advance research and innovation in digital science. Project Kelvin, with its fastest digital link between Europe and the US, the Clinical Translational Research and Innovation Centre and Magee university campus, which houses the intelligence system's research centre, must be marketed and supported. I call on the Minister to develop a health innovation corridor for the region, which would greatly assist the science that is required in the detection and prevention of ovarian cancer and other forms of this killer disease.

Mr Dunne: I welcome the opportunity to speak on the motion, as it is a very important matter that affects so many people across Northern Ireland.

Unfortunately, ovarian cancer continues to be a growing problem. It is now the fourth biggest cancer killer in women, with approximately 160 cases diagnosed each year and, more worryingly, 120 deaths. I pay tribute to the valuable work of the charity Target Ovarian Cancer and the Angels of Hope group, both of which have done an excellent job raising awareness of this terrible disease among women and GPs and supporting those with the condition. I also recognise the work that they do in funding research into new treatments.

As with many diseases, early diagnosis is vital to improving survival rates. Unfortunately, misdiagnosis of ovarian cancer is a major challenge, as some symptoms are hard to distinguish and can overlap with others. Regrettably, late diagnosis can significantly reduce the chances of survival, especially among older women, and that is something that we must continually seek to improve. Every constituency is affected: there is an average of six deaths as a result of ovarian cancer every year in my constituency of North Down, and 23 deaths a year in the South Eastern Health and Social Care Trust area.

1.00 pm

It is of concern that survival rates for ovarian cancer across the UK fall behind most other European countries. I welcome the positive action proposed in a letter from the Minister to the Chair of the Health Committee in February, in which he confirmed that the Health and Social Care Board has advised that discussions are ongoing regarding improved referral pathways from GPs to diagnostics and specialties. I am also pleased that the Health and Social Care Board is looking at ways to reduce waiting times following diagnostic tests, as well as targeted education and training for GPs and a review of patient information leaflets.

As with many areas in improving the health and well-being of our population, public awareness campaigns can be a very productive means of raising awareness of the dangers of the disease and encouraging early detection of any possible symptoms. We are all well aware of the dangers of smoking, alcohol, obesity and other diseases, such as breast cancer, largely through public awareness campaigns on television, radio, newspapers, ads and billboards. I feel that that could be done to help raise awareness of the seriousness and dangers of ovarian cancer to try and improve the survival rates for women who may have the disease.

The statistic that, if it is detected early, 92% of women suffering from ovarian cancer can survive, is very significant. However, the fact that, unfortunately, only 36%

currently survive shows that there is room for improvement in ensuring that those at risk are detected early and given every opportunity to improve their chances of survival. I support the motion.

Mrs McKeivitt: I am pleased to contribute to today's debate. More than 7,000 women a year are diagnosed with ovarian cancer, and it is an unfortunate truth that it is the biggest killer, largely because it is not diagnosed early enough. The reasons for late diagnosis are that few women know the symptoms. It is often misdiagnosed as irritable bowel syndrome, ovarian cysts or a urinary infection, and women wrongly think that a smear test will detect ovarian cancer.

I find it extremely worrying that, according to the Target Ovarian Cancer pathfinder study, one in 10 GPs has had diagnostic tests refused in the past year. The sooner ovarian cancer is diagnosed, the easier it is to treat. Survival can be 70% for women diagnosed with early-stage ovarian cancer. That means that seven out of 10 women will survive for five or more years, which is why we need women to learn to recognise the symptoms and go and see their doctor as soon as possible. We need to improve GP knowledge to prevent misdiagnosis, and we need to make sure that GPs have access to prompt diagnostic tests.

Recently, thanks to my party colleague Nicola Mallon, I had the pleasure of meeting a truly inspirational woman by the name of Una Crudden. Una, who has ovarian cancer and is fighting the disease with style — as only a woman can do — has put her shoulder to the wheel by producing a CD called 'Angel of Hope' — at the cost of £10, if anybody wishes to purchase it. I have to say that I did purchase it, and it is one of the most inspirational pieces of music that I have ever heard, particularly from a woman who is terminally ill with the disease. She made that CD and is doing great work to help to raise awareness. I flippantly asked her how much she had raised, and she flippantly answered "over £33,000".

Mr Humphrey: Will the Member give way?

Mrs McKeivitt: I will.

Mr Humphrey: I know that Mrs Crudden is in the Public Gallery today. I declare an interest as a member of Belfast City Council. Recently — in fact, at the last meeting of Belfast City Council — Mrs Crudden came before the council. Obviously, the council has been deeply divided in recent times, but she managed to do something that has not often been done in the last number of months, which is to unite all the council behind her cause. It is a hugely just cause, and it is the reason why we are sitting here today, so I pay tribute to her for that.

Mr Speaker: The Member will have a minute added to her time.

Mrs McKeivitt: I thank the Member for his intervention. I am not here to embarrass Una but to strengthen her message to raise awareness of help and to save the lives of more women.

A few weeks ago, before meeting Una, I sent a letter to the Health Minister requesting a meeting to discuss that topic. I look forward to his response in the near future and, hopefully, that meeting so that we can strengthen the message.

Given that March is ovarian cancer month, today's debate is timely. It is imperative that we do what we can to raise awareness. I ask the Health Minister to carry out a public awareness campaign and to explore new ways of helping with early diagnosis. I am happy to support the motion and commend the Health Committee for bringing it forward.

I ask women to educate themselves about the symptoms of ovarian cancer. It is known as the silent killer, and no woman should be silenced by ovarian cancer. At the end of the day, prevention is much better than a cure.

Mr Gardiner: I thank Ms Ramsey, Chairperson of the Health Committee, for bringing the motion before the House.

I would like to take a slightly different approach to this ovarian cancer awareness debate. Most Members will focus on the statistics of the disease, including the fact that one in four women waits three months or more before visiting her GP, and that one in three women waits six months or more from first visiting her GP before getting a correct diagnosis.

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

I would like to focus on what factors make an effective public awareness campaign. The Chicago Alliance Against Sexual Exploitation says that the three elements of a successful public awareness campaign are creating a broad support system, setting up a wide range of activities and sending out an accurate and simple message. I commend those elements to the Minister for mounting an effective public awareness campaign for ovarian cancer.

First, there is a need to establish a broad support system of individuals and interested groups, including researchers, medical practitioners, lawmakers such as ourselves, non-government organisations, medical businesses, the media, health professionals and the public to mobilise community support for a campaign. The more individuals working on an awareness campaign, the greater the likelihood of its success.

Secondly, the campaign must be made up of many individual activities. A campaign's message would be relayed to the public in a wide range of ways so that it reaches more people. Examples include educational events, posters, postcards, other media campaigns, awareness events, lobbying, fundraising, educational speeches, information leaflets, concerts, street drama, publication of research studies, personal testimonials and other efforts that put the case before the public.

Thirdly, the campaign must have an accurate, concise and powerful message to get people to act. Messages need to be tested on focus groups and through questionnaires to see whether they are effective. I hope that my emphasis on how we can deliver an effective public awareness campaign helps to focus the Minister on his checklist of things to do to help to combat this dangerous disease. I support the motion.

Mr Anderson: I welcome this debate on what is an important subject. I commend the Health Committee for bringing the motion.

Ovarian cancer is the fifth most common cancer in women. In the United Kingdom each year, 7,000 people are diagnosed with the disease, and about 4,300 die. In Northern Ireland last year, almost 180 cases were diagnosed and 119 lives lost. Most are aged 50 or over

but the disease can affect women as young as 20. Those are the statistics, and, as with all statistics, they mask the reality of the dreadful impact of ovarian cancer on individuals and their loved ones.

For me, this debate is not only important but emotive. I wanted to speak not because I have any professional expertise in the area of ovarian cancer but because I have personal experience of the tragic effect that it can have on the lives of individuals and their families.

Some six years ago, ovarian cancer claimed the life of my sister. Ever since, I have taken a personal interest in the disease.

When I was mayor of Craigavon in 2008-09, I nominated Angels of Hope as my chosen charity for the year. For those who might not be aware of what Angels of Hope is, it is a charity that was established by a Craigavon woman Mrs Maureen Clarke after she lost her 27-year-old daughter Julie to the disease in 2007. Julie passed away just eight months after being diagnosed. Julie had intended to make people aware of the disease and of the need for early diagnosis, and when it became clear that she would not survive, she asked her mum, Maureen, to do it for her. I have come to know Maureen well, and I hold her in the highest esteem. I was delighted when she received the MBE in the New Year's honours list for her work in the area; it was an award that was richly deserved.

Angels of Hope is a growing organisation, which provides much-needed help and support to sufferers and their families. Maureen is encouraged that, in the past two years, more women are being diagnosed at an early stage in the disease. I think that there is greater awareness of the disease now and that more women are pushing for a proper investigation of their symptoms. That is to be welcomed.

I support the call for a public awareness campaign. I believe that such a campaign should draw on the work and experience of such groups as Angels of Hope and the national charity Target Ovarian Cancer, which is named in today's motion.

In the public survey carried out by Target Ovarian Cancer, not one of the women questioned in Northern Ireland was aware of the symptoms. I know that surveys and polls can throw up a wide variety of results, but I find that to be a very worrying statistic. If detected early enough, up to 92% will survive for more than five years. Indeed, some might survive for a lot longer, but late detection means that survival rates are low, with only 36% surviving for more than five years.

The disease is sometimes known as the silent killer, because it can be symptomless until the growth puts pressure on other internal organs. In many cases, however, there are early symptoms, which can include back pain, stomach pain and discomfort, changes in bowel pattern and ongoing excessive fatigue.

Not only do the public need to be better informed, but the medical profession must do everything possible to rise to the challenge, and, perhaps, more could be done to provide guidance to GPs, consultants and other key personnel. Where there is a family history of the disease, it would be a tremendous help to have a specific screening programme. I know that research is being done into that,

and, perhaps, the Minister will be able to cast some light on that aspect.

As the symptoms of ovarian cancer can be similar to those of other illnesses, such as urinary infections, ovarian cysts or irritable bowel syndrome, GPs have the difficult task of identifying precisely what is wrong, but I urge them to make every effort to ensure that a proper diagnosis is made at a very early stage.

I referred to Angels of Hope, and we must all have hope that deaths from ovarian cancer will very soon be reduced, as far as is humanly possible. I support the motion.

Mr Poots (The Minister of Health, Social Services and Public Safety): First, I thank all the Members who have contributed, thus far, for the very powerful speeches that have been made on the issue. I also welcome the publication of the recent Target Ovarian Cancer pathfinder study and, arising from that, the opportunity to have this debate about ovarian cancer.

I have often spoken in the House about the significant challenges that patients and our health service face from cancer, and I am grateful for the opportunity to provide key messages and to focus on the particular challenges that come with ovarian cancer. Losing the battle to cancer is never an easy one, because, generally, you slowly lose a loved one. Sitting with them day after day and seeing them go down is something that is very traumatic. I, too, have met Maureen Clarke from Angels of Hope. She is a tremendous wee woman, doing terrific work for that organisation to highlight it and ovarian cancer. I have a lot of respect for her. I look forward to meeting Una Crudden as well. She is also doing great work in highlighting ovarian cancer.

For a moment, let us consider the scale of this disease. The Northern Ireland Cancer Registry tells us that, every year, around 160 women here are diagnosed with ovarian cancer and that, very sadly, there are 120 deaths. It is the primary cause of mortality among gynaecological malignancies. It accounts for 4% of all new cancers in Northern Ireland. Although ovarian cancer is the sixth most common female cancer, it is the fourth most common cause of death from cancer in females. It is a serious disease that has a greater impact because it is usually diagnosed late.

1.15 pm

In common with all cancers, early diagnosis is extremely important. In fact, when ovarian cancer is diagnosed at an early stage, the outcome can be good. There is general agreement among experts that early symptom identification with a high index of suspicion of ovarian cancer has the potential to improve prognosis. Unfortunately, one of the particular challenges of ovarian cancer is that it is particularly difficult to diagnose. Patients often present with vague, non-specific abdominal symptoms that can be common to other illnesses. Often, therefore, women are diagnosed with advanced disease, which is associated with poor survival rates. It is not helped by the fact that GPs probably see only one person with ovarian cancer every five years. However, recent studies show that the majority of women with ovarian cancer, even those with early disease, have symptoms prior to the diagnosis. There is increasing evidence that symptoms may be present for around 12 months.

Many Members have stated the symptoms. I believe that they cannot be overstated. Therefore, I am happy to state them again. Any of the following three symptoms, if they occur on most days, may suggest ovarian cancer: persistent pelvic and abdominal pain; increased abdominal size or persistent bloating; or difficulty eating and feeling full quickly. I urge any woman who experiences any of those symptoms to discuss them with her GP as soon as possible. The Target Ovarian Cancer study is one of the main reasons for today's debate. Although the report makes a very useful contribution to increasing awareness of the disease, it is based on the experiences of 382 women throughout the UK and is not focused specifically on Northern Ireland.

The Northern Ireland Cancer Registry, in collaboration with the Northern Ireland Cancer Network, has also produced a report, 'Care of Ovarian and Cervical Cancer Patients Diagnosed in Northern Ireland 2010'. That report describes the care of patients with ovarian and cervical cancer and compares the care for women in 2010 with that received in 1996 and 2001. I am glad that there has been a reduction in ovarian cancer rates during that period for women who are over 50 years of age by around 20% and for younger women by around 14%. However, that creates no room for complacency. The study also identified findings of late presentation of ovarian cancers and recommends a public awareness campaign that highlights the key symptoms of ovarian cancers. I take this opportunity to thank the NICR and NICaN for their informative and thorough report.

The NICR also plays an important role in managing Northern Ireland's involvement in the International Cancer Benchmarking Partnership (ICBP), which studies survival differences for breast, lung, ovarian and colorectal cancers. The partnership includes New South Wales and Victoria in Australia; Alberta, British Columbia, Manitoba and Ontario in Canada; Sweden; Denmark; Norway; England; Wales; and Northern Ireland. There are important international differences in cancer survival, the explanation for which is unknown. The ICBP was formed to explore and enhance our understanding of those differences. It is an innovative international partnership of clinicians, academics and policymakers — the first of its kind — that seeks to determine how cancer survival varies across a range of countries and regions and to explore reasons that could explain any differences.

The ICBP conducted the first robust international comparison of population awareness and beliefs on cancer. The results found that people with low cancer awareness and negative beliefs about cancer outcomes may be less likely to seek help for suspicious symptoms, which may in turn lead to a more advanced stage at diagnosis and poor survival. Many people indicated that they would be put off seeking prompt clinical advice for reasons of embarrassment; fear of wasting a physician's time; fear of the outcome; or because they did not want to know whether they had cancer.

So there is a clear consensus among professionals, across a range of national and international organisations, that a lack of awareness of the signs and symptoms, coupled with negative beliefs about outcomes, can lead to late presentation, which, in turn, is reflected in late diagnosis and further poor outcomes for patients. Therefore, it is vital that we break this negative cycle, first, by taking the steps necessary to improve awareness of the early signs

and symptoms of ovarian cancer and, secondly, by tackling attitudes to seeing a doctor.

We must also spread the positive message about the many modern treatments that are now available and which enable us to control symptoms and improve cure rates. There is a lot to be positive about. The NICR report found many improvements when comparing treatments for patients in more recent times with those diagnosed in 1996 and 2001. The report found that patients with ovarian cancer in Northern Ireland are managed by a well-functioning regional specialist multidisciplinary team, which records cancer stage and treatment plans and communicates very well with patients. The report also found evidence of the centralisation of treatment, shorter delay between referral and first being seen, increased surgical specialisation and an improved survival rate for stage 3 patients. All those measures indicate improvement in quality, and I wish to record my sincere thanks and, indeed, admiration for all those who work with commitment and skill in our health service in Northern Ireland to combat cancer in all its forms.

The motion calls on me to consider a public awareness campaign, and that is what I have done. I am pleased to say that the Public Health Agency (PHA) is well advanced in planning a cancer awareness campaign for this year. This is, undoubtedly, the right thing to do. As I have noted already, there is a wealth of evidence, internationally and from elsewhere in the UK, that awareness campaigns can have a significantly positive impact on the number of people who visit their doctor with symptoms, and we all know how crucial that can be in improving the outcome for cancer patients.

It is proposed that the new campaign will focus on improving knowledge and awareness of the signs and symptoms of cancer and encouraging those with specific symptoms to seek medical advice. The key messages cover the recognition of signs and symptoms of most types of cancer; seeing a doctor early is not wasting a doctor's time; early diagnosis is up to you — seek clinical advice quickly; and cancer treatments have improved, so a cancer diagnosis is not a death sentence.

Although the key messages of the campaign are aimed at cancer, it is expected that the campaign will also include a subset of tumour-specific messages. These messages will focus on diseases such as ovarian cancer, for which early referral significantly impacts on survival rates. These tumour-specific messages will be delivered sequentially over a period of one to three years. The detailed content of the campaign has not yet been finalised, but I am confident that the PHA will ensure that the key messages will be tailored to target audiences identified according to the peak incidence of each cancer, including ovarian.

Ms S Ramsey: I thank the Minister for giving way. It is important to acknowledge what he has just told the Assembly and his announcement of a public awareness campaign. Will the Minister go into more detail for the Health Committee so that it can track the PHA campaign and feed information to other Members? I know that, in the limited time today, you cannot do that, but I ask you to give us that detail.

Mr Poots: I am very happy to facilitate the Committee in assisting us to get the message out because it is important that, when it comes to these issues, we are all messengers. We anticipate the main target audience being

individuals over the age of 50 and individuals living in areas of deprivation.

Although public awareness is essential to break the negative cycle that I spoke of earlier, there are other things that we can do to ensure that, when needed, the service makes the right response at the right time. There is, for example, increasing professional awareness of ovarian cancer, and my Department has endorsed the National Institute for Health and Clinical Excellence (NICE) guidelines — CG122 — on the recognition and initial management of ovarian cancer. The guidelines offer medical professionals evidence-based advice on the care and early treatment of women with suspected or confirmed ovarian cancer. Since November 2012, GP practices in Northern Ireland have been issued with replacement laminates of the guidance and advised about an electronic copy located on the Health and Social Care Board (HSCB) primary care website.

On the issue of CA-125 diagnostic tests and ultrasound scanning, I am told that GPs have access to testing for the indication of cancers, including CA-125. The HSCB is committed to ensuring that there is adequate capacity for such testing, and the same applies for ultrasound scanning. I trust that that will allay some of the concerns raised by Members during the debate.

I understand that the Health and Social Care Board is considering the introduction of an action plan for ovarian cancer. The HSCB is also working to ensure improved referral pathways from GPs to diagnostic services and specialties for suspected ovarian cancer. It is anticipated that significant improvement will be delivered once that work has had time to develop.

The HSCB is looking to improve survival rates through earlier diagnosis by ensuring greater clarity on appropriate available diagnostic tests for investigating patients with symptoms consistent with possible ovarian cancer; looking at family history and testing for BRCA, a breast cancer gene, as appropriate; ensuring prompt treatment following positive diagnostic tests; providing targeted education and training for GPs on the agreed pathway; and providing information on the symptoms of ovarian cancer to women attending cervical and breast screening.

I should also mention that pilots are under way for ovarian cancer screening, but we are not yet in a position to identify whether screening is the way forward. It will take until around 2016 for the pilot to be completed, but we are certainly taking it very seriously.

In summary, I support the motion, and I once again want to emphasise the importance of increasing awareness of the early symptoms of the disease and the need for early investigation. To meet the challenge of ovarian cancer effectively, we need to proceed on two fronts. First, we need to empower women by giving them the information that they need to spot early symptoms and come forward to their doctor with confidence. Secondly, we need to ensure that Health and Social Care in Northern Ireland continues to build on the improvements that we have seen over the years in enhancing professional awareness and improving the care pathway for patients.

I am determined that we should work continuously to raise our standards to ensure that our ovarian cancer services are up to the standard of the best. Once again, I thank Members for raising the issues today.

Mr Wells (The Deputy Chairperson of the Committee for Health, Social Services and Public Safety): I

thank all who took part in what, I think, has been a very constructive debate. In previous debates in the Assembly, I have lamented the fact that, when health issues are discussed or debated, the only people who contribute are members of the Health Committee. I am glad to say that that was not the case this afternoon. The two Members who are not on the Health Committee made particularly positive contributions.

I would like to thank Mrs McKeivitt, my colleague and, I suppose, rival from south Down, who added a very human touch to the debate with her recollection of the outstanding work of Una Crudden, and she paid tribute to her remarkable work in that field.

I was very touched by Sydney Anderson's very direct and poignant contribution based on the fact that he lost a very close relative to the condition. I was very pleased with the success of his fundraising during his term as Mayor of Craigavon. He quite rightly paid tribute to Julie Clarke and her mother Maureen and to the Angels of Hope charity, which along with Target Ovarian Cancer has done so much to raise the profile and importance of early diagnosis and treatment of the condition.

Most Members drew heavily on the pathway study, but I want to make a few initial comments on the contributions that did not solely deal with that study, some of which were quite interesting. Conall McDevitt made a very useful contribution in quoting directly from an interview with Mrs Crudden. That brought it very much home to us that we are dealing with real people here who have had a pretty traumatic diagnosis, and we heard how they have dealt with that. Conall's contribution was very timely.

1.30 pm

Sam Gardiner brought up the totally different angle of how to increase awareness. He mentioned a study in Chicago that had been implemented successfully. His was a novel and interesting contribution. Kieran McCarthy raised concerns about the situation on the east coast of Northern Ireland. There seems to be a cluster of cancers in constituencies such as Strangford, South Down and East Antrim. Despite many studies, we do not yet know what is causing that, but it is an issue of concern to all our constituents. I am not certain whether it is directly linked to ovarian cancer, but it is certainly an issue that should have been raised.

Maeve McLaughlin raised an issue that concerned me. She said that there could be slippage in the timing of the new cancer facility at Altnagelvin. This is the first time that I have heard that. As a representative for the area, she would be in much better contact with the situation on the ground than I would be. I would be very interested in the Minister following up Ms McLaughlin's comments in order to tie down whether there has been a slippage. Given all the controversy surrounding this two years ago, it would be a pity if there were any delay whatsoever with that much-needed facility which I know that the people of the north-west will welcome with open arms.

Perhaps the most poignant comment was made by Paula Bradley. Many of us celebrated Mother's Day yesterday. Many of us are very fortunate that we still have our mothers with us, and many of our children are fortunate

that their mother is still very much alive. I had a wonderful day yesterday with my children. Paula made the point that many of the 120 women who pass away with the condition every year in Northern Ireland are mothers. There would have been an empty chair at the table yesterday for many of those families. That brings home the trauma of the condition. Remember that Julie Clarke was only 27 when she passed away with ovarian cancer. It can strike young women, but it often strikes those who are in the prime of their life and have families, children and even grandchildren. That was an interesting contribution.

The vast majority of the contributions followed the lead of the Chairman and dealt with the pathfinder study. The statistics are worrying. We do not want to beat ourselves up too much about our role in Northern Ireland, because there are some examples of extremely good news in this field. When I was young, which, as you know, was a very long time ago, a diagnosis of leukemia among young people was, effectively, a death sentence. Now, as a result of outstanding work by the clinicians and people such as Professor Paddy Johnston in the cancer unit in the City Hospital, 82% of those who are diagnosed with leukemia are alive five years after diagnosis. That is a remarkable turnaround; there has been great success.

Sadly, for cancers such as pancreatic cancer and lung cancer, the diagnosis is, unfortunately, still extremely poor. There are then groups of cancers in which we know, because of delay in diagnosis, that people are needlessly dying. Unfortunately, ovarian cancer falls into that category. As the Chairman quite rightly pointed out, 90% of those who receive an early diagnosis are alive after five years. Unfortunately, the rate in Northern Ireland is 36% alive after five years. That clearly indicates that many women are dying absolutely needlessly in Northern Ireland. That is something that we need to concentrate on.

We need to have this debate, and the issue needs to be dealt with. We need to encourage women to come in early with the very slightest hint of symptoms, which have been well and truly explained to Members this morning. We also have to ensure that GPs can spot those symptoms and launch further investigation immediately. I was encouraged to hear that there is a blood test — I understand that it is CA125 — that can be used as a very important test for ovarian cancer. If a woman is in the risk group, which is often when she has a family history of ovarian cancer, and is perhaps showing some of those symptoms, I would have thought that that test would have been automatic in every case, so that there would not be a six-month delay between a woman first presenting herself with the condition and getting confirmation, because, obviously, her health will deteriorate dramatically during that period. I would like to think that, now we have that test, it will be unveiled in every surgery and be available to all women.

A problem that was raised by many Members was that, not only are GPs unaware of ovarian cancer but the first time that a third of women are diagnosed at all is when they present at A&E in severe pain. I think that it was Roy Beggs who made the comment. Sadly, we all know that, by that stage, it is far too late. There is something wrong with the system if one third of our women are diagnosed with ovarian cancer at a point when nothing can be done. That was an interesting contribution by Mr Beggs.

The Chair outlined the pathfinder report very fairly. Paula Bradley made another interesting comment when she

called ovarian cancer the “silent disease”, and one for which the symptoms are often unknown. Of course, people are often unsure whether it is ovarian cancer or cancer of the cervix. There is that difficulty. It is also confused with irritable bowel syndrome.

Conall McDevitt made his usual very positive contribution.

Mr Roy Beggs is rapidly establishing himself as a very important member of our Committee. He often makes very useful contributions, and he certainly did that today. He outlined the fact that ovarian cancer leads to 6-6% of all cancer deaths in Northern Ireland and that 500 lives could be saved in the United Kingdom if we matched European levels of diagnosis and treatment. Although we may be at the top of league in many forms of cancer treatment, we certainly lag behind on ovarian cancer, and we really need to try to bring ourselves up to the European average. He also called on the Minister to take forward an interactive campaign on the issue, which very much underscored the points made by Mr Gardiner.

In addition to raising his concerns about Sellafield, Mr McCarthy also felt that there was a lack of awareness, a delay in diagnosis and that actions needed to be taken immediately.

Mr Poots: I thank the Member for giving way. Just to clarify, there is no evidence that there is a higher prevalence of cancers in South Down, North Down or Strangford than in any other part of the world. You are safe to live in those areas. I also want to clarify that the radiotherapy unit at Altnagelvin Hospital is on target. There has been no slippage.

Mr Wells: I am absolutely delighted, particularly with the latter assurance. When Ms McLaughlin raised that issue, I was concerned. I welcome the Minister’s assurance. I know that the people of the north-west are crying out for that facility, and he knows the great controversy there was when an attempt was made to ditch that new unit. We are all very relieved to hear that.

On the other issue that he raised, there is a still a perception, rightly or wrongly, among those who live along the east coast of Northern Ireland that Sellafield has some impact on the health of the people of Northern Ireland. I suppose that we are a long way from establishing that one way or the other.

Ms McLaughlin also raised the point that only 42% of GPs have access to the ultrasound technique to deal with this.

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

Mr Wells: Oh gosh. This has been a useful debate. If we achieve one thing and raise public awareness of this condition and prompt more women to go for early diagnosis, it will have been a useful exercise.

Question put and agreed to.

Resolved:

That this Assembly notes with concern the results of the Target Ovarian Cancer pathfinder study 2012, which revealed low levels of awareness of the symptoms of ovarian cancer among women in Northern Ireland and delays in diagnosis and treatment; and calls on the Minister of Health, Social Services and Public Safety to consider a public awareness campaign on this issue.

Committee Business

Creative Industries: Committee for Culture, Arts and Leisure Report

Mr Deputy Speaker: The Business Committee has agreed to allow up to two hours for the debate. The proposer of the motion will have 15 minutes in which to propose and 15 minutes in which to make a winding-up speech. All other Members who are called to speak will have five minutes.

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

That this Assembly approves the report of the Committee for Culture, Arts and Leisure on its inquiry into maximising the potential of the creative industries (NIA 98/11-15); and calls on the Minister of Culture, Arts and Leisure to implement the recommendations contained in the report.

I am delighted to move the motion on the Culture, Arts and Leisure Committee’s inquiry into maximising the potential of the creative industries in Northern Ireland. I would like to thank Committee members for their input into the inquiry, and I would particularly like to thank Committee staff, past and present, for the work they have put into this significant inquiry. Additionally, I thank all the witnesses and stakeholders for their contributions. We can all be very proud of this excellent piece of work. I appreciate the Minister being here today to respond, and I am sure that she and her officials will find the report extremely useful. The Committee is looking forward to taking the recommendations forward in co-operation with the Minister.

The Committee began the inquiry in September 2011. However, the issue of supporting and developing the creative industries here had been considered on a number of previous occasions. The inquiry’s objective was:

“To investigate the policies, strategies and frameworks which oversee the development and growth of the creative industries; and examine whether these are fit for purpose and are effective delivery support mechanisms, which maximise and harness the economic benefits of the Creative Industries within Northern Ireland”.

In meeting that objective, the Committee sought to identify the economic benefits of the creative industries and the challenges that the sector faces. To meet those challenges, the Committee identified gaps in current policies, strategies and delivery mechanisms in a variety of areas, such as financial and business support; tax credits; education; training and skills development; and access to international markets.

At the core of the inquiry, the Committee asked two key questions. The first was: why are the creative industries in Northern Ireland not fulfilling their potential? The second was: what can be done to facilitate the development of, and capitalisation on, this potential? The answers to those questions are at the heart of the recommendations that the Committee has made as part of its report.

The Department of Culture, Arts and Leisure (DCAL) states that, by enhancing the creative industries, Northern Ireland can:

“develop skills that can be utilised across all key industries to build an innovative, knowledge-led

economy. The sector also makes an important contribution to physical, social and cultural regeneration”.

So, what exactly are the creative industries? It is generally accepted that the creative industries consist of the following subsectors: advertising; architecture; art; crafts; design; designer fashion; film and video; interactive leisure software; music; performing arts; publishing; software and computer services; and TV and radio. The sector is eclectic and fast-paced, with many of its component parts found at the cutting edge of technological innovation.

Recent documents produced by the Executive acknowledge the important contribution that creative industries can make to the Northern Ireland economy. For example, the economic strategy highlights an investment of £4 million for the creative industries innovation fund and wider sectoral initiatives to stimulate innovation, R&D and creativity. The Programme for Government 2011-15 pledges to support 200 projects through that fund, prioritising digital content, export-focused activity, cross-sectoral collaboration and the innovation and entrepreneurial potential of Northern Ireland’s culture, arts and leisure base.

So, no one, least of all the Minister, Executive and the Committee is in any doubt about how important this sector is. However, there are issues around how visible it is. Our creative industries must be better mapped and measured. We must seek and learn lessons from the experiences of other regions. There is considerable potential for the creative industries to contribute not only to the economy of Northern Ireland but to the development of all our people, schools, colleges and universities. However, that can happen only if we ensure that the right conditions, infrastructure, policy interventions and support are in place.

Although creative industries here have many positive aspects, the challenges that the sector faces should not be underestimated. The Creative and Cultural Skills ‘Sector Skills Assessment’ in 2011 identified the following priority areas that need to be addressed to meet these challenges and remove barriers to the further development of the sector: qualification development; careers information, advice and guidance; aligning higher and further education with industry requirements; and continuing professional development. Our creative industries are highly fragmented with insufficient scale and limited engagement with international markets. The lack of collaboration between subsectors and between the creative industries and other business sectors create further barriers to developing and fulfilling potential.

The diversity of the creative industries in Northern Ireland means that no single Department, local council, agency or representative or development body can fully realise the sector’s potential in isolation. That has resulted in a range of diverse government interventions, which sometimes lack co-ordination.

1.45 pm

The potential of the creative industries is not sufficiently recognised or appreciated in either policy or business circles, so the sector lacks visibility. A direct consequence of that is that the creative industries have difficulty marketing their products without a recognisable local brand. Many witnesses highlighted that there is no unified voice for the creative industries in Northern Ireland. The

Committee concurred with that view, and questioned whether the Department’s leadership role was understood within and outside government. Given the fractured nature of government support, it is not surprising that the Department’s leadership role is not always clearly articulated in policy and delivery terms.

The sector’s lack of visibility has made it difficult for creative enterprises here to link into international markets. The consensus is that few creative businesses here have the critical mass of in-house skills and market knowledge to fully exploit opportunities. The skills gap in the creative industries is also a key challenge. Creative and Cultural Skills reported that approximately one third of businesses experience problems recruiting staff due to a lack of specialist skills and experience. Some 68% of creative businesses with skills gaps in the workforce had lost business as a result. Greater technical and business skills for the creative industries should be regarded as a high priority.

Businesses in the creative sector are primarily microbusinesses that employ fewer than five people. Figures provided by Creative and Cultural Skills indicate that 78% of businesses in the sector employ five or fewer people. That leads to a number of challenges, including skills issues, which may make it less likely for microbusinesses to access finance, tap into export opportunities or feed their innovation and practices into the wider economy.

It is also important to set the creative industries in a wider context. The sector has a close economic relationship with tourism, hospitality, museums and galleries, heritage and sport, and the social economy and community and voluntary sectors. The creative industries also provide benefits to local communities and social cohesion, and make a real contribution to improving the health of our people. Those aspects of the creative industries are less well publicised, and that can be seen as a further challenge.

To address some of those challenges, the Committee believes that the effective branding of creative industries in Northern Ireland would be a significant step forward. That would allow for the Department to make its leadership role clear. Members also consider that such a brand could be supported by creative industries champions or heroes. That sort of approach would allow the establishment of a single entry point to streamlined support to the sector. The result could be improved collaboration across all levels and branches of government, industry and academia, and the provision of a one-stop shop or portal to deliver strategy, funding, advocacy, research and policy development.

The Committee is also of the view that the development of creative quarters or hubs could also contribute significantly to the establishment of a creative industries brand and would allow the development of spatial foci for the creative industries across Northern Ireland, in both urban and rural areas.

Engagement with the Department of Enterprise, Trade and Investment (DETI) and Invest NI would also ensure that challenges are met by the sector. The Committee recommends that the Department should work with DETI and Invest NI to seek to assess the funding and financing needs of the creative industries, with the aim of developing pathways to develop their capacity to access international markets and create guidance on the creative industries

here to better enable potential investors and funders to more adequately assess the viability of creative products and companies, making the provision of funding and investment easier and more likely.

Witnesses highlighted that there is difficulty accessing short-term finance for creative companies, and that those difficulties exist in accessing private and public sector funding. However, the Committee noted that, over recent years, there has been major capital investment for culture and arts, including the MAC theatre, the UK City of Culture and the Lyric Theatre.

Concerns were expressed, however, that the benefit of that capital investment will not be fully utilised and realised unless follow-up investment in culture and the arts is made. The Committee heard from Digital Derry that seed funding was needed to encourage innovation, development and growth and that the requirement for match funding should not be a barrier. The Committee also heard that Invest NI had the resources to support the creative industries but its models of support are too large for small, emergent creative companies. A gap was identified between the creative industries innovation fund, which generally goes up to around £10,000, and Invest NI investment, which generally begins at around £100,000.

There is a need to develop mechanisms for businesses in the creative industries to better access experienced business mentoring and improve signposting of those services in the creative industries. Modifications to our education, training and skills development and careers systems can help to meet the challenges faced by the creative industries. The Committee believes that the Department should work with the Department for Employment and Learning to commission research to investigate vocational and work-based routes into the creative industries that would reduce outward migration. Links with industry for student placements and project-based learning need to be improved to provide the foundation for the development of a bespoke creative industries apprenticeship programme.

The Department must work with the Department of Education to establish an environment and ethos in all schools that encourages young people to be creative and engage with arts and creative subjects. ICT in schools must incorporate skills that are applicable to the creative industries, such as design and software development. There needs to be early engagement with pupils to identify career pathways for them to the creative industries and the variety of employment and business opportunities in the sector. Advice must be provided by professional career advisers, and guidance on the subjects and subject combinations needed for creative career pathways should be available to all young people.

Further and higher education needs to be more responsive to rapid developments in the creative industries. Intervention is required to develop closer working relationships with industry to increase employer confidence in the qualifications system and create vocational qualifications that meet industry standards. One solution suggested by the Arts Council is a Northern Ireland-wide knowledge transfer partnership as a way of strengthening links between industry and academia. We need more internships, work experience and sandwich placements.

The Committee believes that the STEM agenda should be transformed into a STEAM agenda to include the arts. That would maximise the use of art and creativity in schools, colleges and universities. Encouraging art and creative subjects in tandem with the STEM subjects will go much further towards ensuring that our young people have the broadest range of skills possible and enable them to explore careers options in the creative industries.

Collaboration is also a way to meet the challenges faced by the sector. The Committee strongly believes that there is a need for economic development bodies at departmental and local government level to establish a much more joined-up approach towards financing, mentoring and generally assisting intervention and signposting to help to give guidance. That should be done by Invest NI and local councils. The Department acknowledged that more needs to be done to invigorate councils and local enterprise agencies. It is hopeful that the collaborative framework will go some way towards addressing that issue.

The Committee is clear in its view that the Department's draft collaborative framework to support the creative industries is not a strategy. The Department highlighted that it was not intended to be and argued that a strategy is not what is required at present. The Department stressed the need for a framework that can be responsive and adaptive to support individual subsectors and the sector as a whole. During the inquiry, the Committee heard evidence supporting the view that a one-size-fits-all approach would not be appropriate for the creative industries.

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

Miss M McIlveen: Mr Deputy Speaker, you will appreciate that this is a substantial report. Given the time constraints, I have managed merely to highlight a number of the many recommendations. I look forward to an interesting and useful debate. I commend the Committee's inquiry report to the House.

Mr Deputy Speaker: I am sure that Members will agree that you did very well.

Mr Ó hOisín: Go raibh maith agat, a LeasCheann Comhairle. Beidh mé ag labhairt i bhfabhar na tuairascála agus an rúin. I will speak in favour of the report and the motion. I commend the Committee, its Clerk and staff for their work to date. More than a year has gone into this, and I pay tribute to those who contributed. There were, however, some gaps, particularly in the north-west, and I think that, possibly, evidence should have been taken in the Derry region.

There has been a deep recognition of the close economic relationship between the creative industries and other sectors, including tourism, hospitality, museums, galleries, heritage, education, sport, the social economy and the community and voluntary sector. Other benefits are to social cohesion and local communities. However, an overriding theme in submissions to the Committee during the inquiry was that there has been a lack of the economies of scale and critical mass required to deliver sustainability in many of the disciplines in the creative industries. There is no doubt that there is a bright future for the creative industries, but there must be a rationalisation of how those are delivered and the relationships that can deliver on a North/South, west-east and international basis.

The Committee recognises the creation of the very successful creative quarters, including the Cathedral Quarter, the Titanic Quarter and the Gaeltacht Quarter, as well as Ebrington Square in Derry. Those have shown best practice across the sector and can be replicated in any other field.

There is, as the Chair rightly said, a central role for education as well. The creative industries innovation fund should, as well as promoting start-ups, contribute to increased mentoring, as is the case in the rest of Ireland. Councils and local government need to access funding, as their Southern counterparts do, through the likes of the International Fund for Ireland and other sources. In the past year alone, two of our neighbouring councils — Cavan and Donegal — have accessed nearly £500,000 for the creative industries. Councils in the North need to replicate that.

Representation on Culture Action Europe is needed. We are currently not represented. Opportunities for networking, co-operation and co-ordination, and the sharing of skills and talent should be paramount. That is very clear in the film and TV industry. As a result of tax relief and official encouragement from the Southern Government, major blockbusters have been made and the places where they were set have become part of the tourist trail. I think particularly of my visit last year to Wicklow, where, within a very small area, 40 major films had been made, dating back as far as the 1930s. There have been successes here, including the likes of 'The Shore' and 'Game of Thrones', but there is so much more potential.

The potential of "Made by hand locally" should be stressed and strengthened. Local musical talent should be highlighted because we probably have more musicians per capita than any other region. The Ulster Orchestra, through carrying out good work in schools and communities, needs to up its collaboration, particularly with the RTÉ orchestra and the NI Youth Orchestra.

Mr Storey: I thank the Member for giving way. Given the roles that many of us play in the House, I think that we should all declare an interest as being part of the creative industries. People looking in might think that that is how we should be titled.

Does the Member agree that there is an issue — he has not really got to the nub of it — with where education sits? The Chair referred to further and higher education and STEM subjects. Do he and his colleagues not need to address that with the Minister of Education to ensure a joined-up approach?

Mr Ó hOisín: I thank the Member for his intervention. If he reads Hansard, he will see that I mentioned the core role of mentoring in higher education. That has worked particularly successfully in the South in the past, and we should look at it very closely here.

The BBC needs to extend, deepen and expand its co-ordination and co-operation with other producers, such as RTÉ, TG Ceathair and S4C, as well as the independent and community-based TV companies.

The City of Culture provides an opportunity to showcase all that is good in the creative industries. I hope that this will happen and that it will leave a legacy.

I call on the House to endorse the report, and I hope that the Minister will implement the recommendations.

2.00 pm

Mrs McKeivitt: I welcome today's publication of the creative industries report, which the Committee for Culture, Arts and Leisure commissioned back in September 2011. I commend my colleagues and the clerking staff of the Committee for their huge effort and input in hearing from all representative bodies and formulating a strategy and framework to help shape and support the creative industries.

We learned of the enormous benefits — social and economic — that could be derived from our creative industries. Gaps in support for the industry were highlighted, as was the need for enhanced co-ordination across Departments. The proposal for a one-stop shop is critical, as it is the one proposal that will help deliver needed support to those on the ground who sometimes have no idea where to turn to for funding, funding advice and advocacy.

The proposals concerning education and the recognition of the arts in our curriculums are also critical, given all the opportunities opening up for creative people. I support enhancement of the STEM initiatives to include the arts and the adding of an "A" to change the acronym to "STEAM".

We are told that 36,000 people are employed in the creative industries in Northern Ireland, although I have an inkling that that figure, if updated, would significantly increase, given the number employed in new media. Film production attracts major inward investment, and I welcome the news that Colin Farrell, along with a host of stars, is beginning to film 'Miss Julie' in Fermanagh next month. I also note that the producers are searching for a little girl to play young Julie. What a wonderful opportunity that would be for any young lady.

The integration of new media into the community is also a growing industry that should be supported and encouraged. I had the pleasure of attending Newry and Mourne District Council's civic awards recently in the Sean Hollywood Arts Centre, which, incidentally, is a wonderful example of how to promote the arts locally. Two individuals from Destination Newry received awards for their contribution to the community through streaming local football matches and events across the internet. They are both volunteers for that aspect of Destination Newry's fledgling enterprise. The pair have a following of thousands, made up of local people who are unable to attend matches owing to illness or disability and of expats across the world who then contribute to the live blog. The interaction that the service facilitates for families at home and abroad, along with the vibrant duo who commentate on the matches and every aspect of social activity in Newry and Mourne, makes it unique. Such opportunities are growing daily as the technology improves, and the introduction of 4G will allow opportunities to develop further. However, all initiatives and business ideas need support, and the report is aimed at doing just that.

We need to ensure that all 18 recommendations are implemented and fully supported by all Departments. I commend the report.

Mr McGimpsey: As member of the Committee, I am happy to support the motion. I do so with a sense of déjà vu, bearing in mind that I was the Minister of Culture, Arts and Leisure 12 years ago, when the Unlocking Creativity policy

was launched. That was, of course, about much more than the creative industries. Today's motion is specifically about the creative industries, and they play a very important part. However, important as they are, they will function only with the support that we looked at 12 years ago.

That support included our mission to discover, inspire and value a creative confidence in every person. That translated a great deal to our young people. We brought together DCAL, which was in the lead, the Department of Education, the Department for Employment and Learning and the Department of Enterprise, Trade and Investment. They came together to collaborate on certain priorities that we had to promote — for example, creativity in education, which has been mentioned and is a key part in the spheres of education and employment and learning. Other priorities included promoting creative and cultural development, training and employment opportunities and partnership between sectors. Another priority was to look at the creative industries, assess their future needs and determine how we foster talent and bring forward business incubation. That would allow us to come forward with creative industries that, as everyone understands, have a huge future. They are a sunrise business, and, even if we emulate only a small part of what is happening in the rest of the British Isles, it will serve our Province extremely well.

Some of the most clarion examples, such as Google, Facebook and Twitter, were practically unheard of 12 years ago and have suddenly exploded on to the scene. They came about as a result of innovation and the creativity of individuals who thought up a new way forward. There is another example in Northern Ireland. A business called Chain Reaction Cycles, which uses the internet to sell parts of bicycles, has exploded into a multimillion pound business by using new technologies. I give credit to its founders, who thought up new ideas and had the intelligence and the creativity to go forward and got the support.

The cross-cutting themes that we looked at in those days were key to the process. They were building enterprise, promoting inclusion and accessibility, investing in ideas generation, and fostering talent in creativity. The key tools that we used were analysis and evaluation. We looked at where we were, how well we were doing, the threats and the opportunities. Looking at it today, the analysis is somewhat problematic. It appears to be impossible to get clarity on the levels of employment in sectors, and that is clearly a crucial part of this. Our gross value added measurement decreased by 25% between 2008 and 2009, and there was no change in the number of creative businesses in 2010-2011. That appears to suggest stagnation. The creativity seed fund, which I set up, is now called the creative industries innovation fund, and funding from that will be reduced by 40% over the next four years from 2011 to 2015. We do not want to encourage those steps.

I am happy to endorse the Committee's report and recommendations, but we have huge challenges. Without support from Education, Employment and Learning and Enterprise, Trade and Investment to identify opportunities, we will not achieve our full potential. Those are key collaborations. There are other threats of course, such as RPA. What will happen to DCAL and DEL under the new arrangements? It is likely that those two Departments

will disappear. Twelve years ago, we looked at how we could clarify DCAL's role to set it in stone, and that was to be done as we worked our way through this. A series of strategies were announced in the direct rule days.

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

Mr McGimpsey: We still do not have that. It has to be done before we start looking at how we abandon DEL and DCAL in RPA.

Ms Lo: I rise on behalf of the Alliance Party to support the motion. Although I am not a member of the Committee for Culture, Arts and Leisure and am, therefore, not involved in this inquiry, I am sure that we all agree that an inquiry into what can be done to facilitate the development of the creative industries in Northern Ireland is extremely positive, and I commend the Committee for undertaking that work.

It is estimated that approximately 31,000 people are employed in the creative industries sector, be they architects, scriptwriters, jewellery designers or software developers. The report seeks to establish how best to support those businesses, which are so often overlooked, and that is to be welcomed. The report particularly emphasises the economic benefit of growing those industries and highlights the challenges that must be overcome in order to do so. It is fair to point out that, throughout the world, creative industries have great economic and societal potential that we have not fully capitalised upon. The report indicates that 2,200 business units belong to the creative industries sector, which is 3.2% of all business units in Northern Ireland. The 31,000 people employed in creative businesses represent 4.1% of the total number of people in employment. Although we have seen growth in sectors such as film, software and electronic publishing, there is clear potential for more growth. With job creation, investment and better use of funding, there is room to break into international markets and encourage innovation and entrepreneurialism. Audiences NI forecasts that Northern Ireland will see a growth of 31% in gross value added (GVA) by 2020. This is somewhat optimistic, but perhaps a more joined-up approach across Departments can make that forecast a reality.

The report investigates gaps in current policies and calls for a cross-departmental response, with the Department of Culture, Arts and Leisure taking the lead. Continued development in the sector is vital, and I welcome the Department for Employment and Learning's review of apprenticeships, which commenced last month. My party colleague Minister Farry advises me that creative industries are very much in mind and will be central to the review. I hope that the other relevant Departments are as committed, and I am curious to know how the Minister envisages this collaborative approach being successful.

It came as little surprise to learn that, during the inquiry, the Committee was made aware of the benefits that creative industries have for local communities and the sense of social cohesion that they are able to provide. I have long been a supporter of the arts, and I recognise the value that creativity has in generating new modes of thought. We desperately need new ways of thinking in Northern Ireland, but equally important are incentives for the younger generations to stay. If we can develop more opportunities in our industries, we can lessen the brain drain.

It is my view that a diverse society is a prosperous one, and we should do all that we can to support and raise the profile of industries that are, at times, overshadowed, not only because of their economic value but because arts have no boundaries and bring all sections of our community together. They are for everyone.

Mr Hilditch: As a member of the Culture, Arts and Leisure Committee, I support the motion, not only to seek its approval but to highlight this important piece of work, which is very much cross-cutting and should receive the attention of a number of our devolved Departments as the Culture, Arts and Leisure Minister potentially seeks to implement the recommendations contained in the report.

Like others, I thank the Committee Clerk, staff and researchers, who have worked tirelessly to get the report over the line. It may have taken longer than expected to complete, but I am sure that, at the outset, many of us were unaware of the size of the sector or of the impact that the creative industries have on our economy and local communities. Indeed, this is highlighted in the section of the report on lack of visibility. Many of the industries come in under the radar, are not recognisable and find it difficult to establish themselves in the marketplace. This report comprehensively brings together government, the subsectors and all key stakeholders and will, hopefully, take the industry forward.

While the report focuses largely on the benefits to the economy — rightly so — there are other advantages to having a healthy sector. With my background being local government and the voluntary sector, I was particularly interested in the social and health benefits section, where many contributors gave examples of partnership working with local communities, both as groups and individuals working through to partnerships and mental health support. The wider benefits of the creative industries were recognised by, for example, Carrickfergus Borough Council, which stated in its support that it is vitally important for:

“ensuring the lifeblood of the local economy as well as to improving the health and well-being of many of our residents and visitors alike, many of whom directly benefit from exposure to the creative industries”.

It is my understanding, and I hope that the Minister shares my view, that this type of partnership breaks down perceived economic and social barriers, especially in areas of social deprivation, stimulates the mind, creates a sense of civic pride, promotes capacity-building and allows the opportunity for exposure to the arts and other forms of creative activity outside the usual day-to-day routines.

2.15 pm

Turning to the economic development responsibilities of local government, it was very disappointing that only four of the 26 councils contributed to the inquiry. Within the limited number of responses, it was clear that some important work is going on at that level, but there appeared to be inconsistencies across the Province. Those most active were working locally on advice and guidance, in conjunction with Invest NI, and also opening doors to access European assistance.

Disappointingly, as the matter was debated in Committee, it became clear that parts of the Province were

disadvantaged and did not have the same opportunity for joined-up partnership working. However, on the positive side, it gave me an opportunity to highlight the work of agencies such as Larne Enterprise Development Company and Carrickfergus Enterprise, which work very well and provide an excellent service and a conduit between client, local government and central government.

Clearly, most people will focus on the employment opportunities contained in the report and the potential for growth within the creative industries for new business. Therefore, I urge the Minister to lead on communication and connectivity between Departments, such as the Department for Employment and Learning, which is carrying out an inquiry into careers education, information, guidance and advice, the Department of Education and the Department of Enterprise, Trade and Investment (DETI), and to bridge the gaps that exist in current policy, strategies and delivery between all stakeholders to move the sector onto a new plane.

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

Mr McMullan: Go raibh maith agat, a LeasCheann Comhairle. I support the motion and thank the Committee Clerk and his staff for bringing the report.

In September 2011, the Committee for Culture, Arts and Leisure agreed to conduct an inquiry into the creative industries. At the core of the inquiry, two questions were asked. The first was: why are the creative industries in Northern Ireland not fulfilling their potential? The second was: what can be done to facilitate the development and the capitalisation of their potential?

The Committee also sought to find gaps in existing policies, strategies and current delivery methods, including in the areas of financial support, training, skills development, European funding and, in particular, the Barroso task force. The Committee also highlighted the importance of better networking locally and regionally, and the need for improved co-operation between the key stakeholders who could facilitate and help develop the creative industries.

One of the topics, when we talked of networking, was the branding that existed for such industry in England, Scotland, Wales and the South of Ireland. We do not have that branding here at all, and it is a problem. We looked at what we can give a brand name to, and whether we are big enough to market the creative industry through our own separate brand. That developed discussion, and will continue to do so, as the creative industries progress.

Throughout the inquiry, the Committee maintained the belief that there was considerable potential for the creative industries to contribute not only to the economy but to the development of our people. In 2009, the total numbers employed in the creative industries was estimated at 31,000, or 4.1% of total employment.

The Committee was disappointed that only four of the 26 councils submitted evidence to the inquiry. The Committee believes that councils, through their economic development departments, must adopt a more joined-up approach to supporting the creative industries. The review of public administration (RPA) was seen by members as a unique chance to change the thinking of local government. However, in defence of local government, when councils

considered applying for funding, there was a fear that they had to match funding. A lot of councils could not afford that. I sat on the smallest of the councils, Moyle. Its base is very small and it is very limited in what it can match fund. So that was something.

Now, with the review of public administration, we are being merged into bigger council groupings and that should allow us a bigger base for economic development. The creative industries must be more within the remit of councils. NILGA, as the governing body, now has the opportunity to push that. NILGA stated that councils could be more supportive of local artists. When we talk about local artists, the creative industries, the craft industry and the small entrepreneurs starting up, we must not forget that that young man or woman is heavily dependent on benefits to keep going. With the cuts to the benefits regime, there is a real fear that a lot of those people will drop out of the creative industries altogether because they cannot afford to stay in, and that was mentioned during the inquiry.

We also referred to the Welsh model where the councils transferred resources and shared staff across council areas. There has always been the perception that the bulk of funding went to urban areas, but now, with RPA, there is a real chance to change that. However, that can happen only with an equal distribution of funding in councils and colleges. Councils need to look outside the box. My party comrade Mr Ó hOisín referred to the IFI. The IFI's annual report stated that five councils in the South of Ireland drew down almost €750,000. However, there is no mention of a council here doing that for the creative industries.

One of the issues that came to light in the inquiry, and which was not in the terms of reference, was the question of disability and special needs. That is remarkable, when you consider that the creative sector employs more disabled people and those with special needs than the economy in general.

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

Mr McMullan: I support the motion.

Mr Humphrey: I support the Committee's report. I congratulate DCAL and DETI for their work in the promotion of the creative industries.

Film-making, music, television, software design, fashion, arts and crafts, along with tourism, are vital to the Northern Ireland economy and Belfast in particular, and I say that as a member of Belfast City Council and declare an interest. I understand that Visit Britain has suggested that 21% of all tourists who travel to a destination do so because of music, and Belfast has benefited from that immeasurably over the past number of years.

Others have talked about the placement of such investments in cities and towns across Northern Ireland. I do so as a Member representing North Belfast, and Belfast City Council had a discussion around that issue recently. When people talk about quarters of the city, whether it is the Linen Quarter, the Queen's Quarter, the Cathedral Quarter or the Titanic Quarter, we cannot talk about those quarters — I know that there are more than four of them — and not mention the arterial routes.

As far as I am concerned, we in government and city councils working together need to look at the provision of pump-priming, and I will give an example. If the decision had been taken not to locate the stadia for the facilitation

of the Olympic Games in the east end of London in a run-down area, that could not have acted as pump-priming for other investment that led to tens of millions of pounds of investment in that part of London. Equally, I know that Belfast City Council has visited Dublin and looked at the Liberties, where there has been investment for a digital hub, and I will return to that point.

As a city, Belfast is obviously the economic driver, the capital city and the tourism hub for Northern Ireland, and it has suffered greatly with the decline of the sunset industries such as shipbuilding, heavy engineering and, of course, the linen industry. Given the import of the new industries that we are talking about today, the effectiveness of a lobby for the creative sector is essential. I also agree with other Members that branding for creative industries and creative Northern Ireland is also hugely important, not just nationally but internationally.

As the Chair of the Committee outlined, a collaborative, joined-up approach around the issue is essential. The Department of Culture, Arts and Leisure, the Department of Enterprise, Trade and Investment, local government, the Arts Council, the Northern Ireland Tourist Board, the Minister for Employment and Learning and the Minister of Education must work together to get a holistic approach, so that young people in deprived parts of this city and in other towns and cities across Northern Ireland and those in rural communities are able to avail themselves of courses as much as those who come from a more privileged background or are more academically bright. So, it is important that we get a joined-up approach.

I agree with the idea and the concept of a one-stop shop. That was created a number of years ago for the Ulster-Scots community when the Ulster-Scots Agency, the Ulster-Scots Community Network and the Ulster-Scots Language Society came together. That has proved to be successful, and Ulster Scots has progressed because of that.

We should also look at profiling Northern Ireland internationally. Consideration should be given to Departments working with the Irish Football Association. When the Northern Ireland team travels to international destinations, DETI, Invest Northern Ireland, the Tourist Board and so on should travel to that destination to promote this region as somewhere for people to invest in. That would make a huge contribution to marketing Northern Ireland internationally.

Finally, I know that other areas are competing for a digital hub for Northern Ireland, including Londonderry, but as a Member for North Belfast, I make a plea that the Minister considers Crumlin Road prison as a destination for the digital hub. One particular wing that has been redeveloped is ideally suited for a digital hub, which I am sure will be the first of many to be placed in North Belfast.

Mr Deputy Speaker: As Question Time begins at 2.30 pm, I suggest that the House takes its ease until then. The debate will continue after Question Time, when the next Member to speak will be Mr Dominic Bradley.

The debate stood suspended.

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

2.30 pm

Oral Answers to Questions

Social Development

Mr Principal Deputy Speaker: Questions 9 and 11 have been withdrawn and require written answers.

Urban Development Grant Scheme

1. **Mr McAleer** asked the Minister for Social Development for an update on the delivery of his Department's corporate plan commitment to levering an average of £6 million in private sector investment through the urban development grant scheme. (AQO 3575/11-15)

Mr McCausland (The Minister for Social Development): My Department's corporate plan sets out our approach to social development and describes the context in which we will operate and how we contribute to improving the quality of life and well-being of society in Northern Ireland, linking to the Programme for Government aims and priorities 2011 to 2015. My commitment is to lever in an average of £6 million of private sector investment to the urban development grant scheme during the period of that plan, and I am delighted to say that, as of 31 December 2012, my Department had levered in over £5 million.

Mr McAleer: Does the Minister believe that the criteria for receiving the grant need to be amended?

Mr McCausland: I believe that things should constantly be kept under review. I am always open to suggestions or comments, but the fact that we are levering in money at the level that we are, and in view of the fact that many developers are experiencing difficulty in accessing money from the banks, indicate to me that it is the right sort of scheme.

Ms P Bradley: If the UK Government's proposal to remove Northern Ireland's automatic right to 100% assisted area coverage is implemented, what impact may that have on the availability of urban development grants across Northern Ireland?

Mr McCausland: I appreciate the Member's concern, but there are no indications that Northern Ireland will lose 100% area coverage. The Department of Enterprise, Trade and Investment is engaged in discussions on the issue with the Department for Business, Innovation and Skills. I will await the outcome of those discussions and then assess the implications of any decision reached.

Mr Dallat: Will the Minister, in his usual honest way, give his assessment of the success of the urban development grant scheme?

Mr McCausland: I think that the figures speak for themselves. We committed ourselves in the Programme for Government to lever in £6 million. We are well on target, and I believe that by the end of the financial year, which is in a few weeks' time, we will have reached our target.

Mr Principal Deputy Speaker: I call Anna Lo.

Ms Lo: Thank you, Mr Principal Deputy Speaker. May I take this opportunity to congratulate you on your recent success? I am very sorry that I will lose you from the Environment Committee, and I thank you for your support and work on the Committee.

Multiple Deprivation: South Belfast

2. **Ms Lo** asked the Minister for Social Development whether his Department will lead a multiagency approach to tackling multiple deprivation in the Belvoir and Milltown areas of South Belfast. (AQO 3576/11-15)

Mr McCausland: My Department has the lead on tackling deprivation in Northern Ireland. As addressed during the recent Adjournment debate on this subject, the Belvoir and Milltown areas do not currently fulfil the criteria for inclusion in my Department's main programmes that seek to address deprivation. The issue was raised during that Adjournment debate, but that was the first contact made with me on the matter. Normally, when these matters arise, people approach me directly, maybe asking for a meeting or a response in writing. However, the Adjournment debate was the first time that it was mentioned, and the areas concerned do not meet the criteria.

Ms Lo: I thank the Minister for his response. The Minister has been very supportive and responsive since that Adjournment debate. Minister, we will welcome you warmly when you come to visit Belvoir in the next couple of weeks. Outside the criteria for neighbourhood renewal and the new areas at risk programme, is there any funding stream that the Department can use to help these very deprived communities with housing, community development and community involvement?

Mr McCausland: We target our resources primarily at the areas of greatest disadvantage. Neighbourhood renewal areas cover the top 10% of areas of deprivation, and the top 20% of areas of deprivation can be considered for designation as areas at risk. The Milltown/Belvoir area does not fall within the top 20%. I am sure that the Member will agree that it is right and proper that we focus on the areas of greatest deprivation and try to tackle those. That presents us with a difficulty. However, I have indicated that there will be a meeting and visit in due course. That will present an opportunity to explain the situation as it is and to hear local people's concerns.

Mr McDevitt: I acknowledge the Minister's statistical reply. Can he confirm what steps the Housing Executive is taking in the Milltown area in particular, which is an area with multiple specific areas of deprivation, albeit below award level, to co-operate better with other agencies, most notably the PSNI, around the issue of antisocial behaviour from Housing Executive tenants?

Mr McCausland: That is the first time that it has been brought to my attention that there is a problem there. I have not had any correspondence that I can recall from the Member. His silence confirms that he has not bothered writing to me about it. Writing to me is the normal approach. I am open to hearing representations, be they written or verbal, and I am happy to pursue matters. However, Members have a responsibility to bring them to my attention if they are really concerned about them.

Mr McGimpsey: How does the Minister plan to address pockets of deprivation in such areas as Belvoir, Milltown

and, indeed, Newtownbreda village, which are in areas not of plenty but of greater prosperity, if they are not in a neighbourhood renewal area but have definite needs and requirements for investment?

Mr McCausland: For almost a decade, neighbourhood renewal has been the primary way of addressing deprivation. It remains our priority, along with the areas-at-risk approach. Across the Province, in my constituency and, indeed, in the Member's constituency, there are small areas that fall outside that. There is no single answer to that question. It requires commitment, involvement and dedication by local representatives, statutory organisations, and so on, to look at the areas. I am waiting until the meeting that will take place, at which we will be able to see the information that Members bring forward about the area. When we see the details of that, there will be an opportunity to decide on the best approach, if, indeed, we are able to do something. I hope that we will be able to do something.

Welfare Reform: Underoccupancy Penalty

3. **Mr Hussey** asked the Minister for Social Development how many additional properties are estimated to be needed to enable tenants to move to accommodation of an appropriate size in order to avoid the underoccupancy penalty within the Welfare Reform Bill. (AQO 3577/11-15)

12. **Mr Agnew** asked the Minister for Social Development how much revenue would be deducted from the block grant in the event that the underoccupancy penalty was not applied. (AQO 3586/11-15)

Mr McCausland: Mr Principal Deputy Speaker, with your permission, I will take questions 3 and 12 together, because they are closely connected. Question 9 will also be taken in writing.

I have significant concerns around the measure to be implemented in Northern Ireland and the potential impact on those affected. I agree that it is reasonable to assist benefit recipients with housing costs and that it should be the case that the assistance is necessary. It is also reasonable that the taxpayer should not subsidise individuals or households to live in accommodation that many working, low-income households cannot afford. Households should take decisions regarding their accommodation based on their own particular needs and circumstances and taking account of what is reasonable for the benefits system to pay.

On the Member's specific question on the number of additional properties that are estimated to be needed to enable tenants to move to accommodation of an appropriate size as a result of the underoccupancy provision, I can advise that work is ongoing to get an accurate picture of the difficulties that particular provision may pose. It is estimated that some 32,500 housing benefit recipients may be impacted on. That is the starting point for estimating what deficits exist in our existing housing stock and how we address such a deficit.

It is a difficult issue. Some 32,500 existing housing benefit recipients are thought to be impacted on, but work is ongoing to determine the characteristics and precise make-up of the group.

Existing social security legislation contains some protections. For example, couples over state pension age

and in receipt of housing credit would remain exempt from the underoccupancy provisions.

Mr Principal Deputy Speaker: The Minister's time is up.

Mr McCausland: However, I can advise Members that, based on the introduction of the underoccupancy provision in GB, those who continue to underoccupy properties by one bedroom would lose £7 per week. Those who underoccupy by two bedrooms would lose £14 per week.

Mr Hussey: I thank the Minister for his response. The bedroom tax is turning out to be one of the most chaotic and, indeed, shambolic aspects of the so-called reform process. In addition to the problems that the Minister has already detailed, does he agree with his DUP colleagues not least the MP for Lagan Valley who recently voted against the clause in Parliament because:

"it will hurt many in poverty and those with disabilities."

Mr McCausland: The Member would have noticed that, right at the start of my answer, I said that I have significant concerns about the measure. That is why my party colleagues at Westminster opposed it.

There are particular difficulties for people here in Northern Ireland. The fact of the matter is that the battle was fought at Westminster, which was the right place in which to fight that battle. Members will be aware of the parity principle on social security, on which I have briefed the Assembly on several occasions. In practical terms, it effectively dictates that an individual in Northern Ireland gets the same level of social security benefits, subject to the same conditions, as someone elsewhere in GB. The fact is that if we were to dispense with that, it is thought that the cost to the block grant in Northern Ireland would be around £17 million a year. That would be a recurring cost. That is our current estimate.

Mr Agnew: Given the Minister's previous response and, indeed, his party's opposition to the bedroom tax at Westminster, does he believe that £17 million may be an acceptable cost, so that the Assembly does not have to implement that particular welfare reform provision?

Mr McCausland: A number of welfare reform issues, of which this is one, are currently before the Executive. It will be a matter for members of the Northern Ireland Executive collectively to discuss that to see what the appropriate response should be to the welfare reform proposals. It is a difficult issue. However, it is one of many. I am sure that the Member will realise that we have to have a balanced, inclusive discussion. We will take the views of different political parties on board, listen to them and reach a conclusion through the Executive.

Mr Maskey: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. I offer you my comhghairdeas on your recent election.

Will the Minister confirm that the Housing Executive has, recently, in the course of deliberations on the Welfare Reform Bill, gone on record to say that it cannot meet the needs of people who are obliged to move as a result of the enactment of this provision?

Mr McCausland: The fact is that if the current housing stock in Northern Ireland is matched against the current population that requires social housing, the two do not match up. That is the result of decisions that were taken

over a number of years, whereby houses, homes of the wrong size to match the need, were built. It would take quite a number of years — there are various estimates of how long that would be — to ensure that we actually have the right provision. That work needs to be done. It needs to happen. However, it will take quite a number of years to be completed in order for the right number of single-bed and two-bed accommodation to be built in the right parts of the Province. That task will take some years.

Mr Durkan: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. The Minister referred to an exemption from the underoccupancy penalty for couples who are over state pension age. Will he confirm whether that exemption would apply to mixed-age couples in which one partner has reached stage pension age?

Mr McCausland: I can simply say that, at this point, we want to look at all of the options. The point that the Member raised is one of a number of difficult questions that have been identified in the GB situation. We are looking at all of the different scenarios to see what is the right outcome for Northern Ireland.

2.45 pm

Mr McCarthy: In relation to this evil bedroom tax, will the Minister tell the Assembly what — *[Interruption.]*

Mr Principal Deputy Speaker: Order.

Mr McCarthy: Will the Minister tell the Assembly what information he has given to those who will come under this evil bedroom tax, and what is he planning to do?

Mr McCausland: It seems that the Member has not learned the lesson about not walking into it.

Frankly, we are in the process of preparing an information leaflet for circulation to people across Northern Ireland. In that leaflet, we can be very specific on certain things; there are other things that have not yet been determined. However, it is, I think, important to get out as much information as possible, not least to dispel some of the ill-founded misinformation that has been circulated.

The Member used very strong language in describing it as “evil”. Some of the Members around me seem to be making the point that his good friends in the Liberal Democrats seemed to think that it was a great idea.

Housing: Developer Contributions

4. **Mr Mitchel McLaughlin** asked the Minister for Social Development for an update on the introduction of a developer contribution. (AQO 3578/11-15)

Mr McCausland: I have been looking critically at this issue over the past year with Minister Attwood. I remain supportive of introducing a system of developer contributions for affordable housing. However, two key factors will impact on the timing of their introduction. Appropriate processes need to be in place to manage any regime efficiently, and the timing of introduction is crucial in the light of the economic climate facing the construction sector currently.

In the present market conditions, it will prove extremely difficult to realise contributions. Therefore, I am minded to revisit this matter later this year, when, hopefully, the

housing construction market will have had an opportunity to improve.

Mr Mitchel McLaughlin: I thank the Minister for that answer. In his reflection or consideration, has he looked at the question of mixed tenure — a mix of social and private housing — in private developments? Will that be among his recommendations?

Mr McCausland: The Member will realise that developer contributions feature in the housing strategy as an element to help increase the supply of and access to affordable housing. Mixed tenure is something that we generally support, and there is no reason why it should not be part of the way forward.

Mr Beggs: Developer contributions can result in community benefit. However, it is unfortunate that, despite developer contributions having been talked about at the start of the previous Assembly mandate, they are still just being talked about. Will the Minister indicate how he proposes to work with those who are developing mixed-tenure housing to overcome practical problems, such as extended timetables that can result from the development occurring in different phases?

Mr McCausland: As I indicated in my initial answer, I am supportive of this. I will revisit it later this year, when, hopefully, the housing construction market will have improved somewhat. The Member suggested that there has been quite a time lag in the introduction of developer contributions, and I think that most people realise that the state of the construction market in Northern Ireland and the general financial situation have contributed almost entirely to that delay.

DSD: Delivery Support Arrangements

5. **Mrs D Kelly** asked the Minister for Social Development whether he has plans to formally engage with the volunteering sector as part of his review of delivery support arrangements. (AQO 3579/11-15)

Mr McCausland: As you are aware, the volunteering sector covers a wide range of organisations, and my departmental officials frequently engage with organisations from this sector in their day-to-day work. Formal volunteering is undertaken by nearly 200,000 people in Northern Ireland in a range of areas, including sport, health, faith-based organisations, youth groups and people with disabilities.

Volunteering has many definitions, but consistent themes run through all of them. It is an important part of our society and contributes in many different ways. Formal engagement with the volunteering sector was undertaken prior to the publication of our first ever volunteering strategy in March last year, when over 200 submissions were received and analysed. Clearly embedded in the strategy is the need to support front line volunteering and strengthen the infrastructure. The infrastructure support includes support for volunteering-involving organisations, such as voluntary and community organisations, and volunteering-support organisations, such as volunteer centres.

I have instructed my officials to ensure that any strategy delivery proposals must be consistent with my policy direction of supporting front line activity. Given the previous consultation, further formal consultation is

not considered necessary as we strive for successful implementation of the strategy. I confirm that officials will continue to engage regularly with all relevant stakeholders.

Mrs D Kelly: I thank the Minister for his answer. I join him in praising the people who contribute so much to our society on a voluntary basis. I am sure that the Minister will be aware that such reviews have a destabilising impact on volunteers and organisations. Will he commit to a timescale for completion of the review within the next two months?

Mr McCausland: My Department considered five areas of regional infrastructure support. We were able to move ahead very quickly on three of those: general generic support through the Northern Ireland Council for Voluntary Action (NICVA); the advice sector — again, there was a coming together of different organisations to collaborate and work together — and the churches faith-based sector. The Churches' Community Work Alliance (CCWA) has the contract for that work. However, there were two areas, one of which was volunteering, where there were tensions and difficulties. There was a lack of collaboration within the sector, and that created the difficulty. That is what we are trying to resolve. I want to see, and I am sure that the Member wants to see, the maximum level of collaboration, where all parties can work together, not to the exclusion or detriment of some.

Mr Anderson: Will the Minister provide some detail on why the previous process for providing infrastructure support was terminated?

Mr McCausland: The process for selecting the volunteering infrastructure partners was terminated in September last year. That was around concerns, which I hinted at and which were identified, regarding the level of non-collaboration between potential infrastructure partners. There was also the potential for a legal challenge to the process, and I did not consider that to be a good use of public funding.

Mr Gardiner: Will the Minister tell us what rate of cuts he faces to the regional infrastructure plan?

Mr McCausland: The priority for me is to get maximum value for the money we have. Of course, that has to be a priority for the sector right across the board. As I indicated earlier in my answers, rather than money being spent centrally, I am keen to see as much of it as possible get out on the ground to local organisations. We will get a much better result and a better return if we get the money out on the ground.

Community Development: Voluntary Sector

6. **Mr Ó hOisín** asked the Minister for Social Development whether his Department intends to outsource aspects of community development to the voluntary sector. (AQO 3580/11-15)

Mr McCausland: My Department does not directly deliver aspects of community development and has always provided contracts for funding to voluntary and community organisations and others, which enables them to assist us in delivering on our objectives on urban regeneration and community and voluntary sector development.

My voluntary and community sector unit provides over £14 million annually to various organisations, including

local authorities, supporting volunteering, advice, faith-based organisations, generic support for voluntary sector organisations and capacity-building.

The Housing Executive also provides £60 million annually through its Supporting People fund.

The neighbourhood renewal investment fund, managed through our neighbourhood partnerships, contributes over £26 million annually.

My Department's areas at risk programme makes available an annual budget of £1 million to areas at risk of decline.

My Department is also responsible for key policy development within the voluntary and community sector.

The Belfast Community Investment Programme is another example of how community development support will be provided to communities. That programme is being developed between my Department's Belfast Regeneration Office, the voluntary and community unit, and Belfast City Council. The programme is due to start in April 2014, and its aim is to promote community development work across the city through funding and support.

Mr Ó hOisín: Gabhaim buíochas leis an Aire fosta. Given the Minister's continued support for the community and voluntary sector, will that be matched with adequate and, indeed, accessible funding?

Mr McCausland: I am happy to give that commitment within the departmental funding constraints that we all face. My Department is no different from any other. I recognise quite clearly the contribution that the voluntary and community sector makes in so many areas of life. We talked about some examples. I am happy to commit to continuing to support it.

Mr A Maginness: What support arrangements are there for the voluntary sector due to the anticipated changes in welfare? In other words, what contribution will the Department make in that regard?

Mr McCausland: The primary sector is advice-giving to ensure that people have the right information and get advice on how to deal with situations that they might face as a result of welfare reform. We will monitor very closely the work of the advice sector. We keep in regular contact with it. In fact, it is part of our stakeholder network for welfare reform. It is very much at the heart of the discussions. We keep a careful watch on the issues that it faces.

Mrs Hale: Can the Minister tell the House whether any other key policy areas are being developed by his Department that significantly impact on communities?

Mr McCausland: One example is where the Department for Social Development is leading on a policy framework for community asset transfer. That involves a change in management and/or ownership of land or buildings from public sector bodies to community organisations. It represents a means of investing in regeneration so that there is positive social, economic and environmental change in our local communities. It is expected that consultation on a draft policy framework for community asset transfer will take place in May this year.

Fuel Poverty: Gas Prices

7. **Mr Hilditch** asked the Minister for Social Development for his assessment of the impact of the recent increase in gas prices on levels of fuel poverty. (AQO 3581/11-15)

Mr McCausland: The Member will be very aware that I have no control over the cost of energy. However, there is no doubt that any increase in the cost of energy affects every household in Northern Ireland and carries the real risk of increasing the number of homes where people are feeling the effects of fuel poverty.

Fuel poverty is determined by three factors: household income, energy efficiency and energy price. My Department continues to fund a range of energy efficiency schemes that are designed to improve the thermal comfort of the home and to help to reduce energy bills for the householder. Oil is currently 30% to 35% more expensive than natural gas, which means that switching to gas could still lower a household's energy costs and help to tackle fuel poverty.

Mr Hilditch: I thank the Minister for his answer. Will he give an update on the pay-as-you-go oil scheme that he introduced and piloted?

Mr McCausland: The Member will recall that that project was taken forward in co-operation with Kingspan Renewables and Carillion Energy Services. The pilot commenced in February last year. It was tested in a number of areas: Dungannon, Coalisland, Newcastle and Camlough. The technology works well, but the results of the pilot survey were disappointing regarding the proportion of participants who benefited from lower oil costs.

There are a couple of crucial issues around the cost and delivery of introducing a pay-as-you-go scheme into my Department's mainstream energy efficiency improvement schemes: the costs associated with the production and administration of the scheme; and who will supply the oil to the customer. Those were the difficulties that we encountered. I concluded that it is not feasible to introduce a scheme at this time. However, I am always open to new ideas and innovative approaches to tackling fuel poverty. We will continue to press for innovative solutions to help to address the issue.

Mr Boylan: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. I also offer my congratulations to you. Given that benefits rates will be frozen at 1% over the next three years, does the Minister not accept that that will lead to increased levels of fuel poverty?

Mr McCausland: The Member's point is well made. One of the factors in fuel poverty is level of income. There is a particular issue for homes that are heavily dependent on benefit.

The matter was raised on the news this morning; I heard it discussed then. The decisions of the Conservative and Liberal Democrat coalition Government on that will have an impact.

3.00 pm

Culture, Arts and Leisure

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

Sport: Community and School Facilities

1. **Mr Weir** asked the Minister of Culture, Arts and Leisure what discussions she has had with the Minister of the Environment and the Minister of Education to open up community and school facilities for use by sports groups. (AQO 3588/11-15)

Ms Ní Chuilín (The Minister of Culture, Arts and Leisure): Go raibh maith agat, a Phríomh-LeasCheann Comhairle. I thank the Member for his question. I am having ongoing discussions with the Minister of Education regarding the opening up and sharing of school facilities with the local community and sports groups. Indeed, as part of the delivery of the Sport Matters strategy, Sport NI, in conjunction with the Department of Education, has developed a draft document on the community use of school sports facilities. I hope to launch that with the support of the Minister of Education later this year.

Responsibility for the provision of community sports facilities rests with councils. Council-run leisure facilities are available to the wider community, including sports groups that wish to avail themselves of them. The councils, through SOLACE and NILGA, and the Minister of the Environment, through the Environment Agency, are represented on my Sport Matters monitoring group, which oversees the delivery of my Department's strategy for sport, Sport Matters.

Mr Weir: I thank the Minister for her response. In light of the budgetary constraints and the target to increase physical activity, what strategy is being pursued to ensure that there is a greater opening-up of facilities for those in social need?

Ms Ní Chuilín: I thank the Member for his question. He makes a valid point: we need to increase access for people, particularly those in deprived areas, and give them a greater potential and opportunity to avail themselves of facilities.

The Member is right: budgets are constrained. I am not putting off answering a question that will be asked by one of your colleagues later, but, even if we look at the three proposed stadia, it is crucial that we look at every opportunity to make sure that there is a better provision of facilities and a better opportunity to use those facilities. Co-operation between schools, councils, sports groups and the governing bodies of those facilities is the way forward.

Mr Ó hOisín: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Will the Minister provide examples of schools that are opening their facilities to the local and wider community?

Ms Ní Chuilín: A number of schools are doing that. I do not think that I need to declare an interest, but, in north Belfast, the Belfast Boys' Model School and the Belfast Model School for Girls are examples of facilities where a range of community and sport and physical activity initiatives are being fulfilled. Also, St Patrick's High School, Keady, has been used as exemplar in the Sport Matters strategy. That school has a partnership with Armagh City and District Council that has been significant in the use and promotion of facilities not only by schools but by sports clubs and individuals. Arts groups also use those spaces for dancing and practice, and older and younger people

use them for tea dances, salsa and line dancing, which all sounds very energetic.

I think that the question that both Members asked is whether the facilities we have provision for are being used to their best potential. We are going in the right direction, but we are certainly not there yet.

Mr D Bradley: Go raibh míle maith agat, a Phríomh-LeasCheann Comhairle. Gabhaim buíochas leis an Aire as ucht a freagra agus ba mhaith liom go ndéanfadh sí machnamh ar an rún áirithe seo. Thank you very much, Mr Principal Deputy Speaker. I thank the Minister for her answer.

Will the Minister consider setting up an interdepartmental group between her Department, the Department of Education, the Department of the Environment and the Department for Social Development to co-ordinate and maximise investment in sports facilities? She could use examples such as St Patrick's High School, Keady, where there is a partnership between the Department of Education and the local council, St Colman's College, where there is a partnership between DSD and the local council, and the Model Schools in her constituency.

Ms Ní Chuilín: I thank the Member for his question. All of those people are represented on the Sport Matters implementation group. In the past, a big concern was that schools had excellent sports facilities but the community could not make use of them. This draft document that we hope to launch later in the year will bridge those gaps. The Member is right: other partners could bring something to making sure that we have the widest possible opportunity to share facilities. I am working with the Minister for Social Development on where there are gaps, and we are keen to close those gaps to ensure that people have access.

Mr McNarry: In my constituency, in my village of Ballygowan, Ballycloughan Primary School has been empty for two years and is up for sale. In light of the Minister's answers so far, which I appreciate, is the Education Minister's policy of selling defunct school buildings that could be used by community sports groups a helpful one?

Ms Ní Chuilín: I mean no disrespect to the Member, but it strikes me that his question is more for the Minister of Education than me.

Mr Swann: The Minister mentioned the other Departments that she will work with. Will she also give a commitment to work with the Minister for Employment and Learning to open up facilities at Queen's and the University of Ulster, so that more people can access sport?

Ms Ní Chuilín: Certainly. I have a good working relationship with the Department and the Minister on matters involving Queen's, the Jordanstown campus, St Mary's college and other universities. We will enhance where we can the memorandum of understanding or any strategy that will open up facilities, particularly centres of excellence, so that youngsters and communities can access them. That is a bit of an issue that we are certainly keen to look at.

World Police and Fire Games: Cultural Programmes

2. **Mr Lynch** asked the Minister of Culture, Arts and Leisure what cultural programmes will be developed around the World Police and Fire Games 2013. (AQO 3589/11-15)

Ms Ní Chuilín: I thank the Member for his question. DCAL is exploring a variety of cultural proposals in order to maximise the potential for a comprehensive programme around the World Police and Fire Games. Work on the detail of the cultural programme is ongoing, and I will certainly provide more information in due course. Furthermore, DCAL chairs the 2013 stakeholder group, which seeks to maximise the opportunities that the events of 2013 will create by bringing together stakeholders from government and non-government organisations to exchange ideas, information and best practice on cultural issues. It is important that athletes, their families and visitors here for the games are provided with a range of high-quality cultural options to enhance and enrich their stay.

Mr Principal Deputy Speaker: Gregory Campbell. Sorry about that, it was my mistake. Mr Lynch for a supplementary.

Mr Lynch: Go raibh míle maith agat, a Phríomh-LeasCheann Comhairle. I hope that that was not because you are forgetting about us now that you are an MP. *[Laughter.]* Gabhaim buíochas leis an Aire as an fhreagra sin. How will the Minister ensure maximum tourism benefits from the games?

Ms Ní Chuilín: As I said in my main answer, we are looking at a number of stakeholders, and DCAL chairs the 2013 stakeholder group, which looks at the overall tourist product, not just the cultural programme. We are looking at events such as the City of Culture, Féile an Phobail, Fleadh Cheoil na hÉireann, "The Gathering" and the World Police and Fire Games in conjunction and partnership with the Tourist Board and Discover Ireland. It is important that we sell this not only as a place for people to compete in and visit in 2013 but as a place that they will come back to.

Mr Campbell: In the interests of inclusiveness and to avoid any churlishness on the election, I should include myself in congratulating Nigel Luton on doing very well.

Will the Minister ensure that all communities across Northern Ireland will benefit from any of her cultural proposals that manifest themselves?

Ms Ní Chuilín: Certainly, but the Member is aware that Belfast is hosting the games and so it needs to come up with the cultural programme. People who are based in Belfast but do not work exclusively there are in discussions with the Department about this. We are looking to the experience and support from the Member's city in seeing how we can help to enhance the cultural programme for World Police and Fire Games visitors.

Mr Cree: Will the Minister assure the House that there will be sufficient bedrooms for this year's visitors and competitors here for the World Police and Fire Games, visitors to the UK City of Culture attractions and tourists from whatever source?

Ms Ní Chuilín: That question comes up all the time. The Minister of Enterprise, Trade and Investment and I receive regular reports to say that every avenue is being explored

to ensure that there is enough proper accommodation for the anticipated visitors. I have not received any report or indication that that is not the case. Indeed, owners of B&Bs and guesthouses are now included on the list of people who may be able to offer their business as part of the World Police and Fire Games experience.

Mr McDevitt: Thank you very much indeed, Mr Principal Deputy Speaker. I should add my congratulations to you on taking the scalp in Mid Ulster. I acknowledge, of course, that Patsy McGlone had the highest increase of any candidate in the field —

Some Members: Hear, hear.

Mr McDevitt: Indeed. On the question of competitive sport, will the Minister tell us whether the Arts Council has allocated any specific funding to organisations to support them with the development of the cultural programme?

Ms Ní Chuilín: I thank the Member for his supplementary question. In looking at sports and competitions, all that you have to do is look at this House. I think that we all deserve a gold medal for one-upmanship. I remind Members that this is questions to the Minister of Culture, Arts and Leisure.

The Arts Council has, as part of ongoing contributions, made some funding available, but I am looking at funding from my own Department for this. I see it as one of the small gaps. It is to add to the cultural programme that the Arts Council, Belfast City Council, the Tourist Board and Discover Ireland are putting on. We want to make sure that we do everything that we can and that all those opportunities are explored, rather than wait until afterwards, knowing that there was a small gap and saying with regret that we did not plug it. That is what this is about.

Country Sports

3. **Lord Morrow** asked the Minister of Culture, Arts and Leisure how she is promoting country sports including angling, shooting and riding. (AQO 3590/11-15)

Ms Ní Chuilín: I thank the Member for his question. It is important that I clarify what “country sports” means. “Country sports” tends to be a generic term that is focused on hunting or the shooting of live quarry and also hunting on horseback. As the Member will be aware, those activities are not recognised as sports and, as such, do not fall within the remit of my Department. However, shooting such as clay pigeon, small-bore or full-bore shooting, equestrian sports such as jumping, eventing and dressage as well as recreational riding and angling are recognised as sports. Responsibility for the promotion of those sports rests, in the first instance, with the various governing bodies. Over the past three financial years, the Department, through Sport NI, has provided over £800,000 to assist with the promotion of these sports.

Lord Morrow: I thank the Minister for her reply. Will she give some thought to looking again at the definition of country sports? Is she aware that, for instance, shooting on its own generates some 2,100 full-time jobs and £45 million a year? I think that that merits consideration, and I ask the Minister to take a look at it again, because I believe it is one of those areas that has been and is being neglected.

Ms Ní Chuilín: I will take the Member’s question into consideration. He is right about those figures — from the

2006 report — of £45 million per annum and over 2,100 full-time jobs from country sports in the North. If anything, we need to have a look at that report to see what else we can do, but I will certainly take the Member’s question into consideration. I will just be clear: I do not support hunting and do not recognise it as a sport, but I will certainly have a look at anything in between.

Ms McCorley: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Ba mhaith liom comhghairdeas a ghabháil leat as an bhua sa toghchán. I congratulate you on your success in the election, Mr Principal Deputy Speaker.

An dtig liom iarraidh ar an Aire cá mhéad maoinithe a tugadh do spóirt tuaithe sna trí bliana seo caite? How much funding has been given to rural sports in the past three years?

Ms Ní Chuilín: For the various shooting sports that I mentioned earlier, just over £500,000 of financial support has been made available by Sport NI over the past three years through the athlete investment programme and the Investing in Performance Sport programme. Sport NI has provided over £27,000 of funding towards the promotion and support of equestrian sports in the North.

Angling has received almost £4,000 from Sport NI in the past three years. Other sports based in rural areas have received funding, but those are the figures for those categories.

3.15 pm

Mr McGlone: Thanks very much, a Phríomh-LeasCheann Comhairle — soon to be Iar-Phríomh-LeasCheann Comhairle or former Principal Deputy Speaker. I have already congratulated you, Mr Principal Deputy Speaker, but another congratulations is no problem.

I will pick up on something that the Minister said. I represent and, indeed, participate in country sports. She mentioned earlier that she does not support hunting. Will she define clearly what she means by that? That is a very important point for the many people in my constituency who participate in hunting and what are referred to as country sports.

Ms Ní Chuilín: That is my personal view. Hunting is not recognised as a sport, and that is something that goes well beyond me. There is no definition of country sports, and that is the anomaly. There are generic sports that people associate with country areas and rural areas. Those are what are referred to as country sports, but there are no proper definitions. All that I can give the Member are definitions of sports that I do support, namely clay-pigeon shooting, small-bore and full-bore shooting, equestrian sports and angling.

Community Sporting Hubs

4. **Mr Hilditch** asked the Minister of Culture, Arts and Leisure what plans she has to create community sporting hubs. (AQO 3591/11-15)

Ms Ní Chuilín: I am aware that the Scottish Government, as part of their plans for the Commonwealth Games in Glasgow in 2014, are creating community sports hubs based in existing local facilities and aimed at bringing people together and providing a home for local clubs and

sports organisations. My Department has already written to Sport NI to ask it to explore the concept of community hubs and how it might impact on the achievement of the targets set out in Sport Matters.

I am looking particularly at a more integrated partnership approach to the provision of sports facilities, with a view to improving quality, quantity and having a range of local facilities that are accessible to local people. Furthermore, as part of developing plans for the three stadia, the GAA, the IFA and rugby have engaged in consultation with local communities and Belfast City Council, for example. That consultation will help to inform the final arrangements for the new grounds. It is intended that the stadiums and the adjacent sporting facilities will be used as community hubs to support local clubs, sporting organisations and community groups.

Mr Hilditch: I thank the Minister for her answer. Does the Minister agree that, based on the Scottish model, an opportunity exists to develop a cross-cutting project or strategy involving the Departments of Education and Health, particularly in areas of social deprivation?

Ms Ní Chuilín: I absolutely agree with the Member. I have looked at the Scottish model as an example. It is primarily my function, but all our Departments need to look at good practice and best practice from other Governments and jurisdictions and try to incorporate that where possible.

Mr McMullan: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Will the Minister also look to local councils in coming to an assessment of the value of community sports hubs?

Ms Ní Chuilín: I can give the Member a commitment that I will do that. I have already started discussions with local councils, although not serious discussions, on how that will happen. I have had meetings recently with a lot of councils. We need to look at collaboration, partnership and what is known as future-proofing to develop the facilities. Councils need to work with the Department, and the Department needs to work with councils. We need to provide the best product for people that will give maximum opportunity for them to get engaged.

Mrs D Kelly: I add my congratulations to you, Mr Principal Deputy Speaker, although, with all the words that have been spoken, it is beginning to sound like, "Here's your coat, what's your hurry?"

My question relates to demographic changes. The Minister mentioned collaborative partnerships. How is your Department planning and encouraging in this regard? How are you ensuring that the types of activities that are available will be of interest to people over the next decade?

Ms Ní Chuilín: I thank the Member for her question. Quite a lot of research goes on in the background. There is not just the census but the household survey. There are also discussions with councils. Councils will tell you that facilities that they developed 10 or 15 years ago are still being used but that, if they had the wisdom of hindsight, they would do things differently. I think that we have to accept the evidence and expertise coming from people who are expert in this field. We are also looking at community groups and the development of better access for people. As I said to a Member in answer to a previous question, using dance as a physical activity is something that needs to be incorporated into provision as

well. Certainly, a lot of research goes on, and it does take trends into consideration. However, the best thing that I have heard so far is the experience of people who do this all day every day.

Mr McGimpsey: Bearing in mind the huge advantages there are with community hubs that include but go beyond sports — I am thinking, for example, of the facilities on the Shore Road, which the Minister will be familiar with — to include swimming pool, gym, library, health centre, pharmacy and other services, will the Minister tell us how she is working with other Departments to develop such hubs?

Ms Ní Chuilín: The discussions are at an early stage. However, the Member is right. Look at the Grove Wellbeing Centre on the Shore Road. It looks at libraries, social services, physical activity and leisure provision. It also looks at a community hub and a space that people can use for meetings, because there are huge costs involved for groups that do not have any money to hire rooms in halls. It looks at all that and more. The discussions with the Minister for Social Development, DE, DEL and others are starting to shape up into each of us bringing forward not only a budget, but evidence about future-proofing the development of facilities. It is really important that we try to provide the best possible services for anyone trying to engage in physical activity, borrow a book, rent a room or whatever the case may be.

Promoting Equality, Tackling Poverty and Social Exclusion Through Sport Programme

Mr F McCann: Go raibh maith agat, a LeasCheann Comhairle. I congratulate you on your recent election success.

5. **Mr F McCann** asked the Minister of Culture, Arts and Leisure for an update on her Department's Promoting Equality, Tackling Poverty and Social Exclusion Through Sport programme, particularly in relation to funding for rugby, soccer and Gaelic football. (AQO 3592/11-15)

Ms Ní Chuilín: The Executive endorsed my bid for £4.5 million within the current CSR period towards a programme for promoting equality and tackling poverty and social exclusion through sport. The funding is to be distributed between the governing bodies for rugby, football and Gaelic games. The governing bodies will receive £0.5 million each in the financial years 2012-13, 2013-14 and 2014-15, with the funding split between capital and revenue spend. Each of the bodies was asked to identify projects and programmes that promote equality, tackle poverty, tackle social inclusion and provide opportunities to realise social and economic benefits and returns to the community.

Mr F McCann: I thank the Minister for that answer. Can she tell us whether those within rugby, Gaelic and soccer fully understand what is required of them when they receive those funding packages?

Ms Ní Chuilín: I assure the Member that they do. In fact, I am looking at some of the draft ideas coming from the three sporting bodies. The additional money is conditional. It is conditional on them meeting the essential criteria. I am happy to say that, through the development of a good working relationship, the three sporting bodies welcome

this additional money, and they are totally clear what it is to be spent on.

Mr Elliott: Will the Minister explain whether there is any work with local councils to progress the strategy? Are there any mechanisms to include it in the review of public administration that is coming up?

Ms Ní Chuilín: The money is for the three sporting bodies. It is not for councils. It is certainly not to be used for RPA. It is to be used for promoting equality, tackling poverty and tackling social exclusion. Future-proofing for the years ahead and what will happen after 2015 is being discussed, I am sure. Our Sport Matters monitoring group, which has representatives of SOLACE and NILGA, is involved in some of the tentative discussions around the leisure provision for future years. However, local government is not involved in relation to the additional money.

Mr Irwin: How does the Minister plan to monitor her Department's programme in relation to tackling poverty and social exclusion and promoting equality?

Ms Ní Chuilín: I thank the Member for his question. I will monitor it in the same way that I am monitoring the stadia programme moneys. We have regular meetings. There are regular vouching meetings. There are meetings to do with the development of programmes. There are also meetings with the sports governing bodies specifically in relation to what their ideas are and whether those match the criteria. In fairness to the three sporting bodies, some of the ideas and plans that they are bringing forward directly meet the essential criteria for the funding. This House will wish them well, because they are applying for additional money for work that they are doing. The additional money recognises the work that they are doing. It just gives a complexion to that work and a bit of additional support.

Omagh Riding for the Disabled Association

6. **Mr McElduff** asked the Minister of Culture, Arts and Leisure for an assessment of the sporting and wider achievements of the Omagh Riding for the Disabled Association. (AQO 3593/11-15)

Ms Ní Chuilín: Omagh Riding for the Disabled Association (RDA) has provided the only facility for disabled riders in the Omagh District Council area for over 26 years. It gives disabled riders opportunities to develop life skills, engage in social interaction, work towards their personal ambitions and enjoy the outdoors while connecting with the horses and ponies that provide the focus of their activities and interest.

In training teams for competitions and even Special Olympics teams, Omagh RDA has a programme in place to recognise and develop elite riders who can progress to competition level, wherever those competitions may be. It also prepares riders for entering mainstream competitions, either through pony riding clubs or showjumping associations. Any activity that enables those with physical and other disabilities to gain therapeutic benefits, while providing opportunities for them to achieve their personal goals, from learning basic skills through to participation in a major competitive setting, is to be welcomed and, indeed, encouraged.

Mr McElduff: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. I thank the Minister for her acknowledgement of the many sporting and wider

achievements of the Omagh Riding for the Disabled Association. The Minister may also be aware that the group has plans to extend service provision, principally for disabled service users, in response to evidenced demand. Will the Minister or her senior officials meet the group at Stormont, in Omagh or at the departmental headquarters to discuss how best the Department might support the group in meeting its future requirements?

Ms Ní Chuilín: A meeting can be arranged at any of the three venues that the Member outlined. It is important that people from Omagh, particularly the Omagh RDA, have access to DCAL and other officials and have the ability to put their points across. Certainly, I support a meeting happening regardless of where it takes place. In fact, I would rather the meeting happened in Omagh: Government need to go to Omagh, rather than the people of Omagh having to come to Belfast.

Sports Stadia

7. **Ms McGahan** asked the Minister of Culture, Arts and Leisure for an update on her Department's stadia programme. (AQO 3594/11-15)

Ms Ní Chuilín: There has been considerable activity over the past eight months, with the Ravenhill stadium project now on site. The Windsor Park and Casement Park projects will be on site in the latter end of 2013.

Social clauses have been put in place for the Ravenhill construction contract and are being developed for the Casement Park and Windsor Park construction contracts to ensure that opportunities exist for the long-term unemployed, apprenticeships and student placements.

The IFA had planning approval granted just last month, and an invitation to tender will be released to the shortlisted contractors in early March. Construction is planned to commence in August 2013, with the works expected to be completed by June 2015. I will allow the Member time to ask her supplementary. I have a long list of developments here, which I am happy to share with her in writing.

Ms McGahan: Go raibh maith agat. I thank the Minister for her answer. What specific measures is she taking to ensure that there are opportunities for the long-term unemployed to benefit from the stadia programme?

Ms Ní Chuilín: The long-term unemployed need to be at the centre of all the opportunities. Social clauses will be included in the procurement, tender and contract documentation. Those will specify, for example, the required number of apprenticeships and the number of long-term unemployed to be hired. They will specify that those people are to be employed in various elements of the project. For example, the Ravenhill contract will look at employing seven or more of the long-term unemployed, look at new apprenticeships, look at workforce-recognised apprenticeship schemes, look at student placements, and so on. It is crucial that employment of the long-term unemployed is included in the conditions of the social clauses.

Mr G Robinson: Will the Minister confirm whether any funding streams are available for Irish League stadia upgrades?

Ms Ní Chuilín: Sorry, I had trouble hearing the Member. Sorry.

Mr G Robinson: Will the Minister confirm whether any funding streams are available for Irish League stadia upgrades?

3.30 pm

Ms Ní Chuilín: I think that the Member is referring to the subregional development, and, if that is the case, there is no money available yet for that. My understanding is that the IFA is looking at a facilities management plan, which I have not seen yet. No money will be available until that plan is brought forward.

Mr Principal Deputy Speaker: That concludes questions to the Minister. I thank everyone across the Chamber for their goodwill and messages of support.

Committee Business

Creative Industries: Committee for Culture, Arts and Leisure Report

Debate resumed on motion:

That this Assembly approves the report of the Committee for Culture, Arts and Leisure on its inquiry into maximising the potential of the creative industries (NIA 98/11-15); and calls on the Minister of Culture, Arts and Leisure to implement the recommendations contained in the report. — [Miss M McIlveen (The Chairperson of the Committee for Culture, Arts and Leisure).]

Mr D Bradley: Go raibh míle maith agat, a Phríomh-LeasCheann Comhairle. Déanaim comhghairdeas leat fosta faoi do bhua an tseachtain seo caite. Tá an-áthas orm deis cainte a bheith agam labhairt sa díospóireacht seo ar an tuarascáil ar an fhiosrúchán ar na tionscail chruthaitheacha. Mr Principal Deputy Speaker, I add my congratulations to those already expressed, and I thank you for the opportunity to speak on the report on the inquiry into the creative industries carried out by the Culture, Arts and Leisure Committee.

The creative industries cover a wide range of activities from the traditional crafts to theatre, design, architecture and arts and to the products of the more modern digital age. The Chair and the Committee have managed to keep the inquiry focused in such a way as to include as wide a spectrum of activities as possible while keeping it manageable. I thank them for that and for the hard work that they have done in preparing this very worthwhile report.

The creative industries have the potential to create employment for all our people, especially at this time of economic difficulty, and we need to do all in our power to create as many jobs as we can. To do so through the creative industries, we must ensure that all efforts are co-ordinated and that collaboration between stakeholders is maximised. Departments, with the Department of Culture, Arts and Leisure taking the lead, should create the supportive conditions for optimum growth within the huge potential that the sector offers. The number of Departments involved and the diverse nature of the creative sector can mean that, for example, a potential entrepreneur or a young person seeking a career in the industry can be at a loss as to who to turn to for advice, guidance and support. For that reason, I welcome the report's recommendation that a one-stop shop should be set up to provide all necessary information and to cover strategy, funding, research and policy development.

Some Members who spoke earlier mentioned the importance of branding, and the report advocates creative champions to inspire creative talent to remain here. The concept of creative quarters is useful in encouraging cluster points, which will lead to better collaboration. The draft collaborative framework to support the creative industries is a good start to greater co-ordination of efforts to support and develop the creative industries. Greater North/South, east-west and international collaboration will add to the opportunities and ideas available. The recommendation in the report of benchmarking the creative industries here against other jurisdictions will provide valuable information on performance and will help to establish the future direction of travel for the industry.

Education has been mentioned on a number of occasions, and it has an important role to play in preparing pupils to be creative entrepreneurs. Schools can encourage an environment and ethos of creativity as well as developing links with creative enterprises locally. We have a good education system here, and the creative industries is a major part of the knowledge economy that we need to exploit to the full. Many of the stakeholders observed that the current information technology area of the curriculum does not provide the type of skills that certain sectors of the industry require. Indeed, the shortfall in those skills has been compensated for by the CoderDojo movement, which teaches young people how to code and develop websites, apps, programmes, games and more.

I welcome the investment that the Minister has directed to the CoderDojo movement — it is a bit of a mouthful — but there is a clear need to ensure that the school curriculum and courses at tertiary level are serving the needs of the creative industries in this respect.

By inserting an “A” for arts in the acronym STEM, it could easily become the STEAM agenda, encouraging arts and creative subjects in tandem with STEM and helping to ensure that our young people will have the broadest possible range of skills, which will open up careers in the creative industries to them. It is important to note that creativity is not alien to science, technology, engineering or mathematics.

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

Mr D Bradley: First Derivatives, a global company based in Newry, has clearly shown this to be the case in producing financial software that is used all over the world. I have other points, Mr Principal Deputy Speaker, but time has caught up with me.

Mr Newton: I welcome and support the report, as all other Members have done. I agree that the report recognises the need for a holistic approach, which means that more than one Department needs to be involved. As a member of the Committee for Enterprise, Trade and Investment, I am glad that the Committee for Culture, Arts and Leisure has sought the involvement of that Committee, and, as the report is rolled out, I hope that it will continue to do so. We have a positive role to play in that area.

The report acknowledges the need to brand the sector. That is important, and branding is a creative skill that needs to be employed. It recognises the role of education and skills development, and local councils. I declare an interest as a member of Belfast City Council, and I am pleased that the council was one of the respondents. The report acknowledges the role of Invest NI in the strategy as it rolls out.

I will highlight three areas whose importance the report recognises: training and skills development; accessing international markets; and funding from the European Union. DEL and the Committee for Employment and Learning have a major role in skills development. The new Chairman of the Committee for Employment and Learning is here today, and that Committee could and should have made a major and significant contribution to this issue over the past years under its previous Chair, but maybe he had other priorities that were taking up his time. It is important that we do not view the money that we spend on university education as a cost but an investment and that graduates

are not cut adrift. Particularly in the area of creativity, there is an opportunity to allow graduates to develop their commercial thinking and skills. There is a huge opportunity for the commercialisation of graduates and the potential for them to work abroad for skills development. That knowledge and skills area needs to be commercialised and capitalised on by Northern Ireland. From my experience of Leonardo, I know that there are funding opportunities for our graduates to work in other parts of Europe and to be placed with internationally famous host companies. The Chairman referred to fashion design, and Leonardo offers potential in that area.

No less a person than Albert Einstein said:

“It is the supreme art of the teacher to awaken joy in creative expression and knowledge.”

I believe that the joy of creativity has to permeate the thinking in education, from primary level through to university graduates.

The report refers to the potential of mentoring, and such opportunities exist, as I have said. However, there is also the potential to match individual graduates with host companies in Northern Ireland. Often, the complaint from companies that take on new graduates is that they have to spend time training them after they have been educated, and the difference between training and education is stark. Graduates have the basic knowledge but need, as I said earlier, to be commercialised. Host companies in Northern Ireland need to be supported to develop graduates’ commercialisation, particularly in the area of skills.

Champions of creativity are mentioned, and they need to be special people who have a track record of creativity.

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

Mr Newton: Champions of creativity can play a very positive role in this area.

Mr Swann: I speak as Chair of the Committee for Employment and Learning and a former member of the Committee for Culture, Arts and Leisure. As the new Chair of the Committee for Employment and Learning, I note with interest that it has already conducted work relating to five of the report’s recommendations for the Department for Employment and Learning. The Committee for Employment and Learning is taking evidence as part of its inquiry into careers education, information, advice and guidance in Northern Ireland and has received evidence from Creative and Cultural Skills on routes into employment in that sector. That will tie in quite well with the work being undertaken by the Committee for Culture, Arts and Leisure and its findings.

The Employment and Learning Committee is aware of just how vital it is for professional advice to be given to schoolchildren about all the career pathways, including vocational and work-based routes, that are available to them before they make choices about GCSEs, A levels or further or higher education. The Committee is aware of the need for more engagement between the Department for Employment and Learning and the Department of Education on these matters. It has made efforts to open up its work on the inquiry to the Committee for Education.

On the issue of doing more for vulnerable young people and those with difficulties, the Committee for Employment

and Learning recently agreed to engage further on a strategy for people over the age of 19 who have special educational needs. The Committee has arranged a briefing and a study visit to inform itself before receiving a briefing from the Department.

The Committee has always championed schemes that allow children to engage in a range of learning opportunities and activities outside normal school hours. One such scheme is the Children's University, which was launched on 13 February 2013 in an event sponsored by the Committee.

The Committee is also in the process of assessing best practice around the world in apprenticeship programmes and is to receive a briefing on research that it requested on the German model, which is considered one of the best. I have no doubt that the Committee will raise questions with the Department as a result of those considerations and how they tie in with the Committee's recommendations in the report.

The report makes a recommendation on digital media. The Committee has supported the work of all the regional colleges on that matter, and it has visited them to see their innovative approaches and the bespoke centres developed to promote the creative industries, as did the Culture, Arts and Leisure Committee.

As Chairman of the Committee for Employment and Learning, I assure the Committee for Culture, Arts and Leisure — and Mr Newton — that the areas on which it makes recommendations for the Department for Employment and Learning are being pursued by the Committee, and I will raise the issues with the Department.

I will now say a few words as a former Ulster Unionist member of the Culture, Arts and Leisure Committee. I commend the staff, the researchers and the Chair for their work in completing this very detailed report. There were a lot of evidence sessions, and, as mentioned in the debate, they had a wide scope. The creative industries in Northern Ireland cover everything from architecture to fashion to garden design. So when the Committee started down this route, one of its first challenges was to describe what a creative industry was before it could get into the work of the report and formulating recommendations.

As a former member of that Committee, I commend the report and recommendations to the Minister, and I ask her to take up the challenge contained therein. I know that, when my party colleague Mr Michael McGimpsey was Minister for Culture, Arts and Leisure, work had already begun in a number of those areas, and I hope that the Minister can continue that.

3.45 pm

Ms Ní Chuilín (The Minister of Culture, Arts and Leisure): Go raibh maith agat, a Phríomh-LeasCheann Comhairle. To short-circuit this a bit, I agree with everything that everybody has said, which is rare in the Assembly.

As we near the conclusion of the debate, I thank Members for their contributions and for the insight and perspectives that have been shared across the Benches. It has been a very good and very informative debate. I am confident that the members of the Culture, Arts and Leisure Committee recognise that, from the first day of the inquiry, my Department was fully and positively engaged in the report.

I welcome and support the inquiry because of the public focus that it brings to the creative industries. It is a focal point from which we can provide the many stakeholders in the sector with support.

The key findings have been listed, and I am not going to go through Members' contributions. However, a few central and overwhelming themes have emerged from the inquiry. It is clear that it is necessary to look at meaningful collaboration across a range of stakeholders, not just in Departments but in local government, the industry, academia and the community and voluntary sectors.

My Department has also made it clear to the Committee that stimulating and supporting such a collaborative and joined-up approach is the bedrock of its efforts in supporting the creative industries. The Committee is fully aware of the Department's direction of travel, and I am pleased that its approach has been broadly welcomed and endorsed by Members, not only those on the Committee, who spoke today. The Committee also knows that my Department intends to use the Committee's report and recommendations to shape its approach further and to finalise and bring forward a collaborative framework for the creative industries.

I thank the Committee members and current and previous officials for their considerable efforts and the substantial work contained in the report. I do so not merely out of politeness or by way of bland statement. A huge effort has been undertaken. I also acknowledge the work of the stakeholders and those who gave evidence. This is a very worthy report, which I fully support and value, and I will use it to bring forward the framework.

In endorsing the need for real and meaningful partnership, the Committee's report has provided a local evidence base that should and must help to drive change across central and local government in support of our creative industries. My Department will show leadership by spearheading such change, and I know what that means. We must lead in developing the change that must reshape and strengthen the way in which government, industry, academia and the community and voluntary sectors work together to maximise potential and the economic and social benefits of the creative industries. I know that that is no mean feat, but it is my job to lift this, run with it and pursue it.

Meaningful collaboration and joined-up thinking to tackle previously fragmented approaches and shatter the silo mentality is something that is often talked about in government, but the practice needs to be challenged. However, we are not just asking for it today. Together, the Assembly is sending out a clear message that, with my support, we must do something very different to support our creative industries. We must do something very different for all in our society to realise the potential impact of creativity in our economy and the challenges that we face in areas such as health, education, employment, the environment, and tackling poverty and social exclusion.

Many management gurus say that culture trumps strategy. What they mean is that a strategy document will not achieve its objectives if that strategy conflicts with the culture in which it is to be delivered; that is, the things that people already believe or the way in which they behave or make decisions. It is culture that translates these strategies into meaningful change and impact on the ground — culture, as in the way in which we do

things around here. Too often, particularly in government, the prevailing culture is determined by the way in which things have been done in the past, and that fuels the silo mentality. It reinforces fragmentation, and that embeds the pursuit of narrow interests rather than common purpose, and that needs to be changed.

Our Programme for Government is very clear. Our top priorities are to rebuild and rebalance the economy and to tackle disadvantage. However, we cannot expect to do that successfully or expect to maximise the potential of our creative industries unless we shift gears to a different way of thinking and can stimulate and deliver new ideas and approaches to tackle the key challenges that face our society.

It has been mentioned, not least by the previous Member who spoke, that, in 2001, the unlocking creativity strategy was devised with the support of Ken Robinson, who is a world famous educationalist and creativity expert. The strategy had many brilliant proposals and was welcomed and endorsed by all. However, nearly 12 years later, we are faced with many of the same challenges, and very few of the strategy's action points were delivered in full. Creativity was unlocked, but we only got a glimpse of it. People and organisations then retreated back into their silos, due to a lack of leadership, and the broader culture to sustain that change was not there or was not strong enough or persuasive enough. Therefore, DCAL's strategic approach to supporting the creative industries is to stimulate a cultural change across a diverse range of stakeholders so as to foster and nurture collaboration and a wider creativity agenda.

We must unlock creativity again, and, this time, we must keep the door well and truly open to make sure that it is not locked again.

The creative and cultural industries are recognised across the world as a catalyst for wider economic and social innovation. We will forge local, national and international networks, and, together with the meaningful links and collaboration that we have all mentioned here today — with academia, across government, with the community and voluntary sectors — we will work to develop and deliver the joined-up approach that is required to move our creative industries from what they are to what they can become.

I believe in maximising and harnessing the full potential, particularly in the creative industries. The evidence that we have heard today and that contained in the report clearly demonstrate the impact of the creative industries on wider economic development and social innovation.

Creative people, entrepreneurs, creative businesses and organisations do not necessarily spontaneously spring into existence. A creative industries pipeline must be established and sustained not only to support and grow our creative industries but to support creative approaches and challenges facing our society. That has been mentioned in respect of getting into education, further education, and so on.

That pipeline is strengthened by the creative and cultural infrastructure and landscape supported by my Department. For example, libraries, museums, arts and other areas must play a key role in inspiring and supporting the emergence of creative people and their creative ideas.

I am very pleased to note the Committee's references to the role of the creative industries in supporting vulnerable people in our community. That confirms the importance of the sector and wider creativity to stimulating social innovation. Tackling poverty and social exclusion is the top priority for me. We can do that by growing our economy and providing employment opportunities for more people in our society. We can also do it by stimulating more creative approaches to social challenges.

I mentioned Ken Robinson earlier. He believes that creativity is as important as literacy. He says:

"We have to recognize that human flourishing is not a mechanical process, it's an organic process. And you cannot predict the outcome of human development. All you can do...is create the conditions under which they will begin to flourish."

Far too many of our young people believe that they are no good at work, they are no good at books, and they are no good at school. We need to be more creative in our approaches to supporting lifelong opportunities to lifelong environments in school, at home and in the community, which encourage people who want to learn and where they can naturally discover their true passions and interests. The creative and cultural landscape supported by my Department can help more of our young people and more people of all ages, abilities and backgrounds to flourish.

In conclusion, it is very appropriate that we begin this debate in March, which is creativity month. It is about building momentum around creativity and the creative industries and inspiring people and organisations, but, more so, government, to think differently. We need to think creatively, and we need to look at possibilities for the future. The initiative provides an opportunity for organisations across the North to showcase their work in developing creative and innovative solutions to societal challenges across the economy, the Departments of Health, Education, Environment and many other Departments.

This year's theme will include a particular focus on tackling poverty and social exclusion. Today's debate also takes place as many of our local musicians are taking part in a trade mission to Austin, Texas, for the world's premier business convention exploring the convergence between music, film, the arts and interactive media. The trade mission is supported by my Department and Invest NI. We are about to launch a recruitment exercise to establish a new music business support programme here.

A lot is being done, but we all recognise that there is much more work to be done. By working together, we can promote a wider creativity agenda to share ideas and make connections to deliver a lasting impact across the North, the island and many other regions. It is only by working together that we can help our children and young people — and those in the industry — to have the big dreams and ideas, to be inventors and entrepreneurs, and to change things.

I thank the staff, Committee members and stakeholders for a very worthy and worthwhile report. Like Robin Newton, I am going to quote Albert Einstein, who said that imagination was more important than knowledge. He also said that creativity was contagious and that we all needed to pass it on. So, well done and all the very best.

Mr Irwin (The Deputy Chairperson of the Committee for Culture, Arts and Leisure): I support this important motion. I thank Members for their contributions. I also join the Chair in thanking the Minister for responding. I think it is clear that the Committee's inquiry has proved to be a valuable piece of work that will provide useful information and recommendations to the Minister and her officials, which they can take forward to further develop the creative industries here.

I echo the Chair's thanks to the Committee for its work on the inquiry, and also the Committee staff. As the Chair said, the Committee took some time to bring forward the report, but its recommendations show that it was time well spent. The inquiry covered a broad subject, and, while being thorough, there are areas that the Committee has asked the Minister to take forward with her officials and Executive colleagues. The Committee has only limited resources, and there is work that we must leave to the Minister to undertake.

As a number of Members have outlined, the Committee's primary purpose in undertaking the inquiry was to identify the economic benefits of the creative industries, as well as the challenges that the sector faces. We identified gaps in policy and delivery and in funding, education, careers and skills development. That said, the Committee found a lot of important and positive work that is being undertaken around the creative industries by the Minister and her Executive colleagues. In addition, the sector is vibrant and dynamic, as the Chair highlighted, and is constantly moving forward and innovating. That makes it all the more complicated to provide support, as it needs to be applied quickly.

The debate has reflected how important the creative industries are here. The Committee report highlighted how the sector needs to become more visible and be better mapped and explored so that interventions can be more useful, positive and relevant. There is undoubted potential for the creative industries to contribute not only to the economy of Northern Ireland but to our health, society and education system at all levels, as the Chair said. The sector also has the ability to support social inclusion, as the Minister indicated.

There is a tremendous variety and diversity in our creative industries, and although that contributes to it being vibrant and dynamic, it also means that there is fragmentation and a lack of collaboration between sub-sectors and between the creative industries and other business sectors. That very diversity also means that a particular effort has to be made to join up government interventions in support of the sector. As the Chair reminded us, no single Department, local council, agency or body can fully realise the sector's potential in isolation. A clear identity for creative industries, and a collaborative approach by government and the sector, has been highlighted as essential for the development of the sector.

As the Chair said, the Committee has recommended that a recognisable local brand be developed for the creative industries so that the sector can be better marketed and gain better access to international markets. A unified voice for the sector is vital, and the Minister needs to provide clear leadership on taking that forward, as the Committee has recommended.

4.00 pm

As has been highlighted by so many contributors today, the skills gap in the creative industries is also a key challenge. Creative enterprises here can grow only if they have properly qualified staff. We must ensure that we link the sector's needs to our education curriculum and third-level courses to allow us to close that skills gap. The majority of creative enterprises here are microbusinesses that employ fewer than five people. Therefore, they are not in a position to develop training on a sufficient scale to close the skills gap. That is why the Committee is calling for the Minister and her Executive colleagues to make the appropriate interventions.

As has been outlined by a number of Members today, there are issues and challenges around the funding options available to the sector. There are good programmes, which are well targeted, but there is a gap between the small grants available and the larger-scale funding. We need greater funding delivery in the middle ground, where it will be most useful.

We must also improve the linkages between the creative industries and other sectors with a close economic relationship, such as tourism, hospitality, museums and galleries, heritage and sport, and the social economy and community and voluntary sectors. Those linkages will be supported and directed by a number of the Committee's recommendations involving a more joined-up approach, across all levels of government, to the development of the sector.

As the Chair outlined, a clear branding of the sector with a portal, where all relevant support, advice and guidance can be accessed, will provide a considerable step forward for the creative industries here. That will be underpinned by champions or heroes and the development of hubs or clusters where creative enterprises can benefit from economies of scale and other shared facilities and support. Those hubs can also be linked with each other and provide bridges between urban and rural creative enterprises. Those microbusinesses will be made stronger by working together and supporting each other.

The Committee's recommendation to the Minister that she work with the Department of Enterprise, Trade and Investment and Invest NI to better develop the funding and financing offerings to the creative industries will allow the development of more sector-relevant programmes. That should include access to long-term finance and seed funding to encourage innovation, development and growth. Better co-ordinated and targeted funding packages should also be developed in conjunction with local councils and their economic development bodies. Further work also needs to be undertaken with respect to providing experienced business mentors to creative enterprises.

The Committee has identified a need for the development of more vocational and work-based routes into the creative industries. That will also help to reduce outward migration. Links with industry for student placements and project-based learning need to be improved, too. We must look at the development of a focused creative industries apprenticeship programme. That will involve discussions between the Minister and the Employment and Learning Minister.

The Minister must work with the Education Minister to ensure that schools encourage young people to be

creative and to engage with arts and creative subjects. The ICT curriculum in schools must incorporate skills needed by the creative industries, such as design and software development. As the Chair said, young people need professional career advice and guidance on subjects and subject combinations needed for creative career pathways.

A key recommendation is the development of the STEM agenda into a STEAM agenda, with the addition of arts subjects. Schools need to allow young people to study a more mixed range of subjects further into their school careers to allow them to keep their options open for longer. We must ensure that our young people are as flexible as possible in the skills that they possess so that they can adapt to a changing job market, particularly in the creative industries.

Collaboration is emphasised a great deal in the inquiry report and the Committee's recommendations, and that should be applied across government and the creative industries. The Department's draft collaborative framework to support the creative industries can now look to the Committee's inquiry for suggestions as to the gaps that the Committee has highlighted.

The Committee understands that the time is not yet right for a strategy for the creative industries. Members appreciate that the strategy can follow only when the sector has been mapped thoroughly and its needs assessed comprehensively. The Committee has made recommendations on how that can be achieved. It will support the Minister in taking those recommendations forward.

As the Chair said, the Committee welcomes the framework's proposal for the ministerial advisory group, which should provide a forum for industry, government and academia to engage and work together in realising the potential of the creative industries. That illustrates how better collaboration can be taken forward.

The Committee also reflected at length on the importance of ensuring that our creative industries make full use of the programmes and funding that the European Union has to offer. The Committee has identified ways in which that can be achieved. Appropriate recommendations have been made. The Committee has already indicated that it will follow up on that in its EU work stream.

At this point, I would like to reflect on some of the contributions that have been made during the debate. Mr Ó hÓisín talked about the economic importance of the creative industries and the lack of economies of scale being exploited by them. He supported creative quarters, mentoring for business, and collaboration, co-ordination and networking.

Mrs McKeivitt highlighted gaps in co-ordination and support for the creative industries. She supported the one-stop shop for the sector and highlighted the need to transform STEM into STEAM.

Mr McGimpsey advocated a joined-up approach by Departments with more partnership between sectors and a focus on training and education. He also talked about building enterprise and fostering creative innovation.

Anna Lo referred to the creative industries having great economic and community potential, which is currently not being used fully. She talked about the investment that

is needed to break into international markets and about reducing the brain drain.

Mr Hilditch discussed the need for greater collaboration between Departments and local councils. He also advocated the need for accessing EU funding. He referenced the DEL review of apprenticeships.

Mr McMullan stressed the need for branding and the potential of the RPA for new thinking. He also referred to the potential for disabled people and people with special needs in the creative industries.

Mr Humphrey commended DCAL and DETI for the work that they do for the creative industries. He highlighted the potential for music tourism. He supported the concept of a one-stop shop for the creative industries. He appealed for a digital hub and suggested Crumlin Road jail as a possible location. He also suggested that the Northern Ireland football team's away games should be an opportunity to market abroad what Northern Ireland offers.

Dominic Bradley said that the creative industries have the potential to create employment. To do so, all efforts must be co-ordinated. He also referred to the shortfall in skills, particularly in ICT.

Robin Newton welcomed the report. He also highlighted gaps in skills and training in graduates. That needs to be addressed. Creative champions need to be specialist people.

Robin Swann said that the Committee for Employment and Learning has already undertaken work on five of the recommendations. The Committee is also assessing best practice with regard to the apprenticeships programme.

I am sure that everyone who is here today will agree that it has been a useful and very positive debate on an important issue. The Committee looks forward to the Minister's written response to its recommendations and working with her to take them forward for the benefit of the creative industries here. Once again, I thank Members and the Minister for their contributions. I support the motion.

Question put and agreed to.

Resolved:

That this Assembly approves the report of the Committee for Culture, Arts and Leisure on its inquiry into maximising the potential of the creative industries (NIA 98/11-15); and calls on the Minister of Culture, Arts and Leisure to implement the recommendations contained in the report.

Private Members' Business

Age Discrimination Legislation

Mr Principal 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 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 to make a winding-up speech. All other Members who wish to speak will have five minutes.

Ms Fearon: I beg to move

That this Assembly acknowledges and endorses the Programme for Government commitment to extend age discrimination legislation to the provision of goods, facilities and services; and calls on the First Minister and deputy First Minister to ensure that, in delivering on this commitment, the legislation affords protection to everyone regardless of age.

Go raibh maith agat, a LeasCheann Comhairle. I speak in support of the motion and against the tabled amendment. There is a commitment in the Programme for Government to make it unlawful to discriminate against anyone on the basis of age in respect of the provision of goods, facilities and services. Nowhere does it specify that it should apply to over-18s only. This legislation should apply to everyone regardless of age. It should be non-exclusive.

There is a clear need to protect older people, but children and young people should also have the right to the same protections. These two groups, although years apart, face many of the same discriminations. The age sector has demonstrated that it is also in favour of the legislation being broad and inclusive with protection for all. From my party's perspective, at no stage was this ever solely for older people.

I am aware of how progressive Australia has been in implementing legislation that is anti-age discrimination. To those who claim that to include children and young people in the legislation will open the floodgates to complaints and litigation, it is important to note that, since the implementation of an Act in Australia in 2004, complaints have averaged at only 6.6% for children and young people, with the majority of enquiries — around 78% — being in relation to older people's issues.

There are obvious exclusions from the legislation, such as the sale of restricted goods — for example, alcohol and cigarettes — to minors. There may also be some exemptions in the legislation for services, as there is with all legislation. If implemented for all, there will be improvements in the lives of many across the North. As my party's spokesperson on families, children and young people, I will focus on some issues that will be addressed under this legislation.

There is serious room for improvement in health provision for children and young people, given that around one quarter of the population is under 18 years of age. These improvements can be made, particularly in mental health provision. At present, less than 8% of the total mental health budget is spent on specialist child and adolescent mental health services, which equates to less than 0.5%

of the overall budget. There is a clear underprovision of mental health services for children and young people. As waiting lists continue to grow, the risk of child suicide or self-harm invariably increases. In the past 25 years, the number of teenagers with anxiety disorders, eating disorders or depression has increased by 70%. It is unacceptable that there is a continuing lack of resources in this important area and that there continues to be a very severe lack of age-appropriate facilities for treatment.

The Compton report, 'Transforming Your Care', referred to elements of this in relation to children and family services, stating:

"the level of investment in Children and Families Services in [the North] is approximately 30% less than in other parts of the [UK]".

This demonstrates some aspects of health provision in which children and young people are discriminated against.

One case that confronted me recently was that of a 17-year-old boy who was charged with driving offences and treated, in that way, as an adult. He subsequently developed mental ill-health but was no longer treated as an adult when it came to accessing the services that he needed, and, unfortunately, that case ended tragically.

The same is true of older people. A perfect example comes from my constituency, when, in 2007 —

Mr Principal Deputy Speaker: Pardon, can I interrupt? Someone's mobile phone is going mad, and it is interrupting the translation system. Can you just switch off mobile phones? Sorry, Megan.

Ms Fearon: In 2007, a 76-year-old man from south Armagh was refused access to specialist brain injury care because of his age, as services in Musgrave Park Hospital catered only for people up to the age of 65.

In education, the July and August admission criteria, which were used to allocate nursery places, were reversed by the Education Minister, as they were deemed to be discriminatory.

There is a serious issue with the demonisation of children and young people, particularly by the media. This legislation could go some way towards addressing that, because we need to bring about a change in the ageist culture that still exists here.

4.15 pm

Too often, I have had reports of security staff intimidating children by following them around shops, not allowing more than two or three in at a time or forcing them to leave their belongings outside or at a door. The most abhorrent practice, in my opinion, is the use of Mosquito devices. Shops install such devices, which emit a high-frequency sound that only children can hear, to discourage them from entering. Nobody knows what harmful effects they have on a child's hearing or general health or the effects that they could have on an unborn baby.

Another issue is the age of criminal responsibility. Currently, 10-year-olds are deemed responsible enough to be subject to the law but not afforded the rights that match that responsibility, nor are they afforded equal access to goods, facilities and services. A degree of consistency needs to be developed in relation to children and young people.

I will touch very briefly on some other disparities under the law. Last year, the Assembly voted in favour of extending voting rights to 16- and 17-year-olds. That is an example of young people being given adult responsibilities in their daily lives but not having the rights to match those responsibilities.

A further issue is the differential in the minimum wage, which is lower for young people. That, unfortunately, is a reserved matter, but it is one inequality that I would like to be addressed in the future.

Age discrimination legislation that applies to all people will help to tackle the negative stereotypes that are placed on children and young people as well as older people. It will help to tackle bad attitudes towards children and young people, address their needs and greatly improve their lives.

Some in the House seek to rewrite the Programme for Government commitment because of their desire to discriminate against children and young people. Why would the Assembly seek to introduce anti-discrimination legislation and, from the very outset, discriminate against a large group of people?

I commend the motion, without the amendment, to the House, and I encourage everyone to support it.

Mr Moutray: I beg to move the following amendment:

Leave out all after "protection" and insert

"to people aged 18 and over, in line with international best practice."

In proposing the amendment, we believe that we are delivering on a promise made to the older person's sector, particularly through the Executive's older people strategy, Ageing in an Inclusive Society. Without doubt, this extension in legislation will assist in reducing social exclusion and in improving active ageing and independent living by older people through improved access to various services.

We are all too aware of the ageing population in Northern Ireland and the need to address discrimination against older persons in accessing goods, facilities and services, so much so that in the Programme for Government, we detailed that the House would extend age discrimination legislation to the provision of goods, facilities and services by 2015. I remind all in the House of the need to deliver on that pledge in the timescale that we set ourselves to ensure further protection and align ourselves with the rest of the United Kingdom.

I know that there has been much discussion and lobbying and many questions asked in the House about the matter, particularly on the inclusion of all ages as opposed to those aged 18 and over, whom our party wishes to be included as per our amendment.

It is important to set this in the context of the rest of the UK. I note that the Equality Act 2010, which came into effect on 1 October 2012, covers banning age discrimination against adults in the provision of services and public functions. It is important to note in passing that the Republic of Ireland also has in place the Equal Status Act 2000 and the Equality Act 2004, which legislate against discrimination in the provision of facilities, goods and services. The salient point that I want Members to bear in mind is that both apply to over-18s. Although

I recognise the lobbying that there has been for the inclusion of the children and young person's sector, I believe that it is unnecessary, and I will endeavour to outline my rationale for stating that.

We have legislated against age discrimination in the workplace. By introducing the said legislation on the provision of goods, services and facilities, protection will be extended to outside the workplace. The changes that the law will bring about will ensure, as per the Equality Commission's report, that individuals will have the right to seek redress in court if they, without justification, receive an inferior service and are unable to access goods and services simply on the basis of their age. If we consider international best practice on whether children should be included, we see clearly, through what has been introduced in other jurisdictions, and particularly from their scoping of the issue when introducing the legislation, that the best practice is for the legislation to apply only to adults.

Australia is the only jurisdiction that includes children in its legislation. If the legislation were to include children, it would mean that many exemptions would have to be included. Those exemptions would ultimately weaken the legislation for those who are 18 and above, and it would be practically meaningless because of what had been removed. It could even have unintended consequences for services. For example, age-based services could be withdrawn by service providers because they would be operating outside the law.

Logically, a toddler cannot be given the same rights as an 18-year-old. When my children were growing up, the word "no" had to be used on more than one occasion. If legislation were in place, would I as a parent be liable or, indeed, open to a civil case because I denied my child getting something? It also raises concerns around parental consent. Would a child no longer need permission to access services, particularly health-related ones? What about children-go-free holiday deals? Ultimately, under the legislation, that may be deemed unlawful, because, if a five-year-old can go free, why can an 18-year-old or a 25-year-old not?

What about the purchasing of goods that are currently sold to people 18 years of age and above? Would small and medium-sized enterprises (SMEs) be liable to challenge if they refused a five-, six- or seven-year-old permission to purchase them? What about a retail store, such as a shop near a school, that has implemented a policy that schoolchildren must leave bags outside the shop or that only two children at a time are allowed in? In essence, that would be illegal because, under the law, the shopkeeper would need to force all adults to leave bags at the door and allow access to only two senior citizens if the shop wanted to keep a check on schoolchildren. The words that I use to describe those possible issues if we were to include children in the law are "unintended consequences".

In summary, I support the amendment, which states clearly "18 and over". Yes, it is important for the House to look at our children and young people, because I, too, want to see them protected. However, it is wrong via age discrimination legislation. There are other ways and means of dealing with the concerns. It is important that the Committee look at the issues and develop a localised strategy for dealing with them. I firmly believe that extending protection to

under-18s would outweigh the benefits or positive impacts of a general prohibition for people aged 18 and over.

Mr Eastwood: I support the motion but not the amendment. It is unfortunate that once again in the House we seem to be playing out the arguments that are being had behind closed doors in OFMDFM. I cannot understand why it cannot get it together. It would be very important legislation if we could get it to the House. Our very strong view is that it should extend to everyone.

We can deal with some of the issues that Mr Moutray outlined by having exemptions that would ensure that we do not get to the ridiculous situation in which an eight-year-old would be allowed to buy a packet of cigarettes, or whatever else. It is very easy in legislation to deal with exemptions. It is done all the time. Nobody is asking that we go into the realms of the ridiculous. We want to ensure that young people are not wilfully discriminated against.

I am very glad that we are at least agreed that we can get to a stage at which older people will be provided with some discrimination protection in law. It is clear that we need to be very focused on providing the most strident protection for older people in our society. However, there is no reason that that cannot be done alongside providing protection for people under 18. Evidence collated by the Children's Rights Alliance for England highlighted unequal treatment of children in a range of service areas. Some of the examples that it found included children being refused access to shops without any justification; being refused entry to services such as libraries, leisure centres and museums; being refused access to buses; and being treated less favourably by bus drivers. I do not see any difficulty in legislating to try to stop that.

All of us — the media and politicians — are guilty of stereotyping young people as antisocial troublemakers. We are very good at it. Every time you open a newspaper, you see words like “yob” and “thugs” and all that kind of stuff. Instead of trying to criminalise, sensationalise and stereotype the difficulties that many young people face, we need to embrace young people and ensure that they can become full members of our community.

If we in the House say that we are not prepared to take the advice of the UN Committee on the Rights of the Child, the Equality Commission or the Northern Ireland Children's Commissioner, we are saying to young people that they do not really count and are not equal citizens in this part of the world. That is not good enough. Sometimes, we up here need to remember that we represent everyone in the community and not just those who were entitled and allowed to vote for us.

The UN Committee on the Rights of the Child stated that the UK should take:

“all necessary measures to ensure that cases of discrimination against children in all sectors of society are addressed effectively, including with disciplinary, administrative or, if necessary, penal sanctions.”

It went on to say that there is no reason why children and young people could not be included in this kind of legislation.

Further independent research, entitled ‘Making Older People Equal: Reforming the Law on Access to Services

in Northern Ireland’, although focusing on the position of older people, was of the view that:

“any reform of the law in this area in Northern Ireland must benefit people of every age.”

We are hearing it from everybody we ask.

I could quote you figures that show that almost nine out of 10 young people in Northern Ireland said that they were treated with disrespect because of their age, 67% had been treated suspiciously by staff in a shop, 57% were told to move on when standing with friends —

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

Mr Eastwood: — and eight out of 10 young people felt that the media portrayed young people negatively.

Rather than coming to the Chamber, putting down motions and people arguing across the Chamber, it would be much better if the First Minister and the deputy First Minister could agree the things that were supposedly agreed in the run-up to the Programme for Government, and we did not have to have this public row over and over again. I hope that the motion is agreed to.

Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister): Principal Deputy Speaker, thank you very much. Before I open my remarks as Chair of the Committee for the Office of the First Minister and deputy First Minister, perhaps, on a personal basis, I could add to the congratulations on your recent electoral success.

The Programme for Government 2011-15 makes the commitment to extend age discrimination legislation to the provision of goods, facilities and services. When the Committee considered the draft Programme for Government, it welcomed the commitment to extend protection. During the Committee's consultation on the draft Programme for Government, the Equality Commission and the Commissioner for Older People also welcomed that commitment.

The March 2012 delivery plan for this commitment — it is the most recent the Committee has had sight of, even though it is now March 2013 — outlined that the Department was to have produced initial proposals for consultation by 30 September last, with the consultation on the proposals by 31 March 2013. On the motion, Members may wish to note that the summary section of the delivery plan, albeit dated March last year, indicates that the groups who will benefit most from this legislation will generally be older people and younger people.

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

4.30 pm

The strategic online report for the period April to September, which was sent to the Committee last December, suggested that this commitment was still on track:

“It is proposed that policy proposals will issue for public consultation in early 2013 in line with the Programme for Government commitment and milestone.”

Ms Fearon has brought this issue up on a number of occasions in Committee. The most recent response from the Department to the Committee's request for a briefing

was received on 19 February last, when the Department advised:

“Consideration is currently being given to the scope of the legislation. In order to inform discussion, research has been commissioned into all age group experiences of discrimination in relation to the provision of Goods, Facilities and Services. Officials, in liaison with NICS Departments, are continuing to identify the issues likely to apply to all age groups, and mapping out the possible policy areas requiring further development.

As the proposed legislation is still at the early stages of development, we would suggest that a presentation to the Committee is postponed for a short period until the scope and policy proposals are clearer, at which time officials would be pleased to attend the Committee for an oral brief.”

The Committee is to be briefed on this Programme for Government commitment at this week's meeting, when we will receive an update on progress to date. Age NI has also written to the Committee in relation to the delay in this issue, and the Committee will take evidence from Age NI after Easter.

That concludes my remarks as Committee Chair. As a member of the Ulster Unionist Party, I support the motion and the amendment. Given that DUP amendment, it is clear that this is not an issue that has gained the agreement of the two main blocs of the coalition Government nor yet been considered at the Executive table. Given the fact that it is an important commitment in the Programme of Government and that legislation is scheduled to come before the Assembly in this calendar year, we should all be acutely aware of the need to facilitate an agreed outcome.

At Question Time on 2 October 2012, the deputy First Minister said that “a considerable number of steps” needed to be taken to move this issue forward, including a “period of detailed policy development”. I would welcome clarification today of what stage that process is at, and how the Department expects to perform against that Programme for Government target. I say that in light of the substantial slippage witnessed in other areas within the Office of the First Minister and deputy First Minister, such as childcare funding and the social investment fund.

We are all aware that the major bone of contention here is whether it is appropriate that this legislation should extend to under-18s. It seems to me that the primary aim of the legislation is to extend protection beyond the workplace to goods, facilities and services. Although I am not against protection for under-18s, they hardly seem to be the key target. I also add a note of caution. We recently introduced gender-neutral insurance. We did not have a choice; it was a European directive. The outworking is that young female drivers are assessed as lower risk and are, in effect, now subsidising young male drivers.

Mr Deputy Speaker: Will the Member draw his remarks to a close, please?

Mr Nesbitt: In short: you can agree a principle of equality but please remember that somebody always has to pay. I support the motion and the amendment.

Mr Lyttle: I agree with Mr Eastwood that it is somewhat embarrassing and frustrating that the joint DUP/Sinn Féin

OFMDFM is openly disagreeing over an issue as important as equal access to goods, facilities and services for all ages and that, as is too often the case, it has been unable to send even one of the four Ministers that it has available to the House.

I support the motion on behalf of the Alliance Party. We believe that legislation to prevent age discrimination in the provision of goods, facilities and services will be a positive move, of benefit to many across Northern Ireland, particularly older people, as has been mentioned. Research conducted in August 2010 by Millward Brown on behalf of Age NI found that 45% of older people interviewed had been treated with less dignity and respect when accessing services because of their age. This discrimination in accessing services applies to a wide range of areas, including health and social care.

The legislation would also, of course, benefit younger people. For example, research conducted by the Northern Ireland Commissioner for Children and Young People found that 90% of young people had been discriminated against and 85% believed that they were judged negatively because of their age. Examples of that discrimination include refusal of entry to services such as libraries or museums and difficulties in accessing mental health services and legal services.

It is one of my greatest privileges as an MLA to be able to work with wonderful people from all backgrounds and ages, and it is clear that discrimination and prejudice in relation to both older and younger people in our society remains to be challenged. The legislation should seek to ensure that people of all ages are treated fairly and have equal opportunity to access services.

After careful consideration, I do not believe that the DUP's proposed amendment is required. The principle of non-discrimination for all people, irrespective of age, should be established, and the application of existing and well-established principles of genuine occupation requirements and genuine special requirements would protect against any unintended consequences and make provision for specific age exemptions when absolutely necessary in the public interest. That can, therefore, be used when needed, and the introduction of a blanket exclusion of minors, which would in fact perpetuate the very discrimination against our young people that we have mentioned, needs to be ruled out.

In closing, although the Alliance Party welcomes the motion, I would also like to put on record our deep disappointment if that is the summit of OFMDFM's ambition on equality legislation for this Assembly term. A racial equality strategy and sexual orientation strategy are beyond overdue and leave Northern Ireland embarrassingly behind Great Britain in terms of equality. The Alliance Party's legislative proposals for this Assembly term included a single equality Bill, and we call on the First Minister and deputy First Minister to bring forward a single equality Bill, a racial equality strategy and a sexual orientation strategy without further delay. It is the responsibility of the Assembly to ensure that all our citizens can access the services and protection from discrimination that they deserve.

Mr G Robinson: The motion is undoubtedly well meant, but, considering that age-specific legislation would be best for the under-18s, it seems unnecessary to add confusion

when specific legislation would be more beneficial. Therefore, the amendment is put forward to maintain clarity in the law, but, crucially, still leaves tough legislation in place to protect our young people. It is also essential that any legislation should be as specific as possible in addressing the needs and requirements of a particular sector or, in this case, age group.

I do not believe that people of 18 years and younger will benefit from inclusion on this occasion. As the amendment states, it is being based on international best practice, something that is beneficial and practical when comparison is used appropriately. Indeed, the Australian example shows the number of exclusions required, which is concerning. As I stated earlier, legislation to address the provision of goods, facilities and services would be better produced on a very specific level, relevant to age. If the legislation as planned is passed, the courts may be asked to adjudicate on the numerous exemptions that there will have to be at a later date.

As specific legislation exists for free television licences for the over-75s and the winter fuel allowance so that our older population can be treated differently, age-specific legislation should be available for the under-18s because of the challenges that they face in education, health, housing, or job-seeking. As young people's needs change rapidly in their teens, age-specific legislation can best address those points. The Westminster Government did consult with young people and their representatives, but there was acknowledgement that discrimination legislation was not the best way to address the requirements of the age group. Therefore, it is my firm belief that, due to the number of exemptions that will be required, the motion is not feasible. That is why I am supporting the amendment tabled by my colleagues and me.

Ms McGahan: Go raibh maith agat. I support the motion and oppose the amendment. The Programme for Government has a commitment to make it unlawful to discriminate against anyone on the basis of age in the provision of goods, facilities and service. This legislation will help to ensure that the North complies with the anticipated requirements of the draft European Commission directive on the provision of goods and services. The legislation, when introduced, will also be in keeping with international obligations and principles relating to age equality.

We also need to be mindful of our obligations under section 75. The North is subject to equality legislation under section 75. There are nine groupings in that. One of those groupings is age, and there is a statutory duty on public authorities to consider the experiences of people in this category, as well as others, by examining all their new and existing policies.

The Equality Commission is opposed to the blanket exclusion of minors under statutory protection. In its proposals for reform, 'Ending Age Discrimination in the Provision of Goods and Services', the Equality Commission has made it clear that everyone, regardless of their age, has the right to be treated fairly and to have the opportunity to fulfil their potential. Our position is reflective of a wider view, including that of the Equality Commission, the wider children's sector and the Age Sector Platform.

I believe that the amendment flies in the face of social inclusion, which is about improving the equality of

services, maximising participation and responsibility, and ensuring equality of opportunity for all. That should be at the core of everyone's thinking when they consider the motion. It is important that everyone gets fair treatment and legal protection. As is stated in the research paper, a new law that bans age discrimination but discriminates against people because of their age does not make sense. In other countries where equal protection has been introduced, like Australia, it is apparently working well.

The Equality Commission recommends that the legislation, if introduced, should allow differential treatment on the grounds of age in circumstances in which it can be objectively justified. No one is saying that children have to be treated absolutely equally to adults; that would be ridiculous. There have to be safeguards regarding the obvious things like smoking and drinking. As the Equality Commission stated, this is about ensuring that people of all ages do not receive an inferior service or have their access to a product restricted simply on the basis of their age.

A ban on age discrimination is in force in England, Wales and Scotland. However, it is not absolute. We believe that that position is inconsistent with the British Government's support for the EU Charter of Fundamental Rights. Their decision to exclude children from the legislation is contrary to article 21 of the charter. The British Government's position is contrary to the recommendation of the UN Committee on the Rights of the Child that effective measures are taken to address discrimination against children. The Government's proposals are also contrary to accepted international norms as found in the Australian Age Discrimination Act 2004 and the proposed EU directive on implementing the principle of equal treatment between persons irrespective of religion, disability, age or sexual orientation.

This legislation will help us to meet our obligations under the United Nations Convention on the Rights of the Child, which indicates that we should take all necessary measures to ensure that cases of discrimination against children in all sectors of society are addressed effectively. There are numerous examples of the tangible impact that this legislation could have. For example, there is evidence that children and young people experience difficulty in accessing age appropriate health and social care services, including mental health services. Age discrimination legislation will address the Compton report, for example. Transforming Your Care referred to elements of this when it stated:

"the level of investment in Children and Families Services in NI is approximately 30% less than in other parts of the United Kingdom."

The Equality Commission has stated that it considers that its recommendations are clearly aligned with the draft European Commission directive to outlaw discrimination in the provision of goods, facilities and services. The Equality Commission also stated that the draft directive did not contain an exception in this area to exclude children and young people from protection against age discrimination.

I support the motion.

Mr Agnew: I apologise to those who tabled the motion for missing the opening speech. When it is yourself alone, it is sometimes hard to be everywhere at once. I apologise

to them and, indeed, to Members whose subsequent contributions I missed.

4.45 pm

I support the motion and oppose the amendment, which I believe is misguided. There will be examples of when we need exemptions that may apply to those under the age of 18, but a blanket exemption is the wrong way forward. Somebody mentioned that the legislation is about the provision of goods and services only and will not apply to the same extent to children and young people. However, I think of some areas in health. I declare an interest at this point: my partner works in child and adolescent mental health services. Some children's services in our Health Service have been hard fought for and are, indeed, still inadequate. The amendment would allow for a get-out clause that is not acceptable. Mental health provision and addiction services were denied to children for a long time because we simply said that children do not have addiction, drug or alcohol problems. We know that not to be true, and there is a risk of suicide in children and young people that may be associated with some of those issues. We need to step up our provision of services for children and young people. We need this duty, and it would be misguided to exempt children.

There is one general exemption that I certainly support, whereby we have legislation that differentiates children and young people to protect them — for example, the purchasing of alcohol is an exemption to protect young people and their health. However, this legislation is designed to protect people from age discrimination that would be harmful to them. I do not see any contradiction in those two things. As I said, with well-considered amendments, that could be catered for.

I can think of other examples of discrimination against children and young people in the provision of services. A well-known music festival — the largest in Ireland — is free if you are under the age of 12 and accompanied by an adult; adults have to pay to get in; and if you are between the ages of 13 and 18, you cannot get in because alcohol is served. As a former employee of Virgin Megastore, I know that that age group is probably one of the biggest purchasers of music. Teenagers are purchasing music but being discriminated against when it comes to local concerts and gigs, which are often licensed so teenagers are excluded.

With antisocial behaviour, it is that type of exclusion that adds to the problem because people do not feel that they have a stake or a place. Until we start planning our towns, cities and events with young people in mind, as full citizens rather than second-class citizens, we will not start to address those issues. I have seen incidents in shopping malls. A group of young people go to a mall, maybe to get a coffee in the food court. Somebody will stand behind them, just waiting. As soon as they finish their last sip, that person says: "Right, you. Out. If you are not buying anything else, go." That would never happen to older people. We need to be clear that that type of differential and discriminatory treatment is unacceptable.

We have the opportunity to lead the way on this issue, alongside Australia, and show that, when we talk about being against age discrimination, we mean it across the board and do not discriminate against a whole age group in our society.

Mrs Hale: I thank Members for the detailed debate on this important issue, especially for anyone who may have been subject to discrimination in the past. Although I appreciate the stance taken by Sinn Féin and other Members in tabling the motion, the reason for not extending legislation to under-18s is not because of a lack of compassion, or indeed a failure to ensure protectionism to our most vulnerable citizens, but is of a most practical nature. Like every Member in the Chamber today, I want to ensure that no baby, child, young adult or older person is discriminated against in any walk of life. However, this is not the legislation in which to do that.

There remain many challenges in children's rights, including tackling negative societal attitudes, but, like our colleagues in Westminster, I do not believe that discrimination legislation is the most appropriate way to resolve either of the issues or to protect the well-being of children and young people.

To illustrate that, it is worth summarising some of the important reasons why I and my party colleagues believe strongly in applying the legislation only to those aged 18 and over. Mr Moutray, in proposing the amendment, spoke of the UK Equality Act 2010 and the Republic of Ireland's Equal Status Act 2000 and Equality Act 2004, both of which are apply to over-18s. Mr Nesbitt, the Chair of the OFMFDM Committee, asked whether it was appropriate to extend the provision to under-18s.

First, legislation aimed at including under-18s would require numerous complex and comprehensive exception clauses just to ensure that all different treatments for ages ought to 18 could be exempted with clarity. That would require so many exceptions that the same legislation would be rendered virtually meaningless as it would fail to address discrimination in the provision of goods, facilities and services and, as my colleague Mr Robinson stated, our commitment in the Programme for Government.

Secondly, it would lead to many problems for service providers as they would be forced to move to a position of standardisation across all services and all age groups or withdraw totally from providing the service.

Thirdly, it is vital to note that children are not an homogenous group, which creates a number of problems in its own right. If a baby is given the same rights as a 16-year-old, how can we begin to legislate on graduate schemes without discriminating? Indeed, it would be interesting to see what the legal position of parents would be if a child felt that his or her family was denying his or her right to services, goods and facilities?

Finally, the most important point was made by my colleague Mr Moutray, who said that, if the motion went unchallenged, it would remove the ability to set services in an age-appropriate way. It seems ludicrous that the wording of the motion would make it impossible to offer different levels of service or services tailored to the various age spectrums depending on their personal need.

It is clear that, although the motion is well meant, Sinn Féin's rationale is misguided. The motion could lead to significant negative consequences. If left unchallenged, it could lead to the ending of age-appropriate services, but, most notably, it could hinder this Government in trying to support and help the very young people whom we wish to protect. I welcome the very sensible and pragmatic amendment to the motion.

Mr Brady: Go raibh maith agat, a LeasCheann Comhairle. I support the motion and oppose the amendment. My colleague Megan Fearon concentrated on the impact of the legislation on younger people, so, for obvious reasons, I will concentrate on its impact on older people.

There is a Programme for Government commitment to extend age discrimination legislation to the provision of goods, facilities and services. It was hoped that, after consultation, legislation would be completed by 2014-15. On 25 September 2012, junior Minister Jennifer McCann said:

"The equality agenda is about fairness. That is equal treatment and equal opportunity. We want everyone to have the opportunity to realise their full potential. One way we can do this is by ensuring that people are treated fairly regardless of their age."

Junior Minister Bell stated, on the same day:

"Inequalities do exist and we will continue to work hard to eliminate inequalities. The Programme for Government includes a commitment to make it unlawful to discriminate on the basis of age, for the provision of goods, facilities and services."

Mr McCarthy: I am very grateful to the Member for giving way. Does he agree that it is rather disappointing that neither Jonathan Bell nor Jennifer McCann came to the Chamber today? We can understand the First Minister and deputy First Minister not being here as they are away on business, but the junior Ministers might well have appeared in the Chamber today.

Mr Brady: I thank the Member for his intervention.

An independent report titled 'Making Older People Equal: Reforming the Law on Access to Services' focused on older people, but it highlighted the fact that any reform of the law in this area in the North must benefit people of every age. If certain age groups were excluded from protection, it would immediately undermine the principal objection to ageism, which is that treating people unequally merely because they happen to have been alive for a longer or shorter period than someone else is inherently unjust. It is important that people of all ages do not receive an inferior service or have access to a product restricted simply on the basis of their age.

Strengthening age discrimination legislation is in keeping with the overarching aims and objectives of the Executive's older people's strategy, Ageing in an Inclusive Society.

A key objective of the strategy is:

"To promote equality of opportunity for older people and their full participation in civic life, and challenge ageism wherever it is found."

Older people can and do contribute to the ongoing development of communities and society in the North as carers, volunteers, mentors, employees, employers, campaigners, and so on. Age NI believes that strategic policy responses are required to ensure that older people are able to participate at all levels in our society, and the development of a new ageing strategy presents an enormous opportunity to ensure that the rights and needs of older people here are promoted, protected and fulfilled across all aspects of society.

The strategy must be overarching and cut across all Departments. It must deliver a mainstream approach to older people's issues while simultaneously identifying distinct policies, practices and services that are required to address concerns specific to the lives of people in later life. The removal of structural barriers such as legal discrimination is a fundamental building block to older people's increased participation. Up to 45% of people aged 65 and over are aware of instances in which older people have been treated with less dignity and respect because of their age when accessing services.

I will comment on what Members said. My colleague Megan Fearon proposed the motion and stated that it is unlawful to discriminate on the basis of age. Nowhere does the proposed legislation mention 18. It should be inclusive legislation, with protection for all. She talked about the Australian model from 2004 and said that only 6.6% of complaints come from children and young people. She spoke about the restricted sale of goods to minors and about improvements to life.

She said that a quarter of the population is under 18. She talked about mental health and said that less than 8% of the health budget is spent on mental health services for young people. Other Members referred to that. She talked about anxiety disorder, and so on. She talked about the Compton report 'Transforming Your Care' and said that there is 30% less investment for children and young people than in Britain. She gave the example of a 17-year-old who was not provided with the proper services. She talked about a case that I remember well when, in 2007, a constituent of ours was refused specialist brain injury services because of age. That was later resolved.

She said that the legislation should address the attitude to young people, and she talked about some shops emitting high frequency sounds that can be heard only by children and therefore affect them. She talked about the criminal age of responsibility, the differential in the minimum wage and 16-year-olds having the right to vote.

Stephen Moutray proposed the amendment. He talked about ageing in an inclusive society and said that that would help reduce social exclusion. He talked about older persons' access to services and the need to deliver legislation within the timescale proposed. He talked about the inclusion of all ages and the Equality Act 2010. He said that legislation on goods and services in the Republic of Ireland is all for over-18s. Irrespective of what other jurisdictions may or may not do, this is an opportunity for the Assembly to be innovative with legislation.

He also talked about individuals having the right to address grievances in court. He talked about national best practice and about the Australian legislation and its inclusion of children, which he thought weakened that legislation. He then gave us some insight into his domestic discipline and how often he says no to his children. That was a subjective view on the motion and the amendment. He talked about free entry to venues for children. When you think about it, common sense has to prevail. He talked about adults, not young people, having to be asked to leave bags outside shops. As I said, common sense has to prevail.

Colum Eastwood supported the motion but not the amendment. He talked about his problems with the delay in legislation from OFMDFM and said that the legislation should extend to everyone. He said that exemptions would

be easy to deal with, ensuring that young people are not wilfully discriminated against. He talked about protection for minors, where children are refused access to shops, libraries, buses and so on without justification. He said that the media and a lot of adults are guilty of stereotyping young people. He talked about the Equality Commission.

5.00 pm

Mr Agnew: Will the Member give way?

Mr Brady: I do not have that much time. I want to try to finish as quickly as possible.

Mike Nesbitt started with magnanimous congratulations to the Principal Deputy Speaker. He then talked about the Committee for the Office of the First Minister and deputy First Minister welcoming the draft Programme for Government and then talked about the proposals that are yet to be dealt with. He talked about the groups that benefit most — older people and younger people — and the policy proposals coming through early in 2013. He talked about a briefing request from the Department that has been postponed. He also mentioned that Age NI is concerned with the delay and that there will be a briefing from it after Easter. He supported the motion as amended.

Chris Lyttle supported the motion but not the amendment. He talked about the disagreement between parties, and I presume that he was referring to Sinn Féin and the DUP in OFMDFM. He talked about the fact that older people represent 45% of the population and that, in many cases, they had been dealt with in a discriminatory fashion because of their age. He outlined incidences of discrimination against young people. He does not believe that the amendment is required, and he expressed deep disappointment about OFMDFM's approach to equality. He called on OFMDFM to implement a single equality Bill.

George Robinson spoke to the amendment. He talked about retaining parity. He does not believe that people under age 18 will benefit from this legislation, but he really did not give us any reasons why. He mentioned the Australian example, which was dealt with by other Members, on the amount of complaints and so on emanating from young people. He talked about young people's needs changing rapidly, but, surely, their rights do not change. We all change, but equality and rights do not change.

Mr Deputy Speaker: Would the Member bring his remarks to a close, please?

Mr Brady: Bronwyn McGahan supported the motion and talked about the need for compliance with the UN directive on goods and services. Steven Agnew supported the motion and opposed the amendment. He talked about the need for some obvious exemptions for under-18s.

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

Mr Brady: Thank you. Go raibh maith agat.

Question put, That the amendment be made.

The Assembly divided:

Ayes 39; Noes 44.

AYES

Mr Anderson, Mr Bell, Ms P Bradley, Ms Brown, Mr Buchanan, Mr Clarke, Mr Craig, Mr Cree, Mrs Dobson, Mr Dunne, Mr Easton, Mr Elliott, Mrs Foster, Mr Frew, Mr Gardiner, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Irwin, Mr Kennedy, Mr Kinahan, Mr McCausland, Mr I McCrea, Mr D McIlveen, Miss M McIlveen, Mr Moutray, Mr Nesbitt, Mr Newton, Mr G Robinson, Mr Ross, Mr Spratt, Mr Storey, Mr Swann, Mr Weir, Mr Wells, Mr Wilson.

Tellers for the Ayes: Mr D McIlveen and Mr G Robinson.

NOES

Mr Agnew, Mr Attwood, Mr Boylan, Ms Boyle, Mr D Bradley, Mr Brady, Mrs Cochrane, Mr Dallat, Mr Dickson, Mr Durkan, Mr Eastwood, Dr Farry, Ms Fearon, Mr Flanagan, Mr Hazzard, Mrs D Kelly, Ms Lo, Mr Lynch, Mr Lyttle, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCarthy, Mr McCartney, Ms McCorley, Mr McDevitt, Dr McDonnell, Mr McElduff, Ms McGahan, Mr McGlone, Mr McKay, Mrs McKeivitt, Ms Maeve McLaughlin, Mr Mitchel McLaughlin, Mr McMullan, Mr A Maginness, Mr Maskey, Ms Ní Chuilín, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Ms S Ramsey, Ms Ruane, Mr Sheehan.

Tellers for the Noes: Mr Brady and Ms Fearon.

Question accordingly negatived.

Main Question put and agreed to.

Resolved:

That this Assembly acknowledges and endorses the Programme for Government commitment to extend age discrimination legislation to the provision of goods, facilities and services; and calls on the First Minister and deputy First Minister to ensure that, in delivering on this commitment, the legislation affords protection to everyone regardless of age.

Adjourned at 5.17 pm.

Northern Ireland Assembly

Tuesday 12 March 2013

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

Members observed two minutes' silence.

Speaker's Business

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

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

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

*"How much of the £26 million did you get?" —
[Official Report, Bound Volume 82, p348, col 2].*

I was referring to the collective "you" of Sinn Féin. Given the inextricable link between Sinn Féin and the IRA, whose members robbed the Northern Bank, I was asking, "How much of the £26 million did Sinn Féin get?"

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

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

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

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

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

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

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

I am speaking directly to the Member because the Member continually raises issues knowing fine well it can create many, many problems in the Chamber and certainly falls well short of the standards of debate in not only this Chamber but in any other elected institution. The Member has made his position clear, but the Member needs in future to be very careful of the language and how he conducts himself in debates in the Chamber.

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

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

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

Ministerial Statement

North/South Ministerial Council: Education

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

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

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

Minister Quinn and I reported that both inspectorates are progressing work on a report focusing on best practice guidelines in literacy provision at post-primary level. It is anticipated that a similar report on numeracy will be ready for publication in late 2014. We welcomed the support given by the Education Departments in 2012 for the recommendations of the educational underachievement working group to all-island initiatives promoting literacy and numeracy and noted the group's commendation of the Department of Education's advertising campaign to promote the value of education; agreement to consider the potential for further joint departmental co-operation through the medium of web-based linkages; and agreement to explore the use of information by both Departments for policy formulation and targeted interventions, in order to develop best practice in addressing educational underachievement. It was also noted that current research on school attendance will provide the opportunity to share best practice on school attendance guidance and strategies in the North and South.

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

co-operation projects designed to produce practical, tangible outcomes. A further update will be given following the next NSMC meeting.

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

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

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

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

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

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

With regard to the report on the North/South cross-border survey, I understand that concerns were expressed that the paperwork was delivered late and that parties wanted

further time to study it. I have no difficulty with that. There is nothing to hide in any of the paperwork. If parties want a longer time to study that paperwork, so be it. I am hopeful that it will be presented to the next North/South ministerial meeting in education format in the near future.

10.45 am

Mr Hazzard: Go raibh maith agat, a Cheann Comhairle. Gabhaim buíochas leis an Aire. I welcome the Minister's statement to the House, especially the progress update on the expansion of services at Middletown Centre for Autism. Can he detail how such an expansion of services will benefit parents and families, as well as children with autism, in the North?

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

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

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

Mr O'Dowd: Gabhaim buíochas leis an Chomhalta as a cheist. There is ongoing, continuous work from the North/South Ministerial Council in relation to the Irish language and co-operation between my Department and Minister Quinn's Department on the provision of Irish-medium education. I have reported to the House previously. For instance, the Marino Institute of Education in Dublin and the University of Ulster have reached agreement on a proposal that will, from 2013-14, allow students to avail themselves of preparatory courses for the Irish language requirement — an Scrúdú le hAghaidh Cáilíochta sa Ghaeilge — delivered here in the North. The preparatory course will be delivered through the University of Ulster's diploma in Irish language. Under the agreement, the University of Ulster will have access to all course material for the Irish language qualification. St Mary's University College is still considering a proposal to develop all

elements of the qualification. That is one example of ongoing work on Irish-medium education. There is also work between the two inspectorates on how Irish-medium education should be inspected etc. I am satisfied that a healthy stream of work is taking place through the North/South Ministerial Council on Irish language provision.

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

In his statement, the Minister said:

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

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

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

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

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

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

Mr O'Dowd: I am not aware of any complaints being received, and I am not aware of any offence being caused

by advertisements in the Irish language. There may be people who set out to be offended. Did you ever hear that one? *[Interruption.]*

Mr Speaker: Order.

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

Mr Givan: You just hijacked it.

Mr Speaker: Order.

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

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

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

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

Mr Speaker: Order.

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

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

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

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

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

Ms Boyle: Go raibh maith agat, a Cheann Comhairle. I thank the Minister for his statement. I welcome the agreement to consider the potential for further joint departmental co-operation across the island. In

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

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

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

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

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

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

Mr O'Dowd: To be perfectly frank with you, I would like to turn it into a "Dissolving Borders" programme. I am an Irish republican. It may have escaped your attention that

I believe that the best way forward for the people of the island of Ireland is reunification.

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

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

11.00 am

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

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

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

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

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

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

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

Executive Committee Business

Criminal Justice Bill: Further Consideration Stage

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

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

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

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

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

New Clause

Mr Speaker: Amendment No 1 is the only amendment in the first group of amendments for debate. As a petition of concern has been tabled in respect of amendment No 1, the Question will require cross-community support.

Mr Givan: I beg to move amendment No 1:

After clause 11 insert

“Ending the life of an unborn child

Ending the life of an unborn child

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

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

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

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

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

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

I bring forward the amendment with the support of my colleagues Mr Alban Maginness MLA and Tom Elliott MLA. I pay tribute to them for their support and work undertaken in the Justice Committee when we examined this issue. I extend that remark to my party colleagues and to Patsy McGlone, who, with Alban Maginness from the outset, showed strong determination on this issue in the Committee. I also thank other members of the Justice Committee who were perhaps less enthusiastic but whose scrutiny ensured that the amendment brought to the House is well thought out to achieve a clear objective.

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

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

Unfortunately, Sinn Féin and the Alliance Party have already determined their position. To Sinn Féin, I say that I support what the deputy First Minister said on 'Inside

Politics', when the Marie Stopes clinic first opened. Last October, he said:

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

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

Mrs Foster: Will the Member give way?

Mr Givan: I will indeed.

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

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

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

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

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

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

I regret that Minister Ford has sought to undermine the normal parliamentary procedures that exist in this Assembly for Members to bring forward amendments. It is for Assembly Members, who are elected to represent the people, to legislate on issues of public interest. When the Marie Stopes clinic opened last year, there was public

outcry and calls for action, which I know many Members in this House heard very clearly. As responsible legislators, we examined the issue in the Justice Committee. Today is the culmination of much work, done in a timely manner, and shows to the public that this Assembly does actually listen and has relevance.

Mr Lyttle: Will the Member give way?

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

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

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

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

Turning to the detail in the amendment, subsection (1) of new clause 11A makes clear that existing legislation will remain in place and be available for the prosecution to bring forward a charge based upon those provisions. The amendment uses modern, simple, clear language, and provides an additional option for the Public Prosecution Service (PPS) to consider in the event of taking a case forward. The prosecutor could consider, based upon the circumstances, what charge to bring using the particular legislation that is most appropriate. That may be to seek life imprisonment or up to 10 years in prison with a fine. It will be for the prosecution to decide.

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

11.15 am

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

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

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

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

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

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

Those who challenge these laws, as has been the case in recent days, seek a different debate to what this amendment is about. They want different laws. I will have that debate, and we can take our positions. But that is not what today's decision is about. This amendment ensures

that our values, affirmed by previous Assemblies that voted against extending the 1967 Act, are not undermined.

Members will, rightly, ask whether it is compatible with European law. The answer is, most assuredly, yes, it is. In the event that a medical termination of a pregnancy is regarded as a service within the meaning of the 'Treaty on the Functioning of the European Union', is it, therefore, subject to the European rules on free movement related in these circumstances to article 57(d) "activities of the professions", and as such, is the amendment at variance with European law? On this issue, the Grogan case is cited, but it concerned abortions carried out in Great Britain, where abortion is explicitly provided for in statute. In Northern Ireland, abortion is governed solely by criminal law, and there is no pathway to an abortion, and, therefore, termination of pregnancy could not be defined as a service for the purposes of European law.

Mr P Ramsey: Will the Member give way?

Mr Givan: I will, indeed.

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

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

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

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

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

The House of Lords, in finding the fox hunting ban compatible with EU law, noted that the prevention of cruelty to animals was a fundamental interest of the nation, and it was within Parliament's margin of discretion to address the concerns, despite the impact on freedom

to provide services, upon which the Countryside Alliance brought the case. How much more important is the protection of our mothers and unborn children as opposed to animals?

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

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

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

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

“A Member State seeking to ensure a particularly high level of protection may consequently, as the Court has acknowledged in its case-law, be entitled to take the view that it is only by granting exclusive rights to a single entity which is subject to strict control by the public authorities that it can tackle the risks connected with the betting and gaming sector and pursue the objective of preventing incitement to squander money on gambling and combating addiction to gambling with sufficient effectiveness ... the national public authorities may indeed legitimately consider that the fact that, in their capacity as overseer of the body holding the monopoly, they will have additional means of influencing the latter's conduct outside the statutory regulating and monitoring mechanisms is likely to secure for them a better command over the supply of games of chance and better guarantees that implementation of their policy will be effective than in the case where those activities are carried on by private operators in a situation of competition, even if the latter are subject to a system of authorisation and a regime of supervision and penalties”.

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

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

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

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

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

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

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

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

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

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

Ms Lo: Will the Member give way?

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

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

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

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

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

“burden of proof cannot be so extensive as to require the Member State to prove, positively, that no other

conceivable measure could enable that objective to be attained under the same conditions ... Although it is possible, in the present case, to envisage that measures other than ... prohibition ... could guarantee a certain level of road safety ... Member States cannot be denied the possibility of attaining an objective such as road safety by the introduction of general and simple rules which will be easily understood and applied by drivers and easily managed and supervised by the competent authorities."

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

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

11.30 am

Mr Lyttle: Will the Member give way?

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

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

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

Mr Givan: I will give way to the Minister.

Mr Ford: Perhaps the Member will tell us what the Minister of Health has done to follow up on his intention of introducing regulation, which he stated in the Chamber on 26 November.

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

Mr Ford: Will the Member give way?

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

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

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

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

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

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

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

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

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

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

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

Even in the event of some form of state regulation of abortion in private clinics — should that even be possible, which is entirely questionable — the very nature of the private clinic, which charges for abortion, presents an insurmountable challenge to effective regulation. Some Members will argue for that here today. Members should consider that, given the interests of both the willing seller of the abortion and the willing buyer, easily obtaining information to identify compliance with the criminal law and protection of the unborn child will be difficult, if not impossible. The actual or potential victim in this case — the unborn child protected by the criminal law — is not in a position to alert the authorities to any actual or anticipated

breach of the criminal law. Even if an abortion were not criminal under the law of Northern Ireland and there was a positive legal pathway for it to take place in NHS facilities, exchanging money for ending the life of an unborn child should cause us all a serious moral dilemma. For many of us in the House, it is morally abhorrent that vulnerable women and their children, who are in grave physical and mental danger, should pay a private clinic in circumstances in which a life is to be ended. Financial gain from such misery should cause dismay to all of us.

We also have an obligation under article 2 to protect the life of all our citizens, including pregnant women. The discharge of that duty can be carried out only in institutions over which we have direct control in the context of an abortion, which is known to carry risk for the expectant mother, and when it will almost inevitably be the state that has to bear the responsibility for treating any adverse medical consequences to vulnerable women that arise from any private sector termination of a pregnancy. My colleague Michelle McIlveen made that point earlier.

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

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

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

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

I begin by setting out the Sinn Féin position on abortion. Sinn Féin is not in favour of abortion. We opposed and voted against the extension of the 1967 Act to the North of Ireland when it was proposed in the Assembly. That remains our position. Sinn Féin believes that, in the case of rape, sexual abuse or incest or when a pregnant woman's life is in danger, the option of termination should be available. That has been our position for some time, and it remains our position. Sinn Féin also believes that the issue should be addressed in a comprehensive manner, involving a multiagency response that develops effective

services for sexual health and sex education, fuller access to child support provision and specific support for single parents.

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

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

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

Mr Speaker: Order. Allow the Member to continue.

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

Mr Speaker: Order.

Ms Ruane: — outside the National Health Service. Of course, the reality is that the National Health Service is heavily dependent on private health referrals from NHS to private clinics for a wide range of treatments. Currently, a significant number of National Health Service

operations are carried out in private health clinics funded by the taxpayer. The failure of the Health Minister to have guidance in place to give clinicians the legal assurance required to allow them to intervene in life-threatening circumstances at the request of the mother — *[Interruption.]*

Mr Speaker: Order.

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

Excuse number two: we are not really changing the law. I nearly fell off my chair when I heard Alban Maginness yesterday getting himself further entangled on the hook in an interview. He said something like "It is not really changing the law". This is the Criminal Justice Bill. If it does not change the law, what does it do? It is an amendment to the law. If it were supported today, the law would change. That is the whole point of legislation. We have a letter from the Minister of Justice to every MLA outlining his concerns about what it might mean. *[Interruption.]*

Mr Speaker: Order.

11.45 am

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

Excuse number three is that Marie Stopes —

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

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

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

Tabling this amendment is perhaps the worst example that we have seen to date in the Assembly of stroke politics. The amendment is about trying to close down the Marie Stopes clinic, and, as a result, limiting the opportunity for a woman to exercise the option of a termination when her life is in danger. The Members who tabled the amendment should have the courage to say so. This was an attempt to bring us back instead of forward. It was an attempt to criminalise women in vulnerable situations, and it is unacceptable. The criminal justice arena is not the place to deal with a sensitive healthcare issue such as this.

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

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

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

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

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

Mr Speaker: Order.

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

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

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

Mr Speaker: Order.

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

Mr Speaker: Order.

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

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

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

Mr Speaker: Order.

Ms Ruane: Are we to wait for another tragedy before those who tabled the amendment cease to play with the lives of women? Are we to continue to foment confusion, or are we to bring clarity and certainty to the need for the rights of a woman in this particularly difficult situation? Tagging this amendment on to the Further Consideration Stage of a miscellaneous provisions Criminal Justice Bill does a grave disservice to the issue and insults women who have undergone the termination of a much-wanted pregnancy that threatened their life. The use of an amendment in this instance bypasses the need for public consultation and disenfranchises the public from having their say on this important and sensitive issue. It is bizarre that we would publicly consult for a minimum of 12 weeks on the High Hedges Act, but we did not seek the views of the public and medical practitioners on this.

Mr Speaker: Order.

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

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

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

Mr Speaker, I support the amendment proposed by the cross-party and cross-community group of Members. It reflects the widespread support for strict regulation

of abortion here in the North and across the island of Ireland. Any private organisation in the North offering to abort the life of an unborn child would currently do so outside the remit of regulatory bodies. That being the case, there would be insufficient oversight of those private organisations in the current framework. The amendment addresses that issue head-on and resolves it in a straightforward manner.

Mr P Ramsey: Will the Member give way?

Mr McGlone: Yes.

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

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

Ms Lo: Will the Member give way?

Mr McGlone: Yes.

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

Mr Poots: Will the Member give way?

Mr McGlone: Yes.

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

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

Mr Givan: Will the Member give way?

Mr McGlone: Very briefly.

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

Mr McGlone: I thank the Member for that.

Ms Lo: Will the Member give way?

Mr McGlone: I am not giving way any further.

Ms Lo: I would like to respond to that.

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

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

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

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

12.00 noon

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

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

This is not about just public versus private health. This is about ensuring that all those in need of advice, treatment and support can have the confidence — and we can have the confidence — that those giving that support, treatment

and advice are doing so in the best interests of those vulnerable individuals who come forward for that help.

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

Mr Lyttle: Will the Member give way?

Mr Elliott: Happy to give way, yes.

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

Mr Elliott: I thank the Member for that. When representatives of Marie Stopes were in front of the Justice Committee and I asked them that very question, they said they were making moves towards that. However, there is no basis, as I understand it, for the proper regulation of it. The RQIA does not have to do it. In the end, it is a voluntary process, which, as we all know, is worth very little if those who are organising it and running it do not want to avail themselves of it. I will give way.

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

Mr Elliott: I thank the Member for that.

Ms Lo: Will the Member give way?

Mr Elliott: OK.

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

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

Mr Lyttle: Will the Member give way?

Mr Elliott: No. I do —

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

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

my first and foremost concern, which is why I signed and support the amendment. We all have a duty here to protect the rights of women and the rights of the unborn child, particularly —

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

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

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

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

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

The Justice Committee spent many hours taking evidence and going through the Bill line by line — rightly so. However, we have not done that for this amendment. The Bill will introduce legislative change regarding sex offender notification requirements, DNA and fingerprint retention, and how we deal with the trafficking of human beings. The changes proposed by Mr Givan and Mr Maginness are of no less importance and, therefore, deserve exactly the same level of scrutiny and consultation. If we as legislators are to do our job, we have a responsibility to do that diligently and in a way that is structured and allows us to take evidence and have thoughtful reflection. We have a responsibility to go through a Bill line by line. That allows us to scrutinise proposals and give us the very best opportunity to reflect on the mandates that we hold and to protect the integrity of the law and the constituents whom we represent.

What message will we convey, therefore, about the importance of every stage of the legislative process if we make major changes to the law that have not been discussed in the prescribed way of scrutiny in all our relevant Statutory Committees? It is extremely disappointing that Mr Givan, who holds the important responsibility of Chair of the Justice Committee, and Mr Maginness, who is a learned counsel, should use

the methods that they have chosen to introduce major legislative change rather than give the Bill the due process and respect that it deserves, and the public the right to be consulted. This opportunism is populist and to the detriment of the House and society as a whole.

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

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

Mr Givan: You are wrong.

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

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

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

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

Mr Speaker: Order.

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

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

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

“ an unborn child at any stage of that child’s development”,

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

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

12.15 pm

Mr Givan: What have you done?

Mr Speaker: Order.

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

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

Mr Bell: This is one of the most sensitive issues that we will deal with. At the commencement, I want to say that we should place women and the unborn child at the forefront of our considerations. We should do the best for the women of Northern Ireland, and they should receive the very best healthcare. That healthcare and support should be provided in the National Health Service to give them the best care at the most critical time of their lives.

Northern Ireland has a proud record of being pro-life. By not extending the Abortion Act 1967, there are some 90,000 people — 90,000 people — alive today. That is greater than, or certainly very close to, the number in any

of our parliamentary constituencies. Is there anybody who would seriously argue that that was a mistake?

Mr Agnew: Will the Member give way?

Mr Bell: Yes.

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

Mr Speaker: Order.

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

Ms Lo: Will the Member give way?

Mr Bell: I will in a moment.

Its Members are divided on the issue, and I know that that is the case. On matters of conscience, I say to Sinn Féin, even at this stage, to come back to a pro-life position. Do not be led by the nose by Caitríona Ruane. Those on your Benches who know that it is wrong to take the life of an unborn child should not be complicit in actions that bring in abortion by the back door in Northern Ireland. Why is the democratic deceit of Sinn Féin so bad? It is because the Roman Catholic Church, the Presbyterian Church and the Church of Ireland have spoken. As Patsy McGlone told us, a quarter of a million people across Northern Ireland have spoken. On a cross-community basis, Northern Ireland does not want to bring in extra abortion. A democratic deceit is being used to bring in abortion by the back door. However, Sinn Féin could not have brought in abortion by the back door on its own.

Mr Molloy: Will the Member give way?

Mr Bell: I will in a moment.

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

Mr Lyttle: Will the Member give way?

Mr Bell: I will in a moment.

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

Mr Speaker: Order. The Member must be heard.

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

In many ways, today’s —

Mr Givan: Shame on you.

Mr Speaker: Order.

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

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

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

Mr Molloy: Will the Member give way?

Mr Bell: In a moment.

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

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

Mr Molloy: Will the Member give way?

Mr Bell: Yes.

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

Mr Speaker: Order.

Mr Molloy: The amendment is very clear.

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

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

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

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

Mr Bell: I think — *[Interruption.]*

Mr Speaker: Order.

Mr Bell: The reality of that intervention is that it was as weak and unconvincing as Caitríona Ruane's attempt to explain birdwatching in Colombia. There are times when I am glad that Sinn Féin takes an abstentionist position at

Westminster. If the Member of Parliament were to take that level of pure idiotic argument to the House of Commons, whatever would they think of us?

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

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

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

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

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

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

Mr P Ramsey: Will the Member give way?

Mr Bell: Yes.

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

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

Mr Agnew: Will the Member give way?

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

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

Mr Speaker: Order. *[Interruption.]*

Mr Bell: The women of Northern Ireland —

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

Mr Bell: On a cross-community basis, the women of Northern Ireland — many of them were among the quarter of a million of our people who signed a petition — are very clear that they do not want the Abortion Act extended to Northern Ireland. So, the question before us is why did Members of the Alliance Party take Sinn Féin across the line on abortion. Why did they do that? They know

in their hearts that there is overwhelming support, on a cross-community basis, for the amendment that has been so excellently proposed. They know in their hearts that Roman Catholics, Protestants, Presbyterians, Methodists, those of Islamic religions, those of Jewish religions and those of no religion overwhelming want this amendment to be passed. In those circumstances, why did they choose to use a petition of concern to deny the cross-community will of Northern Ireland and the will of the House?

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

Mr Speaker: Order.

Mr Lyttle: Will the Member give way?

Mr Bell: In a moment.

I do ask why, when you know that our people, on a cross-community basis, do not want it. You had the opportunity; you could have let this go to a vote in the House and let the democratically elected people of Northern Ireland make their decision. However, in the knowledge that a cross-community majority in Northern Ireland wanted this amendment and that the House would vote for it, you took away the democratic rights of the Northern Ireland people —

12.30 pm

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

Mr Poots: Will the Member give way?

Mr Bell: Yes.

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

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

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

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

Mr Dickson: Will the Member give way?

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

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

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

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

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

Ms Lo: Will the Member give way?

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

Mr Dickson: An apology would do.

Mr Bell: Is it not the case —

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

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

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

Mr Dickson: Will the Member give way?

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

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

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

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

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

Mr Speaker: Order.

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

I am not pro-abortion; I am pro-choice. I believe that women have the right to decide what to do with their bodies. It is not for men in the House to tell women what to

do. You talk about the west. You talk about democracy. Is it democracy to force a woman to carry on with a pregnancy when she has been raped, or when a pregnancy results from an abusive sexual attack or incest? *[Interruption.]*

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

Ms Lo: Thank you, Mr Speaker.

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

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

Ms Lo: Ms Lo.

Mr Bell: Ms Lo; I apologise.

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

Mr Lyttle: Will the Member give way?

Mr Bell: In a moment.

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

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

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

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

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

Mr Agnew: Will the Member give way?

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

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

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

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

Mr A Maginness: Let us have a referendum.

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

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

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

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

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

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

listened to some very worrying cases of women in other circumstances. Whatever complication arises, women can get, in the National Health Service, the very best support.

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

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

The debate stood suspended.

The sitting was suspended at 12.45 pm.

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

2.00 pm

Oral Answers to Questions

Education

Schools: East Belfast

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

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

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

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

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

I thank the Minister for his answer so far. What real trust and confidence can the parents of east Belfast have, not only in you as a Sinn Féin Minister, but in previous Sinn Féin Ministers, who closed Lisnasharragh High School and Orangefield High School, want to amalgamate Knockbreda High School with Newtownbreda High School — a proposal rejected by the parents — and want to do away with Dundonald High School, and, indeed, to review the provision in Tullycarnet Primary School? Given that the controlled sector has borne the brunt of area planning, what confidence can the parents have that you will provide that second-level education suitable for their sons and daughters in the east of the city?

Mr O'Dowd: I thank the Member for his question. If I wanted to ruin controlled education, I would keep every school open. I would keep all those schools open that cannot provide a sustainable and good education for

the young people of the controlled sector. I would keep open those schools that are not sustainable in any way — schools that, despite the best efforts over the years of the principal, the board of governors, the senior management team and others, are no longer in a position to provide good education for communities that they serve. I would keep them open. That is how you destroy education — by keeping unsustainable schools open.

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

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

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

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

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

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

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

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

Literacy and Numeracy: NIAO Report

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

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

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

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

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

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

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

What steps is the Minister's Department taking to ensure the dissemination of good practice in numeracy and literacy to help address the serious deficit in these areas?

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

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

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

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

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

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

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

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

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

Catholic Maintained Schools: Integrated Status

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

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

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

2.15 pm

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

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

Mr O'Dowd: There is no legal impediment. What the management of the school would look like going into the future would have to be worked out. However, I am not aware of any legal impediment to a maintained school and a controlled school or any other combination of schools coming together. That would have to be dealt with through

the development proposal process, and a management type would have to be agreed between the proposers, which would come to my Department for agreement. I am not aware of any legal impediment to stop them doing so.

Mr Hazzard: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Gabhaim buíochas leis an Aire. Can the Minister outline how the Department currently facilitates integrated education?

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

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

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

School Building Programme: Construction Jobs

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

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

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

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

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

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

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

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

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

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

Mr O'Dowd: Although the minor works programme is funded by the Department of Education, it is run by the boards, which routinely inform schools when they have been successful in their minor works applications. I notified the boards of their funding for next year — they are aware

of the money that they have — to allow them to plan for the future and to get the projects on the ground as quickly as possible and get the money spent.

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

Primary Schools: Inner South Belfast

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

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

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

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

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

Mr McGimpsey: Yes.

Mr O'Dowd: I understand that the application has been submitted, but I stand to be corrected. However, my Department's role is on a development proposal. The board has not submitted or, indeed I understand, started pre-consultation on a development proposal that would see the amalgamation of Donegall Road school, Fane Street school and Blythefield school. Unless that process starts, what exactly is the Belfast Board building? It is not a process that should take that long, or needs to take that long, and if the board is planning to publish it, so be it, and I will deal with it as expeditiously as possible. Unless I have a development proposal, I have nothing to give approval to.

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

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

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

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

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

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

Primary Schools: Literacy and Numeracy Assessments

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

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

A steering group has been established to take forward the review of CBA policy to determine whether it continues to support my wider objectives, particularly with reference to raising standards in literacy and numeracy. The steering group, which will consult widely across the education sector, includes representatives from my Department, C2K, the Education and Training Inspectorate and the

Council for Curriculum, Examinations and Assessment as well as serving school principals. Although my policy review will focus on the way forward for computer-based assessment, I have also commissioned an external, independent report on the issues and lessons to be learnt following the implementation of CBA this academic year.

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

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

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

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

2.30 pm

Employment and Learning

Investment

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

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

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

from Invest Northern Ireland, those results suggest that Assured Skills support has been crucial in securing jobs for Northern Ireland.

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

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

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

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

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

Dr Farry: I thank the Member for his question. As he will appreciate, Invest Northern Ireland is the lead economic development agency for Northern Ireland; it sources the opportunities and makes the initial contacts. My officials work closely with their counterparts in Invest Northern Ireland. As someone who was concerned previously about the ability of different agencies to co-operate, I have been significantly reassured over the past number of years at the level of commonality and joint endeavour between my Department and Invest Northern Ireland. In turn, Invest Northern Ireland will look to my Department to provide reassurance around skills. It is for that reason that we have the Assured Skills programme, which, I believe, has been crucial in getting a number of key investments over the line in recent months.

Mr Principal Deputy Speaker: Question 2 has been withdrawn.

Further Education: Neighbourhood Renewal

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

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

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

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

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

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

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

Mr McGlone: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Gabhaim buíochas leis an Aire chomh maith. Will the Minister give us some information

in relation to targeting social needs for the young unemployed especially, some of whom cannot afford to go to university? What is being done to bring them more into education through FE colleges?

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

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

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

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

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

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

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

Given that the most recent figures for labour market statistics here indicate that around 68% of the people who are unemployed, which is about 68,000 people, have been unemployed for over a year, can the Minister give us

an assurance that the Executive have got control of the growing rates of unemployment? Or is it something that we have not got control of yet and on which much more needs to be done?

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

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

North West Regional College

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

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

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

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

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

Mr Mitchel McLaughlin: Thanks very much. *[Laughter.]* I thank the Minister for that answer, although I am somewhat concerned that he is relying on a body that was established before the report was issued, and which has separate terms of reference. In fact, they are addressing the question of improving the performance. We have a report, which, it is generally accepted, is very, very critical

of the leadership and culture in the college. Does the Minister agree that we need an entirely new body to take forward the recommendations of this report, not a body that was already in existence, with a different set of terms of reference?

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

2.45 pm

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

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

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

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

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

Mr Campbell: The Minister has mentioned the need for the board of governors to be given space to proceed. Given the catchment area that the North West Regional College appeals to, has he grasped the need to ensure that the college, everyone in it and his Department gets a grip on the issue in order to ensure that confidence does not seep further from the college into the next year?

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

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

Youth Employment Scheme: North Down

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

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

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

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

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

Later this year, the community-based access programme will provide essential skills qualifications to 16- to 18-year-

olds, and the community family support programme will help and support the most disadvantaged local families.

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

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

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

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

Dr Farry: I am glad that Mr Dunne raised the issue of apprenticeships and wider issues regarding youth training. He will be aware that we recently announced a major review of apprenticeships in Northern Ireland, which will be undertaken over the next number of months. I encourage him and any other Member to engage with that.

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

WorldHost NI

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

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

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

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

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

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

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

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

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

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

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

It is very much a demand-led programme. We will respond to the demand that comes from the sector. Last year, we

had the very good news that WorldHost was used around the Irish Open on the north coast. It helped to make that a very good event, and it encouraged more people to visit Northern Ireland. There may well be more that can be done, particularly on the north coast, to further capitalise on the good work that is happening.

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

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

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

Northern Ireland Assembly Commission

Assembly: Language Policy

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

Mrs Cochrane: I thank the Member for his question. A draft language policy was initially presented to the Assembly Commission in March 2010, and it was agreed that that policy would be taken for further consideration by the parties. An amended version of the policy was presented to parties to consider in June, and, since then, there have been more discussions on it at Assembly Commission meetings throughout 2011 and in the early part of 2012. Party submissions on the draft policy were then received and, at the meeting in November 2012, a revised language policy and associated guidance, which had been devised to include that input from Assembly parties, was presented.

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

3.00 pm

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

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

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

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

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

Parliament Buildings: Food Traceability

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

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

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

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

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

Parliament Buildings: Roof Project

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

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

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

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

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

Mr P Ramsey: It is clearly a major project. Given its extent and what is necessary because it is a listed building, the total cost excluding VAT and professional fees is around £4-5 million.

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

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

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

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

Assembly: Outreach

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

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

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

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

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

To date, the education team has not visited schools in the South of Ireland to deliver the education programme, but, obviously, if a request was made, it is something that we would consider. In addition to groups that have participated in the education programme, other educational groups from the South of Ireland have been brought to Parliament Buildings by Members for meetings, programmes and events.

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

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

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

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

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

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

Parliament Buildings: Ushers/Security Officers

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

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

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

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

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

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

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

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

3.15 pm

Assembly Commission: Flags

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

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

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

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

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

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

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

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

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

Constituency Offices: IT Equipment

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

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

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

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

The Assembly Commission plans to replace the laptop computers supplied to Members in the coming financial year, 2013-14. The IS Office will consider the scope and type of devices offered in the light of feedback from MLAs on the forthcoming roll-out of tablet computers.

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

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

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

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

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

Ms Ruane: I thank the Member for her question. I hope that running costs are reduced, given that that is one of the

aims, as well as the creation of more effective Assembly and constituency offices.

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

Assembly Secretariat: Childcare Vouchers

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

Mr Weir: The Assembly Commission provides a childcare allowance for secretariat staff. The scheme operates on the basis of a cash payment to eligible participants, with payments subject to personal income tax and national insurance contributions. The installation of a new payroll system that facilitates the administration of a childcare voucher scheme that meets HM Revenue and Customs (HMRC) criteria is at an advanced stage. It is anticipated that the new system will be fully operational early in the new financial year. The introduction of the new payroll system will not in itself remove the requirement on the Commission to establish an HMRC-compliant childcare arrangement.

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

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

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

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

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

Mr Weir: Some very unkind Members may say that there is already a crèche here that accommodates at least 108. [Interruption.] Various remarks could be made, but perhaps

it is best not to make them. At this stage, I do not know of any plans from the Commission to provide a crèche. However, the issue is probably being looked at, and I will try to find out whether it is being given any consideration. If that is the case, we will write to the Member.

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

North/South Inter-Parliamentary Association

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

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

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

The association is supported by an executive committee, which is co-chaired by the Speaker and the Ceann Comhairle and comprises five Members from each of the legislatures. It has been agreed that plenary meetings will occur on a biannual basis. Preparations are currently under way for the second plenary to be held on 26 April 2013 in the Senate Chamber in Parliament Buildings. It has been agreed that the topics for discussion on that occasion will be positive mental health strategies, suicide prevention, type 2 diabetes and caring for an ageing population.

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

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

Assembly Secretariat: Business Efficiency Review

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

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

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

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

Of the 393 school groups taking part, 356 groups —

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

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

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

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

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

I apologise for my mistake.

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

3.30 pm

(Mr Speaker in the Chair)

Executive Committee Business

Criminal Justice Bill: Further Consideration Stage

New Clause

Debate resumed on amendment No 1, which amendment was:

After clause 11 insert

“Ending the life of an unborn child

Ending the life of an unborn child

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

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

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

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

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

(4) For the purposes of this section ‘lawfully’ in subsection (2) means in accordance with any defence or exception under section 58 and section 59 of the Offences Against the Person Act 1861 and section 25 of the Criminal Justice Act (Northern Ireland) 1945.” — [Mr Givan.]

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

Mr Allister: Will the Member give way?

Ms McCorley: No, I will not.

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

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

Sinn Féin argues that we should not limit the way in which women are forced to deal with difficult, life-threatening situations. Rather, we should demand that they have access to the very best healthcare possible. Ba chóir dúinn bheith ag cinntiú go bhfuil an cúram sláinte is fearr ar fáil do mhná. Given the massive pressures on our health service, surely it makes more sense that, if a woman requires a termination within the requirements of the law, she should be free to decide for herself where and, more specifically, when that takes place. Whether a termination is carried out in the health service or in a private clinic is not the issue as long as the procedure is carried out safely and within the law.

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

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

Rather than criminalise some of the decisions that vulnerable women may make, we should focus on ensuring that, when a woman's life is in danger, she has access to the necessary healthcare. The foundational principle of equality for all requires protecting women's lives in

our society in all medical circumstances. We should never place barriers in the way of women that make their decisions more difficult than they are already are. Tá mé in aghaidh an leasaithe. I oppose the amendment.

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

Mr Poots: Thank you for that clarification. I have no doubt that I speak today as a Member of the Assembly for Lagan Valley with, I hope, some knowledge of some of the issues involved. I intend to deal with facts, because a lot of people have engaged in obfuscation and put up smokescreens because they do not like to deal with the facts.

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

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

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

Many people are very proud of the National Health Service. Indeed, when the Olympic Games were held in our capital, one of the things that were shown off around the world was the service that it provides. I am very glad that, in Northern Ireland, we are part of that National Health Service and have its standards applied here. It does a terrific job and is very well regarded generally in our community, and most people have a very good experience of it. So, the people across from us who

advocate the private sector model for abortion need to be careful about what exactly they are advocating.

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

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

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

As I said, Marie Stopes is an organisation that wishes to see abortions taking place on demand. The outworkings of that in Great Britain have been that almost 7 million abortions have been carried out since 1967. That is equivalent to more than the population of Ireland. In the United States of America, 55 million abortions have been carried out, which is almost equivalent to the population of the United Kingdom. In China, 400 million abortions have been carried out under its one-child policy. That is more than the population of the United States of America and Canada put together. People say that, if we do not go down this route, we are the backwoods people. Let me say this very clearly: abortion is more closely associated with countries where human rights are worst. In China, many of the children are selected for abortion because they are female. Where are women's rights in that, when female children do not get the chance to live, to play, to be educated, to work and to have their own family? Are you telling me that that is advancement and that we in Northern Ireland are in the backwoods? If this is the backwoods, I am glad that we are in it, because I do not want to go down a route that the places that I have just mentioned have gone already. It is clearly a wrong and a dangerous place to be.

3.45 pm

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

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

It is very clear where Minister Ford believes that the power exists. He did not say that the power existed with RQIA; he did not say that the power existed with the Department of Health or with any of the health and social care trusts. He said that the power lies with the prosecuting authorities — the police — to deal with the breaches of the law. The problem is that nobody knows whether the law is being breached, because Marie Stopes is operating under a cloud of darkness. Nobody knows, and we could have stopped it here today, but some people decided that they would table a petition of concern. They have allowed that private business to carry on its practices under that cloak of darkness where nobody can hold it to account.

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

I have to mention Minister Ford's intervention over the weekend. Some of the points that he threw up were wholly bogus. I think that he knew beforehand that they were wholly bogus. I regret that I am in this position, because I have known David Ford and worked with him since 1996. We have had many discussions and debates, and I have always had respect for him. However, his intervention over the weekend was clandestine and done in collaboration with Sinn Féin. He brought forward issues that Sinn Féin very quickly clung on to like a limpet. He indicated that there could be problems about contraception, IUDs and so forth, and morning-after pills. I will explain very simply to Members where he is wrong. If I go to bed tonight and I get up tomorrow morning and accuse someone of having shaved off my beard, I would be in an odd position, because I could not grow a beard overnight, and there would be no evidence that I had grown a beard. Therefore, any accusation that I made that my beard had been shaved off would not have any standing. How could Minister Ford suggest that someone could be prosecuted for giving out the morning-after pill or, indeed, IUDs — to say that there could be some prosecution involved in that, or the law was not clear on it — when there was no evidence of a pregnancy in the first instance? You could not prosecute someone for terminating that pregnancy. Therefore, if I were to claim that I had had my beard shaved off, I would

be nothing better than a barefaced liar in that instance, and that is not something that I would want to be.

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

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

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

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

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

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

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

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

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

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

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

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

Mr Wells: Will the Member give way?

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

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

Mr Wells: I think you are referring to the honourable Member for South Down. The Member for West Belfast has vast experience of health. She has been on the Health Committee as either Chair or vice-Chair for many, many years. She knows the ins and outs of the system in Northern Ireland like the back of her hand. Can she point me to one example, in Northern Ireland, where a woman who has had a difficult pregnancy, or with whom there

has been an issue, has been denied proper treatment in the health service? Can she give me one example of where that woman would have been driven to use such a service, had there been a private clinic? I have sat on the Health Committee with her for many years, and I have never heard of it. I have even dealt with many pro-abortion campaigners, and they have never been able to bring an example of it forward to be investigated. So, where is the need for a private clinic, if we already have an excellent service in the National Health Service?

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

Ms Lo: Thank you for giving way. Fairly recently, I was approached and told that a woman was told by the doctors around her that they suspected that her foetus may have abnormalities, and a doctor told her to go away to get an abortion at that time, because she would not get one in Northern Ireland.

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

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

4.00 pm

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

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

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

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

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

Mr McNarry: The amendment.

Ms S Ramsey: I am sorry.

Mr Speaker: Order. Allow the Member to continue.

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

Mr McNarry: Will the Member give way?

Ms S Ramsey: Apologies. I meant Strangford.

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

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

Mr Givan: *[Inaudible.]*

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

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

Ms S Ramsey: You need to be careful.

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

Mr Wells: Will the Member give way?

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

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

Mr Speaker: Order.

Ms S Ramsey: Sorry, Mr Speaker.

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

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

Mr Wells: Will the Member give way?

Ms S Ramsey: I am just finishing.

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

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

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

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

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

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

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

Mr P Ramsey: That is certainly an interesting question. When questioned before the Assembly's Justice Committee in January, the director of Marie Stopes in Belfast, Dawn Purvis, admitted that there is nothing to stop them — this is on the record — aborting unborn babies up to 18 weeks, 24 weeks or later. That is what they have said. So do not be under any illusion that Marie Stopes is only here to give some women a pill, because that is not what it is here for.

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

Mr Speaker: Order.

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

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

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

Mr Lyttle: *[Interruption.]*

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

Throughout the Troubles, the SDLP's principles and policies were always about the protection of life. We remain very firm on that, particularly for the unborn child. Every life should be protected and respected. I say again that Sinn Féin has got this wrong. Three years ago, I was presented with 15,000 cards just before justice was devolved to Northern Ireland. There was concern that there were those at Westminster who were endeavouring to bring the 1967 Act here. I listen to people saying to me, "You have no right to speak for a woman; you are a man." The vast majority of those 15,000 people in my constituency were women. I am representing them here today, and I am reflecting their opinions on the subject.

Some Members: Hear, hear.

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

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

Mr Wells: Will the Member give way?

Mr P Ramsey: I will.

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

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

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

Mr P Ramsey: I am glad that Jim Wells raised that point. At the Justice Committee meeting, when Marie Stopes made its submission, it admitted that the location of the abortion clinic was in the heart of Belfast. That is no coincidence. It is situated right across from the Europa bus and train station. It was purposely chosen to facilitate young women from across the border in the South to have abortions in Northern Ireland.

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

Ms Lo: Will the Member give way?

Mr P Ramsey: I will.

4.15 pm

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

Mr P Ramsey: Anna, I am glad that you said that, because I am going to quote to you again. During the 2007 Women Deliver conference in London, Paul Cornellisson, Marie

Stopes's programme director for South Africa stated during a workshop, with the camera rolling:

"we do illegal abortions all over the world".

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

Mr Speaker: Order.

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

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

Mr McNarry: All over the world?

Mr P Ramsey: All over the world.

Mr Wells: Will the Member give way?

Mr P Ramsey: Go ahead, Jim.

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

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

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

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

Ms Lo: Will the Member give way?

Mr P Ramsey: I will.

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

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

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

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

Mr Speaker: Order.

Mr McCartney: — and I trust that people know exactly what I stand for and represent. They need no third person or party to interpret their views on their behalf. So I state once again for the record that Sinn Féin has a clear policy on the termination of a pregnancy. That policy states that, when a life of a woman is in danger, she has a right to a termination. Caitríona Ruane, Rosie McCorley and Sue Ramsey have already said that. Some people wish to translate that as Sinn Féin having a pro-abortion position. For the record —

Mr P Ramsey: Will the Member give way?

Mr McCartney: I will, surely.

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

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

Mr P Ramsey: Of course she has.

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

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

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

Mr Givan: Will the Member give way?

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

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

Mr Wells: Yes.

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

Mr Wells: It has always been.

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

Mr Speaker: Order.

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

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

Mr Speaker: Order.

Mr McCartney: I ask Members today, in relation to that, how many have read the transcript of when the Marie Stopes clinic came to the Justice Committee? I ask them to do that and to listen to some of the comments. People today have made a statement of a question that they asked at the Committee. That is not the way to do business. In essence, it leads to a situation in which people are

used as scapegoats, particularly when the debate is not going in the direction in which a person wants it to go. An example of that is trying to introduce the issue that terminations should not happen in private clinics or private health facilities. Comments were made that the Marie Stopes organisation is motivated solely by profit, yet it is a registered charity — *[Interruption.]* — and a not-for-profit organisation.

Mr Speaker: Order.

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

Mr Wells: Will the Member give way?

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

Mr Wells: Will the Member give way?

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

Mr Wells: Will the Member give way?

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

Mr Elliott: Will the Member give way?

Mr McCartney: I will indeed.

Mr Wells: Why is he taking that intervention?

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

Mr McCartney: I think that my colleague Sue Ramsey dealt with that. Is there a need for regulation? There is. The Minister of Health appeared here today as a private Member. I have sometimes been critical of him for sitting in on debates when he should be elsewhere, but it was appropriate that he was here today. Perhaps he should listen to that question. If there is a need for regulation, he should go and do it and not leave it as an in-between thing. *[Interruption.]*

Mr Speaker: Order.

Mr McCartney: I would say this about any other issue, and we all accept that this issue has attracted much public

comment. The proposers of the amendment would be calling for full scrutiny and full consultation if it was any other issue but this.

Mr Wells: Will the Member give way?

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

Mr Wells: Will the Member give way?

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

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

Mr Speaker: Order. The Member must be heard.

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

4.30 pm

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

Mr Speaker: Order.

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

Mr Speaker: Order.

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

Mr Speaker: Order.

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

Mr Anderson: Will the Member give way?

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

Mr McCarthy: Thank you, Mr Speaker. I voice my total and absolute opposition to abortion in this country, and I will

oppose any attempt to introduce legislation on the taking of life of the unborn infant into Northern Ireland, either through the back door or the front door.

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

Reports coming into the public domain seem to emphasise that only in very serious cases and with the expertise of at least two highly qualified medical professionals can a termination take place. Those vital issues must be adhered to by all private providers, and it must be done within the law and within a robust regulatory framework.

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

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

Mr I McCrea: Will the Member give way?

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

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

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

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

It is, of course, shameful that the one thing that is being aborted today is democracy in this House by virtue of the perverse use of a perverse instrument — the petition

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

One of the primary reasons why the legislation requires to be implemented is that the Marie Stopes clinic deliberately and consciously refuses all requests for regulation and, indeed, all requests for reasonable information. I wrote to the clinic after it came here with a series of simple questions. I wanted to know whether it would regularly publish the number of abortions performed in Belfast; the ages of those on whom they were performed; the number of abortion referrals made to Great Britain; the reason why each abortion was performed; and the income received from abortions. I asked such questions and many, many more. What was the response? It was a solicitor's letter telling me that they were going to the Justice Committee and any answers that they would give, they would give to that Committee. Of course, when they got to the Justice Committee, they did not give the answers there either. So we have a functioning clinic, and no one to this day knows how many abortions it has carried out; how many referrals it has made; the reason for any of those abortions; or the funds that have been raised. All of that is hidden — kept in the dark. It is because that throws up the obvious deficiency in regulation and control that the amendment is inescapably necessary in order to bring regulation and control. The amendment is necessary to ensure that such terminations of pregnancy as there are will be where they ought to be: in the regulated health service and not the plaything of outside profiteers who will tell no one anything about what they do. Yet that is the situation that Sinn Féin wants to sustain.

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

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

"the life of an unborn child".

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

4.45 pm

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

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

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

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

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

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

Someone in that emergency situation who requires the urgency of attention that means that access to the health

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

The number of straw men that have been set up by those wishing to vote down this amendment and to continue to deliver an ever-expanding abortionist agenda is quite shocking and indicative of the lengths to which some will go to make any case to protect the Marie Stopes clinic. The Marie Stopes clinic is not an institution that is deserving of defence or protection. It is an institution that is brazenly in the business of campaigning to bring abortion on demand to this Province. Yet there are those who, for the optics, will say that they are opposed to that, but today will be the very people going out of their way and doing everything that they can, in committing the perversion of a petition of concern, to make sure that it stays in business. They are the people who stand exposed for their double-dealing and their weasel words on this most important issue.

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

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

Mr Givan: Will the Member give way?

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

Mr Speaker: Order.

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

Mr Speaker: Order.

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

Mr Speaker: Order.

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

Mr Speaker: Order, Members.

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

Mr Speaker: Order.

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

Mr Speaker: Order.

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

Mr Elliott: Will the Member give way?

Ms Lo: No.

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

Mr Elliott: On a point of order, Mr Speaker. The Member appears to be making a case for the extension of the abortion law that is currently available in other parts of the United Kingdom to Northern Ireland as opposed to talking to the amendment.

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

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

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

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

Furthermore, this amendment is a deliberate attempt to detract attention from the fact that the Health Minister was forced by the Family Planning Association's court action to announce that he is publishing the abortion guidelines for consultation. The amendment was tabled on the

same day that Mr Poots made that announcement. What a coincidence. Is this an abuse of the process to divert attention from the DUP's failings?

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

Mr Speaker: Order.

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

Mr Wells: There are two groups of honest people in the Chamber this afternoon. There are those who support the amendment, and there is Mr Steven Agnew. Steven Agnew at least has had the principle and the honesty to stand up and say that he is pro-abortion on demand in Northern Ireland. That is why he has not had a particularly rough ride. I disagree fundamentally with everything that he believes on the subject, but at least he signed the petition of concern because he knew what it would help to deliver: abortion on demand in Northern Ireland. That is what he wants.

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

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

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

5.00 pm

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

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

scrutinise them and use or not use them to contribute to the debate?

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

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

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

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

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

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

Mr Wells: Turning to the 91,000 —

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

Mr Wells: Yes. Indeed, if that figure had been directly extrapolated to Northern Ireland, it would be 200,000 people. However, because there is a lesser propensity for people to agree to abortion in Northern Ireland, and looking at the ethnicity and the religious demography of Northern Ireland, the figure is more accurately put at 91,000 and counting. However, as someone said — I think that it was Mr Bell — that is more than the largest district council area in Northern Ireland, apart from Belfast. It is also larger than any of the constituencies. Just think: that is Windsor Park filled five times, and it is Lansdowne Road filled with 30,000 to spare. Just think about it: all those lives wiped out by abortion on demand. People may accuse us of being emotional, but I have a problem with the killing of 91,000 people because they are inconvenient.

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

Ms Lo: You heard me wrong.

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

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

Ms Lo: Will the Member give way?

Mr Wells: Yes, I will.

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

Mr Speaker: Order.

Mr Wells: So, the life of the child was held in the balance as to the future viability of a shop. Well, I am sorry — I believe that the life of a child is a lot more precious than that. I have severe moral difficulties with a society where 6·7 million people have been aborted since 1967. The people who insisted on bringing in the 1967 Act were using those particular cases, the very small number of cases that are, I accept, very difficult. However, they brought in the new rules in 1967 to enable those cases to be dealt with. What happened? The floodgates were opened, and now over 99% of the children who are killed in the womb in the United Kingdom and Great Britain are killed because they are simply not convenient. That is a sad reflection on this society and the way in which we reached this stage.

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

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

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

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

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

Mr Agnew: Will the Member give way?

Mr Wells: I will. I am not scared of being contradicted by the honourable Member.

Mr Agnew: I appreciate the Member giving way. I am just trying to ascertain whether the logical conclusion of his argument is that abortions that are carried out through the NHS in Northern Ireland, given that he says it is unlikely there would be circumstances laid down in law that an abortion would be necessary, need to be investigated because he believes they are performed illegally?

Mr Wells: I am saying that we need to have the hard information to make absolutely certain that every abortion that is undertaken in Northern Ireland is undertaken strictly within the law and is strictly necessary. Until we have that information, we are not in a position to say that.

By the way, the figure that was quoted by Mrs Lo is wrong. The average number of abortions in Northern Ireland is around 41 to 43 per annum. The figures have to differentiate between abortions where the foetus is already dead and those in which it is not. There are instances in which the foetus has, sadly, passed away as a result of another condition and has to be removed from the womb. I do not think that anyone in the Chamber would call that abortion. So, the number of abortions in which the foetus was actually alive at the time is in the low forties. I want to be very clear in my mind that those figures are absolutely a true reflection of the legal position in Northern Ireland. We will know that, and that will be good news, when we have that clarity.

I think that the most important issue we need to deal with is the role of the Alliance Party in assisting Sinn Féin. I am absolutely certain that Mrs Lo signed that petition of concern with the full consent of the Alliance Party. I am absolutely certain that she would not have carried out that act without first referring it to her Chief Whip and getting consent from the party, because she knows the consequences of signing the petition of concern. She knows that by signing the petition of concern she is helping the Marie Stopes clinic to continue operating in Northern Ireland and to carry out abortions. She knows that. That is the consequence of what she did.

Ms Lo: I thank the Member for giving way. Our Chief Whip is sitting here. I did not consult my Chief Whip. I think that people in my party know my stand, and, when I have spoken in public, I have always said that I am not giving the party's set policy. There is no set policy on abortion in the Alliance Party. I am speaking as an individual MLA. I am speaking according to my conscience and having worked as a social worker and as a community worker with many women who were in very difficult circumstances. We need to be walking in the shoes of those women. It is very easy for men to say that you just carry it through nine months. It is not that simple. You have to bring up the child for the next 20-odd years.

Mr Wells: I am sure that all 6-7 million babies that have been killed in the womb in the rest of the United Kingdom fell into the category that she is trying to indicate. Let us be honest about it: a vast majority of them were aborted because they were just not convenient.

Mr Speaker: Will the Member make his remarks through the Chair?

Mr Wells: The vast majority of them were aborted because they simply were not convenient. It is as simple as that; none of these tragedies. In fact, a large number of women in the United Kingdom have had six, seven and eight abortions. Forty per cent of those who have abortions have already had two or more abortions. The third or the fourth child was just not convenient. I have a problem with that, morally; I am sorry. If anybody has any difficulties with me saying that, I am sorry. I just cannot abide it, and I cannot understand how any logical, sensible, rational human being can support that.

The reality is that I hope that the Alliance Party is going to discipline Mrs Lo. By doing what she has done, she has not only been seen to support the pro-abortion policies of Sinn Féin but has effectively ensured that the Alliance Party votes will count for nothing in an hour's time, because, when a petition of concern is tabled, the votes from the middle, non-aligned parties do not count. It is entirely a headcount of nationalists and unionists.

I believe that Mrs Lo —

Ms Lo: Will the Member give way?

Mr Wells: Yes.

Ms Lo: This is not a pro-abortion action. The Member is wrong. The amendment is an abuse of the process. That is what we objected to. *[Interruption.]*

Mr Speaker: Order.

Ms Lo: This is a very serious issue that needs public consultation. That has not been done. How can we call it a democratic process, if this is being sneaked through the back door of the House?

Mr Wells: I hope that the honourable Member for South Belfast will have exactly the same views when her party's Minister of Justice will try to sneak through the opening of courts on Sundays for the G8 in an amendment to the legislation for which there has been no consultation and no debate. It has been brought in. Should we have been irresponsible and put in a petition of concern against it? No, we did not. We are not going to abuse the petition of concern for our own devious methods. We are not going to do that.

5.15 pm

Mr Elliott: I thank the Member for giving way. Does he agree with me that, in essence, while we are stopping this amendment, we are actually allowing and permitting abortions to take place without any regulation? We could have had our discussions at a later stage about the rights and wrongs of bringing forward different legislation if that is what people wanted to do. However, on this particular issue, the people who have signed the petition of concern are allowing abortion to take place without any regulation.

Mr Wells: Correct. I have no doubt that, eventually, children will die in operating theatres on Great Victoria

Street. Full responsibility for that will lie at the feet of Sinn Féin, Anna Lo and Steven Agnew.

Mr Speaker: The Member should not point.

Mr Wells: They knew what they were doing when they signed that petition of concern. She will, no doubt, traipse into the lobby tonight to vote for another amendment on which there has been no consultation. Utter hypocrisy.

I tell you this: I am absolutely convinced. I congratulate Mr Agnew and Mr Maginness on the way in which they have handled themselves on this very difficult issue. They have been tremendous spokesmen for the pro-life campaign. Had Mr Agnew —

Mr I McCrea: You mean Mr Givan.

Mr Wells: It is Givan. Did I say Girvan?

Mr I McCrea: No, you said Agnew.

Mr Wells: Sorry: Mr Givan and Mr Maginness. I have no doubt that had there been time, and had we had warning about the Marie Stopes clinic, and we had gone through the whole process of legislation, whether through a private Member's Bill, Committee Bill or whatever, you would still have made exactly the same decision. You are simply hiding behind the issue of consultation because you do not want Marie Stopes to be curtailed in Northern Ireland. Let us be truthful about it. You want children to be aborted in large numbers in Northern Ireland. The honourable Member is hiding behind the fig leaf of consultation. I have no doubt that Sinn Féin, with its form, would have done exactly the same.

Sinn Féin, Ms Lo and Mr Agnew are perfectly entitled to stand up and speak for the pro-abortion cause in Northern Ireland and demand that the floodgates be opened and tens of thousands of children be killed in Northern Ireland. That is their right. I disagree with it. I, certainly, disagree with those who are elders on a Sunday morning, but seem to have rather a different view on a Monday afternoon. However, they have a right to do that. That is not the problem I have. My problem is with the petition of concern. Sinn Féin, Ms Lo and Mr Agnew knew that, on a cross-community basis, a majority of MLAs in the House would vote for the protection of the unborn child. You knew that. You did the sums.

Mr Speaker: Order. Let us have remarks through the Chair.

Mr Wells: Ms Lo knew that the vast majority of people on these Benches would vote to protect the unborn child. The vast majority of people in the SDLP and a significant majority of the Ulster Unionist Party were going to vote to protect the unborn child — and, of course, Mr Allister. You did the sums. You knew that the community that this Building represents —

Mr Speaker: Order. Let us try not to refer to Members as "you".

Mr Wells: The honourable Member for South Belfast knew. She did the sums. She may have some strange moral views. However, she did the sums. She can do the arithmetic. She knew that a majority of Members, on a cross-community basis, would vote to protect the life of the unborn child and to stop babies being killed in the Marie Stopes clinic. So, what did you do? You ran to the Sinn

Féin Whip's office. In your enthusiasm, you were one of the first to sign the petition of concern.

The full responsibility for the fact that the Marie Stopes clinic will be open for abortions and business as usual rests entirely at the feet of those who signed that petition. You knew the consequences of what you were doing. Your party knew. The one thing that Ms Lo did that was honest was to run to the press at a very early stage and say that there was a petition of concern and that she would sign it. The Alliance Party was fully aware of what was going on and allowed it to happen. Clearly, that suits the Alliance Party because the hidden agenda here is that, in fact, it is a pro-choice, pro-abortion party. Why does it not, now, save us all the problems by coming out and saying so? Why does it not do that? Mr Dickson sat on the Justice Committee —

Mr Dickson: Will the Member give way?

Mr Weir: I certainly will.

Mr Dickson: It bears repeating — Ms Lo has said it, and I will state once again — that, for members of the Alliance Party and its elected representatives, the issue of being either for or against abortion is entirely a matter of conscience, as, I understand, it is for the Ulster Unionist Party. Members are, therefore, free to express their opinion on the matter. Other parties may choose to deal with the matter in different ways, but that is the way we have chosen, through our democratic processes, to deal with it. It also bears repeating that the debate today is neither a pro-abortion nor an anti-abortion debate. Even those who tabled the amendment made that clear in their opening remarks.

Mr Speaker: Order. The Member's remarks are clearly on the record.

Mr Wells: I think that the Alliance Party is guilty by its complicity. It knew what it was going to do. I have to say that, after a lot of effort, we were able to prise from Mr Dickson that he is a member of the all-party group on sexual health, and we know the main agenda of that group. So what we have here —

Mr Dickson: Will the Member give way?

Mr Wells: Yes.

Mr Dickson: I want to put it on the record as well that you are absolutely correct, Mr Wells: I am a member of the all-party group on sexual health. Like the description of your all-party pro-life group — I respect and understand your views on that — the name says it all. You are not aware of my views on abortion, either for or against. My reason for being a member of that group is, as the name says, to support the broad issue of sexual health.

Mr Speaker: Before the Member continues, let us not get involved in the groups in the House, irrespective of what those might be.

Mr Wells: I, of course, accept your ruling, Mr Speaker, but it is notable that Audrey Patterson of the FPA is the lead person on that group.

Mr Poots: Audrey Simpson.

Mr Wells: Audrey Simpson — sorry — is the lead person on that group, and we all know, for many years, Mrs Simpson's views on the issue. The FPA has been

campaigning for years for abortion in Northern Ireland. So do not try to hide behind that. Throughout the entire process of the Bill, Mr Dickson, the honourable Member for East Antrim, has done everything that he can to frustrate the pro-life amendment and block any progress on the issue. Let the Alliance Party be honest and come out and say, "We are a pro-choice party". We would respect it for doing so because then we could bury the issue and would know where we stand. So let them come out and say it.

[Interruption.]

Mr Speaker: Order. I really must say to the Member that he should come back — *[Interruption.]* Order. The Member should come back to the amendment before the House.

Mr Dickson: Mr Wells has perhaps best described where he, at least, is coming from by describing the amendment as pro-life. This, by the admission of those who tabled the amendment, is neither a pro-life nor a pro-abortion debate. This is a debate about how we regulate the delivery of this service inside and outside the NHS.

Mr Wells: This is protecting women and children from profiteering. He knows the track record of Marie Stopes. In Committee, I asked whether the witnesses knew Mr Paul Cornellisson, and you could see from the reaction that they were immediately on the defensive. Mr Agnew and I viewed the video, but we came to very different conclusions about what is meant by the sentence, "We carry out illegal activity."

The same organisation was run out of Zambia for the same reasons: it was found guilty of performing illegal abortions there. So this is not even a private commercial provider with no track record. It is a very profitable organisation, with an income of over £100 million a year, which benefits enormously from the abortion industry. This is not even about the principle of it being a private clinic. It is about the principle of who it is getting into bed with in the form of Marie Stopes.

Marie Stopes's reputation is known worldwide as being there primarily to change the law to allow liberal abortion throughout the world. The Alliance Party knows that and is very aware of where Marie Stopes stands, but it has decided to throw its hat in the ring and support profiteering out of the deaths of children through abortion. The Alliance Party, in the form of Mr Dickson, sat during the evidence session and heard the Chairman quite rightly quote one member of staff who had to leave because she was sickened by the number of quotas that it had to carry out abortions. Women were hardly through the door of the clinic before they were being urged to have a quick termination of their pregnancy. That is guilt by association.

Members still have a chance to rein back from all this. You have signed a petition of concern. My understanding, from the Speaker's Office, is that once a petition of concern is signed, it cannot be withdrawn. Sadly, there is no provision for someone who has signed a petition of concern to withdraw their name from it. That is a major flaw in the Standing Orders of the House. What is the sense in standing here for five hours, trying to convince people that they are wrong and that they should support a pro-life stance, if they change their minds but cannot do anything about it?

Even if you have signed the petition of concern, you do not need to march through that Lobby tonight. You do not need to do that; you can make a stand. You can say, "We make

mistakes. We make errors of judgement." I hope that all the arguments that were made by Mr Givan, Mr Bell and many others have indicated that many of your fears and apprehensions are wrong. Mr Allister quite clearly pointed out that your concerns about IUD and the morning-after pill are simply wrong; they are based on false information that was provided by the Minister, who did not check before he issued the letter. No one has said to me that we have not been able to clarify it. Therefore, if you admit that you have made a mistake, you can still rectify that by not voting tonight for the continuation of abortions in the Marie Stopes clinic.

Mr Agnew: I thank the Member for giving way. The issue of the morning-after pill has come up time and again, and I have tried to address it. The literature of the Society for the Protection of Unborn Children, which, in Mr Wells's terms, is not a pro-abortion organisation, states:

"The morning-after pill can also act as an early abortifacient. It attacks the womb's lining, so that if fertilisation has already taken place the newly-created embryo is unable to implant."

The morning-after pill can, although not always, act as an abortion pill.

Mr Wells: Again, you were not listening, Mr Agnew. Mr Allister very clearly explained that situation. The onus, of course, is on the prosecutor to show that there was life. That is a protection for anyone who is caught up in that situation.

The reality is that if all the Members opposite, from the Sinn Féin Benches and the Alliance — who I notice are telling me that it is neutral on the subject, but its members are all going to troop through the Lobby against the amendment. So much for your neutrality. So much for allowing a conscience. In other words, you have been whipped to vote.

Mr Poots: Do they have a conscience?

Mr Wells: Yes: do they have a conscience? The Alliance Party has been whipped to vote against the amendment on an issue on which it says that there is freedom of choice. That is interesting. The reality is that those who have signed the petition of concern and who will troop through the Lobby tonight against the amendment are allowing vulnerable women to end up in a private profit-making clinic that makes decisions that we, as an Assembly, will know nothing about. We will be in total darkness about what decision was made and why it was made. At the end of the day, is that the best place for any woman in Northern Ireland to be in, who is going through a difficult period in her life?

Sinn Féin, throughout my time on the Health Committee, has campaigned relentlessly against healthcare provision in the private sector. It has said that it must always be provided by the state. However, when it comes to the first decision on where this crucial aspect of healthcare is provided, it votes for private provision for profit. The hypocrisy of that is not lost on a large number of people in Northern Ireland. It certainly is not lost on the people who support the real petition of concern: the 250,000 people of this country who are extremely unhappy. Now that the cat is out of the bag, they will know, when it comes to the next election, where their parties stand on the issue.

All that I can do on behalf of the unborn child — perhaps it is some unborn child who has not even been conceived but may end up losing his or her life in that clinic in Great Victoria Street — is say, turn back now. Let us stop that happening in Marie Stopes, and then let us look at whether further legislation is required. However, at least put a stop to that now so that no child will ever lose its life in that clinic. My conscience is clear. I just hope that all those in the Alliance Party have a clear conscience as well.

Mr Agnew: Like others have done, at the outset, I will outline my party's stance on the issue of abortion. For the Green Party, it is a matter of conscience for individual members. That is the position that we took. We had a vote on being a pro-life party. It did not receive the two thirds majority required. We took a vote on being a pro-choice party. It did not receive the full two thirds required. When we took a vote on allowing it as a matter of conscience, it received unanimous support. So, that is the Green Party's position on abortion.

5.30 pm

As to my position — I have been called various things — I believe that there should be greater liberalisation of the law in Northern Ireland. It is not necessarily the case that I believe that we should extend the 1967 Abortion Act to Northern Ireland. Northern Ireland needs to have its own legislation on abortion. However, we need to hear the wider views of the people of Northern Ireland, and I have stated that there should be a referendum on the issue. That would put to bed the continual claims by people to speak on behalf of the majority of the people of Northern Ireland. That is a baseless assertion. The only evidence that we have are the polls that have been conducted, which show that there are a wide range of views on this issue. No one person can speak for the majority of people in Northern Ireland. There is no, single majority view, and we do not have full evidence as to what that is. Until we take this, as a single issue, to the people of Northern Ireland, we will not know their views. So, any assertion by people that they speak on behalf of the majority of people in Northern Ireland is without basis.

Mr P Ramsey: Will the Member give way?

Mr Agnew: Yes.

Mr P Ramsey: Does the Member accept and respect the 250,000 names that were delivered to the House today for Members? Do you not accept that as the opinion of the majority of people in Northern Ireland?

Mr Agnew: I thank the Member for his intervention. I do not accept that as a representation of the majority of people of Northern Ireland. It is a significant proportion of the people of Northern Ireland, but I have not seen the wording of the petition. My understanding is —

Mr Givan: They are all out in the Hall.

Mr Agnew: I will have a look at it. The petition came from an organisation that is against abortion.

The DUP and others, including Mr Ramsey and his party, have said that they support the provision of abortion under the current law. I think that we should be clear on that. We keep hearing these terms "pro-life" and pro-choice", but it is not as simple as that. It would a nice world were things that black and white. Mr Molloy made the point that the DUP are pro-abortion and, in certain circumstances, it

is. Its Members have clearly outlined their support for the current legislation in Northern Ireland for the provision of abortion when a women's life or long-term health is at risk. So, in that sense, the DUP is pro-abortion. In that sense, I am in favour of the provision of abortion when it protects the life or long-term health of a woman. In that instance, I am in favour of the medical intervention necessary to provide care for that woman.

Neither a pro-life position nor a pro-choice position is absolute. It is not an absolute claim, and there is a spectrum of opinion. It is regrettable that, to some extent, there has been efforts to move this debate to that of a pro-life versus pro-choice. That is not what it is, it is not what the amendment is about and the Members who proposed the amendment have made that clear. I will now move on to the amendment.

This is a debate about an ill-conceived amendment. It is badly drafted and, as has been mentioned, it has been brought to the House without proper public consultation. It is for that reason that it will be opposed by pro-choice and pro-life Members. That is an indication of the fact that it is a bad piece of legislation.

The amendment seeks to criminalise any person who ends the life of an unborn child at any stage of development. The flaw in that is that there is no definition in law of an unborn child. There is no definition in Northern Ireland law, UK law, Irish law nor, to the best of my knowledge, international law. Equally, there is no definition in medicine of an unborn child. Indeed, when I pressed Mr Poots to give me a definition of when the life of an unborn child begins, I did not receive clarity. Unclear and ambiguous legislation is bad legislation.

There are medical definitions for the terms zygote, blastocyst, embryo and foetus but none for unborn child. If we were to insert a bit of science and have a genuine, calm, rational and coherent discussion around these issues, such as the capacity of the foetus, we might have a more sensible conversation. It is regrettable that we have not done so.

Mr Wells: Will the Member give way?

Mr Agnew: I will give way.

Mr Wells: If we have six months' consultation and an amendment were tabled that he is satisfied provides a definition of the start of life, would he then vote for the amendment?

Mr Agnew: I said in my statement today that if there was a referendum on this issue, the legislators of the House should respect the views of the people of Northern Ireland. If that was the case, I would respect those views, and I believe that we should legislate accordingly. However, a consultation will never be conclusive of the entire views. It can be informative but not conclusive.

It is because the term unborn child has no definition that I believe that this amendment, if passed, could have unintended consequences. It seems clear to me that those who tabled the amendment did not intend to criminalise the taking of the morning-after pill or the use of the coil. What is not clear, however, is whether the proposal would criminalise the morning-after pill and the coil. That is why I believe it to be poor legislation: it is open to interpretation and its effect is unclear. Due to its lack of clarity, we would not know the effect of the amendment until a legal

precedent is set. We are being asked by those who tabled the amendment to vote in favour of something when we do not know what its outworkings will be. Again, in that sense, it is bad law.

As well as being bad law, it has been bad process. The subject of the amendment was not included in the original consultation on the Criminal Justice Bill. It was not included in any of the debates on the Bill to date. It has not been out to public consultation, so Members have not been informed by that in making their —

Mr Wells: Will the Member give way?

Mr Agnew: Yes.

Mr Wells: Exactly the same principles apply to the Minister's amendment about the Sunday opening of courts during the G8. Can I take it that he will speak strongly against that amendment because of the lack of consultation, and that he will vote against it in the Lobby?

Mr Agnew: I thank the Member for his intervention. He knows that the issues are not equally divisive. That is not something that we can say a great number of people outside the House oppose. I am not aware of that; I have not been lobbied on it. I have been lobbied on this by those in favour and those against. I have not had barrages of people send me e-mails, phone me or write letters telling me not to vote in favour of the Sunday courts amendment. Sometimes uncontroversial amendments need to be moved at a late stage, but you could never call this amendment uncontroversial.

Much has been made in the debate about the best care available for women. That is an important point. The care of women and the voices of women should be at the heart of the debate. It is regrettable that the voices of women will never be at the heart of the debate of an Assembly that is over 80% male. *[Interruption.]*

Mr Clarke: Are you going to step aside?

Mr Speaker: Order.

Mr Agnew: Those who tabled the amendment and its supporters say that they want the best care for women. Surely, the best people to judge this are the women themselves in consultation with health providers. Jonathan Bell suggested that the amendment reflects the cross-community view across Northern Ireland, but as I said, I believe that assertion to be baseless because we do not have that evidence. He also cited the views on the issue of the Presbyterian Church and the Catholic Church. Although those organisations have a right to put forward that view, and as legislators we should listen to them, I do not think that they could claim to represent the views of the vast majority of women across Northern Ireland, given that they are male-dominated organisations.

A Member: Nor can you.

Mr Agnew: In response to the comment made from a sedentary position, I am not claiming to represent the vast majority of women in Northern Ireland or the vast majority of people in Northern Ireland. I am representing my views, my party's views and those who have asked me to make their voice heard on this issue. Until we have a referendum, I do not believe that we will know who represents the vast majority or slight majority or minority in this debate.

Although I cannot speak for the vast majority of women, I seek to afford them the choice so that they can determine their own healthcare. The amendment seeks to limit choice. The supporters of the amendment have said that the best healthcare is in the NHS, and I would not necessarily disagree with that, if it were available. As has been pointed out, we now have guidelines on the provision of abortion in Northern Ireland, but I have not seen them. Therefore, I cannot comment on whether or not the guidelines on provision are sufficient. As was pointed out, they were released to the media but were not released to MLAs. So, I have not seen them and cannot comment much further than that, except to say I welcome that we will soon, I believe, have guidelines and a public consultation on them. I hope that it is soon, given that they have been given to the press. Only then can I determine whether or not —

Mr Wells: Will the Member give way?

Mr Agnew: Certainly.

Mr Wells: I cannot allow the Member to make that statement unchecked. They were not given to the press; they were leaked by someone unknown. There has not been a general distribution of that material at all. We cannot control what certain members of the Executive do with material. It happens quite regularly in this House, unfortunately, that certain individuals take it upon themselves to leak material, when it suits them, to the media. If he is thinking that it has been leaked to the press and deliberately withheld from him, that is untrue.

Mr Agnew: I thank the Member for that clarification. I stand by the point that the guidelines are in the public domain to some extent through what the media has reported on them. However, I have not had time to scrutinise them, so I cannot give definitive support to or reject them, whichever is appropriate. I will do so when I have seen them and had time to analyse them.

So, I do not claim to represent the majority of people in Northern Ireland or, indeed, the majority of women. However, I do seek to afford them choice. As is clear, we have been seeking those guidelines for 12 years. The provision of abortion within the legal circumstances prescribed by our legislation in Northern Ireland has not been freely available to women. On that basis, the choice of private healthcare may be a necessary one.

We have to deal with reality. Much has been said in this debate about facts and realities. We have to deal with the reality that there are women in Northern Ireland who want an abortion. Indeed, women in Northern Ireland have abortions. Some of the figures have been alluded to; over 1,000 women each year access abortion in GB. Abortions are performed in Northern Ireland on the NHS. Abortions through pills purchased online are performed in Northern Ireland without the appropriate medical care. We have women, those who can afford to, accessing abortion in GB. There is a lack of equal access, as I pointed out, between those who can afford it and those who cannot.

I come back to the point made by those who said that they want to see the most appropriate care for women. Figures in the public domain suggest that, each year, hundreds of women take abortion pills that are freely available online without the proper medical care. Whatever people may or may not think about the choice made by those women, surely it would be better if we could give them the appropriate care. The Marie Stopes clinic may afford those

women that opportunity, if they are taking the pill within the law. However, I have been clear that I believe in the greater liberalisation of the law. I believe that those women should be able to access that service on the NHS. That would be my preference.

I would prefer them to have that service on the NHS and receive the proper healthcare that they require, but the amendment seeks to prevent women receiving that care and treatment in a private clinic. It does not do enough, and it does not do what the Members have claimed, which is ensure the most appropriate and best healthcare for women in Northern Ireland. It is the case, whether Members like it or not, that abortions are taking place in Northern Ireland. We should accept that fact, and ensure that women in Northern Ireland receive the most appropriate healthcare available.

5.45 pm

The proposers and supporters of the amendment have made it clear that, within the current restrictions, they support abortion, but only on the NHS, not in private healthcare. As has been alluded to by some Members, this has become an issue of criminal justice — as indicated by the debate we are speaking in — rather than a question of healthcare. The same Members — including the Member for Lagan Valley, who also happens to be the Health Minister — have no problem with the £130 million spent in the last three years on private healthcare in Northern Ireland.

Mr Poots: Will the Member give way?

Mr Agnew: I will certainly give way.

Mr Poots: I made the issue about private healthcare because it is Sinn Féin that objects to privatisation. I have never said that we could not use the private sector to assist us with healthcare, so that is an issue that we do not have a problem with. The difference with Marie Stopes is that it is unregulated and unaccountable to anyone. You are backing something that is unregulated and unaccountable, with the support of the Alliance Party and Sinn Féin, of course.

Mr Agnew: I thank the Member for his intervention and for making it clear that he is not opposed to private healthcare. I do see what Marie Stopes is offering as healthcare provision. It offers a wide range of services around sexual health to both men and women, and that is one aspect of what it provides. If there is insufficient regulation, then I say to the Member that, in his other role as Minister of Health, he should bring forward that regulation. If sensible regulation comes forward, I will certainly support it.

I have absolutely no problem with the private sector being regulated, and anybody who wants to look at my voting record and my positions to date will see that I have no problem with regulation of the private sector, whether in healthcare or anything else, for that matter. I believe that regulation is necessary in many cases to protect the people of Northern Ireland and ensure the best provision. I hope that we will see greater regulation of private healthcare. If it comes and is sensible, I will support it, but the amendment does not do that. It does not seek to regulate; it merely seeks to ban, and it is clearly intended at one private healthcare provider. In that regard, I believe that it is not good law and it would not be effective law.

Much has been made of the use of the petition of concern. This is the first time that I have ever signed a petition of concern, and I am proud that I have signed it in this case. The petition of concern is there to protect minorities from simple majority rule. It requires cross-community majority support. Mr Bell said that the amendment reflected the cross-community view. If that is the case, let us put it to a cross-community vote and we will see.

This is a male-dominated Assembly. More than 80% of the Members are men. The amendment will affect women, predominantly. There is a lack of representation. As I have alluded to before, I do not believe that the views in this male-dominated Assembly adequately reflect the views of the majority — or significant numbers — of the people of Northern Ireland. So, in that regard, this is a valid use of a petition of concern. I was happy to support it and sign it, and I am proud to have done so.

The DUP, which cries foul at the use of petitions of concern, is the party that has used this instrument most in the Chamber. The DUP used a petition of concern to prevent the ending of dual mandates for their double-jobbing MLAs and councillors, to prevent third-party rights of appeal in planning, denying the general public access to an appeal mechanism against planning decisions, and to protect Sammy Wilson, when he was Minister of the Environment, from admonishment in the House.

I find it strange, then, that on this issue, the DUP believes that the petition of concern is an abuse, but on other issues it sees the instrument as a legitimate mechanism at its disposal to block proposals from other parties when it suits them to do so and, indeed, to block legislation. Again, I cannot say that there was a majority, but there was certainly huge public support for the ending of dual mandates, and the DUP used a petition of concern to block that.

This is a bad piece of legislation, and I outlined the reasons why I believe it to be so. I believe that amendment No 1 is unclear and ambiguous, and I fundamentally disagree with its intent and outworkings. I believe that bad process was introduced at the eleventh hour without public consultation, and that may be part of the reason why —

Mr Givan: Will the Member give way?

Mr Agnew: I will not give way to the Member. I know that he is a Christian man and believes in doing unto others as he would have done unto him, and he refused consistently to give way to Members who opposed his view when he was speaking. If he had afforded me the courtesy, I would have afforded it to him, but he did not do so. *[Interruption.]* Thank you.

The introduction of amendment No 1 was misguided, which is why it will be rejected by pro-choice and pro-life Members today. I made the point that many in the Chamber who are pro-life believe this to be a bad piece of legislation.

We need to protect women in our society, and we need to create good legislation. Amendment No 1 does neither, and, for that reason, I oppose it.

Mr Lyttle: I am grateful for the opportunity to contribute to the debate. I had hoped that it would be constructive and that it would be about amendment No 1, but we have had varying success on that. Almost seven hours later, with fairly consistent and constant abuse from the Benches

to my left, I can let those Members know that it is highly unlikely that I will give way to any of them from this point forward. I will give them advance warning that we have heard enough from them today.

The dishonesty and the tone of some of the DUP contributions today, in my opinion, serve no argument, cause or Christian purpose whatsoever. The abuse —

Mr Givan: Speak to your colleagues in your constituency.

Mr Lyttle: We have all day on this, do we not?

Mr Speaker: Order.

Mr Wells: We could be here all night, Chris.

Mr Lyttle: Fair enough.

Mr Speaker: Order.

Mr Lyttle: The abuse of religion for political purposes today would not have been out of place in a court of Pharisees. The challenge to the Assembly is to increase the regard in which it is held, but I do not think that we have gone too far down that road today with some contributions.

I would, of course, genuinely welcome the opportunity to meet anyone who has legitimate concerns, from a Christian perspective, to discuss these matters in more detail. However, for anyone to say that an objection to amendment No 1 equates to a pro-abortion position is simply — *[Interruption.]*

Mr Speaker: Order.

Mr Lyttle: For anyone to say that an objection to this amendment equates to a pro-abortion position is simply and disgracefully false. For anyone to say that it is about the protection of the Marie Stopes clinic is false. Rather, it is against a quite bizarre prohibition of private healthcare within the law.

I am not sure which Bible some of the men to my left read or work from, but mine suggests that telling the truth is foundational. For self-professed Christian men to so blatantly misrepresent the truth is genuinely regrettable, and I mean that sincerely. I would ask — *[Interruption.]* I do, yes, I am speaking from the heart.

I ask them to reflect on what witness they think they have sent out from the Assembly today, given some of their behaviour and the fact that the amendment has quite unnecessarily set people with very similar views on abortion against one another.

The DUP's infatuation with misrepresenting Alliance Party policy has reached hysteria; to the point where it is now contemptuous of the democratic process and the code of conduct expected of MLAs. I — *[Interruption.]*

Mr Speaker: Order.

Mr Lyttle: I urge anyone who considers that their support for the DUP results from Christian conviction to thoroughly examine the behaviour and integrity of many of its members on this and a wide range of other issues. I call — *[Interruption.]*

Mr Speaker: Order.

Mr Lyttle: I call most respectfully on the Church to reflect on the behaviour of some of the Members who have spoken on its behalf here today. I imagine that many SDLP

supporters will also be significantly concerned by that party's supporting the DUP today.

The debate is not about one's view on abortion. I want to be clear that there is no proposal before the Assembly today to alter the law on abortion. For the purposes of clarity and for the record, I will repeat that the Alliance Party view on abortion is that it should be left to the conscience of its members. For the record, I am against any significant extension of the current law on abortion in Northern Ireland. I am in favour of a multiagency and comprehensive provision of quality sex education and crisis advice and support.

I am also in favour of robust guidance and regulation within the law. We need to set clear guidance and robust regulation to ensure that services are provided within the law; not a hastily and poorly presented blanket prohibition of private service provision. The amendment does not encapsulate, as Mr Givan suggested earlier, the values of a liberal democracy. It also appears to fail to take into account, as mentioned by many Members, the significant use that the NHS makes of private provision to supplement its service.

The real smokescreen is that the amendment tries to hide the fact that our Health Minister has wholly failed to deliver such guidelines and was forced to do so by the courts. He has also wholly failed to deliver the robust regulation on private provision that exists in the rest of the UK. It is the Health Minister who has abdicated his responsibility on this matter.

Mr Givan said that much time had been spent on the amendment. Perhaps, if the Minister of Health had spent the same time on regulation, we would not be here today. Mr Givan said that the Justice Minister had shown no urgency on this issue. What urgency has the Minister of Health shown on introducing a regulatory framework, given that it is his responsibility to do so? It is my understanding that such has been the inaction of the Health Minister on regulation that some private providers, such as Marie Stopes, have taken it upon themselves to bring forth matters that puts them within the criteria for regulation — *[Interruption.]*

Mr Speaker: Order.

Mr Lyttle: — by the RQIA. If the regulation needs to be enhanced, it is for the Minister of Health to show leadership and enhance it.

This is not about one's view on abortion. I have made clear my position, which is that I am against any significant extension of the current law, but I do not think that this amendment should jeopardise democratic principles in response to individual concerns. In a democratic society, a person should have the liberty to elect which type of service they avail of provided that it operates within the law. The challenge is to deliver the most robust regulation possible and ensure that the highest standard of service possible for children, women and men is provided within the law. I am fully committed to supporting the need for delivery on this change and to working to protect all life in Northern Ireland, but I will not support this hasty and misplaced amendment today.

6.00 pm

Mr Ford (The Minister of Justice): We have certainly had a wide-ranging debate that possibly went ever so slightly beyond the terms of the amendment under consideration.

It is good that the Assembly has the opportunity to discuss sensitive issues like this where ethics, conscience and the law all come together. It is clearly a very personal issue for many people in this society. Indeed, there are very deep feelings on both sides of this argument. The very fact that, from the Bench immediately behind me, we have heard my party colleagues express a variety of options, from pro-choice to pro-life, shows the depth of experience. It also explains for the benefit of those Members who could not understand it, despite all the diatribes that were thrown in this direction, that abortion is an issue of conscience for members of the Alliance Party, as it is for most other parties across the UK. *[Interruption.]*

Mr Speaker: Order.

Mr Ford: What I fear is that the general public may be misled by today's debate into thinking that the amendment was something to do with changing the law on abortion and that the debate was about pro-life or pro-choice. It is not. It is about a very technical issue and one that has caused me significant concerns. The point on which we will be called to vote in a few minutes is a very specific one. It is not about where we stand on the principle of abortion. It is about whether we want the specific words printed on the Order Paper and brought to the Assembly in this way to enter the criminal law of Northern Ireland.

When Mr Givan and Mr Maginness first spoke about this amendment on 'Talkback' two weeks ago, they spoke of the importance of accountability, scrutiny and oversight. I absolutely agree with them. We need a system to bring accountability and oversight to the provision of abortions, as to all medical and surgical interventions, regardless of where they are carried out. I am on record as saying that that needs to be addressed. However, the Assembly needs to stop and think about how we do that. I want to do that because it has significant implications for not just this particular point about the regulation of abortions but for how we consult and engage in the future. If we accept now that a major change in the law that affects people in our community so directly can be made literally at the stroke of the pen, what precedent do we set for the people who come after us?

As far back as 1723, in the case of *R v The University of Cambridge*, Mr Justice Fortescue set out the principle that a decision-maker should hear the other side. In a court case, he quoted Genesis chapter 3, in which God says to Adam:

"Hast thou eaten of the tree, whereof I commanded thee that thou shouldest not eat?"

Even God himself, said Fortescue, did not pass sentence until he had given Adam the chance to tell his side of the story.

Mr Wells: Will the Minister give way?

Mr Ford: I will, rather more generously than Members on my left have done, give way on this occasion.

Mr Wells: Does the Member accept that I gave way on every occasion that I was asked to do so? I believe that our argument is so strong that it can sustain any attacks.

Exactly the same principles that he has outlined apply to his amendment on the opening of Sunday courts. I have to say that I have a slight problem with the greater liberalisation of Sunday opening, but I understand

where he is coming from. However, there has been no consultation. In fact, there has been an awful lot more consultation on the Givan/Maginness amendment than there has been on his proposal, yet he expects us to traipse through the Lobbies tonight to support him.

Mr Ford: Mr Wells has a fair point on that issue. I must confess that it is something that I thought that I would be addressing when we talk about the second group of amendments rather than at this stage. However, let me deal briefly with that point. I accept that there has not been full consultation on the issue of Sunday courts. *[Interruption.]*

Mr Speaker: Order.

Mr Ford: However, the House needs to accept the circumstances in which that proposal has arisen. A request from the Chief Constable, with the support of the Lord Chief Justice, to deal with what would potentially be a major emergency situation in a few months' time, when the G8 is held in County Fermanagh, had to be addressed. This is the only legislative vehicle in which to do it. I accept that it would have been better had there been full consultation on that issue. In the context in which certain courts can sit on Sundays anyway, this minor change dealing with the specific operation of the Magistrates' Court is not in the same league as a fundamental change banning abortions, which would otherwise be lawful, being carried out by private healthcare providers.

The role of consultation on significant issues was fundamental to the establishment of devolution here. It is why Committees meet every week to consider the consultation exercises launched by Departments; why members meet with a whole host of interested bodies at different stages and listen to what they have to say; and why the Executive have published 'A Practical Guide to Policy Making in Northern Ireland', which emphasises the importance of engagement at every stage of the process.

If those are the standards that are required of Departments, surely those should be the standards to which we work as a legislature. Last-minute amendments on substantial issues with direct effects on people, even on small numbers of people, are not the way to do good government and not the way that we should operate in this place.

I hardly need to remind Members that this is an issue in which the courts have taken an interest, as was shown, for example, in the Christian Institute judicial review in 2007, which demonstrated that the courts are willing to give significant consideration to issues of consultation. First and foremost, we should make the issues that underlie this amendment subject to proper consideration and consultation. I encourage the Assembly to think, first, about how we make law and, secondly, about the way that the amendment is framed.

Members will be aware that I took the unusual step of putting in writing a range of concerns about the drafting of the amendment and the unintended consequences that it could have. I am not seeking to give any definitive interpretation of how the courts would approach the provisions. My point is simply that there is real potential for uncertainty and confusion. I reject the suggestion that I sought to cloud the issue. The letter that I wrote to Members last week was based precisely on the legal advice that I was given in the Department about problems

with the amendment. I also reject the suggestion that it was somehow clandestine. I have not had the opportunity to look up a dictionary this afternoon to see what "clandestine" means, but I fail to see how drafting a press release in the Department, sharing it with the Minister of Health, Social Services and Public Safety, issuing it through the Executive information service and doing media interviews on the basis of it qualifies as clandestine based on anybody's definition of the word.

Mr Allister: Will the Minister give way?

Mr Ford: We have heard different views about those points today. That is the key point: issues could be subject to different interpretations. I will give way to Mr Allister.

Mr Allister: If the Minister does not like the word clandestine, what does he think about "selective" to describe the legal advice that he sought? Can he say whether he has spoken with and sought the guidance of the Attorney General?

Mr Ford: I thought that Mr Allister would let me get a little bit further into my speech, but I will address that point now. My advice comes from the Departmental Solicitor's Office (DSO), and that is the standard practice that applies to any Minister. The advice of the Attorney General is sought only if it is a cross-cutting matter between different Departments or a matter where there appears to be difficulties and there is a recommendation from the DSO that further advice is appropriate. That was not the case. The advice that I received was entirely clear-cut and absolute, and, therefore, my letter was not, in Mr Allister's terms, selective but was based on the advice that was given to me.

These are issues with different interpretations that, as responsible legislators, we should fully sort out before passing them into law. For example, the amendment talks about the unborn child at any stage of development. That is simply not a term that has been used anywhere in UK legislation and differs from the term "the unborn" that is used in the Irish constitution. So, the amendment brings to the law an undefined term. There may well be very firm views about what it means, and I suspect that there will be very different views in this Chamber at the moment, but those firm views one way or another will not necessarily prevent a great deal of expensive and unnecessary litigation.

Mr Wells: Will the Minister give way?

Mr Ford: Yes.

Mr Wells: Am I to take it that the Member is not opposed to the principle of the amendment but is just opposed to the process? Is he saying that, if there was adequate consultation and all the difficulties that he has were explained to him, he would accept the principle of ensuring that there are no unregulated private abortions in Northern Ireland?

Mr Ford: Mr Wells mentioned regulation, which was frequently mentioned by Mr Elliott and also, I think, by Mr Allister. That seems to be one of the issues, but let me proceed, and I will come to that point in a moment.

There is also an issue about the competence of the Assembly to make this amendment, and it very much depends who you listen to. I will be clear: there are two different strands of European law, and that means that competence is not an entirely clear-cut issue. In

introducing the amendment, Mr Givan quoted some European jurisprudence, but there is other European jurisprudence. It is a long way short of being clear-cut.

One strand that I have been shown starts with the rules on the common market, to which exceptions are narrowly defined and strictly construed. The other comes from a particular case about the Spanish health service, where in those specific circumstances, the European Court held that the competition rules were not applicable. So, anyone who had an interest could well mount an interesting challenge to the legislation as proposed in this draft amendment.

So, why would we go somewhere where there is such a lack of clarity, rather than take the opportunity to think all these issues through? That is added to the fact that the sponsors of this amendment have not consulted, have not undertaken full policy development and have not looked at the regulatory impact. As an Assembly, those are the kinds of points on which we need to go away and do it properly.

I am also worried about the narrow exception that is made in the legislation. It talks about allowing terminations of pregnancy on premises not operated by a health and social care trust in circumstances where access to health service premises is not possible. The word "possible" is specific and included in that clause. The usual legal provision in such a situation would be where access was "not reasonably practicable in all the circumstances".

I find it difficult to imagine any circumstances in Northern Ireland with the healthcare system that we have, with 24-hour acute care, where access would not be possible. The provision could mean that a woman who is in a private clinic for elective surgery and develops a complication that requires termination to save her might have to be transferred to a hospital across rush-hour traffic across the city because access to that hospital is still technically possible. The usual formulation in law would clearly apply differently, and that "possible" would apply even though the patient was in a private hospital with a fully equipped operating theatre available and with a consultant obstetrician on duty who was familiar with the patient. That is what the wording of the amendment means. Those are exceptional circumstances, but the House should not pass an amendment that did not allow for them.

To sum up, there is a need for regulation. It is a need that we should address in a considered way, cross-departmentally and with public consultation, not stuck awkwardly into a piece of justice legislation at the last minute.

Mr Wells: Will the Minister give way?

Mr Ford: All of this is just when the Health Minister has indicated that draft guidelines on abortion, long-awaited, are about to be consulted on. That is the point that Mr Wells wanted me to give way on earlier. Those guidelines are necessary and will help to bring clarity, which is the very thing that, unfortunately, this amendment fails to do. I will give way.

Mr Wells: The Member said that he would answer my earlier point later on. This is the point —

Mr Ford: I am just getting to it.

Mr Wells: Yes. If he is happy with the procedure and the consultation and if he gets clarity on the issues that he is concerned about, does he accept the principle that

there should not be unregulated private abortion clinics in Northern Ireland?

Mr Ford: The point is the issue of regulation, which I am just coming to. Not criminal sanction, but proper regulation of private healthcare providers, as public healthcare providers are properly regulated.

Of course, we are in the position where the petition of concern puts a different complexion on the debate, and, on the presumption of the faces that I saw of Sinn Féin Members as Mr Wells was making his plea to them to reverse their opinion even though they had signed a petition of concern, it is very possible that this amendment will be defeated on cross-community vote. There are issues that need to be addressed by this House as to what should happen then.

I was under the impression, given what the Health Minister said in an oral answer to the Assembly on 26 November and in a number of written answers since then, that he was considering a range of possible ways of addressing the gap in regulation of private providers. He committed to bringing proposals to the Assembly, and, clearly, issues such as the potential role of RQIA in regulating private healthcare are issues for DHSSPS and not for the Department of Justice.

I shall, therefore, be slightly cautious, Mr Speaker, because you might reprimand me for intruding onto another Minister's territory. As I understand it, the RQIA is responsible for the quality, safety and availability of health and social care facilities. It is just a little bit more than the car-parking spaces or whether the floor is clean. It has an enforcement policy aimed, among other things, at holding to account providers for failures to safeguard health, safety or welfare and exposing deficiencies. It covers areas including clinical governance and safeguarding vulnerable groups. It already inspects some private healthcare and independent hospitals in Northern Ireland. The equivalent body to the RQIA in England and Wales —

Mr Wells: Will the Minister give way?

Mr Ford: Let me finish this point please. The equivalent body to the RQIA in England and Wales, the Care Quality Commission, also licenses abortion clinics and ensures compliance with the standards set by the legislation there. The RQIA's governing legislation states at article 6(1):

"The Department may by regulations make provision ... as to ... the persons in relation to whom or the matters with respect to which, any functions ... are to be exercised".

Also, the Department may, by regulations, make provision conferring additional functions on the RQIA.

6.15 pm

Obviously, I acknowledge that it would be for the Health Minister to take advice on whether that was sufficient at present to include private abortion clinics or whether some further legislation was required, but that is an issue for the Minister of Health.

Mr Wells: There is an absolutely crucial point that the Minister has not grasped. The RQIA has absolutely no role in deciding whether the clinical decision taken by a doctor in a private clinic falls within the terms of the legislation. It is more the mechanics of the clinic — whether it is properly

staffed and has got proper sanitation. That is all covered by RQIA under the Northern Ireland legislation, but it has no input whatsoever into the decision as to whether it is legal or illegal to take the life of an unborn child.

Mr Ford: Mr Speaker, again, the issue of how much authority the RQIA has is an issue to be determined by the Department of Health, Social Services and Public Safety, not the Department of Justice.

Mr Agnew: I thank the Minister for giving way. Just further to Mr Wells's point, surely the role of the RQIA is equally true of the health service as it is of the private sector.

Mr Ford: I understand that there are differences between the current role of the RQIA in respect of NHS facilities and those private facilities where it has a role. However, the point is that it is an issue for DHSSPS to determine the possible extension of that role, the areas that would be covered and the bodies that would be covered.

On that point, while speaking earlier, Mr Poots, a Member for Lagan Valley — as Sue Ramsey would call him — quoted a view that had been expressed by me. It was rather interesting. He appeared to be quoting from a letter that I wrote to the Minister of Health, Social Services and Public Safety on 8 November last year. The precise context in which a Back-Bench Member for Lagan Valley was speaking and quoting a letter addressed to the Minister, I will leave to the House to decide. However, although Mr Poots correctly quoted a paragraph from my letter that said where there is evidence of a crime being committed, the police and prosecuting authorities will investigate, which is the answer to the point just raised by Mr Wells, he somehow forgot the paragraph — as long ago as 8 November last year, when I wrote to him in response to a letter that he had sent me on 22 October — about how the Department of Justice will ensure that the Marie Stopes International Clinic or similar organisations operate lawfully. I said in that letter:

"in terms of regulating practice, you"

— that is, Mr Poots —

"have indicated to the Assembly that you intend to ensure that such private clinics are covered by the Health and Personal Social Services (Quality Improvement and Regulation) (Northern Ireland) Order 2003. I agree that this is the best approach. The RQIA, with its clinical expertise, is best placed to regulate matters which require clinical judgement, and I would suggest that if legislation is needed to bring that about it is brought forward urgently."

I am not sure, Mr Speaker, whether it will be necessary to repeat that point. I believe that we are now in March 2013, and, in November 2012, I acknowledged the role of the justice agencies, such as they are, when there is a suspicion of the law being broken, but I agreed entirely with the point that had been made and was subsequently repeated in answer to oral questions in the House later in November, and in questions for written answer: that the role of regulation of private healthcare is a role for the Department of Health, Social Services and Public Safety to consider in terms of the role of RQIA. I am very happy to accept the role that the Department of Justice has, but it is clear, if we are talking, as many Members today have talked, about regulating private abortion as part of private

healthcare, that is a role that lies properly with another Department.

Although that primary responsibility lies with Health, there are issues of criminal law that apply, and that is clearly a cross-cutting, sensitive and controversial matter. Therefore, in advance of the debate, I asked officials to look at the Department of Justice's responsibilities in this area, with a view to bringing the issue to the Executive as a cross-cutting one. I know that there are many strong views in the Assembly and in society on the issue of abortion.

They have been expressed here today in a variety of ways. I accept the absolute sincerity of those who argued for the amendment because of their opposition to abortion and their pro-life stance. Although I find it difficult to accept the personal insults and diatribe from others, I would certainly wish to respect the views of people such as Pat Ramsey, who expressed them sincerely. However, whatever those views, Members of the Assembly have to acknowledge that we owe a duty to the people of Northern Ireland to do things with due consideration and consultation and, above all, well and properly. That is the fundamental reason why I do not and cannot accept this amendment.

Mr A Maginness: I hope that in the time available to me I can crystallise some of the issues from the debate and the amendment tabled by Mr Givan, me and others.

I pay tribute to Mr Givan, who, I believe, has shown great leadership and courage on this issue. In his address to the Assembly, he comprehensively examined all the issues individually and systematically. He made a comprehensive assessment of the situation, analysed the difficulties involved and, on the face of it, made a speech that should persuade every Member of the House to support the amendment.

The kernel of what he said was that the amendment does not change the law on the grounds on which an abortion is carried out. I re-emphasise that point, particularly for those who misrepresented the view that, in some way, we are changing the law. We are not changing the law. The fundamental law remains the same.

The amendment prevents unregulated, unaccountable private clinics from making financial gain from vulnerable women and their unborn children, and ensures that in terrible life-threatening circumstances, the best care is provided free at the point of need in the National Health Service. Who could oppose that? How could anybody in the House who has any sense of conscience oppose that?

We have a duty to the unborn. We also have a duty to protect women in crisis pregnancies and in grave difficulties. The best place to protect them is in the National Health Service, which is where they should be protected. It is a nonsense to say, "It will be all right. Marie Stopes is OK, and a bit of regulation here or there may help out" — the sort of soft touch stuff that we heard today. However, that is the reality of the situation. The RQIA will not give effective supervision, control and accountability over clinical assessments. Would the RQIA know the number of abortions that would take place in the Marie Stopes clinic? According to the evidence given to the Justice Committee on 10 January this year, that would certainly not happen.

Mr Agnew: Will the Member give way?

Mr A Maginness: No, I will not. Other members of the Committee and I asked the Marie Stopes witnesses how

many abortions the clinic had carried out. What was the answer? We cannot tell you. I said, "Let us fast forward to a year down the road of work by your clinic. Will you tell us then how many abortions you have carried out?" What was the answer? The answer was no. The question was also put: "Does the Department of Health know how many abortions you have carried out?" What was the answer? The answer was no. Anybody who tells us that that organisation is acting responsibly is kidding themselves and the public.

A Member: Will the Member give way?

Mr A Maginness: No, I am not giving way to anybody because I want to get this concluded. There have been lots of interventions, and people have made their good speeches, sincerely, and so forth, and I respect the point of view of everybody in here, even though I disagree with them and sometimes find them very hard to tolerate, but, nonetheless.

Accountability is very important. If a private organisation, particularly in a sensitive area such as health, is not publicly accountable, which Marie Stopes is not, how can we trust what they are doing as being right and proper within criminal law? Members, it is the criminal law, not regulations or anything else, that governs abortion in Northern Ireland. That is the problem, and that is why we have to amend the Criminal Justice Bill. There is no other way of dealing with this; there is no other way whatsoever.

People have talked here about the lack of process, the lack of consultation, and so forth. Mr Givan, myself and other colleagues banded together as Back-Benchers. We came together in order to try to remedy the situation. That is what we did. As Back-Benchers, we are under no obligation to consult in relation to bringing amendments to any Bill in the House. We are under no obligation whatsoever, but I can tell you, colleagues, that there was more consultation, more discussion and more debate about this amendment than, perhaps, there was about any other amendment that was presented in the Criminal Justice Bill or, indeed, any other amendment that was presented to the House in the past couple of years. There has been more public discussion on this than there has been on anything else, and you say to us that we should have had further public consultation.

There is a net issue involved in this, and, in fact, it was very well summarised by the deputy First Minister. Let me remind colleagues on the Sinn Féin Benches of what the deputy First Minister said when he was discussing Marie Stopes on 'Inside Politics'. He said:

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

6.30 pm

I support Martin McGuinness. His statement is a good summary of the situation. I cannot understand the position that Sinn Féin has now adopted. I listened with some amusement to the persuasive charm of Caitríona Ruane. She had the sort of charm that a bulldozer might have

when clearing a building site. I could almost visualise the television and radio channels being switched over when she was making her remarks. She said that there was a wide range of views in her party, Sinn Féin. I ask you, Mr Speaker: did we hear a wide range of views from the Sinn Féin Benches? We did not. We had identikit speeches, one after the other, not a wide range of views. She also talked about camaraderie. She said that there was great camaraderie. Well, tell that to Mr Tóibín of Meath West, or east, who lost the Whip or was disciplined in Dáil Éireann when he voted against or refused to support a Sinn Féin motion, or one that it was bringing to the Dáil, on a similar issue because he is pro-life. He made that clear. I think that the camaraderie is very limited indeed. Although there might be a wide variety of views — I do not know, but I hope that there would be —

Mr McCartney: [*Inaudible.*]

Mr A Maginness: Sorry: I am speaking, not you. If there is a wide variety of views, we did not hear them in the House today. Why? Because those views are being, or must be, suppressed in some way.

The point that I have to make on the issue is that we are dealing with a private institution. We are dealing with one of the most delicate situations that any woman could find herself in. Those who have argued against the amendment in the Chamber today have argued strongly that, essentially, it is all right to have that private institution look after women in such extremis — a private institution that makes money out of abortions. That is the reality of it: it makes money out of abortions. It is not a private institution that gives its services free of charge. It is making money. Ms Ruane is smiling. It is an odious situation to have such an organisation make money out of the misfortune of women in crisis pregnancies. Members should reflect very carefully on the positions that they have adopted.

Ms Ruane made a number of rather nasty references to me, Mr Givan and others, and, indeed, to the SDLP with regard to the by-election. She mentioned cheap electoral gain. There was never any mention of the issue by the SDLP during the by-election.

A Member: You must be joking?

Mr Speaker: Order. The Member has the Floor.

Mr A Maginness: The SDLP did not raise or attempt to exploit this issue. The fact that the by-election took place at the same as the amendment was tabled was purely coincidental. We made no attempt whatsoever to exploit the issue, so I reject that remark as grossly offensive. I will say this: the issues involved in this were quite plain last week, but Sinn Féin did not make a decision on the petition of concern until after the by-election was over. That was cynical, so do not give us any lessons on cheap electoral gain.

As far as the petition of concern is concerned — if I can use that word — it has been misused in the House in the past. In this situation, we had cross-community support for the amendment inside and outside the House. Indeed, we had support from those not just in Northern Ireland but the Republic. In his speech, Mr Givan talked about support from the Church of Ireland, the Presbyterian Church in Ireland and the Catholic Church. In a very telling sentence, he said:

“People ask what a shared future looks like, and I point to this moment of an SDLP, DUP and Ulster Unionist bringing forward proposed legislation related to the most basic of human rights; the right to life.”

I think that, in many ways, that crystallises the nature of the amendment. It should also have encouraged Members of the House who hitherto have disagreed with the amendment to support it, because it encapsulates something good in our society and the Assembly. Given that it is a cross-community, cross-religious and cross-party amendment — it was all those things — it should have been supported, and, in particular, it was and is inappropriate for a petition of concern to be used. The petition of concern was envisaged to deal with broader political issues and issues that involve protecting communities — one from the other. That is why the petition of concern was brought about in the Good Friday Agreement, and this is a gross misuse of the petition of concern.

There has been a lot of talk about the poor drafting of the amendment. This amendment has been expertly and very skillfully drafted and very carefully proofed, and its competency under the law has been carefully checked and proofed. The amendment, if passed, would withstand the rigours of our courts here, the Supreme Court in England and the European Court. I believe that this is a good piece of drafting, and those who say that it is not really ought to take proper legal advice.

It is significant that the Minister of Justice, despite the fact that he regards this in another section of his speech as a cross-cutting issue, did not go to the Attorney General to seek advice. The Attorney General is there to give advice on this type of issue. The Justice Minister did not seek that advice; he sought advice simply from an internal departmental solicitor. That is not the right way to go about business.

Mr Ford: That is absolutely the right way.

Mr A Maginness: No, it is not the right way to do it. If it is a cross-cutting issue, you are saying that you do not have confidence in the senior law officer to give you advice on it.

Mr Ford: Will the Member give way?

Mr A Maginness: All right.

Mr Ford: Does the Member accept that the standard practice is that a Minister goes to the Departmental Solicitor's Office (DSO) for advice, and only if there is an issue of concern with the DSO would a Minister go to the Attorney General for advice? That is established practice, and that is exactly what I did on that occasion.

Mr A Maginness: Yes, but in another part of your speech, you said that this is a cross-cutting issue, and that, therefore, one should proceed on that basis.

Mr Ford: Will you give way again?

Mr A Maginness: No. I will not. You have made —

Mr Ford: Well, take the clarification.

Mr A Maginness: You have made your point. [*Interruption.*]

Mr Speaker: Order. The Member has the Floor.

Mr A Maginness: Mr Speaker, the Minister has made his point. It is unreasonable for him to interrupt me further.

On a major cross-cutting issue, you go to the Attorney General to seek his advice. Indeed, there is no reason why the Minister could not go to the departmental solicitor to receive that advice, and then, to satisfy himself further, go to the Attorney General. That is not an unreasonable position to adopt, but that was not adopted by the Minister. Regrettably, he issued statements that, I believe, were unhelpful in the process. He knew that the amendment was coming from some members of the Justice Committee and other Members, and that, therefore, it was not an Executive amendment.

I am saddened today. We had a real opportunity to do something very positive: to protect mothers and their unborn children. For all sorts of reasons — I am not going to say spurious reasons — that were presented today and that, I believe, do not carry great weight, we have wasted an opportunity to protect the most vulnerable in our society: women in crisis pregnancy and their unborn children. That is sad. I hope that people will reflect very carefully on what they have done. It has not been good for those children or their mothers, and it has not been good for the House.

Mr Speaker: Before we proceed to the Question, I once again remind Members that a petition of concern has been tabled in respect of the amendment. Cross-community support is, therefore, required.

Question put, That amendment No 1 be made.

The Assembly divided:

Ayes 53; Noes 40.

AYES

Nationalist:

Mr D Bradley, Mr Byrne, Mr Durkan, Mrs D Kelly, Mr McGlone, Mrs McKeivitt, Mr A Maginness, Mr P Ramsey, Mr Rogers.

Unionist:

Mr Allister, Mr Anderson, Mr Beggs, Mr Bell, Ms P Bradley, Ms Brown, Mr Buchanan, Mr Campbell, Mr Clarke, Mr Craig, Mr Cree, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Easton, Mr Elliott, Mrs Foster, Mr Frew, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Hussey, Mr Irwin, Mr Kennedy, Mr McCausland, Mr I McCrea, Mr D McIlveen, Miss M McIlveen, Mr McNarry, Mr McQuillan, Lord Morrow, Mr Moutray, Mr Newton, Mr Poots, Mr G Robinson, Mr Ross, Mr Spratt, Mr Storey, Mr Swann, Mr Weir, Mr Wells.

Tellers for the Ayes: Mrs McKeivitt and Mr Wells.

NOES

Nationalist:

Mr Boylan, Ms Boyle, Mr Brady, Ms Fearon, Mr Flanagan, Mr Hazzard, Mr Lynch, Mr McAleer, Mr F McCann, Mr McCartney, Ms McCorley, Mr McElduff, Ms McGahan, Mr McKay, Ms Maeve McLaughlin, Mr Mitchel McLaughlin, Mr McMullan, Mr Maskey, Mr Molloy, Ms Ni Chuilin, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Ms S Ramsey, Ms Ruane, Mr Sheehan.

Unionist:

Mr Copeland, Mr Kinahan, Mr McCallister, Mr Nesbitt, Mrs Overend.

Other:

Mr Agnew, Mrs Cochrane, Mr Dickson, Dr Farry, Mr Ford, Ms Lo, Mr Lunn, Mr Lyttle, Mr McCarthy.

Tellers for the Noes: Ms Lo and Ms Ruane.

<i>Total Votes</i>	<i>93</i>	<i>Total Ayes</i>	<i>53</i>	<i>[57.0%]</i>
<i>Nationalist Votes</i>	<i>35</i>	<i>Nationalist Ayes</i>	<i>9</i>	<i>[25.7%]</i>
<i>Unionist Votes</i>	<i>49</i>	<i>Unionist Ayes</i>	<i>44</i>	<i>[89.8%]</i>
<i>Other Votes</i>	<i>9</i>	<i>Other Ayes</i>	<i>0</i>	<i>[0.0%]</i>

Question accordingly negated (cross-community vote).

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

New Clause

Mr Deputy Speaker: We now come to the second group of amendments for debate. With amendment No 2, it will be convenient to debate amendment Nos 3 and 7. Those amendments deal with allowing Magistrates' Courts to operate on Sundays in exceptional circumstances.

Mr Ford: I beg to move amendment No 2:

After clause 12 insert

"Criminal proceedings on Sunday

Criminal proceedings on Sunday

12A.—(1) *Section 7 of the Sunday Observance Act (Ireland) 1695 (which prohibits the service or execution on a Sunday of any writ, process, warrant, order, judgment or decree, except in certain cases) and any rule of law preventing or restricting the holding of a court on a Sunday do not apply, at any time when this subsection is in operation, in relation to—*

(a) the holding of a magistrates' court for the purpose of exercising any criminal jurisdiction; or

(b) anything done in the course of, or in connection with, the exercise by a magistrates' court of any criminal jurisdiction.

(2) Subsection (1)—

(a) comes into operation on such day as the Department may by order appoint; and

(b) ceases to be in operation one month after that day.

(3) The Department may by order made at any time when subsection (1) is not in operation provide for that subsection to come into operation again on such day as is appointed by the order.

(4) Where subsection (1) comes into operation on a day appointed under subsection (3), it ceases to be in operation one month after that day.

(5) An order under subsection (2) or (3) requires the approval of the First Minister and deputy First Minister acting jointly; and no such order shall be made unless—

(a) the Chief Constable has requested the Department to make the order; and

(b) the Department, after consulting the Lord Chief Justice, is of the opinion that such exceptional circumstances exist as to justify the making of the order."

The following amendments stood on the Marshalled List:

No 3: In clause 14, page 13, line 36, after “subsection (2)” insert

“and section (Criminal proceedings on Sunday)”.— [Mr Ford (The Minister of Justice).]

No 7: In the long title, after “judiciary” insert

“; and to permit criminal proceedings on Sunday at certain times”.— [Mr Ford (The Minister of Justice).]

Mr Ford: I will also speak to the consequential amendment Nos 3 and 7. Amendment No 2 is the substantive amendment that will allow Magistrates' Courts to sit on Sunday in exceptional and strictly defined circumstances, in particular, to deal with any severe disruption that might arise in and around the upcoming G8 conference in Fermanagh in June. Amendment No 3 includes the substantive amendment into the commencement provisions and allows commencement by order of the Department. Amendment No 7 will reflect the substance of amendment No 2 in the long title of the Bill.

7.00 pm

The G8 conference attracts many people who want to get their point across, and the great majority do so within the law. But we know from the experience in other countries that we need to be ready for the very real public order issues that may ensue. For example, eight years ago in Gleneagles, 350 people were arrested on the first day alone. If significant numbers of public order offences were to be committed at the G8 conference, we would need to ensure that our court systems could operate swiftly and effectively. I am sure that Members will agree that it will be essential that, during the G8 conference, our policing and court systems operate smoothly in the eyes of the world.

Under current law, anyone arrested on a Saturday for a summary offence is held in police custody right across Sunday for appearance at a Monday court. That is because, at present, Sunday courts operate only in limited circumstances. The law governing Sunday court arrangements is quite old, dating back to the Sunday Observance Act (Ireland) 1695 — in section 7 to be precise — and, effectively, permits business to be done only for cases involving indictable offences, breaches of the peace and acts of treason.

Summary offences, particularly public order-type offences which might arise at the G8 conference, are subject to the weekend limitation and cannot be brought to a Sunday court. Those can be quite serious offences, and many summary offences can attract up to six months' imprisonment. Therefore, we need to be able to bring those public order offences to court swiftly if any such exceptional circumstances were to arise. That is what amendment No 2 seeks to achieve.

International experience from previous G8 conferences indicates that, during these events, there can be increases in public order offences being committed by protestors. Public order offences such as riotous or disorderly behaviour and obstructive sitting and so on are a feature of such protests and, under current law, any such offences committed at a weekend could not be brought to court on a Sunday.

The PSNI has expressed a concern to me that, were significant public disorder to occur over a weekend during an event such as the G8 conference, it needs to be able to quickly move offenders from police custody and into the courts. Police custody facilities may be stretched as a consequence of being unable to present offenders before a court on a Sunday and amendment No 2 is designed to allow that Sunday sitting to happen.

If, for example, police cells were full on a Saturday evening, the police could bring those offenders to court the next day for possible remand into prison or release on bail. Police cells would then be freed up for any other arrests that might need to be made. There may be similar situations in the future and we need to be ready for such possibilities and to have our policing and courts legislation in alignment.

The proposed new clause will amend existing legislation and grant my Department an order-making power to permit Magistrates' Courts to be convened on a Sunday in certain circumstances.

I recognise that no one wants Sunday courts to become the norm; therefore, four specific conditions will need to be satisfied. First, the Chief Constable would need to make an application to my Department that a Sunday court was necessary. Secondly, my Department would then consult with the Lord Chief Justice. Thirdly, my Department must be satisfied that exceptional circumstances exist. Fourthly, the approval of the First Minister and the deputy First Minister acting jointly is needed before a Sunday courts order can be made. That is the proposed process.

The Sunday court would be able to deal with criminal matters only — not civil business — and the order would allow courts to sit on a Sunday for a one-month period. The order would automatically lapse one month after it had been signed.

Amendment No 2 gives the opportunity for other such orders to be made were other exceptional circumstances to arise. If, for example, significant and exceptional circumstances were to arise — the PSNI has suggested that the World Police and Fire Games might be worth planning for — then the power may need to be deployed again. The new provision — clause 12A(3) specifically — provides for this to cater for any future options.

However, I must stress that this is not a power that I would see being used on any sort of frequent basis. It is not my intention for Sunday Magistrates' Courts to become any sort of routine arrangement. Neither the police, the courts, the prosecutors, the Prison Service nor the judiciary, all of whom have been involved in the development of this proposal, would wish to see that.

As I stated earlier in the debate on amendment No 1, I acknowledge that it has not been possible to consult on this particular issue, but I believe that a request from the Chief Constable, with the agreement of the Lord Chief Justice, that requires us to act speedily on the only legislative vehicle that is available, should be accepted on the basis of need and the minor change to the operation of certain courts when other courts are available on a Sunday if necessary.

That is why there is the range of checks and balances in the provisions that I have made, the “quadruple lock”, with which any application for a Sunday court must comply.

I remind and reassure Members that Sunday court sittings are not entirely novel. In certain circumstances — for example, serious or indictable matters — courts already sit occasionally on a Sunday. They do not do so often, but they can and do, if needed. So there is nothing intrinsically new in such a practice. My amendment simply widens that slightly to allow, for example, for a major function such as the G8 to be properly managed, if that is needed. I seek the support of the House to introduce those limited changes via the Bill.

Mr Givan (The Chairperson of the Committee for Justice): The Minister has covered most of the issues. He addressed the issue of consultation, but the fact that this amendment was not publicly consulted on shows hypocrisy. It was approved through an urgent Executive procedure, which holes below the waterline the Minister's earlier flawed analysis, which he gave as a reason to oppose a reasonable amendment that a majority of Members supported.

That said, this party acts responsibly and takes the issue seriously. At the request of the Chief Constable, we recognise that, in cases of urgency, this is a reasonable request. However, we wanted to be clear that this was not a circuitous route that the Minister was taking to deal with flag protesters. When members of my party met the Chief Constable, we asked him whether he needed courts to be open on a Sunday to deal with the G8. Although he did not deny it, he seemed surprised that that was the only reason being put forward by the Department of Justice. So, because this did not seem to reflect the Chief Constable's thinking, we built in a mechanism whereby the First Minister will have a veto so that the power will never be abused, if that was ever the Department's intention. We will not oppose the amendment tabled by the Minister, but we have ensured that we have a veto to prevent its abuse.

Mr McCartney: Go raibh maith agat, a LeasCheann Comhairle. I will speak in support of the amendment and its provisions being used in the very limited circumstances set out by the Minister. I think that the quadruple lock that the Minister talked about provides protections. The basis on which we accept the need for this is that the best standard of any judicial process or human rights ensures that a person is detained for the shortest possible time, and the provision for courts to sit on a Sunday in certain circumstances reflects that.

The Chair, Paul Givan, talked about consultation, but sometimes you have to compare apples with apples and oranges with oranges. When the Chair tabled an amendment on the repeal of the offence of scandalising the court, we all accepted that it was not the greatest or the most major legislation. Even trying to liken this move to our earlier debate does a disservice to that debate. I think that the Minister has accepted the need for consultation, and perhaps he will make a commitment that, if there are any circumstances that need further examination, he will ensure that there is proper consultation and come to the Committee with that, as appropriate.

Mr Dickson: I will also be brief. I just want to say, on behalf of the Alliance Party, that I am happy to support the changes.

Mr Allister: I have three observations to make. First, it is quite clear that, for decades, although we were passing through what were at times very intense periods of public

disorder, we demonstrably did not need this facility. That leaves one wondering why, if, for 40 years of civil unrest, off and on, we did not need this facility, we suddenly need it now.

Secondly, we have the facility, when there are serious or indictable matters to be dealt with, for courts to sit on Sunday. So, if we have a fear of serious disorder, the facility already exists.

So far, I have not identified the urgency, nay the necessity, to do what the Minister wants to do.

The third point is this: if this is merely a precautionary measure in preparation for the G8 and the anticipation that there might be mass arrests, why does the provision contain repeat provisions whereby, when the G8 is long gone, it can stay with us in perpetuity, constantly renewed? If it is about only the G8, why is there not simply a sunset clause whereby it runs out? Why is there this necessity to make it in perpetuity but by another name, that of constant repeat applications? If, as Mr Givan said, the Chief Constable is somewhat surprised that he is being credited with this demand, it leaves one wondering why the Minister is bringing this proposition. Are there other reasons behind it, with the G8 merely an excuse? The Minister has some questions that he needs to address.

Mr Elliott: Mr Deputy Speaker, thank you very much for the opportunity to speak. The courts are already able to sit on Sundays to deal with indictable offences, where someone is accused of an offence that may be tried in the Crown Court. Indictable offences include common law riot and common law affray. Those are the sort of offences that arise during serious public disorder and, therefore, are already catered for under existing provisions. So, I question the reasoning and the need for this at this stage.

If the courts are able to sit on a Sunday for all but less serious summary-only offences and you want them to be able to sit on a Sunday for those less serious summary-only offences, you must want to charge suspects with lesser offences. It concerns me that there may be an intention to charge people with less serious offences than would be possible on a more serious charge. It is time-bound for a month, and there are very significant difficulties with getting it in place, if they want to do that. They obviously have to go through the First Minister and deputy First Minister acting jointly. Clearly, the Justice Minister also has to have a role, and the Chief Constable has to consult with the Lord Chief Justice. It is a very convoluted process. God help us if some of those people are away on holiday or on a break on that Saturday. I do not think that it would happen.

We are willing to support the amendment. However, I would like the Minister to give us an assurance that he will conduct an overall review of these aspects and possibly take the opportunity, in the near future, to see if there are any better ways and better mechanisms by which to do this. I would like assurances from him now that people will not be charged with less serious offences than they could be at present.

Mr Ford: I am grateful to the Members who have made such brief and precise contributions to this element of the debate. I have no doubt that one who has just arrived will wish to intervene at some point to get his matter on the record. I suppose that I should also be grateful that, on this occasion, I am accused only of hypocrisy by the

Committee Chair, given all that was said earlier today. I am grateful for the general support.

To be serious, I believe that there is a recognition around the House that this is being brought forward because there are specific circumstances relating to the G8, and possibly the World Police and Fire Games, that need to be addressed. I am very happy to give an assurance to Mr McCartney and Mr Allister that there will be proper consultation on similar issues in the future, where time permits. I am certainly prepared to consider whether it is necessary to look at a review, as suggested by Mr Elliott.

7.15 pm

I will deal with some of the substantive points that were made. Mr Allister said that we did not need such legislation for decades, which, to some extent, goes along with the points that Mr Elliott made about offences that are indictable as opposed to merely summary. However, the reality, as was seen at Gleneagles eight years ago, is that a very large number of people can be arrested simply for disorderly behaviour or obstruction: some of the offences that are summary only. That is the key problem that the police may have to address.

Frankly, many of those people may come from outside this jurisdiction, and we may need to seek to deal with them speedily. I am not sure that people who travel from outside will necessarily want to spend their time sitting in the sun in the Fermanagh countryside waiting two or three days, or even a fortnight, until their case comes to court if they had come a distance to make their protest, and that is why we need to ensure that courts are in a position to act speedily. It is not an issue that indictable offences cannot be covered. The issue is that there could be significant numbers who are merely charged with summary triable offences.

There is a question about whether there is a legitimate need and whether there is an issue with future activity, and I certainly believed that a request from the Chief Constable, supported by the Lord Chief Justice and an assessment from the Department, was a very adequate triple lock. The decision has been taken, following representations by the Executive, that there should be a quadruple lock that also involves the First Minister and deputy First Minister, and I have no doubt that they would respond appropriately if they believed that there was a genuine need for such a provision in a case made by the police with the support of the Lord Chief Justice.

Whilst we hope we will not need to use this law, we know that it will be available, if this is passed, should we need it. It would not become a matter of routine but would be there for potential use in the case of large-scale disorder in and around G8, where the situation is somewhat different from what we may have seen during years of troubles, when there may have been street rioting but not necessarily where large numbers of people could be arrested in a short period of time, as was the case at the G8 eight years ago and as has happened in other countries since then.

I thank the Members who expressed their support, whether slightly qualified or otherwise, and commend the amendments to the House.

Lord Morrow: Will the Minister give way?

Mr Ford: I had not quite finished commending the amendments to the House. In the interests of generosity, I will give way to the Lord Morrow.

Lord Morrow: I thank the Minister for that. When I got sight of the amendments and what the Minister intended to do, I wondered about the effects. The issue has been raised by Mr Allister. Can the Minister tell the House this evening whether the changes are now in perpetuity or are for a temporary period? Is it to cover the G8 summit and then to cease after that or will the changes be permanent once they are made today?

Mr Ford: I am happy to supply that clarification. The change will be a permanent change to the law, but, on any occasion on which the powers were used, they would only be available to be used for a four-week period. They would lapse at that time and cannot be renewed during their currency. I commend the amendments to the House.

Amendment No 2 agreed to.

New clause ordered to stand part of the Bill.

Clause 14 (Commencement and transitional, etc. provisions)

Mr Deputy Speaker: Amendment No 3 has already been debated and is consequential to amendment No 2.

Amendment No 3 made: In page 13, line 36, after “subsection (2)” insert

*“and section (Criminal proceedings on Sunday).”—
[Mr Ford (The Minister of Justice).]”*

Schedule 3 (Amendments: fingerprints, DNA profiles, etc.)

Mr Deputy Speaker: We now come to the third group of amendments for debate. With amendment No 4, it will be convenient to debate amendment Nos 5 and 6. Amendment No 5 seeks to ensure that an order governing the procedures of the commissioner for biometric material will be subject to affirmative resolution by the Assembly. Amendment Nos 4 and 6 are technical amendments.

Mr Ford: I beg to move amendment No 4: In page 31, line 20, leave out “under a disability” and insert “unfit to be tried”.

The following amendments stood on the Marshalled List:

No 5: In page 31, line 34, leave out paragraph 5 and insert

“5. In Article 89 (orders and regulations) after paragraph (2) insert—

*‘(2A) An order under Article 63D(5)(c) shall not be made unless a draft of the order has been laid before, and approved by a resolution of, the Assembly.’—
[Mr Ford (The Minister of Justice).]”*

No 6: In page 31, line 37, leave out “(b)” and insert “(c)”.—
[Mr Ford (The Minister of Justice).]

Mr Ford: This final group of amendments on DNA and fingerprints all consist of minor changes to schedule 3 to the Bill, which itself makes amendments to various statutes consequential on the implementation of the new retention framework.

The first amendment is simply a change in language, the need for which was identified by legislative counsel when drafting other amendments. The change is to the new

article 53B of PACE, set out in paragraph 3 of schedule 3, which describes the categories of individual who will be treated for retention purposes as having a conviction, allowing their material to be retained indefinitely. This includes persons who have been confirmed as having committed the offence in question but will not be found guilty in a court because they are unfit to be tried. That is the language that a court in Northern Ireland would use, however the Bill as introduced used the language of a court in England and Wales referring to the person being “under a disability”. Amendment No 4 corrects that error.

Secondly, Members who attended the debate at Consideration Stage will recall that I tabled amendments aimed at complying with the wishes of the Examiner of Statutory Rules that the prescribed circumstances be set out in the Bill rather than in an order. Those amendments were the subject of a petition of concern, so, in the event, I did not move them, and the Bill remains as introduced, with an order-making power to be exercised by my Department. As the Bill stands, such an order would be subject to the negative resolution procedure. In light of the comments of the Examiner, I have decided instead to make it subject to the affirmative procedure, and amendment No 5 revises paragraph 5 of schedule 3 to that effect. This does not go as far as the Examiner would have wished, but it will require that such an order be debated on the Floor of the Assembly and, I think, represents a reasonable compromise in the circumstances.

Finally, amendment No 6 corrects a typographical error in paragraph 6 of schedule 3. Various other statutes contain references to both the PACE retention framework and that in the equivalent legislation in England and Wales. The purpose of paragraph 6 is to update one such statute, replacing references to the previous retention framework with corresponding references to the new framework. However, as introduced, it refers to the England and Wales legislation rather than our own, and the amendment simply corrects that. I seek Members' support for these three minor amendments.

Mr Givan: I have already stated the Committee's official view on a lot of these things, so I will not repeat them. I have no difficulty with the amendments that the Minister has tabled. I have only one question. Obviously, the affirmative resolution procedure is the result of a petition of concern that was going to block those amendments. Can the Minister advise whether that affirmative resolution procedure will be subject to a petition of concern? If it is, even though this is the compromise, it may well never come into reality because, if it was used previously, what is to stop it from being used in the affirmative resolution? Therefore, it will not have an impact. We will support the amendments.

Mr McCartney: Go raibh maith agat, a LeasCheann Comhairle. As the Minister and the Chair have outlined, these are technical amendments. Notwithstanding the other issues that we have articulated around the wider aspects of the Bill, we will support the amendments.

Mr A Maginness: On behalf of the SDLP, I support the amendments.

Mr Dickson: I support the amendments.

Mr Wells: This is almost becoming farcical. It is clear that there is cross-community and cross-party support for what

the Minister is trying to do. Therefore, I do not see much merit in all of us standing up and saying the same thing.

Mr Ford: I am sure that the House is delighted to know that Mr Wells was capable of using different words from everyone else while saying the same thing. I am grateful that, when we get to this point in the evening, we seem to get unanimous support for some relatively straightforward things.

The only substantive point was the one raised by Mr Givan on whether a petition of concern could be applied to an affirmative resolution. Far be it from me to advise the Chair on proceedings in this House, Mr Deputy Speaker, but my understanding is that a petition of concern could be applied to an affirmative resolution or, indeed, to a negative resolution, if brought to the House by the Committee. The issue will be to see whether it is possible to get agreement around appropriate changes. However, I am grateful that, substantively, we have agreed round the House on the minor tweaks that need to be addressed in the legislation.

Amendment No 4 agreed to.

Amendment No 5 made: In page 31, line 34, leave out paragraph 5 and insert

“5. In Article 89 (orders and regulations) after paragraph (2) insert—

“(2A) An order under Article 63D(5)(c) shall not be made unless a draft of the order has been laid before, and approved by a resolution of, the Assembly.”— [Mr Ford (The Minister of Justice).]

Amendment No 6 made: In page 31, line 37, leave out “(b)” and insert “(c)”.— [Mr Ford (The Minister of Justice).]

Long Title

Amendment No 7 made: After “judiciary” insert

“; and to permit criminal proceedings on Sunday at certain times”.— [Mr Ford (The Minister of Justice).]

Mr Deputy Speaker: That concludes the Further Consideration Stage of the Criminal Justice Bill. The Bill stands referred to the Speaker.

I ask Members to take their ease for a few seconds.

Motion made:

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

Adjournment

Woodlands Language Unit

Mr Deputy Speaker: The proposer of the Adjournment topic will have 15 minutes. The Minister will have 10 minutes to respond, and all other Members who wish to speak will have approximately five minutes.

Mr P Ramsey: Thank you, Deputy Speaker, and I thank the Business Committee for agreeing to this Adjournment debate.

I urge the Education Minister to intervene and categorically reject development proposals 233-236 of the Western Education and Library Board. In essence, those development proposals will close the fantastic Woodlands Language Unit at Belmont House School in my constituency and split the specialist service into six classes: two will be sited at St Anne's Primary School, two will be at Ebrington Primary School and two will be at Ballykelly Primary School.

I cannot speak highly enough of the wonderful staff and the dedicated facility currently at Belmont. The unit at the school has truly become a haven and a place of remarkable success and advances for the young people who attend and their families. The speech and language unit at Woodlands caters for pupils with specific language impairment that affects between two and three pupils in every classroom. The impact on the speech and language of a young person can be profound. They can be perceived as misbehaving at school when their communication skills are not developed to a level where they can understand instruction. That, in turn, affects their self-esteem, which can be devastating for many at such a young age. These young people are regularly perceived or, indeed, diagnosed as having social, emotional or behavioural difficulties. It can also affect their ability to interact with their peers. According to research, these children are less likely to complete secondary school and more likely to experience long periods of unemployment during adulthood.

Significantly, the impact on mental health can, unfortunately, be severe. Those adults who are affected are also 50% more likely to develop depressive and anxiety disorders.

7.30 pm

That was the focus of the all-party parliamentary group on speech and language difficulties at Westminster at the end of February, when it supported the outcomes of the better communication research programme funded by the UK Department for Education. The programme identified that communication difficulties have a knock-on effect on school readiness, literacy and school performance, and put children at risk of a wide range of long-term consequences for literacy, mental health and employment. We owe it to our young people to have services in place that avoid those outcomes for them. Woodlands is that service.

I want to refer to the consultation response submitted to the Department of Education by the Royal College of Speech and Language Therapists, which has been doing sterling work for a considerable time in supporting parents and children locally and beyond. The college's response states clearly that children with speech and language impairment:

"need speech and language skills to be taught and this requires a communication environment that is attuned to their communication needs".

Having visited the Woodlands unit on many occasions and met parents and staff, I can say that it is the perfect environment and meets the needs entirely, holistically and uniquely, of all the children involved. The unit caters for 40 P1 to P4 children with speech and language impairment. The majority of those are at stage 3 of the code of practice, and 5% to 10% are statemented across Key Stages 1 and 2. Crucially, and more importantly, in going forward in a shared future, the unit is non-denominational, catering for Catholic and Protestant children in a respectful and therapeutic manner, integrated at an early age, which we would all aspire to.

The children attend the unit four days a week and attend their own primary schools on Fridays. A unique feature of the children who attend Woodlands is that they wear their own uniform, which fosters inclusivity and aids in embedding that young person in the unit as well as their own primary school. Four classrooms provide for a maximum of 10 children in varied teaching groups ranging from P1 to P7 but in appropriately matched age groups, a point that I will come back to.

I want again to quote from the Royal College of Speech and Language Therapists' response on the features of the accommodation available at Woodlands:

"The building offers speech and language therapists the opportunity to work alongside teachers in the classroom setting, deliver small language group work and provide intensive speech and language therapy on a one to one basis. Dedicated speech and language therapy rooms enable children with the most complex needs to be withdrawn for individual work in a quiet location away from classroom distractions. The single central site reduces the need for duplication of assessment tests and SLC resources and means that the speech and language therapists only travel to one location."

Development proposals 234 and 235 respectively — that is, to move two classes to St Anne's Primary School and two to Ebrington Primary School — constitute, in the words of the experts at the Royal College:

"a closure of the language unit and not a relocation, as the proposed provision will not replicate existing services for the children and will not provide similar accommodation for the speech and language therapists".

What could be clearer than that?

As for the resources and accommodation available at St Anne's and Ebrington — two fine schools in our city — the Royal College of Speech and Language Therapists shares my concerns, and those of the parents and staff, about the available resources at those proposed locations. We know

that a dedicated unit with a range of facilities is working wonders for the young people who need them, but what is not clear is the ability of the other sites in the other schools to provide that same service.

It must also be said that parents have approached me, having been greatly distressed that speech and language services for young people have, in some circumstances, taken place in a corridor. That is simply not acceptable, and it is entirely inadequate, when one looks at the Royal College of Speech and Language Therapists clinical guidelines on working environments. Crucially, the Royal College of Speech and Language Therapists raises concerns about the impact that new classroom configurations could have.

Working with young people who are grouped according to their primary school classes in groups of primaries one, two, three and four together and primaries five, six and seven together, as is planned, will:

“place additional linguistic demands upon a P1 child with SLI. P1 children without speech and language difficulties are generally not expected to cope with the demands of starting school in a mixed age group class.”

They would be out of their depth, Minister. They would not be able to contend with it, particularly since a lot of the children have autism as well.

The Royal College of Speech and Language Therapists has made it clear in its response that mixed-age group classes will have a negative effect on the outcomes for children, and that is what we all should be mindful of.

Point 36 in the response quantifies the difficulties facing young people in the proposed new set-up. To summarise, children may be expected to cope with three different educational environments in the planned provision: their local school on a Friday; language class on one of the two proposed sites; and the mainstream class on the other two sites. That would be a burden for any young person, let alone those with clearly defined communication difficulties.

Proposal 236 on allocating two classes to Ballykelly is welcomed by the Royal College of Speech and Language Therapists. I welcome the opportunity to widen access to speech and language therapy services, but I share the concerns of parents that it will be a watered-down service. It will be reduced provision, as there are no plans for specific on-site resources at Ballykelly. That will mean that therapists will have to travel and might have no specific space allocation at the school. We know how that can affect the children. As such, that needs to be looked at again. I say that in the context of continuity and consistency of service and having the same speech and language therapist providing that service and training to a young person. A child could be looking at a different speech and language therapist every week. They would not know who was going to be attending them.

I will, if I may, deal with the idea that is being put to many parents of children in Woodlands. It has been put to them that Woodlands is in breach of the law and, as such, should be brought into line. We privately had a meeting with the Minister on that last year. It has been said that children who are not statemented should not be in the confines of a special needs environment. I think that that is wrong, and, Minister, I think that you have it within your

gift to change that going forward. Language units exist on similar special school sites across Northern Ireland in two other areas, and they are not being threatened by closure. Those schools are Killard House School and Harberton school. There is no threat that children who are not statemented will go to those schools or that that unique service is going to close down.

In touching on the Children's Order, I also want to put on record the distress that has been caused by the way in which the Western Education and Library Board (WELB) has dealt with this hugely emotive issue in my constituency. It is most important that the Minister hears that. It is simply unacceptable to me that we are asking parents to put their trust in the WELB to provide appropriate services for children that are anywhere nearly as good as those provided in Woodlands and that we are asking them to simply take the board's word for it. I am not prepared to take the board's word for it. I have found the communication that I have had with the board to be abrasive and cold. I am sure that that is not what the Minister expects from senior officials. It is certainly not what I expect for those families. Hopefully, today will mark a turning point in that attitude.

I place on record my gratitude, and the gratitude of all the children and parents, to the staff at Belmont and the language unit for their professionalism, dedication and support. They have passed the baton to us all in the House to give them the opportunity to preserve the haven that has been created in the city of Derry. I am reflecting and representing the parents in particular here today. Woodlands should not be closed; it should be built upon. Every school should have a Woodlands. Then, and only then, will we prioritise those children who are in need of communication support, and not rigid legislative provisions.

I am sure that we do not aim to strip our city of its single unit, which is much loved by the children and which has become a beacon of trust for families the length and breadth of the constituency and the north-west.

The widely cited Bercow review into speech and language therapy services in the UK concluded that the current service for providing support to children and young people with speech, language and communication needs is routinely described by families as a “postcode lottery”. It is our duty to ensure that that fate does not befall the families and children who use Woodlands or, indeed, any other specialist unit of its kind. Of particular interest is the report's observation that the requirements of children and young people with speech, language and communication needs and their families:

“will be met when, and only when, appropriate services to support them, across the age range and spectrum of need, are designed and delivered”

through what can be described only as a “continuum” of universal targeted and specialist services that are delivered by an appropriate specialist team of skilled and supportive workers.

In conclusion, the strength of feeling on the issue has been put to the Minister in the public petition that I submitted in the House almost a year ago to the day; it was signed by over 20,000 people in my constituency and the area that is served by Woodlands. We cannot ignore that. I invite

the Minister to join the campaign to save the Woodlands speech and language unit and not only reject the development proposals but make changes to legislation so that no other community has to endure the stress and fear that people in Foyle have had in seeking to defend their children's much needed services.

In finishing, I want to quote the Minister of Education, John O'Dowd. He said:

"I am not against change if it makes sense. As the Minister responsible for education policy here, I am determined to make decisions that are in the best, long-term interests of learners."

I ask the Minister now: what is in the best interests of learners at Woodlands? It is the retention of the Woodlands centre. I appreciate that the Minister will meet a delegation with parents in April 2013. However, I urge him again to reconsider that project. Parents throughout my entire constituency and the north-west are championing the centre now because its service is so good.

Ms Maeve McLaughlin: I also welcome the opportunity to speak on this important topic. I want to put on record the contribution that the teachers, staff and, indeed, parents have played in Belmont House school and the Woodlands unit.

There is no doubt that speech and language provision plays a vital role for many children and young people throughout our communities and constituencies. There can be no doubt of the benefit of the provision to the lives of many children. Recently, I attended an event in the House on the benefits of speech and language therapy. Some of the young people had come through the Woodland unit, and the benefits to them were abundantly clear for everybody to see. The talents and achievements of those young people are the result of direct speech and language interventions.

As has been stated, the children who attend speech and language classes at Woodlands are enrolled in mainstream schools in the north-west and attend the facility, as has been pointed out, four days a week. They generally do not have statements of special educational need. I know that the proposer has given his view on the regulations. Children who do not have statements should not access the majority of their education under the management of a special school. That is reflected in legislation, although we can discuss the rights and wrongs of that. However, library boards and schools have a duty to comply with the legislation. As has been pointed out, the issue is subject to consultation. In any decision, as I am sure Members will agree, the needs of children must be paramount.

I am aware that the Minister — hopefully, he agrees with me — is due to visit the unit on 13 March 2013. I am sure that, like many, many decisions that have been taken in and around education, this decision or view will be based on the principle of equality of education for all.

7.45 pm

I call on people to exercise their right to respond to the consultation. I look forward to the conclusion of that process. What is clear is that any decision must be taken on the basis of enhancement of provision, with the child taking centre stage. As with many debates in education,

this must not become about buildings, schools or facilities. It must be about proper and effective delivery for the child.

I welcome the focus from the Department, which I long to see throughout a number of Departments, on early years and early intervention. I also welcome the recent announcement about the nurture units, including one in Holy Family Primary School and one in St Brigid's, which affects our city and many others. It is important to point out that those involved in that lobby were very clear that that was not about the location of the facility but about the quality and provision of service, which, in my view, is an important lesson.

One thing is very clear from the recent child poverty report and the statistics for the Foyle constituency: there is a clear link between poverty and educational attainment. We must, therefore, ensure that processes such as speech and language provision and early intervention programmes are targeted and are outcome-based for all our children and young people. Go raibh maith agat.

Mr Hussey: I apologise for arriving late, Mr Ramsey. I am not as quick on my feet as I used to be. As you can see, I represent two constituencies for the Ulster Unionist Party: West Tyrone and Foyle. There are those who say that I am big enough to represent two constituencies, so here I am again this evening. I always like the opportunity to debate items affecting the city of Londonderry and beyond.

I begin by congratulating Mr Ramsey on bringing this matter to the House this evening. I have spoken to several of my colleagues in Londonderry, and there is no doubting the strength of feeling about the fact that the service at Woodlands language unit has been provided to a very high standard. The unit is currently located in the grounds of Belmont special school in Londonderry. Again, I met those young people when they were here that day as well, and I have to say that it was an honour. Their love of life was there for all to see.

The current plan is to relocate the service to three schools, namely Ballykelly, Ebrington in the Waterside and St Anne's in the city side. That, I understand, will increase the availability of the service and allow up to 60 pupils to avail themselves of the service as opposed to the current 40. I understand that, with that increased provision, there will be an increase in the number of teaching staff. Educational psychologists have recommended the provision of such a service in mainstream education and have highlighted the benefits that accrue in respect of language and social skills. The three proposed sites will also benefit the users of the service, and children from the city of Londonderry, Strabane in my constituency of West Tyrone and Ballykelly in the East Londonderry constituency will benefit from the proposed changes.

Having read the proposals, I personally commend them, as I see the need for an expansion of the service for pupils with additional needs. Pupils from outside the city — again, I note that only 50% of those who currently benefit from the service are from the city of Londonderry — will have greater accessibility, and there will be less disruption to their participation. Pupils from the city itself will also benefit from the proposed expanded service. Benefits from contact with mainstream education are a matter of record that is supported by research. There are models of good practice in the city that have been commended by

the Education and Training Inspectorate (ETI) in the recent past, such as the work undertaken in Lisneal College.

According to the Education Minister, John O'Dowd, the location of a specialised language unit in Londonderry is unsuitable due to the Western Education and Library Board's (WELB) current policy of providing support for children with linguistic disorders in mainstream primary schools. He might not have said "Londonderry" when he said that, but I am sure that he really meant to.

The proposed changes, in my view, enhance the service that is available. It extends the service from one school located in the city side of Londonderry to schools in both the city side and the Waterside areas, with further provision in Ballykelly. The number of staff and places is being increased. That, to me, sounds positive, and for that reason, I am happy to support the proposals put forward by the WELB.

I take my only concern from the Royal College of Speech and Language Therapists (RCSLT). Again, it is the accommodation issue. The college states that, without having seen the detail regarding the proposed accommodation for the speech and language therapy service, it can comment only on its concerns. To date, it has not been informed of whether there will be dedicated speech and language therapy rooms. The RCSLT considers that, without dedicated speech and language therapy accommodation, the children will not receive the same level of provision as they currently receive in Woodlands. That is my major concern. Mr Ramsey covered it as well. I agree wholeheartedly that there should be adequate provision to ensure that the children receive the best possible education. That is the main thing.

Mr Ramsey, I congratulate you on bringing this before the House. I am happy to accept the proposals, with the one concern being the accommodation issue.

Mr McCartney: Go raibh maith agat, a LeasCheann Comhairle. Like other Members, I thank Pat Ramsey for securing the debate. Although the Ulster Unionist Party does not have an MLA in Foyle, it is well represented by Mr Hussey tonight, as has been the case in other Adjournment debates.

I think that all of us have, on at least one occasion, visited the school or have been present at a meeting with the school, the parents, the support staff and the children. That is not the issue; we have to restate that it is not about questioning the standards of anyone. As Mr Hussey alluded to, it is all about ensuring that the needs of children have primacy. Everything that we do has to be guided by the best interests of children. Pat Ramsey and Maeve McLaughlin said that we have absolutely no doubt about the key role that speech and language therapists play in the development of children. We have all seen that, either in Woodlands or from our personal experience.

Where there is statutory provision, professionals and educationalists have to be guided by it. We cannot argue for or be part of a process around legislation and guarantee people certain standards and then not be guided by it or feel that there can be another way around it. Whatever way we progress this, we have to remain focused on our ability to ensure that the needs of children remain centre stage. That should never be reduced.

The Minister is in a process of consultation. That will perhaps limit what he can say here tonight. We have to ensure that the statutory provision is adhered to. That means that, whatever decisions are made, it is about the quality of service being at the highest standards possible. Where that or best practice does not happen, it is our responsibility to step in. Mr Hussey quoted the Minister. I have absolutely no doubt that the Minister will be guided by the principle that, whatever we do, it must be in the best interests of children.

Mr Durkan: Go raibh maith agat, a LeasCheann Comhairle. As an elected representative of Foyle and a resident of Derry, I am well aware of Woodlands, the work that it does, and, most importantly, the children it helps.

For years, Woodlands Language Unit has provided speech and language support for children who do not have statements of special educational needs and are enrolled in mainstream primary schools. The dedicated and hard-working staff have helped hundreds of children with their communicative difficulties at a time, it must be said, when the Western Board and trust area has been historically under-provided with speech and language therapists and treatment.

The unit has changed the lives of those children and their families beyond recognition. I know some of those families and have seen at first hand how children have flourished through Woodlands. The improvement in their communication has been matched by improvements in their confidence and all-round demeanour. The service that Woodlands provides is clearly not broken. That is why it makes it difficult to understand the attempt to fix it.

Over the past year, while the axe has loomed over the unit, I have had increased interaction with parents, staff and children.

In fact, it was a Woodlands pupil who won this year's Voice Box joke-telling competition just across the Hall in the Senate Chamber.

All those I have spoken with and listened to just cannot understand the rationale that would see the closure of a unit with such a fabulous reputation and record of delivery. They wonder why, all of a sudden, the unit's location in Belmont House Special School has been considered unsuitable by the Western Education and Library Board. The proposals to effectively split the unit over three sites have caused even greater concern and confusion, not only to those directly affected — the staff, parents and children — but, as my colleague Mr Ramsey has outlined, the Royal College of Speech and Language Therapists. Many people have asked many questions, and it has to be said that there has been a great degree of frustration at the apparent obfuscation of the board locally.

I echo Mr Ramsey's appeal to the Minister to reject the development proposals that have caused and continue to cause such concern and that, ultimately, may increase difficulties for children, particularly through the mixed age group classes. We would love to have seen and heard all-party support for the retention of the unit today. We appreciate the attention that the Minister has given and is giving to the matter. We are hopeful that he will reach the right decision — the right decision for Derry, for the hard-working and caring staff, for parents and, most importantly, for the children at Woodlands now and the increasing number who will need this kind of help in the future.

Mr O'Dowd (The Minister of Education): Go raibh maith agat, a LeasCheann Comhairle. Development proposals (DPs) were published in the week beginning 21 January 2013 for the relocation and extension of the four speech and language classes at the Woodlands unit to six classes at mainstream primary school locations in the controlled and maintained sectors. I cannot intervene until the development proposals process is complete. I am even limited in what I can say tonight about the development proposals, other than to give the following comments and to assure Members that their comments in the Hansard report from tonight will form part of my deliberations in moving forward.

Publication of the DPs initiated a statutory two-month consultation period, during which any interested parties may make their views known to my Department. As I have said, Members will appreciate that, during this two-month period, I am not in a position to comment on any of the detail associated with the proposals. Nonetheless, I fully appreciate the concerns that parents and local representatives have about the future of the speech and language provision. I also note that there is a divergence of views, even in this debate, about the way forward.

I welcome the views of all interested parties, including those now being expressed by Members. I reassure Members that I am aware of the report by the Royal College of Speech and Language Therapists. I have asked the Western Education and Library Board to provide me with responses to the issues raised in that report, and that will form part of my deliberations when I am coming to a decision on the matter.

As Members will know, I am visiting Woodlands Language Unit tomorrow morning to see for myself the work of the unit and to meet teachers and children attending the unit. As has been said, I have agreed to meet local MLAs and a representative group of parents whose children attend the unit as soon as possible.

I assure all interested parties that my primary concern in assessing the proposals will be the best educational interests of the children concerned. It will not be the needs of institutions. I fully appreciate that all concerned will be keen to learn of my decision on the development proposals, and I will endeavour to reach a decision as soon as possible following the end of the statutory two-month objection period.

I apologise to Members that I cannot say any more on the matter, but I have emphasised that I am in the middle of a statutory process. I have listened carefully to the comments tonight. As I said, Hansard will form part of the evidence that I will deliberate on when making my decision, as will my visit tomorrow and my discussions with MLAs, parents and children at a future date. Thank you very much.

Adjourned at 7.58 pm.

Northern Ireland Assembly

Tuesday 19 March 2013

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

Members observed two minutes' silence.

Matter of the Day

Security: New Barnsley Police Station Mortar Bomb

Mr Speaker: Mr Conall McDevitt has been given leave to make a statement on the mortar bomb found near New Barnsley police station that fulfils the criteria set out in Standing Order 24. Other Members who wish to be called should rise in their place and continue to do so. All Members who are called will have up to three minutes in which to speak on the subject matter.

Mr McDevitt: In opening, I extend my best wishes to the House on the St Patrick's festivities. Unfortunately, the weekend festivities did not start well in Belfast. At 7.15 am on Friday, a vigilant police officer leaving duty at New Barnsley police station noticed an unusual object in the proximity of the station. It turned out to be a viable mortar bomb launching device. That device was intended to kill or maim police officers or anyone else who might have found themselves subject to it, had the perpetrators succeeded in their intent.

An organisation calling itself Óglaigh na hÉireann claimed responsibility for planting the device. I am always amazed when organisations called Óglaigh na hÉireann claim things in Ireland because there is only one Óglaigh na hÉireann, and that is the defence forces of the Irish state. They are the only people who have the right to hold that name. They are the only people with a mandate to protect the citizens of the Republic of Ireland in that name. They have a proud heritage as peacekeepers and as people who serve everyone in their state.

I suspect that everyone in the House rejects those who placed that mortar bomb. They reject them because the PSNI was their target, and the PSNI is a police service that enjoys the support and consent of the great, great majority of people in this part of Ireland. It is a police service with a mandate given to it by the people of this part of Ireland at the Good Friday Agreement, and nobody will ever take that away from it.

I say in conclusion that, if there are those in our society, in any quarter, who feel that they have something to say and disagree with the way that those of us who are elected go about representing them, they should come out of the shadows and allow themselves to be challenged, in private if necessary but in dialogue. The one thing history teaches us is that there is no end possible through violence, that it is futile, that it always fails and that the future of our island and of our little region — this place we call "Northern

Ireland" — is utterly dependent on dialogue, democracy and peace.

Mr Speaker: Members need to continue to rise in their place if they want to be called.

Mr Hussey: I too begin by praising the member of the Police Service of Northern Ireland who discovered this object. I pay tribute to the Police Service of Northern Ireland and to our army technical officers, who risked their life by attempting to defuse the devices. We had a situation where people were intent on murdering either a police officer, a soldier or a member of the public, and nobody has that right.

Mr McDevitt referred to the organisation. I cannot pronounce that name, and I do not intend to attempt to pronounce it. What they are is terrorists. That is what their intention was. They were there to terrorise the people of west Belfast and further afield. In recent weeks we have also had the attack on Londonderry. The people who do this have no mandate, but that does not worry them, because they are continually attempting to undermine this House and this state. That is their intention. However, we must pay tribute to the bravery of those who are prepared to serve in the Police Service of Northern Ireland, and we must pay tribute to our armed services — the army who went to defuse the device. Without them, where would we be?

An explosive device can cause damage wherever it is, and those people went out to kill and maim. The House must reject them, and the people of Northern Ireland must reject them. There are people who know who they are. If we look into this incident and other incidents, we can see a trail that brings them back to the Provisional IRA. We know that explosives that were issued and used by the IRA and ammunition and guns are there, so there is a direct link. I call on anybody in the House and further afield who has any knowledge of these people to bring it to the immediate attention of the Police Service of Northern Ireland, because none of us wants to see these people succeed. Unfortunately, one day they will, and then there will be tears, wiping of eyes and people saying that it should not have happened. Unless we act now, it will happen. I call on all who have any information to take that to the Police Service of Northern Ireland.

Mr Bell: What we have to realise is that men and women today, as they did over the last number of days, have possibly kissed their wife, husband or children goodbye and gone off to work. The job that we as a people have asked them to do is to serve all the people of Northern Ireland in the Police Service of Northern Ireland. We have

to be clear that what we are dealing with today and what we saw with the mortar bomb is an attempt to murder men and women in our society and to murder them indiscriminately by the planting of a mortar bomb, the only purpose of which is murder.

I join those who said that it was the alertness of our police service — in many ways, those men and women never really come off duty — their brilliance and their training that is, possibly, the reason why we are not looking today at the murder of police officers. Mortar bombs are notoriously indiscriminate, and we could well have been looking at the murder of men, women and children who were going about their daily business, never mind having to deal with the traumatic events of funerals being disrupted and children being brought out of school and having to be told by their teachers and parents what had occurred.

The reality is that Northern Ireland has chosen a different way forward that rejects terrorism unequivocally. I believe that that decision is irreversible. The people of Northern Ireland will not choose, in any way, to allow terrorism to play any part in effecting political change.

It is up to everyone to examine their conscience. People are aware of who did this. Human action engineered this event, and somebody somewhere got the material, somebody constructed it, somebody drove the mortar bomb to its destination and somebody primed it. I believe that people will know about this, and an examination of consciences is required.

As a society, the people of Northern Ireland have chosen a different way forward, and terrorism will never be allowed to overrule their democratic will. That said, Northern Ireland is experiencing the lowest recorded levels of violence in any of our lifetimes —

Mr Speaker: The Member's time is up.

Mr Bell: It is important that we continue with that agenda.

Mr Sheehan: Go raibh maith agat, a Cheann Comhairle. I apologise for arriving late in the Chamber.

I want to add my voice of condemnation to those of my colleagues here today, and I reiterate the call to anyone who has information about this mortar attack to bring it to the authorities, to the PSNI.

There is an excellent cross-community project in the area where the mortar attack was planned to take place called the Black Mountain Shared Spaces project. It is aimed at developing the part of the Black Mountain that is bordered by Ballygomartin, Highfield, Springmartin, New Barnsley, Moyard and the greater Ballymurphy area, and it involves people from all those communities working together. That co-operation is in stark contrast to those who have no support whatsoever in the communities. I know that the disruption that took place the other day was shared disruption. Primary schools on the Springmartin and Ballygomartin side had to close, and the Owenvale nursing home for elderly people, on the nationalist side, was hemmed in. People could not come and go, visitors could not get in, and there was disruption to the whole community.

I want to reinforce my condemnation but also to point up the positive. The Black Mountain Shared Spaces project is about people working together. I say to those who are intent on bringing us back to the past, "There is no room

at all for any type of armed actions. The community does not want it. Pack up, go home and go away. You are not wanted".

Mr Ford: I will add a few words in support of the comments that were made by Mr McDevitt and others.

It is clear that those who left that mortar were targeting the Police Service of Northern Ireland in New Barnsley. It is also clear that, as has been said, they caused huge disruption and, potentially, put lives at risk, not just in the New Barnsley and Moyard areas but across in the Springmartin and Ballygomartin areas. They speak for nobody who has any understanding of where this society is moving. It is pleasing to see that the condemnation is unanimous in the House. That needs to be carried from here out into the wider community.

We should all be grateful for the vigilance of the police officer who spotted the device.

We should also be grateful for the good work done by other police officers, the army technical officers and those who had responsibilities, whether in the schools or community facilities, in that area. All of that helped to avoid the disruption and danger becoming greater than it already was. I am not sure whether we should call the organisation responsible Óglaigh na hÉireann or ONH or terrorists, but the reality is that they sought to terrorise a very large section of west Belfast. The fact that they did not do that is due to good work done by people from that local community alongside the Police Service. We should be grateful to all of them.

10.45 am

Mr Allister: I join others in expressing thanks to the PSNI and, in particular, to the army technical officer who successfully diffused this murderous weapon of attack. The murderous attack was no doubt intended for the police station, but those who intended to use that weapon neither knew nor cared whether it would be just police officers that they might target and kill. In such a built-up area with schools and adjacent housing areas, and given the notorious unreliability of mortars, they knew that the prospect equally existed of many, many deaths either inside or outside the police station.

Therefore, one is particularly grateful and glad that we still have the services of the army technical officers; glad that we still have intelligence services such as MI5, which can help to thwart and derail these murderous attempts. However, as has been said, these people need only to get lucky once. Sadly, if they do, this House will be discussing carnage again.

These people are deploying and using the template set for them by the provisional IRA. Indeed, they now take the title Óglaigh na hÉireann. Those who used that title previously were equally usurpers of the lawful authority of the forces of the Irish Republic and were equally terrorists in their manifestation and actions. A Provo template was used in the design, technology and tactics. It was wrong when it was executed by the Provos then, and it is equally wrong today. There was no justification then.

There is no point in talking in glib terms about there being no public support as though, if there were, that would make it right. It was wrong then, and it is wrong now. Terrorism of all shades and all types is always wrong. Sadly, political

responses that pander to terrorism have guaranteed a continuance of terrorism. Let us be very clear: that which was attempted in that area last weekend is no different, no better and no worse than that which was perpetrated for years by those who then reaped the benefits in political concessions.

Mr Humphrey: I thank Mr McDevitt for bringing the matter before the House today. On Friday morning, I received calls from a local clergyman and parents of children at Springhill Primary School, of which I am a governor. When I visited the school at about 8.45 am on Friday, it had already been evacuated, as had the neighbouring Black Mountain Primary School. I

have to say that as I, along with my party colleague Alderman Frank McCoubrey, visited the nearby Cairnmartin nursing home, the schools and some of the hundreds of households that were evacuated, I was simply appalled, because I was able to see the nature of the device that we are talking about today. I was advised by the police that it was a device, which they had seen on many occasions, designed by people connected to the old IRA. We, in the House, all know that those who were involved in planting that device had no thought for life or the community and the people living in it, whether from Springmartin, Black Mountain or the Springfield Road. The device was trained on the police station to kill police officers. It is important to say that the device was detonated. Very fortunately, 6 lb of explosives stuck in the tube, and we are here today talking about something that could have been devastating for that community and for Northern Ireland.

I stayed in the area until close to 9.00 pm on Friday night, and I pay tribute to Belfast City Council, Ballygomartin Presbyterian Church for opening its facilities, the Police Service and, particularly, the army technical services. Given the terrain and the weather conditions, three different robots had to be deployed so the effect on the community was prolonged. Hundreds of homes were affected as were thousands of people. The saddest cases for me were those of an elderly couple with a disabled son who could not get medication to treat their son because they live close to New Barnsley station, and a family who were burying someone who was a father and grandfather and had to walk out of the Black Mountain estate and could not get to the funeral cars.

The events of Friday and of the past number of weeks have shown that Northern Ireland could be on the slippery slope back to murder and mayhem. However, the resolve of the people of that area on Friday was that they are determined that the would-be murderers and perpetrators of evil — because evil people they are — will not and cannot win. We will not allow Northern Ireland to go back to the dark old days.

Executive Committee Business

Budget Bill: Royal Assent

Mr Speaker: I inform the House that the Budget Bill has received Royal Assent. The Budget Act (Northern Ireland) 2013 became law on 14 March 2013.

Assembly Business

Public Petition: Strabane Campaign for Jobs

Mr Speaker: Mr Joe Byrne has sought leave to present a public petition in accordance with Standing Order 22. The Member will have up to three minutes in which to speak on the subject.

Mr Byrne: I thank you, Mr Speaker, and the Business Office for allowing me to present this petition this morning. I am presenting a public petition that requests, on behalf of the people of Strabane, a jobs initiative for a town and district that has consistently felt neglected and forgotten by government since partition.

Unfortunately, Strabane has a national and international image as the unemployment black spot of Europe. The petition represents and reflects the community's anger and frustration at Strabane's social and economic neglect being once again bypassed by government, most recently epitomised by the Agriculture Minister's decision to relocate 800 Civil Service jobs out of Belfast to Ballykelly, even though Strabane ranked first in the assessment criteria. Strabane scored 73, the next on the list scored 59, and the one after that scored 57. The people of Strabane have felt that the Assembly and Executive do not care about the unemployment situation in Strabane and, in particular, the grossly high levels of youth unemployment and lack of opportunity. My office in Strabane was inundated with phone calls and people visiting to complain about that decision. Despite Strabane having the highest score in the socio-economic assessment criteria for the destination of the jobs relocation, that did not merit a favourable decision.

Unfortunately, the people of Strabane feel let down because they had expectations that the devolved Assembly and Executive would not continue with the same pattern of government indifference and neglect that they have suffered for decades. As an MLA for West Tyrone, I am duty-bound to bring to the House this petition of over 2,000 signatures to highlight the genuine sense of grievance and hurt that now exists throughout the Strabane district, and indeed West Tyrone, about government indifference to the plight of my constituents.

It is with regret that I, as an MLA, and the local campaign group have to plead for Strabane to be regarded as a special case once again when it comes to the need for jobs. The community's sense of disgust and annoyance about government in Belfast once again ignoring and bypassing the merited case for jobs being relocated to Strabane is palpable. People are asking why Strabane is being bypassed once again and whether, even with devolution, it will continue to experience economic discrimination. Mr Speaker, I present to you the signatures on this petition.

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

Mr Speaker: I will forward the petition to the Minister of Agriculture and Rural Development and send a copy to the Chairperson of the Agriculture Committee.

Ministerial Statements

Northern Ireland Prison Service Estate Strategy

Mr Ford (The Minister of Justice): With your permission, I wish to make a statement on the Northern Ireland Prison Service (NIPS) estate strategy.

The prison review team, in its review of the Northern Ireland Prison Service, outlined the premise that prisoners can develop and change provided that they are given the opportunity to do so. It also set out the fundamental characteristics of an effective prison system that supports change and promotes desistance from crime.

The development of the prison estate presents an opportunity to create an environment that will promote change and rehabilitation, reduce risk and enhance public safety while providing accommodation that is fit for purpose and provides value for money. The prison estate that we build now will be our prison estate for the next 50 to 100 years. It is essential that we get it right. That is why I wanted to ensure that all responses to the proposals in the outline estate strategy, which was published for consultation last year, were properly considered and evaluated before making any final decisions.

In my interim statement to the Assembly in November last year, I announced a number of key decisions on the prison estate, and I committed to returning to the House to update Members on my final decisions on provision for young offenders and women offenders and the shape of the adult male estate, including a definitive statement on the future of Magilligan prison. Today, I am pleased to be able to bring that update to the House.

I want to take the opportunity to recognise the value that our key partners and stakeholders have brought to the development of the estate strategy. I thank officials in NIPS for their dedication and commitment to developing a strategy for the future and thank our partners in the statutory, community and voluntary sectors for their valuable contribution to the consultation process. I also recognise the positive approach to partnership working that was demonstrated by local councils and business representatives in the north-west, all of which helped to inform my decisions.

The prison review team was clear that although young offenders may be prone to prolific offending and reoffending, they are also capable of change and redirection. Experience has shown a strong correlation between offending behaviour in young people and issues such as poor literacy, language or numeracy skills, or a history of unemployment. Addressing the level of educational need among this group of offenders is essential if we are to improve their chance of rehabilitation and employment upon release. That is why, in November last year, I outlined my commitment to the reconfiguration of Hydebank Wood as a secure college offering young offenders a full programme of skills-based activities to better support rehabilitation and desistance. Building on the vision of the prison review team, my officials, with support from colleagues in the Department for Employment and Learning (DEL), have produced a concept development paper that defines the secure

college model in more detail and identifies how it can best be achieved.

Work to improve the physical environment at Hydebank Wood and make it more conducive to learning has already commenced. New windows, furniture and fittings have been installed, and it is estimated that further improvements will be completed over the next six to 12 months. However, the secure college approach is more than just bricks and mortar; it is about raising the value placed on learning and skills and changing attitudes to offender management through positive engagement and interaction.

The new approach will enhance current multidisciplinary and multiagency working arrangements and result in dedicated, committed and fully trained staff, with the capacity to offer one-to-one interventions where needed, working with young offenders to support and encourage learning and development. Central to this will be the introduction of new professionally qualified custody officers, the upskilling of existing staff and the implementation of new and improved procedures to ensure that the individual needs of young offenders are identified and met. Engagement with statutory, voluntary and community services that can support young men on release from custody will also be routine.

At the heart of the secure college approach will be the introduction of a revised learning and skills curriculum that will focus on providing essential skills, including literacy, numeracy and ICT, as well as life skills, employability skills, vocational training and recreational services.

Consultation with trade unions and other key stakeholders is ongoing, and it is anticipated that the new curriculum will be introduced in 2014.

11.00 am

I am also pleased to announce that Paul Norbury, a governor with extensive experience working in the National Offender Management Service, will take up his appointment as governor of Hydebank Wood in April and will provide the necessary leadership and inspiration to deliver the secure college model.

My officials, in partnership with the Probation Board, have also been exploring what additional support and services might be put in place to manage young offenders in the community to enable them to benefit from multiagency co-ordinated services to contribute to their successful resettlement. The Probation Board for Northern Ireland (PBNI) has reviewed models of best practice for a multiagency approach for young offenders and has identified the resources that will be required for delivery, the potential target offender group, geographical location and potential stakeholders. I hope to be in a position to launch a pilot scheme in the coming months.

I have said before that prison should be used only when it is absolutely necessary and for the most serious and violent offenders. This is particularly true for women offenders. As a group, women offenders present low levels of risk but high levels of vulnerability that the justice system is not well placed to manage, particularly in relation to mental health, substance misuse and previous abuse. There is broad agreement that there should be significantly fewer women in custody and that it is far more effective

to support women in the community to address the many complex issues associated with their offending behaviour.

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

Work to refresh the women's strategy and to put in place new actions aimed at reducing offending among women and to divert women away from custody is well advanced. This work has been shaped by engagement with a range of stakeholders, including women in the justice system, and my officials will continue to work with partners in the statutory, community and voluntary sectors to further develop and enhance existing supports and services.

The PBNI-led Inspire model, widely praised for its innovative, flexible and dynamic approach to reducing women's offending through targeted community-based interventions, is now well established in the greater Belfast area. It has also been successfully rolled out to the mid-Ulster and the north-west probation areas, and plans are in place to extend its reach to Ballymena and north Antrim during 2013-14. I want to make the Inspire model available across all of Northern Ireland so that this women-centred, community-based approach becomes the norm when dealing with women's offending.

For some women, secure custody will be the only proportionate response, but I have been consistently clear that the existing arrangements for women prisoners are not appropriate. This view, which is widely shared by stakeholders, was reinforced during the full inspection of Hydebank Wood, which took place in February. That is why I have committed myself to establishing a new separate facility for women offenders, combining both custodial provision for those who require secure custody and facilities for those for whom a community-based approach is more appropriate. My officials, working with colleagues in PBNI, are in the process of developing options in respect of the shape and size of the facility. A number of options for its location, including three areas on the existing Hydebank Wood site, are being considered. Subject to the approval of business cases and funding being made available, it is envisaged that a new facility for women offenders could be established as early as 2018.

In a more recent development, I have been made aware that the Probation Board intends to vacate Alderwood House, located in the grounds of Hydebank Wood. This presents an ideal opportunity to provide step-down accommodation for women prisoners who have been assessed as suitable for working in the community, and I have asked my officials to consider, as a matter of urgency, what future use might be made of that site. Progress has been made, but more needs to be done to identify the work that would be required to bring the building up to standard. The existing building would provide accommodation for up to six women, subject to planning permission. A design team has been asked to consider options to extend the building or to build additional accommodation on the adjacent land.

Last month, I officially opened the new 120-cell accommodation block, Quoile House, at Maghaberry prison. The opening of Quoile House marks the beginning of a new approach to the development of the prison estate and is consistent with the strategic aims of NIPS to provide safe, secure accommodation, to reform and modernise the service, and to reduce the risk of reoffending.

Alongside the aim of creating an environment that encourages positive change by offenders, the estate strategy recognises the priority of the need to address the issues of overcrowding at Maghaberry. Good progress is being made toward the development of an additional 360-cell accommodation block. It is anticipated that construction of the new block will commence in late 2014.

The creation of this additional accommodation will not only ease accommodation pressures and lead us closer to the goal of reducing shared accommodation but enable NIPS to implement, on a phased basis, my earlier commitment to reconfiguring Maghaberry prison into three discrete areas — for remand prisoners, low- to medium-security sentenced prisoners, and prisoners requiring high-security accommodation — with appropriate support regimes and security for each. I believe that by moving towards a culture that relies more on dynamic security and less on physical security measures, we can develop a security regime that is proportionate to the risk presented. It will also help facilitate the delivery of better-tailored regimes to specific groups of prisoners and reinforce work to rehabilitate offenders.

The remand area will focus on the safe and effective committal and assessment of offenders; the provision of short or modular interventions, courses, work and programmes; and practical resettlement initiatives with considerable external support. Some of the existing facilities at Maghaberry will provide accommodation for low- to medium-security sentenced prisoners, and we will continue to provide step-down facilities for life-sentence prisoners.

It also remains my intention to create a discrete high-security facility, which will include provision for both separated prisoners and prisoners from the integrated population requiring high security. Work to convert the existing accommodation at Bush House and Roe House to a high-security facility will commence in early 2015. This will enable the Prison Service to deliver a regime appropriate to the prisoners held there, while allowing the remainder of the prison to develop a more dynamic regime, with appropriate staffing arrangements, that meets the needs of those prisoners not requiring the highest levels of security.

It is well-established that maintaining family contact is an integral part of effective resettlement. It helps prevent reoffending and contributes to the reduction of intergenerational offending. The existing facility at Maghaberry is not fit for purpose. I have asked officials to consider options for a replacement visits facility that will be more conducive to addressing and maintaining family links. Subject to the availability of funding, this work will commence in late 2015. In the meantime, plans are in place to commence work to refurbish the existing visits area at Maghaberry. This will provide families with a more positive visiting experience and encourage family contact.

The prison review team observed that the closure of the prisoner assessment unit left an important gap in custodial provision. In recognition of the importance of managing the difficult transition between prison and community, particularly for prisoners who have served long sentences, I indicated my intention to redevelop the prisoner assessment unit located on the Crumlin Road as a working-out unit for prisoners approaching the end of their sentence. As an interim solution, a business case for the refurbishment of the existing site is nearing completion.

Subject to approval of this business case, work will commence later this year. I intend to review this provision after a year, at which time I will, if I deem it necessary, consider options for a rebuild on the existing site.

I have been consistently clear that my decision on the future of Magilligan prison needs to be based on what is best for the people of Northern Ireland in terms of enhancing public safety through reducing offending. In November, I indicated that I was inclined towards retaining a prison on the Magilligan site, subject to evidence being provided that issues concerning rehabilitation and family links could be adequately addressed.

Over the past few months, officials in NIPS have been continuing to engage with a range of stakeholders on the issue and have been working with local councils and business representatives from the north-west to consider how Magilligan could be used in a different way to overcome the challenges posed by its remote location. A councillors' forum has been established, and a number of workshops to help identify work and training opportunities in the community for prisoners have taken place.

A number of factors, including the responses to the consultation and engagement with the local councils, have helped shape my thinking, and I now consider that there is a case for the retention of Magilligan. However, much of Magilligan is no longer fit for purpose and has outlived its useful economic life. To that end, my officials have engaged with a number of professional service providers to consider the options for a replacement prison on the existing Magilligan site. They are aimed at delivering a range of fit-for-purpose, flexible accommodation that provides staff and prisoner safety; encourages access to education and activities; and encourages and supports rehabilitation.

A number of high-level design concepts are being considered. Those include the option for phased redevelopment, which would allow the prison to remain open and operate as normal during construction. It is envisaged that key elements of the redevelopment will include the replacement of the H-blocks and other ageing facilities; the development of a central activities block; a new entrance building and welcome centre; and a new energy centre. There will also be the creation of a number of independent living units for prisoners nearing the end of their sentence, which will encourage prisoners to take responsibility for their day-to-day routine.

Subject to funding, it is anticipated that the phased redevelopment of Magilligan prison will be completed by 2020. In the immediate term, essential refurbishment and maintenance work will be carried out to ensure that Magilligan meets the minimum standards of safe, decent and secure custody.

In summary, I am today outlining to the Assembly my commitment to bringing forward, over the next 10 years, the reconfiguration of Hydebank Wood as a secure college; the provision of a separate, dedicated facility for women offenders that provides custodial and community services; the reconfiguration of Maghaberry prison, including the development of a new accommodation block and high-security facility; the development of a working-out unit on the site of the former prisoner assessment unit; and the phased redevelopment of Magilligan prison on the existing prison site.

The majority of the expenditure on the extensive capital investment programme required by the estate strategy will fall outside the current 2011-15 Budget period. So, the full implementation of the strategy will be dependent upon the level of funding in future Budget allocations. Although it is difficult to quantify at this stage, it is estimated that the total cost of the long-term redevelopment of the prison estate could approach £202 million. However, it is important to stress that all the projects will be designed and built with a view to maximising the efficient and effective use of staff and facilities, and will, in the long term, result in significant resource savings for the Prison Service.

I thank all who have worked to develop the strategy for the future prison estate and to deliver the achievements to date. I thank my colleagues in the statutory and voluntary and community sectors, who, like me, have a shared vision of a fair justice system, an effective justice system and a safer Northern Ireland.

Mr Easton: I thank the Minister for his statement. I particularly welcome the announcement of the redevelopment of Magilligan, which will safeguard jobs and keep a lot of people in that area happy. That is very much welcomed.

I have two quick questions. First, the Minister mentioned £202 million for the estate strategy. Has he had any meetings with the Finance Minister on that £202 million? If so, could he tell us what occurred at those meetings? Secondly, will he let us know about any estates and land that have not been mentioned in the estate strategy and what the plans are for the future of those sites?

Mr Ford: I thank Mr Easton for his welcome of the announcement about Magilligan. I suppose that he had to get in there before his colleagues from the East Londonderry constituency got in on the act.

The costings I gave, of £202 million, are, at this stage, very much a broad estimate. As I indicated, the expenditure will largely lie outside this expenditure period. There will be significant issues to be considered, including, for example, whether the Department of Justice budget remains ring-fenced. So, I have not yet had any detailed discussions with the Finance Minister, although I suspect that there will be interesting issues to discuss.

As for other bits of the estate not mentioned, I can only assume that he is referring to the college at Millisle. It is well established that the college at Millisle will close and the site will be sold when the Desertcreat public service safety college becomes available for the Prison Service, Fire Service and Police Service.

Mr McCartney: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Gabhaim buíochas leis an Aire le haghaidh an ráitis seo ar maidin. I thank the Minister for his statement and welcome it. I note that, in his opening paragraphs, he quoted the prison review team. As he knows, that is the sort of basis on which we are guided in all our deliberations around this.

11.15 am

I note, in particular in terms of the announcement about Magilligan, that the Minister said last November that he was:

“now inclined towards retaining a prison on the Magilligan site, subject to evidence being provided

that issues concerning rehabilitation and family links can be adequately addressed.” — [Official Report, Bound Volume 79, p335, col 2].

Is the Minister now satisfied about that or can he give us a timeline for when he believes that the councillors’ forum will leave him in a position that not only has he evidence but he is absolutely convinced that what led to the prison review team’s conclusion about Magilligan is adequately addressed before any announcement of a newbuild?

Mr Ford: I thank Mr McCartney for his comments. The issue around family links was highlighted by the prison review team in the way in which Magilligan is currently used, namely as a prison for those serving custodial sentences from all parts of Northern Ireland, and the difficulty that creates.

By looking at the issue of those prisoners where there are no particular family links to be maintained and the potential for developing the prison’s use, concentrating there more of those who live close to the north-west area in general — whether they be from Derry, Coleraine or further afield — there are opportunities to develop the use of Magilligan. It is also clear that there needs to be a strong engagement with businesses and local councils in the north-west to show that there is a willingness to have people playing their part in providing the rehabilitation opportunities that are a key part of the work that needs to be done in the Prison Service generally. If that can be done, Magilligan will be able to serve a very useful purpose.

Mr Dallat: I also welcome the statement, particularly in relation to Magilligan. Of course, the jobs are important but the inmates at Magilligan also stand a much better chance of addressing serious problems with literacy and numeracy.

We do not know what sentence the Minister will serve as Justice Minister or, indeed, why he was given the sentence. However, will he assure the House that this is not pie in the sky and that, come 2015, the ground rules will be there and we can be assured that there will be a new prison at Magilligan?

Mr Ford: I am grateful for Mr Dallat’s opening remarks. I thought that it was clear why I am serving this sentence — because the House gave it to me by a majority verdict.

The plans are most certainly not pie in the sky. As I highlighted, however, there are issues around finances that need to be met, and there will have to be engagement on that as we look into future spending review periods. Unless Mr Dallat has more information than me about the mind of the Chancellor, I am not sure that I could give a commitment that the money will be available. We will seek to do all that we can in the timescale within which we believe it is possible. However, it is my intention that we will proceed as fast as possible with all the plans that I outlined today.

Mr Elliott: I thank the Minister for his statement, and the Magilligan part in particular. Some months ago here, the Minister indicated that the buildings at Magilligan may be partly retained and a new block built. According to his statement, however, it appears that it will be a complete newbuild. What changed the Minister’s mind on that and is that a more or less expensive option?

Mr Ford: Mr Elliott raises a fair point about the capacity of the site as it exists. The reality is that there is simply one accommodation block within Magilligan that is fit for purpose — Howard House. The rest of it is well past its sell-by date. Most of the facilities for workshops and learning and skills are also well beyond their capacity. So, effectively, we are looking at an almost total rebuild within the Magilligan site. However, given the space that is available, it is possible to do that in a way that will enable the prison to continue to function. It is not so much a change of mind as an examination as to the best way of providing services within the site as it exists.

Mr Lyttle: I welcome the vision that the Minister of Justice set out for a prison system that supports change and reduces crime in Northern Ireland, and for setting out clear actions that he will take over the next 10 years.

As a member of the Committee for Employment and Learning, I heard only last week from the Northern Ireland Association for the Care and Resettlement of Offenders (NIACRO) that central to reducing offending and crime in Northern Ireland will be improving the education and employability of young offenders. I commend the Minister for the action he has taken to create a secure young offenders college at Hydebank Wood. Will he reassure me that he will continue to work with the Minister for Employment and Learning and organisations such as NIACRO to ensure that the skills, training and careers guidance that we give to young offenders are relevant to the jobs available and needed in our economy?

Mr Ford: I thank my colleague for welcoming the statement in slightly broader terms that go beyond Magilligan. There has been useful engagement with DEL officials and, indeed, the Minister for Employment and Learning, who is always very amenable to suggestions that I put to him.

The Member also highlights the positive engagement with organisations such as NIACRO. Much of the good work that is done around the rehabilitation of offenders involves liaison with a significant number of voluntary organisations, of which NIACRO is merely one of the most prominent. As we look to the development of some of those plans, particularly around Hydebank Wood, I think that we will see the opportunity to extend that.

We have also had discussions with businesses that could be interested in providing opportunities for young offenders and women offenders in Hydebank. So, with a commitment from DEL and the Department of Justice, and both Departments working together alongside business and the voluntary sector, there is a real opportunity to make a success of the college proposals.

Mr G Robinson: Will the Minister give assurances that he will ensure that Northern Ireland firms are employed, as far as possible, in the proposed construction of the new facilities to create much-needed permanent construction jobs in Northern Ireland and in my East Londonderry constituency, which has suffered so many job losses in recent years?

Mr Ford: I cannot give Mr Robinson the full assurance that I suspect he wants. There will be certain issues relating to the size and scale of contracts, which may have to be advertised in the European journal. I can certainly give an assurance that justice has been done for the college at Desertcreat. Everything will be done to ensure that

apprenticeships are provided and that people are taken from the unemployment register. It will be a matter of seeing exactly how contracts are configured and what can then be put into the detail of that. I am fully aware of the issue, but there are requirements of European and UK law that mean that we cannot necessarily be so specialised and local as the Member might wish.

Ms McCorley: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Gabhaim buíochas leis an Aire as a ráiteas ar maidin. I thank the Minister for his statement this morning. Anne Owers's report highlighted the fact that facilities for women were very poor; women have been poorly served by the prisons estate over the years; women are a small group in the prison population but mostly comprise vulnerable people; women were inadequately provided for; and there was a requirement for a new prison. I find it disappointing that the plans for the new women's prison are couched in the statement in vague terms compared with the plans for other prisoners. Will that be reviewed? What interim measures can be taken to improve facilities for women?

Mr Ford: I am disappointed that Ms McCorley describes the proposals as vague. The fact that we are actively looking at alternative sites for a facility for women and are developing the concept that will combine custodial facilities with community facilities, which builds on the Inspire model and on experience from which Dublin and Glasgow have lessons to teach us, are perhaps not as specific as she might have hoped, but I certainly do not think that they are vague. There is a clear intention and direction.

As we look at the options, particularly for developing other areas on the Hydebank site, it should be possible, in the relatively near future, to have some firm proposals that will build on the options for different sites that I outlined and the option of step-down facilities, and building the Inspire model into that. That is a very clear direction. I fully acknowledge that the current facilities in Ash House are well short of what we regard as appropriate for women prisoners.

Mr McQuillan: I thank the Minister for his statement this morning, particularly the detail on the newbuild at Magilligan and the phased redevelopment of Magilligan in the meantime. When will that begin, Minister?

Mr Ford: I am not sure that I can give the precise timescale that Mr McQuillan is seeking. There are a number of different aspects to how we may look at the Magilligan timescale, but there are areas of work that need to be done simply to make some of the current accommodation, if not exactly fit for purpose, better than it is currently. We will seek to do some work on those areas fairly speedily. The key issue is to get plans under way for proper redevelopment. The issue is that there will have to be a balance between what is spent on short-term remedial work and the long-term development of our plans.

Mr Lynch: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Gabhaim buíochas leis an Aire as a ráiteas. I thank the Minister for his statement. Minister, you mentioned a councillors' forum. What is the make-up and remit of the forum? Has it met? Is there a budget to identify work and training opportunities in the community?

Mr Ford: I can inform Mr Lynch that the councillors' forum grew from discussions that originated when a delegation from Limavady Borough Council, Coleraine Borough

Council and Ballymoney Borough Council came to speak to me to make the case, as they saw it, for the retention of Magilligan prison. Prison Service representatives and I put back to them the case that any justification for its retention would be on the basis of providing useful opportunities for family links and working opportunities for rehabilitation. The forum is working with the Prison Service. It is not a particularly formal body, and I do not know whether it will ever be put into statute. However, it offers an opportunity for the Prison Service to engage with local representatives, in the same way as it engages with local business, to see what the opportunities are to make the best use of Magilligan prison, its location and the facilities in the immediate vicinity to aid the rehabilitation of prisoners.

Mr A Maginness: I welcome the Minister's statement, although my welcome is tempered by the uncertainty surrounding future funding. Nonetheless, will the Minister expand a little on how the new curriculum will be provided in the secure college at Hydebank? Will it be provided in-house or by a regional college?

Mr Ford: I thank Mr Maginness for his welcome, and he raises a significant question. The details of the best way to provide the appropriate learning and skills curriculum are being explored.

I believe that, just as when the Prison Service decided a few years ago that it was not best placed to provide healthcare, and arrangements were made to outsource it to the South Eastern Health and Social Care Trust, the learning and skills agenda would be better provided by a specialist organisation. That is being discussed with the Department for Employment and Learning to see the best way in which we could manage that. There are tendering issues that might have to be taken into account. It may be simplest if it were simply outsourced to one of the local regional colleges. That is certainly a key potential option. Although the detail has not been fully worked out, it is being worked through.

Mr McCarthy: I also welcome the statement from the Minister. This is a good news story that should, when implemented, be a win-win situation for everyone.

It is obvious that the consultation process has been taken very seriously, not only by the Minister but by the Prison Service. It demonstrates the value of engaging with all of the stakeholders all of the time. Will the Minister confirm to the Assembly that he and his Department will continue with that approach as the prison strategy is implemented over the next number of years?

Mr Ford: I thank my colleague for the compliment. As I have said on a number of occasions, when the Department of Justice conducted consultations, they were genuine and open. I am not sure that, at the first meeting that we had with a group of councillors from the north-west, that was entirely believed. Indeed, one gentleman told me that I had my mind made up to close Magilligan prison. I hope that, today, he realises that that was not the case.

I see Mr Robinson, on the DUP Benches, smiling. He can perhaps take that back to his colleague and tell him that that was not the case.

11.30 am

The reality is that it was an open consultation. It certainly happened on the basis of the PRT's recommendations, but

it sought to find the best way forward for Northern Ireland in the current circumstances. It has produced a result that is different from the initial suggestion by the PRT because of the strength of the responses and the detail that went into the consideration of those responses. I am happy to say that I intend it to be the policy of the DOJ to do consultations in a meaningful way.

Mr Allister: I welcome the Minister's direction of travel on HMP Magilligan, and I congratulate those who campaigned for its retention.

I would like to ask the Minister for clarification. In his statement, he said:

"A number of high-level design concepts are being considered. Those include the option for phased redevelopment".

This suggests that there are other options, and yet, in his summary, the Minister committed to the phased redevelopment. So, is there an absolute commitment to phased redevelopment, or is he considering something else in parallel with that? Can he assure us that within this budgetary term he will make the commitment on the design and the necessary works that will enable capital grants to be availed of in the next budgetary term? In other words, will he nail down now his commitment to the future?

Mr Ford: Again, I thank Mr Allister for his complimentary remarks. I said that I did not think that anybody who does not know the full mind of the Chancellor of the Exchequer can be certain of exactly where we stand in respect of the next Budget period. It would be a foolish Minister who said that he could give an absolute guarantee about what will happen. I certainly know what our intention is and what we will seek to do, but we can be sure only when we get the detail of the budgetary processes and when certain things are determined, such as whether justice will remain ring-fenced or be included in general Executive funding. Therefore, it simply is not possible to give a hard and fast determination at this stage about what will happen during the next CSR period.

Mr McClarty: I heartily thank the Minister for this morning's announcement. It is terrific news for the people in my constituency of East Londonderry and beyond. When the review of the prison estate was first announced, it was suggested that Magilligan was on the list for closure and we were not going to enter into real consultation. The Minister, of course, assured us that that would not be the case and there would be real consultation, and so it has proved. So, I thank him for being a Minister of his word. Will he confirm that the award-winning rehabilitation programmes that are in place at Magilligan were one of the key aspects for him in coming to his decision?

Mr Ford: After adulation such as that, I certainly should thank Mr McClarty for his question and acknowledge the role that he and others in the three councils played in putting together a sufficiently good case to ensure that we could see a future role.

One of the key issues was the work done around learning and skills training at Magilligan, which has always been a positive. One of the disadvantages that Magilligan tends to have, of course, is that, frequently, prisoners are not there for very long. It was exceptionally good to see some of the work done at Magilligan during my visits there. That was one of the key factors that showed its positive sides. The

important thing will be to tie the work that is done in the prison to the opportunity outside for learning, skills training and job activities, as prisoners near the end of their sentence. That is a key part of the work that we look to do in consultation with local business and local councils.

Mr Humphrey: I apologise to the Minister for missing the early part of his statement to the House: I was at a Committee meeting. As a Member for North Belfast, I congratulate the Minister on his decision to retain the prisoner assessment unit at Crumlin Road. I welcome that decision and commend the Minister for it.

Youth crime and offending is obviously a serious issue. Will the Minister advise the House how the enhanced family visiting facilities that he plans for Maghaberry will reduce intergenerational crime?

Mr Ford: I thank Mr Humphrey for identifying the working-out unit on the Crumlin Road. I think that he is the first Member to mention it. We had to go through quite a number of issues before we got there, so I thank him for that.

The issue of how prisoners relate to their family in preventing the continuation of crime into further generations is not always recognised. There is no doubt that, when our visiting facilities are not particularly good and there are limited opportunities for families to have the contact that they would wish, that can create further difficulties. It can perhaps lead to difficulties with children not receiving the attention that they would otherwise have from a parent in prison. A key part of making things different is the provision of the best possible facilities to allow those visits to take place and enable family contacts to be maintained in a way that allows parents to play their parenting role.

Shortly after I became Minister, I opened the facility at the back of Ash House for extended family visits. It allows women in custody to have visits from children somewhere other than simply in the main visiting centre. That is an example of what can be done for women. It is important to also allow men to have the opportunity for extended and extensive contact with their children. The facilities that we have, which tend to be rather crowded and cramped, do not meet the best needs of families.

Mr Wells: I think that most people in the Chamber would agree that the decision on the prisons estate is a balanced one that will generally find a very favourable reaction. Although I am happy with what the Minister has announced, I am most concerned about the comment that he made to Mr Robinson. He said that he would have the same flexibility in contracts as he had with Desertcreat. As he knows, I am extremely concerned about how restrictive some aspects of the Desertcreat contract were. Will he give the House his assurance that he will ensure that the contract for this huge project, which will bring jobs to so many, will be flexible enough to ensure that every builder in Northern Ireland who has the skills and experience can submit a bid? It would be criminal — if you do not mind me using the word — to exclude any potential contractor with the skills from the project because he has been too specific in the materials and design.

Mr Ford: I fear that Mr Wells is trying to drag me into areas that are more properly for the Minister of Finance and Personnel. I think that he is also a little uncertain in his description of how contracts were awarded for Desertcreat; I am not sure that they were always as

precise as he feels they were. I will certainly give a commitment that, whenever I have any responsibility for contracts, I will ensure that they are as open as possible to allow local businesses to compete. However, I do not know whether I could guarantee that every local building firm will have the opportunity to compete for contracts of that scale. The important thing is to see that, within the limits of competition law, we do as much as we can to encourage the provision of local materials in the contracts and see that there is provision of local jobs, including, in particular, apprenticeships.

Transforming Your Care

Mr Poots (The Minister of Health, Social Services and Public Safety): With your permission, Mr Deputy Speaker, I wish to make a statement to the Assembly on the outcome of the consultation exercise on the proposals contained in 'Transforming Your Care: Vision to Action'.

Members will recall that I first presented the 'Transforming Your Care' (TYC) report to the Assembly on 13 December 2011. Since then, considerable work has been taken forward to develop the proposals into detailed plans that will provide the basis for the transformation set out in TYC over the next three to five years. Those draft plans were made available publicly when I made my statement to the House in July 2012. Following a process of quality assurance, I announced the launch of the public consultation to the Assembly on 9 October 2012. The consultation closed on 15 January. I now want to share the outcome with Members and outline the key stages, moving forward.

First, let me remind Members what Transforming Your Care is about and why reform is needed. In Northern Ireland, as in all health and social care systems, there are significant pressures that can be addressed only by radical change: a growing and ageing population, a growth in chronic conditions, a growth in demand and an over-reliance on hospital beds. There are also advances in medicines and technology that require us to innovate. We need to address growing public expectations on the need for high-quality and compassionate health and social care services.

The 'Transforming Your Care' report presented a compelling case for the reform of health and social care services and demonstrated a clear need to tackle the demand for services, which is predicted to continue to grow by around 4% a year until 2015. The report set out strategic proposals that have the potential to make a huge difference to how we plan and deliver health and social care services both in the medium and the long term. It described a new model for the delivery of integrated health and social care services focused on prevention initiatives, early interventions and promoting health and well-being. It also highlighted that more services should be provided in the community, closer to people's homes, where possible, and that there should be more personalised care.

As I said in the House on 13 December 2011, in setting my vision for health and social care services, my overriding concern was to drive up the quality of care for clients and patients, improve outcomes and ensure that the patients and clients of our services have the best possible experience in every aspect of their care. I have not wavered from any aspect of that. I was clear when I made that first statement, and I remain clear now that we need to think differently about how and where we deliver our services in the face of increasing and changing demands. We need to stop doing things that do not work, challenge out-of-date practices, ensure the best value from every penny available to us and maximise the use of our skills bases, particularly in prevention and early intervention.

The Francis report provides a stark reminder that quality of care must consistently be at the front and centre of all that we do. We all want the best care for our families, and that means care that is focused on achieving the best outcomes for our patients and service users. That is embedded in the aims of Transforming Your Care and is at

the core of my vision for our health and social care system. In the face of those pressures and the compelling need for change, I believe that local commissioning has a critical and powerful role to play in driving change and innovation. We need to ensure that care is provided in the right place, at the right time and by the right people. That means providing care nearer to the home and shifting services from the secondary setting to the primary and community setting.

Everything that has come to attention since the launch of the consultation reinforces the need for change. That is what TYC was about. At its simplest, it is about basic good management and planning. Unplanned change and a lack of preparation will inevitably result in poorer care and treatment, with poorer health outcomes. Without a planned and coherent approach, we will be unable to meet future health needs and will fail patients and our workforce.

Healthcare is universal. It is one of the few things that touch the life of just about everyone in our population. The TYC proposals present a landmark change in the delivery of that care. Therefore, to drive change, we needed to listen to patients, carers, doctors, nurses, staff, managers and, indeed, to everyone who felt they had something to say on the future delivery of health and social care. That is exactly what we did.

In October, I launched 'Transforming Your Care: From Vision to Action'. I asked people to seize the opportunity to make their voice heard as part of the consultation. After three months of engagement, during which every household in Northern Ireland was offered the chance to take part and thousands participated through public meetings and social media, the Health and Social Care Board (HSCB) has captured, analysed and summarised the public responses in the post-consultation report. That was published today and is available on the HSCB website.

I have been heartened by the reaction and the public endorsement of the transformation proposals. It was very encouraging to see the number of professional bodies, voluntary and community sector representatives and other representative groups that took the time to canvass their membership and respond to the proposals. I am grateful to all those who took the time to respond to the 'Transforming Your Care: From Vision to Action' consultation.

11.45 am

The consultation revealed overwhelming support — 97% of those who responded to the questionnaire — on the need for change. It also provided insight into the concerns of those who provide the services and those who use them. The post-consultation report that the HSCB has produced details the board's proposed responses to the views expressed in the consultation. There are areas in which, I believe, it is important to take immediate action now to drive transformation in key areas. In some other areas, we need to take some time to reflect on the views that have been expressed before final decisions are made. I will say more about those shortly.

Let me be absolutely clear that I do not want to see the transformation process slowed down in any way. Time is not on our side, and we need to take action now to effect the changes that are so critically needed. I intend to ensure that that happens.

The consultation exercise has demonstrated that there is clear support for the concept of changing the way in which health and social care is delivered in Northern Ireland. In many areas of the consultation, the majority of respondents endorsed the need for change but also highlighted important issues that needed to be addressed to ensure effective transformation. For example, there was recognition of the importance of promoting health and well-being and early intervention, building on 'Fit and Well', the 10-year public health strategic framework for Northern Ireland. The importance of the implementation of existing strategies and plans such as 'Living Matters, Dying Matters: A Palliative and End of Life Care Strategy for Adults in Northern Ireland' and the continued implementation of the Bamford review were also highlighted.

Consultees also highlighted the importance of early, local intervention in relation to mental health issues, and, in that context, I am pleased to say that it is intended that some £13 million will be invested over three years to 2014-15 to support the development of community care, prevention and early intervention activities and to continue the resettlement of existing long-stay residents.

I am also pleased to advise that the HSCB now has plans in place for the completion by 2015 of the resettlement of those with learning disabilities who are in long-term institutional care. It is intended that £20 million will be invested over three years to cover the resettlement programme, as well as in services to support the development of community care, prevention and early intervention activities. Care will, of course, be taken in resettlements to ensure that it is done sensitively and in consultation with the individuals and their families.

As well as endorsing the need for change, the consultation highlighted several overarching issues that need to be addressed to ensure full and effective transformation. They include the need to enhance our support for carers. Consultees told us that we needed to provide more information and more support and to ensure that carers' needs are considered fully when designing services. I will look to the Health and Social Care Board to ensure that that happens. I can inform the House that, at this point, targets have been developed and set for 2013-14 to monitor the number of carers identified, the number of assessments offered and the number accepted. In addition, £500,000 has been invested to encourage innovation in respite and short breaks.

The need to ensure that new service models are adequately funded and established before the withdrawal of any service was also highlighted. That will need to be at the heart of the planning process moving forward so that, from a whole-systems perspective, the transition to new arrangements will be as seamless as possible. I also want to assure our service users that, even though I am announcing today a further step towards the implementation stage of Transforming Your Care, there will be no major service change without further specific consultation, where appropriate.

Our workforce is key to our health and social care services. It is the single most important enabler for the delivery of transformation. We have a workforce to be proud of, and it is incumbent on us to make sure that we make best use of it in this new model of care. It will be absolutely key to the success of this transformation that

we give priority to ensuring that our staff are fully informed of service changes through meaningful engagement. We already have a regional workforce planning group to co-ordinate that important work. A key element of that work will be the assessment of the implications of the proposed changes for training and development for various professions. A service and workforce planning tool will be introduced for use across all health and social care organisations to assist in that process. We need full and effective planning to ensure our workforce is equipped and trained to work in a new environment, where that is the case.

A further important issue that was raised was the need for more co-ordinated, cross-governmental working to monitor the impact of proposed welfare reforms on the lives of some service users and their health and social care service needs. Others have suggested that there should be closer working with local government or other bodies to improve service delivery and to tackle health inequalities. I agree fully that there are important issues that require attention to ensure the effective and co-ordinated delivery of services. Good communication, working together, learning from and encouraging each other are essential for effective service delivery.

One of the key recommendations in 'Transforming Your Care' was the introduction of integrated care partnerships (ICPs). ICPs will enable local health and social care professionals and the voluntary and community sector organisations to work more closely together on a collaborative basis to improve efficient and effective service delivery. These multisectoral collaborative networks will include statutory, independent and voluntary and community practitioners and organisations in their membership. They will come together to respond innovatively to the assessed care needs of local communities, provide support for service users closer to home and avoid unnecessary visits to hospital. Much work has been done to ensure clarity on how ICPs will operate and where they will focus their energies in their formative stage. I have decided that their initial focus will be on the frail elderly and aspects of long-term conditions for all ages; namely, diabetes, stroke care and respiratory conditions. ICPs will initially undertake two key strands of work. At a strategic level, they will focus on improving care pathways locally. At individual level, they will undertake case management for those most at risk, improving their overall care. I expect the HSCB to establish the first nine ICPs over the next few months and all 17 ICPs to be in place by this time next year, providing full regional coverage. To enable this, we intend to invest over £15m in the development of ICPs and the improvement of care over the next Budget period. The leadership of the ICPs will reflect their multidisciplinary make-up.

I am aware of concerns raised by general practice in regard to the proposed revisions to the general medical services contract for next year, combined with concerns about potential workload increases from a transfer of care under TYC from secondary to primary and community care. Each year, there is a negotiation of revisions to the contract involving the four Health Departments in the UK and the General Practitioners Committee (GPC) of the BMA. Unfortunately, it was not possible to reach agreement nationally with the General Practitioners Committee last year, and each Health Department has therefore engaged separately with their respective GPCs on proposed changes for next year. I wish the dialogue

with the GPC in Northern Ireland to continue in an effort to reach an acceptable agreement. I acknowledge the professionalism and efforts of GPs in Northern Ireland. It is vital that they play a full part in the transformation process to ensure that it is a success. That is in the interests of patients, GPs and the health sector as a whole. I want to make it clear that my focus is to secure the best services for patients and clients across Northern Ireland. It is essential that every sector of the health and social care system plays a full and positive role to achieve the best possible outcomes for patients. GPs have an invaluable contribution to make to that process.

A further area that attracted significant interest in the consultation process was the needs of older people. Over 70% of respondents to the questionnaire agreed with the service proposals. However, there was considerable interest in the provision of statutory residential care. Our focus is on delivering better, targeted care for older people, closer to home, that will enable them to stay at home and, where possible, remain independent. This will provide the better services that people want and will reduce demand for residential care. I propose to reduce the number of statutory residential homes by around 50% over the next three to five years. As it stands today, some of our existing homes are no longer able to provide a sustainable service, while others struggle to meet the modern standards expected from the sector and require expensive capital work that would be better spent on models that offer a choice to older people. This does not mean a reduction in residential homes provided by the independent sector. Where there continues to be a demand for those services, they should continue to be provided.

However, the planned reduction in the number of residential homes signals our commitment to thinking outside an institution-led approach to health and social care provision and to considering new opportunities for ensuring that care provision is service user-led and committed to supporting our citizens to stay at home where possible.

The majority of respondents tell us that our older people prefer to be closer to home, and we have set about making that possible. We intend to invest £3.2 million in social care reform, including reablement, over the three years 2012-13 to 2014-15. We will provide an additional 479 supported living places over the same period, and we intend to invest £1 million to train staff in nursing homes to support people at the end of their life.

I recognise the concerns of the public where facilities are proposed for closure. I know that, for many individuals, that is their home and the transition must be managed sensitively and with appropriate consultation with families and carers. As I have stated before, suitable alternatives must be in place before services are removed. I also know that some people have expressed concern about the possibility of having to pay top-up fees if they are transferred to an alternative residential home. I want to assure you that, where a trust is unable to secure a statutory residential place at the core rate of £550 and uses a higher rate place in the independent sector, the trust will pay the difference in costs.

In relation to mental health, 'Vision to Action' proposed the development of six inpatient acute mental health units for those aged 18 and over, with one each sited in the northern, southern, south-eastern and Belfast areas and

two in the western area. It recommended that, following clinical best practice and in order to reduce stigma and ensure good access to acute care, mental health hospitals should be located close to acute hospital provision where possible. Based on those criteria, it was proposed that the second location in the western LCG area would be in the proximity of the new South West Acute Hospital. That matter has attracted a mixed reaction, and, in light of that, I want to take more time to consider the issues raised before I reach a final decision on the way forward. A business case will be produced that fully examines the options. I have asked for that work to begin now.

The proposals on acute hospital care in 'Transforming Your Care' are about putting the patients and service users front and centre in our care provision and ensuring that services are safe, of high quality, resilient and sustainable. Members will be only too well aware of the challenges facing our hospital services, notably in our emergency departments. I acknowledge the good work that has been done towards removing 12-hour breaches, but there is still some way to go. There must be an increased focus on improving the four-hour performance. That is not a target to strive for; it is a standard that users of our system should expect and deserve. We need to make sure that every effort is made to achieve that standard across all our emergency departments. In tackling unscheduled care waiting times, it is evident that it is not a problem that rests solely with the emergency departments. It requires improvement and enhancement across the whole hospital, as well as the improvement of community health and social care services.

Another key issue in 'Transforming Your Care' was the proposal for the development of five to seven acute hospital networks. Those include hospitals of different sizes working with each other to deliver the fullest range of hospital services that we should expect. For our hospitals, the change from an individual institution-based approach to a more sustainable networked approach will undoubtedly involve a change in culture, but that is an essential change to ensure greater engagement and communication and more effective delivery of the services that are appropriate to the secondary sector.

The network approach is by no means new to our hospitals. For example, at the high dependency unit at the Daisy Hill Hospital, the telepresence robot enables intensive care specialists from Craigavon hospital to talk with and support patients in another location. That made national news headlines, and it happened here in our hospital. It is the "without walls" approach that I want to see replicated across Northern Ireland as we work together, not as individual institutions, but as networked services that respond flexibly to our patients' and service users' needs.

12.00 noon

The optimisation of service configurations and locations in trusts and hospital networks will be an ongoing process that will respond to current and predicted needs in a local area. In that context, I am pleased to tell the House that £8 million will be invested in additional cardiac catheterisation services over the current Budget period, and £7 million will be invested in additional orthopaedics capacity in the Southern, Western and Belfast Trusts by March 2015 to reduce waiting times and improve outcomes. We will also

move ahead with the implementation of the proposed neonatal transport arrangements.

It is my belief that, as we secure the major benefits of successful prevention, early intervention and more effective integration with primary and community care, we can expect our secondary care institutions — our hospitals — to evolve and change in response to this shift in the provision of care and treatment. By helping people to stay at home when possible and to access services in their local communities, we will be working to prevent the development of conditions that might later require hospitalisation.

I know that the uncertainty surrounding the future of the Causeway Hospital has been unsettling for patients, service users and staff. There was significant support in the consultation for taking action on that issue. I want to remove that uncertainty and ensure that there is stability in the way forward. For that reason, I am asking officials to begin work now to take forward a detailed options appraisal, as was outlined in the consultation document. It will consider the future management arrangements for the Causeway Hospital and whether it should remain within the Northern Trust or transfer to the Western Trust. That work will begin straight away with a view to completing the appraisal within six months. The responses also indicated that it should include community services.

In my statement today, I have outlined to the House the overwhelming public support for the new service proposals, some of the challenges involved to deliver the transformation and the effort and dedication that will be needed from all involved to provide a safe and sustainable health and social care service that is fit for the future. We must ensure that we keep our service users and patients at the front and centre of this process and that the provision of safe, sustainable, resilient and effective services is in the right place at the right time by the right people.

I ask Members to consider the report and the endorsement for change. I am determined that we will now move forward on the specific actions that need to be taken to implement the proposals, finalise the action plans and engage locally on proposals for specific changes to improve the quality of care in our community.

I commend the statement to the House.

Ms S Ramsey (The Chairperson of the Committee for Health, Social Services and Public Safety): Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for his lengthy statement and for his earlier pre-briefing, which was useful.

In the statement, the Minister states that nine integrated care partnerships will be established over the next few months and the remaining partnerships will come into being further down the line. Where will those nine partnerships be?

He also talked about ongoing negotiations with GPs about their contracts. I am aware that GPs have serious concerns because of the ongoing negotiations and proposed changes to their contracts. Given that under Transforming Your Care, we are talking about more services being brought into the primary care sector from the secondary and acute sectors, does he believe that GPs will be available, and can he secure the commitment

that they will take on those changes, because GPs are vital to this?

The Minister also mentioned acute hospitals and A&E departments. We have heard about A&E departments over the past number of months. He said that improvement and enhancement is required across the whole hospital. Will he outline what has been done on that issue? I agree with him that A&E departments are under pressure because other parts of the hospital do not seem to be delivering or working outside what they see as nine-to-five working hours. It would be useful to find out whether any enhancements or improvements have been made in that sector.

Mr Poots: I will deal with the issues in the order that the Chairperson raised them, the first of which was the locations of the new integrated care partnerships (ICPs). There will be 17 integrated care partnerships located across all the trusts. It is our intention and hope to have at least two running in each trust over the next few months. The Western Trust does not have as many ICPs identified, but there may well also be two there. There will be four ICPs in the Belfast Trust, and we hope to have two of those up and running very soon.

Negotiations on GP contracts continue. In England, GPs were given a take-it-or-leave-it option. We are not doing that; we are continuing to engage in discussions with our GPs. In Scotland and Wales, agreement has been reached on the issues. Hopefully, we will get to that stage in the not-too-distant future. I agree with the Member that it is important that we have the GPs and, indeed, all key service providers on board. GPs have a very important role to play. Therefore, it is essential that GPs remain available to us. I want to ensure that they give us their full support. It is in their interest and that of their patients that we go down this route.

A number of trusts have been able to get on top of the issue in emergency departments. We generally find that the Southern Trust and the Western Trust have very limited numbers of 12-hour breaches and reasonably good outcomes on four-hour breaches. In the Belfast Trust, 12-hour breaches have largely been eliminated this year. The Royal, which was under considerable pressure last year, has really got on top of 12-hour-breaches very well. That is not to say it does not still have its moments, as will every emergency department from time to time.

Antrim has continued to be a challenge for us. Although it has improved, we seek further improvement. A turnaround team in Antrim is supporting the work done there, and it will report to us very soon. The Ulster Hospital has found this year quite challenging, with larger numbers coming through its doors and more people needing admission. We have been more active, particularly recently, in diverting ambulances from hospitals that are under pressure. It has been a difficult enough winter. Our emergency departments have performed better than they did the previous year, which was less difficult in the sense that fewer people required admission, but there is still work to be done on that front.

Mr Wells: The Minister, in his statement, outlined that he intends to close 50% of residential homes over a three-to-five-year period. Undoubtedly, the question in the community will be about which residential homes will close and which will remain open. Will he outline to Members

how he intends to implement that decision? What will be the time frame? When will individual communities know the fate of their residential home?

Mr Poots: Implementation will be a matter for the trusts. If it is identified that some homes are largely respite facilities with very small numbers of permanent residents, their long-term future as providers of permanent residential care will certainly be challenged.

Let us be quite clear where we are going: this is about ensuring that people have the support in their own home to enable them to stay there. That is a choice that people want to have. The creation of 479 new care packages, which will support our frail and elderly to stay at home, is a very important step. The fact that there is not the same requirement for statutory residential care homes means that the situation is considerably better because we are keeping people in their own homes.

I should add that many of the facilities in the statutory residential sector do not meet modern standards. The rooms are too small and do not have adjacent bathrooms. In many instances, people are sharing. We want to do better for our older people so that in their later years they will have a better quality of life. This is not about closing down residential homes, it is about providing a better alternative for people in their later years.

Mr McDevitt: I acknowledge the work that departmental officials and others have put into the process. Today is the day we begin to realise the impact that Transforming Your Care will have on our health service. We know that 180 beds will close in our hospitals and, as the Minister just said, that there will be a significant reduction in the number of beds in residential care homes.

One area that was absent from the analysis of the original Transforming Your Care (TYC) was the impact of welfare reform on the proposed changes. What further consideration have the Minister and the team given to the impact of welfare reform on the future configuration of health services in Northern Ireland?

Mr Poots: With welfare reform, one of the big issues that has come up in recent days has been the bedroom tax. That is not something that will impact on us, because where people require someone to stay with them in their homes they will be covered to have that second bedroom. So, those types of things will not impact on us in the same way.

There is a need for intergovernmental working, and that was recognised in the original TYC report, with proposals focusing on the wider role of the Executive in decision-making that can impact on health outcomes and joint-working areas, such as rural isolation and transport. The recent consultation on our vision to action highlighted the issue of welfare reform and particularly how those proposals will impact on the lives of some groups of service users and, by extension, how they could impact on what they will need from health and social care services.

The post-consultation report highlights the need for ongoing engagement with the Department for Social Development (DSD) and other agencies to ensure that we understand and share plans for welfare reform and housing and for close working with local service providers to continue to engage with local councils during the roll-out of local implementation plans. So, it is important that

that collaborative approach continues so that something does not happen in one Department that has a significant impact on another area of government. Joined-up working is something that needs to be applied to welfare reform.

Mr McCarthy: I welcome the Minister's statement this morning. I reiterate the concern expressed by our Committee Chair on the reliance on GPs as we move forward with Transforming Your Care. The vibes that I am getting from the GPs are that they are very concerned. I note the Minister's optimism and wish him every success in bringing about a fruitful conclusion.

The other issue is acute hospitals. Will the Minister advise the House of progress in reducing the over-reliance on A&Es by ensuring that patients are diverted to more appropriate services, such as minor injuries or out-of-hours, to make more space available in the A&Es for urgent cases?

Mr Poots: As I indicated, we are working with the GPs, and hopefully we will get a package that involves them.

In terms of diverting people away from hospitals, the ICPs will be the bodies that do the most for us. We do not have the answers here on the hill. The answers to problems in the health and social care sector lie with people at the coalface who are working on a daily basis with those who have long-term conditions and those who are unwell. I have great confidence in the individuals who will come forward and represent their various sectors of the health and social care sector to table proposals and ideas that are best suited to the communities that they serve. The solution for inner-city Belfast may not be the solution for west Fermanagh.

We need to have that flexibility in place, and the 17 ICPs will give us the opportunity to do that in a flexible way and will ensure that we identify the solutions that ensure that people are treated, first, in their local community and that hospital is there to provide that skill base and support when the local community health sector cannot meet those needs.

12.15 pm

Ms Brown: I thank the Minister for his statement. I appreciate his update on the integrated care partnerships, when he said that a number are to be started within the next number of months. What money will be available to support the ICPs and how will the money will be spent?

Mr Poots: We identified that we needed around £70 million to deliver on Transforming Your Care. We received an injection of cash in the first year from the Finance Minister — I believe that it was around £18 million — and we will be seeking close to £30 million this year. Some of that will be put towards establishing our integrated care partnerships. We see them as a key item of early work that needs to be carried out, and the appropriate financial support will be provided through this Department. If we can get funding in the monitoring rounds, that will be good and will assist us with it. We will continue with that work.

Ms Maeve McLaughlin: Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for his statement. I note that he confirmed today the closure of 50% of residential care and outlined the £3.2 million for social care, which will include reablement. The Minister's statement says that:

“suitable alternatives must be in place before services are removed.”

What suitable alternatives are in place? Given the increasing levels of dementia across our communities, I urge the Minister to intervene directly in the case of Slievemore House in my constituency and to consider a purpose-built dementia unit.

Mr Poots: My understanding is that Slievemore is not a facility that is fit for purpose and would not pass the standards that are expected nowadays. That will be the case in a number of our residential homes. A lot of facilities that were developed 40 and 50 years ago are no longer fit for purpose, and we should not expect our elderly people to stay in facilities that are second- or third-rate. We want the best options and the best opportunities for our elderly people, and, primarily, that will be in their own home. That is why we have identified the 479 places and why an additional £3.2 million is being pumped in to support people who require that domiciliary support in their homes.

There is, in my opinion, a degree of disconnect between what we are doing and what is happening on the ground. The trusts need to be very clear that this is the route down which we are going, and they need to ensure that the domiciliary care packages that are put in place are fit for purpose. An elderly person may come to me — as they do — and say that they have osteoporosis and all sorts of problems and that the 15 minutes that someone calls with them in the morning to get them dressed is not long enough. If they need 20 minutes or 25 minutes, the trust should provide that.

One size does not fit all, and we need to ensure that the Executive, the Assembly and I, in my role as Minister, respond properly to the community's needs to ensure that the flexibility is there so that the person who is managing the domiciliary care for each trust has the ability to give people that little bit longer if, for example, they need that extra time in the morning and perhaps not as much in the evening. That will ensure that we provide the appropriate care for our elderly people.

Ms P Bradley: I thank the Minister for his very comprehensive statement and for bringing up the issue of top-up fees. As we know, there is great variance between residential and private care, and I welcome the fact that he has said that the Department will pay the top-up fees of anyone who needs to move. He talked about additional support. Can I ask the Minister for more emphasis on respite care and on how we are going to take that forward? We know that that prevents long-term admissions into nursing and residential care, and greatly eases the burden that carers have to bear.

Mr Poots: We know that individuals benefit from convenient services through effective person-centred assessment, care planning and review arrangements. Self-directed support initiatives such as direct payments allow individuals to decide when and in what form they get the services that they want. Trusts are continuing to explore new and innovative ways to provide that personalised support, and I made it very clear in my previous answer that that has to be done.

We need to look at new approaches to respite, including short breaks for clients and carers, day trips and outings, evening groups and one-to-one support in the client's

home. In addition, trusts will have to continue to provide more traditional nursing or residential home placements for respite when appropriate. Again, flexibility to meet individuals' needs is very important, and we perhaps need to ensure that people who are at the coalface and who recognise the needs of the individuals for whom they are providing support and care are unshackled and unharnessed to be able to provide appropriate care.

Mr Brady: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. I also thank the Minister for his statement. Minister, you talked about the need for enhanced support for carers, and you mentioned cross-government monitoring of the impact of welfare reforms. The possible impacts of welfare reform on carers are not yet clear. If welfare reform is rolled out in conjunction or in parallel with Transforming Your Care, will the Minister ensure that, if extra appropriate support is required for carers, who are an integral and important part of Transforming Your Care, it will be available?

Mr Poots: Welfare reform is a decision for the Executive and for the Assembly. The truth is that a lot of us do not like what is proposed on welfare reform. I do not think that any party in this House likes what is being proposed on welfare reform, but we are working against the backdrop that, if we do not like the proposals, we do not have to implement them but have to pick up the tab. If we pick up the tab, what impact will that have on education, health, regional development and everything else?

Although I believe that we can do things to reduce some of the damaging impact of welfare reform, I believe that that involves things that cost in the small tens of millions. If we take out huge swathes of the welfare reform proposals and run ourselves into hundreds of millions, you will see a devastating impact on the healthcare that is provided for our people. Frankly, we cannot afford to take that out of the health budget and put it into the welfare budget. That is not something that Northern Ireland can do, so we all need to work together very rationally to mitigate the more damaging aspects of welfare reform on our community. We all know that many people will be hurt as a consequence of what the Conservatives, which used to be the Ulster Conservatives and Unionists - New Force (UCUNF), and the Liberal Democrats, a sister party of Alliance, are doing. We are all damaged by what is happening, and we must all respond in a way that does least damage to our community.

Mr Buchanan: I thank the Minister for his statement. Of the six inpatient acute mental health units, two are in the Western Trust area. One is in Omagh and has done an excellent job over many decades. In the Western Trust area, the consultants, the nurses and the community are all in favour of the mental health inpatient provision remaining in Omagh, and we are looking forward to the bringing forward of the second phase of the new hospital to facilitate that. What evidence is there for the suggested relocation to the South West Acute Hospital in Enniskillen?

Mr Poots: The Member states a number of groups that support it staying in Omagh. I should also probably say that the Health and Social Care Board (HSCB), the Royal Colleges and Bamford favour it moving to Enniskillen. That is the unfortunate position that I am caught in, and I have to make the decision. We are not at the stage where we can identify that it is one or the other, but there is a course of work to be completed to identify the best outcome. I

know that the Member and some of his colleagues have been lobbying very hard on the issue. We will look very carefully at the proposal to get the best possible outcome for the south-west region.

Mr McMullan: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. I thank the Minister for his statement. Recently, we have heard about hospitals or consultants cancelling hospital appointments. Then we hear how millions have been spent on private healthcare. How does that fit in with your statement that:

“we need to ... ensure the best value from every penny available to us”?

Mr Poots: There are reasons why consultants cancel appointments, and most of them are not because they are at home tidying out their sock drawer. Generally, an emergency operation has come in the previous night, so they are not available the next day. That is pretty understandable. Consultants have to do courses to develop their skills, and the notice of them can come in within three or four weeks; therefore, those are cancelled over a longer period. In general, however, consultants do not cancel without having good reason to do so, and we need to nail that.

I welcome the fact that the numbers have come down in the areas of consultants' cancelling and, indeed, patients' cancelling, and we want to see that coming down further. I am wholly unapologetic for the £52 million that was spent on acquiring additional support from the private sector for our health and social care, because we have driven down all areas of waiting times. Two years ago, we were told of cataclysmic outcomes for the health service but, two years later, we have shorter waiting lists. I think that the Member should be thanking the health and social care sector for that, instead of criticising it.

Mr I McCrea: I thank the Minister for his statement. From his years as a local councillor, he will know the benefit that councils have in reading the opinion of the local community and working with the local community in respect of these things. Can he inform the House how the community planning and the voice of local councils will be taken into account as we move this forward? Will he assure the House that he has confidence in the Northern Trust to deliver the proposals that he has outlined?

Mr Poots: I always considered community planning to be far more significant for local councils than some people were saying that it was. In the field of health, there are terrific opportunities, particularly for the roll-out of documents that we have produced, such as 'Fit and Well', in dealing with health inequalities and taking actions on prevention and early intervention. That community planning and the work that is done with local authorities are absolutely essential.

We can make appropriate use of our libraries, our sports facilities and our arts facilities, and we can ensure that elderly people have the opportunity to come together and enjoy each other's company as opposed to being in rural isolation — or, indeed, in urban isolation, because you can be isolated in urban communities too. Our local authorities will have a key role in all of that, and the community planning gives us a great opportunity to ensure that that is rolled out by local communities, identifying what their needs are in those local communities.

Again, one size does not fit all. The better proposals will come from the people working on the ground who know and understand their community and the issues that exist in their community. I know that local authorities do that very well.

12.30 pm

Mr G Robinson: I thank the Minister for his statement. If a transfer to the Western Trust area was to occur, would that secure the future of the A&E at the Causeway Hospital, which is very much needed because of the wider local needs and the large influx of visitors to the area during the tourist season?

Mr Poots: It is essential that there is 24/7 access to emergency urgent care at Antrim Area Hospital, Causeway Hospital and, indeed, Altnagelvin. Across that area, we need to ensure that people receive the right support. Clearly, the Causeway Hospital has an issue in that it is somewhat isolated from other areas. Having a community of that scale and size necessitates having a hospital that is robust, resilient and capable of providing the vast majority of the care that people in that area need, especially in emergency situations, given the travel time involved in getting to either Altnagelvin or Antrim to get further services.

Mr Ó hOisín: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Gabhaim buíochas leis an Aire. The Minister may be aware of some of the concerns that have been raised by the unions. He recognised in his statement that the workforce is:

“the single most important enabler for the delivery of transformation.”

Given that, when was the last time that he had any discussions with the unions?

Mr Poots: As a sector, we meet the trade unions on a regular basis. Those are meetings that I drop in to and attend. I am happy to do that. I am happy to engage in meetings with the trade unions, as and when I am asked to engage with them. In responding to the trade unions, I am not sure that I have turned down very many meetings, if any — maybe some. I call in occasionally when the trade unions are in workforce meetings with departmental officials, and I have spoken at trade union conferences. Dealing with the trade unions is something that I am very happy to do. We do not always end up in agreement with each other, but, nonetheless, engagement is about actually talking to people about the issues that are prevalent. Very often, issues are raised by the trade union sector that I am not aware of or that have resonance. We will take those concerns on board.

Mr Spratt: Minister, thank you for the statement. You are aware of the very great work done by the voluntary and community sector around healthcare. What work will be undertaken to look at procurement in relation to the voluntary and community sector?

Mr Poots: The voluntary and community sector can offer so much more than just actual care. I know that, in some areas, domiciliary care is provided by the voluntary and community sector. We will look to means whereby we can take other issues into account. So, it is not just about the cost of provision but about where we can see benefits; for example, if employment opportunities are created in areas

where there is considerable long-term unemployment and where social economy businesses can actually feed the benefits back into a community. So, there are good opportunities for us to work with the more advanced social economy sectors to provide services and support for people in their community. There is a greater opportunity, particularly with the strategic investment fund, for such well-developed local communities to bid for work from the HSC.

Mr McAleer: Go raibh maith agat, a LeasCheann Comhairle. The statement makes reference to clinical best practice and says that mental health hospitals should be located close to acute care. Is it the case that the clinicians want to secure all the services at the acute hospital? Will the Minister also give us an indication of the time frame for the business case that he has commissioned?

Mr Poots: In respect of the business case relating to Omagh, it will be a number of months before we can come back to the House on the issue, but we will do that. We are, to be truthful, getting mixed messages. Therefore, it will not be a clear-cut decision. A balanced decision will have to be taken on the issue. It is somewhat difficult. Nonetheless, we will try to arrive at the right and appropriate outcome for people in County Tyrone and County Fermanagh.

Mr Beggs: I thank the Minister for making the statement. For those already living in a statutory residential care home, however, and those considering residential care, living close to family and friends is important to their well-being. As domiciliary care is not suitable for everyone, how will the Minister ensure that voids in residential care are not created so that people from Larne, Carrickfergus and Newtownabbey will have an opportunity to live close to their family and friends when it is appropriate?

Mr Poots: It is a matter for the trust and the LCGs to ensure that they procure services in the right places. Therefore, if there is a considerable lack of residential care in an area, it may be premature to close a facility in such an area if there are no alternatives there.

Most trusts have not been receiving large numbers of people into statutory residential care for about a year and a half. The average length of stay in residential care is six and a half years. Some people move on to nursing care, and others, sadly, pass away. However, the average length of stay is six and a half years, and the roll-out of this programme is over the next three to five years. I want it done in a way that causes the least upset or distress possible to any elderly person in residential care, and I would not want to cause alarm at this stage.

Numbers have crept down very low at many facilities. In those instances, you would want to try to ensure that people who have developed friendships and relationships move together. Three or four people would move from one facility to another so that the bond that they had established with others would not be broken. Of course, that would be done in conjunction with their families. We can do a lot of this in a sensitive way and still achieve the best possible outcome for individuals.

Mr Dunne: I thank the Minister for his answers and for the work and determination that he has shown in delivering Transforming Your Care so far. How will the review of paediatric services integrate with Transforming Your Care?

Mr Poots: Obviously, paediatric services are a major issue for us, and paediatric facilities in Northern Ireland prove to be challenging in a number of areas because we have a relatively small paediatric population when it comes to specialities. However, the review of paediatric services aims to provide a strategic direction for the development of HSE services over the next 10 years for children and young people aged from nought to 18. It recognises the interface between hospital and community services.

The scope of the review relating to the healthcare services is being completed in three phases. It will be outcome-focused in recognition of the significant interface between hospital and community, the need for continuity of care and the ethos underpinning Transforming Your Care, including the shift of service provision from hospital to the community. Phase 1 is hospital services: super-regional, regional and area, and local. Phase 2 is community services and will be developed concurrently. Phase 3 is palliative and end-of-life care for children, which, sadly, we always have to deal with. Those children very often have complex and life-limiting conditions. That will need to be considered separately to give prominence to such an important topic. It is expected that the consultations on the draft documents will be published in the coming months, and the final document, which will cover the component parts, will hopefully be published in early 2014.

North/South Ministerial Council: Languages

Ms Ní Chuilín (The Minister of Culture, Arts and Leisure): Go raibh maith agat, a Phríomh-LeasCheann Comhairle. With your permission, Mr Principal Deputy Speaker, and in compliance with section 52 of the NI Act 1998, I wish to make a statement regarding the North/South Ministerial Council (NSMC) Language Body meeting, which was held in Armagh on 6 March 2013.

The Executive were represented by me, as Minister of Culture, Arts and Leisure, and junior Minister Jonathan Bell from the Office of the First Minister and deputy First Minister. The Irish Government were represented by Dinny McGinley TD, Minister of State with special responsibility for Gaeltacht affairs.

In their opening remarks, Ministers congratulated both agencies on organising successful events recently. Foras na Gaeilge was congratulated on the launch of the new English-Irish dictionary, and the Ulster-Scots Agency was congratulated on the official opening of its new regional office in Raphoe. Minister McGinley also advised the NSMC of events relating to languages that are taking place as part of Ireland's presidency of the European Union.

The meeting dealt with three main issues relating to the Language Body and its two constituent agencies, Tha Boord o Ulster Scotch — the Ulster-Scots Agency — and Foras na Gaeilge, the Irish language agency. The Council also approved the Language Body business plan and budget for 2012. Ministers agreed to extend the existing core funding arrangements to 31 December 2013. They also directed that plans be advanced for introducing a revised model for core funding that takes into account the relevant language strategies in both jurisdictions with a view to making a final decision no later than June of this year.

Ministers also noted a presentation by the CEO of the Ulster-Scots Agency that outlined the flagship school programme and other projects being progressed as part of the agency's Ulster-Scots and education initiative.

The Council agreed to hold its next Language Body meeting on 12 June 2013.

Mr Irwin (The Deputy Chairperson of the Committee for Culture, Arts and Leisure): I begin by commenting on the shortness and apparent lack of substance of the agenda for the meeting. That clearly demonstrates that there is little value in some of these meetings. Why was the agenda so brief? Why was there no discussion on waterways, as would normally be the case?

Ms Ní Chuilín: I thank the Member for his question. At the previous sectoral meeting, we agreed to have discussions on how we could progress issues in between sectoral meetings. Because no final decision was made regarding core funding arrangements, it was felt appropriate at this stage just to have a meeting on the Language Body. There was, therefore, no need to have a meeting on waterways. There is no point in bringing people together for the sake of it.

I disagree with the Member: it was a valuable exercise, and it was worth doing. It provided clarity not only to those of us who have responsibility but to the language bodies.

Mr Ó hOisín: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Gabhaim buíochas leis an Aire as ucht an fhreagra sin. Ba mhaith liom ceist a chur

uirthi. Who decided to terminate the contract for the Irish language newspaper 'Gaelscéal'? Is Foras na Gaeilge considering any alternative sources?

Ms Ní Chuilín: I thank the Member for his question. The decision regarding the 'Gaelscéal' contract was with the board of Foras na Gaeilge. Its decision to terminate the contract was due to targets not being met. Given that those targets were not met, it was deemed appropriate not to continue the contract and, in fact, to terminate it.

With regard to the latter part of the Member's question, I think that it is appropriate that Foras na Gaeilge is considering other options, particularly for the provision of an online service. Foras na Gaeilge will have to determine whether that is around news or an investigative type of service, but I look forward to receiving presentations on that at future NSMC sectoral meetings.

12.45 pm

Mr D Bradley: Go raibh míle maith agat, a Phríomh-LeasCheann Comhairle. Gabhaim buíochas leis an Aire as ucht a ráitis agus as ucht a cuid freagraí go dtí seo. An bhféadfainn a fhiafraí den Aire cad iad na príomh-chritéir ar chóir a úsáid agus na pleananna a n-ullmhú don tsamhail nua maoinithe?

I thank the Minister for her statement and her answers up until now. What principal criteria should be used to guide the preparation of plans for the new funding model for the Irish language organisation?

Ms Ní Chuilín: I thank the Member for his question. I have no doubt that the criteria need to take into consideration the language plans of the North and the South. As the Member will be aware, we are still going through the lengthy responses to our Programme for Government consultation on a strategy for the Irish language. That is one of the criteria. The other is that we need to look at the long-term planning, development and needs of the language. That includes not only its needs but the needs of people in the sector who will deliver the strategy. One of the reasons for having the meeting was to ensure that, first, consultation on the Irish language was reflected in any new funding arrangements. That is critical because it was a PFG commitment to consult on the development of and strategy for the language. Therefore, it is appropriate that its needs are reflected in the delivery of any new funding arrangements. It is to ensure that the long-term planning, use and protection of the language is at the centre of any new funding arrangements.

Mr McGimpsey: Like Mr Irwin, I am surprised not to see any mention of Waterways Ireland, which receives substantial amounts of money through this body. I am looking at the Minister's statement. She says that the existing core funding arrangements for Foras na Gaeilge will be extended to 31 December 2013. Why are we doing that? From when are those arrangements being extended, and how much money are we talking about? I note that the previous paragraph states that the Language Body's business plan and budget for 2012 are being approved only now. So, we are a year behind with that and now we are extending things. Are we not getting our accountancy arrangements somewhat upside down?

Ms Ní Chuilín: I thank the Member for his question. We are not getting our accountancy arrangements upside down. The money was already in the budget. The schemes

were due to end in June 2013 and have been extended. That has been allowed for in the budget. Why have they been extended? As I said in answer to Mr Dominic Bradley's question, the schemes have been extended to ensure that they take into consideration the Programme for Government commitment to have a consultation on the Irish language.

I find it a bit rich that the Member, who is a previous Minister of Culture, Arts and Leisure, lectures anybody on budgets, given that we are still trying to catch up from his watch in 2000 and 2001.

Ms McCorley: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Gabhaim buíochas leis an Aire as a ráiteas agus as a cuid freagraí go dtí seo. What is the position on the 2013 business plans and budget?

Ms Ní Chuilín: We have just finalised the plans for 2012 because of the efficiency savings that were asked of us, as is the case for all language bodies and North/South bodies. Those efficiency savings have been delivered. We are now in a position to look at the draft plans received from Foras na Gaeilge and the Ulster-Scots Agency, which detail the activities that they are required to achieve to meet the goals that they set out in their respective corporate plans. Recently, the NSMC issued guidance on how North/South bodies should draft their 2013 business plan and, indeed, detailed the exchange rates that should be used for the planning process. My main anxiety was that I was reluctant to go further than the efficiency savings that we agreed in 2012 for this year. That was my position, and my position remains that we need to make sure that front line services and facilities and support in the community are not affected by cuts, regardless of what they are or which part of the jurisdiction it is.

Mr Humphrey: I thank the Minister for her statement to the House. She may be aware that, a number of weeks ago, the Culture, Arts and Leisure Committee received a presentation from the chief executive and deputy chief executive of Foras na Gaeilge about 'Gaelscéal', the Irish language newspaper. My understanding of the Committee's information is that the paper needed a circulation of 3,600 copies to break even. In the final year of its four-year funding of €1.6 million, there was a circulation of 1,300 copies across the island of Ireland. Does the Minister think that that is an acceptable use of public money? Is her Department going to make contact with the board of Foras na Gaeilge to investigate why that venture was allowed to proceed at the level it did?

Ms Ní Chuilín: My officials are working with Foras na Gaeilge on that and other matters. I am sure that one of the reasons why Foras na Gaeilge's board decided to terminate the contract was that the terms and conditions were not met.

First, it is important that we establish what the circulation is, what the demand is, where the need is in relation to news and, as I said previously, the type of news that we need to deliver and then look at the appropriate method for doing that. The business case presented to me on this or any future arrangement will be tested and stretched, regardless of where it comes from. That is wholly appropriate. We need to make sure that we protect public money, that we get value for money and, importantly, that we deliver to the appropriate level for service users' needs, and we need to demonstrate what those needs are.

Mr McMullan: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. I thank the Minister for her statement. Has the Ulster-Scots Agency launched any other projects or programmes as part of its initiatives?

Ms Ní Chuilín: I was pleased to be at the Ulster-Scots Agency's launch of its flagship education programme in November. I was pleased not only to be there but to see the level of interest from all the primary schools across the nine counties of Ulster. I think that there were almost 90 schools, if not more, in attendance, which is quite an achievement, as anybody who has attended such launches knows.

The Ulster-Scots Agency has also launched other initiatives around information and communication technology (ICT) that deliver learning through Ulster Scots, particularly in literature, history, music and heritage, as well as innovation and invention through the use of science and technology, engineering, arts and maths (STEAM). I see STEAM creeping in everywhere; it seems to be replacing STEM. In addition, I know that, during 2013, the agency plans a rerun of its touring drama 'Fair Faa Ye', as well as a major revision of its peripatetic tutor programme, which provides opportunities for young people to develop their musical and cultural skills and talent. I have to say that I am pleased by the additionality that Ulster Scots brings to us in the sectoral format and, more importantly, to the community that it serves.

Mr Principal Deputy Speaker: That concludes questions on the statement. The Business Committee has agreed 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 12.53 pm.

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

2.00 pm

Oral Answers to Questions

Enterprise, Trade and Investment

Mr Deputy Speaker: Question 14 has been withdrawn and requires a written answer.

Investment: Newry and Dundalk

1. **Mr Brady** asked the Minister of Enterprise, Trade and Investment what work Invest NI undertakes in co-operation with the Industrial Development Agency Ireland to promote the Newry/Dundalk region for foreign direct investment, given the area's ease of access to the two largest centres of population on the island. (AQO 3643/11-15)

Mrs Foster (The Minister of Enterprise, Trade and Investment): It should be noted that Invest Northern Ireland is in direct competition with the Industrial Development Agency (IDA) for many of the inward investment projects that it targets. Any co-operation between the two agencies must be put in that context. It does not extend to the collaborative active promotion of cross-border areas for foreign direct investment (FDI) purposes. Invest NI will, however, co-operate with the IDA when it considers that it is in the best interests of Northern Ireland to do so.

Mr Brady: I thank the Minister for her answer. How does that relate to wider FDI strategies in the Department? Go raibh maith agat.

Mrs Foster: As I said, we are often in competition with the IDA for foreign direct investment. We will, however, work with the IDA when we think that there is a prospect of us working together. We will do that, of course, without any difficulty at all. We want to ensure that we meet our Programme for Government targets for foreign direct investment. Those are the targets that have been set for Invest Northern Ireland, and they are the targets by which it works.

Mr McGlone: Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire as a freagra. I thank the Minister for her answer.

Last Thursday, the Committee for Enterprise, Trade and Investment visited Derry to hear about the City of Culture and proposals that have been developed in that regard. During that time, we met certain sections of the business community who were very anxious to establish whether specific strategies have been developed for the north-west. Will the Minister advise whether specific geographic strategies are being developed for areas such as the north-west?

Mrs Foster: I am glad that the Member enjoyed his time in Londonderry when he was with the Committee. We have been very pleased with the way in which the UK City of Culture has really put the city on the map. The Executive have received the One Plan from the city. There are big plans for the city and the region. Invest Northern Ireland has very much bought into that. We will develop the plan

along those lines, because it has been developed by the city, Ilex and all the different stakeholders up there.

Mr Newton: I thank the Minister for her answers so far. What work is she doing with UK Trade and Investment (UKTI)? What benefits does she see in exploiting the GREAT campaign for Northern Ireland?

Mrs Foster: We work ever more closely with UKTI because of its network right across the world. It has great specialisms in certain offices across the world, and we want to take advantage of that. There has been regular engagement — more so since I became the Minister — with UKTI. Dialogue is happening across all levels of UKTI and Invest Northern Ireland.

We have ensured that the GREAT campaign messaging and core script include the appropriate reference to the wider Northern Ireland business and tourism offering. We are also working very closely with UKTI to ensure that the Northern Ireland message is included and applied at the relevant international events. Companies such as Wrightbus have been included in the GREAT campaign. We are very pleased to see that that is the case.

Economy: Fiscal Deficit

2. **Ms Fearon** asked the Minister of Enterprise, Trade and Investment to outline how the fiscal deficit is taken into consideration when economic strategies are being developed. (AQO 3644/11-15)

Mrs Foster: Our economic strategy recognises that an over-reliance on the public sector is a key long-term challenge to be addressed. That, alongside a comparatively small private sector, has contributed to a large fiscal deficit. In order to grow our economy and enhance prosperity, the economic strategy aims to rebalance the economy by promoting a sustainable and growing private sector with firms competing successfully in global markets. The strategy also highlights the need to develop the areas of the private sector that offer the greatest potential for growth, including telecommunications, information and communication technology (ICT), life and health sciences, agrifood, advanced materials and advanced engineering.

Ms Fearon: Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire. Will the Minister detail how she plans to lower the fiscal deficit?

Mrs Foster: It is very clear. We intend to grow our private sector, and that is very clearly set out in our Programme for Government. Of course, at a national level, we are dealing with a very significant deficit and, as part of the United Kingdom, we bear part of that deficit. We want to be able to grow the private sector and, I have to say, reduce our welfare benefits. Of course, welfare reform is dealing with that at the moment.

There are also deficits across the euro zone. We look with interest and, indeed, some alarm, at what is happening in Cyprus and the fact that Italy was unable to elect a clear Government. There are problems across the euro zone and some alarming signs, particularly in relation to what happened in Cyprus over the weekend.

Mr Dunne: Does the Minister acknowledge that lowering corporation tax in Northern Ireland would help to rebalance the economy? Does she believe that the Prime Minister

should bring the corporation tax debate to a conclusion when he meets the First Minister and deputy First Minister in the next two weeks?

Mrs Foster: I thank the Member for his question. We have long said that we need corporation tax powers as a tool to help to close the deficit and bring economic prosperity to Northern Ireland. There is a well-established, long-standing need to rebalance the Northern Ireland economy.

This morning, I was very interested to read that the chair of the Confederation of British Industry (CBI) here, Ian Coulter, has started a campaign similar to the UK City of Culture in relation to corporation tax, and has adopted the Snow Patrol song 'Just Say Yes'. The CBI is going to keep pushing the issue until the First Minister and deputy First Minister meet the Prime Minister. I wholly support that. It is two years since the initial consultation was launched, and the delay in reaching a decision means that we are losing out on real jobs and investment opportunities at a time when we need them most. We absolutely need a positive conclusion to be brought to that debate.

Mrs Overend: Will the Minister outline what consideration, if any, she has given to the forthcoming Westminster Budget? In particular, has she considered the aspect of childcare costs that is being talked about and how that could be an economic driver? I would like to hear the Minister's views on that.

Mrs Foster: Like the Member, I have an interest in that particular fiscal intervention. If it is the case that tax breaks for childcare will be given to parents, that can only be to the good. It will encourage parents to get involved in employment and, in many cases, start their own businesses. I would very much welcome that tax intervention if it comes about.

Renewable Energy

3. **Ms Lo** asked the Minister of Enterprise, Trade and Investment what steps she has taken to develop a long-term vision for renewable energy to 2050 and beyond. (AQO 3645/11-15)

Mrs Foster: The strategic energy framework sets out the direction for Northern Ireland energy policy up to 2020, including renewable energy targets. My Department is leading a study that will help us to set a long-term vision for energy. It is not just about renewable energy, as you have to look at the system as a whole up to 2050. This is a complex matter that requires the consideration of many difficult issues, not least cost to consumers. The study should be completed by spring or early summer. However, it is important to recognise this is only the first step in a broader direction of travel.

Ms Lo: I thank the Minister for her response. I am very glad to hear that there has been some discussion on that matter. Will the Minister consider working across the border with the Republic of Ireland to develop some joint actions?

Mrs Foster: The important thing for us, first, is to look at our own piece in order to work out what we see as the broader energy framework going forward to 2050. We have had four consultation sessions to try to inform us about the development of the vision. That will certainly set the direction of travel for us, but it will be difficult to set any concrete targets further than 2020. Fifty years is a long

time, although it is 37 now, but we need to recognise that there will be changes in technology. If we looked forward from 1976, would we have been able to foresee all the new technologies that are available to us now? We have to factor that in to any vision that we have for 2050, and we also have to look at our carbon reduction targets, which have been set, to make sure that our vision for energy policy sits with them.

The work has begun, and we will certainly be looking at other areas to see whether we can learn or, indeed, work together on anything. I think that the key element for us is to make sure that we have our own vision for 2050.

Mr Flanagan: Go raibh maith agat, a LeasCheann Comhairle. The Minister will be aware of a recent report on energy that PricewaterhouseCoopers (PwC) published that said that the extraction of shale gas could lead to a reduction in energy prices of between 25% and 40%. Would the Minister agree with that claim, or would she agree with me that it would be extremely naive for any of us to think that those with a vested interest in high energy prices would allow the production of shale oil that would be sufficient to result in such a huge reduction in energy prices?

Mrs Foster: The Member moved from shale oil to shale gas, so I am not sure what he is referring to. However, I am, of course, aware of the PwC report, as, indeed, I am of numerous reports that are being made available on shale gas, hydraulic fracturing and shale oil.

We will take all that information and look at it in the round, and we will not be basing our decisions on one report or another. The Member knows that we have had reports from, for example, a House of Commons Select Committee, which believes that we should proceed with hydraulic fracturing in a regulated environment. We can take that report or that from PwC, or we can take others that are very firmly against hydraulic fracturing and the benefits of shale gas and shale oil.

We need to deal with the facts, and, at present, we are looking at the fact that Tamboran Resources Ltd has not yet submitted an application to drill a test hole to retrieve rock cores. That would usually happen under permitted development, but that is, of course, entirely a matter for Planning Service in the Department of the Environment.

After that test hole is drilled, Tamboran will undertake environmental baseline studies before putting in a planning application. So, there is a long way to go in this process, and we are only at the beginning. I have no doubt that many other reports will come forward in the intervening period.

Mr Moutray: If a long-term strategic look is to be taken at the Northern Ireland energy market up to 2050, should we look at all forms of energy generation, including nuclear?

Mrs Foster: As I indicated to Ms Lo, as we look forward to 2050, we see that there are major uncertainties with new technologies, some of which will flourish and some of which will fail. Indeed, we must also consider how behaviours and infrastructure will have changed over the intervening period. So, I believe that it is wrong to rule anything out of the equation. Of course, nuclear energy is a reserved matter that still sits with Westminster, and therefore, it will remain there. However, that does not stop

us including nuclear energy in any vision that we may have for 2050.

Mr Byrne: I thank the Minister for her efforts in trying to improve the energy mix in Northern Ireland. What can she say about the effect of the infrastructure grid restrictions on making sure that renewable energies can be realised here in Northern Ireland, particularly where the North/South interconnector and the east-west connectors are concerned?

Mrs Foster: The Member knows that I am on record as being very concerned about the slow pace of the North/South interconnector. As I understand it, NIE is planning to resubmit its application for the Northern Ireland element of the interconnector in the near future. That application will then go to the Planning Appeals Commission, probably for a public inquiry. It is my hope that the commission will deal with the application as expeditiously as it can, because this matter is becoming urgent for security of supply and, indeed, for ensuring that we have that grid infrastructure in place.

2.15 pm

The Member raised another important issue about the grid infrastructure; and I presume that he was referring to the west of the country where a lot of our wind energy and new anaerobic digesters are located, although not uniquely so. I am concerned that we need to make sure that we have the appropriate grid in place. Now, there are many discussions about who pays for that grid — whether that should be the consumers or the companies that are in charge of transmission and distribution. However, we must make sure that we have the appropriate grid for all sorts of reasons, not least the fact that we need to make sure that the lights stay on across Northern Ireland.

Granville Industrial Estate, Dungannon

4. **Lord Morrow** asked the Minister of Enterprise, Trade and Investment for an update on the disposal of land at Granville industrial estate/business park, Dungannon. (AQO 3646/11-15)

Mrs Foster: All of the land at Invest Northern Ireland's Granville industrial estate has been allocated to businesses in support of economic development. However, as you will be aware, it has recently developed Dungannon business park, which is adjacent to the Granville estate. I am delighted to be able to advise you that Invest Northern Ireland has very recently completed the sale of almost 15 acres of this new industrial land to a business, in support of its economic development project. Invest Northern Ireland also has registered interests from six businesses seeking to acquire land within Dungannon business park, and it will work closely with them to develop those interests further.

Lord Morrow: I thank the Minister for her reply, and I particularly welcome the good news that she made known. Can the Minister do anything about energy costs for businesses based at Dungannon business park or at the Granville industrial estate?

Mrs Foster: I thank the Member for his supplementary. Indeed, energy costs and the costs of doing business have continued to rise. It concerns me considerably that a lot of our companies have difficulties with their energy pricing.

That is one of the reasons why I was delighted to see the Executive approve putting up to £32.5 million towards extending the natural gas network to main towns in the west and north-west, including Dungannon.

An extension of the gas network will provide an alternative, currently cheaper, energy source for business and domestic consumers. We hope that the Utility Regulator will shortly commence a public consultation on a licence for taking gas to the west and the north-west. A licence award is expected in or around the end of 2013. We hope that that will encourage people to take up use of the network that will be there for them, thereby reducing their energy costs.

Mr Swann: The site had been valued at £4.2 million. Has the Minister any idea what value she expects it to yield at the minute?

Mrs Foster: The entirety of the site?

Mr Swann: Yes.

Mrs Foster: The Member knows that we have just managed to sell 15 acres of that site for economic development to a local, indigenous company that exports across Europe and that we are delighted to see expand in that area. Although the Member referred to it, the cost of the site is not the primary operation of what we do through Invest Northern Ireland. What we try to do is to intervene where market failure has occurred, so that we can provide the space for companies to come in as foreign direct investors or, as in this case, for local companies to expand their businesses. Therefore, although we always have to ensure value for money in our purchase of sites, we also want to ensure that we have land available for companies that want to expand.

Agrifood: Beef Contamination

5. **Mrs McKevitt** asked the Minister of Enterprise, Trade and Investment what discussions she has had with her Executive colleagues and others on the impact on the agrifood sector of the discovery of horse and pig DNA in processed beef products. (AQO 3647/11-15)

Mrs Foster: I have discussed the meat contamination issue with the First Minister and deputy First Minister, the Agriculture Minister and the Health Minister. My Department is represented on the food and feed incident management group, which has met regularly since this issue first came to our attention, and my officials provide daily updates on the key issues. I assure the Assembly that the Department of Enterprise, Trade and Investment (DETI) is working closely with all the relevant bodies in Northern Ireland to ensure that all efforts are being made to protect the reputation of our home-grown produce, the sector and its contribution to our economy.

Mrs McKevitt: What action has the agencies and Departments taken between them to make sure that there are no gaps in the system that she is discussing with them and to give confidence to consumers that they are safe in the knowledge that what they purchase and eat is exactly what it is described as?

Mrs Foster: As the Member knows, we have long said that Northern Ireland has a strong traceability system in place, so there is traceability from the farm to the fork. We should be very confident of all fresh produce in Northern

Ireland, and we will continue to be confident of it. We must recognise that contamination is a Europe-wide issue, and I believe that a solution will come from a European level. We will, of course, work with all the relevant agencies to make sure that that is the case.

I reiterate: food produced in Northern Ireland is of stellar quality. We should all be ambassadors for food from Northern Ireland. I had the great pleasure of doing that on HMS Belfast last Friday, 15 March, when I hosted an Invest Northern Ireland reception celebrating St Patrick. We talked a lot about St Patrick's Trail and all that south Down has to offer, but we also talked about good food and the fact that food from Northern Ireland has a strong heritage and authenticity, of which we should be proud.

Mr I McCrea: I do not think anybody could say that I am not an ambassador for good food in Northern Ireland. *[Laughter.]* Does the Minister accept that the contamination of processed beef products with horse and other species provides a tremendous opportunity for Northern Ireland farmers and beef processors?

Mrs Foster: I thank the Member for his question and for all that he does for the food industry in Northern Ireland on a very personal level.

As I said, the traceability controls in our agrifood supply chain are very strong. They emphasise the benefits to consumers and businesses of purchasing local produce. I welcome Tesco's announcement last week that it plans to double the amount of fresh meat that it sources in Northern Ireland. It is an important commitment by Tesco, and hopefully other retailers will follow so that profitability will flow down to farmers and have a positive knock-on impact on our agrifood sector, which is also important.

Mr Kinahan: I probably help the food industry here as well. Does the Department have a campaign planned to ensure that we promote processed food and local fresh food in Northern Ireland?

Mrs Foster: Each and every part of government should be doing that in any event, and we will continue to do it through Invest Northern Ireland's food department. The Northern Ireland beef and lamb farm quality assurance scheme celebrates its twentieth anniversary this year. We do not want duplication, but we do want results. Invest NI can talk about the extensive traceability controls throughout the supply chain and assure customers of the total integrity of the Northern Ireland beef product. I hope that the farm quality assurance scheme will step up a gear so that we can assure consumers that if they eat produce from a Northern Ireland farm, they will enjoy it very much.

Tourism: Overseas Visitors

6. **Mr Molloy** asked the Minister of Enterprise, Trade and Investment how the number of overseas visitors during 2012 compared with the target set out in the Programme for Government. (AQO 3648/11-15)

Mrs Foster: Full-year figures for 2012 on visitor numbers are not yet available. The annual tourism statistical report for 2012 is due to be published by the Northern Ireland Statistics and Research Agency on 9 May 2013.

Mr Molloy: I thank the Minister for her reply, and I regret that the figures are not yet available. Will she tell us how

the toing and froing of visitors, North and South, affects visitor numbers here?

Mrs Foster: The difficulty with the figures is one reason why tourism statistics are coming back into the Department. As the Member says, we do not have all the information at present, so I cannot give a full picture for the tourism sector. Latest estimates indicate that we welcomed over one million visitors from Great Britain and overseas in the first nine months of 2012, but those figures are still provisional estimates, and I am waiting for the full figures.

The domestic market and our visitors from the Republic make up more than half of our overall tourism performance. Unfortunately, I do not have those figures to hand because they have not been made available to us, but it is safe to say that we had a very good 2012. A record 45 cruise ships called at Belfast port, and, as of the end of February, Titanic Belfast had over 700,000 visitors since it opened on 30 March 2012. The Giant's Causeway has had over 325,000 visitors from over 130 countries from July 2012 to the start of January 2013. Those are very good statistics, but we will have the full statistics in May.

Mr Anderson: What more can be done to encourage new air routes to come to Northern Ireland?

Mrs Foster: The Member knows, as does the House, that better air access directly into Northern Ireland is a continual focus of mine. The abolition of air passenger duty (APD) on direct long-haul flights has made us a viable option for some destinations in which we may not otherwise have been able to compete.

I am spending a lot of my time working with Tourism Ireland, Belfast International Airport and others to maximise the opportunity presented by the elimination of direct long-haul APD and attract new long-haul services. Direct connectivity would hugely increase the number of tourists who come directly to Northern Ireland, which would be all to the good of the sector.

Mr Cree: The Minister may remember that I thought that the targets were bullish anyhow. Does she intend to revise the target for visitors to the Titanic centre, bearing in mind the experience of last year?

Mrs Foster: The Audit Office set the target of 400,000 visitors a year, which it thought we would not meet. With the year not even complete, we are now at 700,000, and the number continues to rise. Titanic Belfast has been a game changer for tourism in Northern Ireland. It has been a real catalyst. When I speak to tour operators, whether in Germany, San Francisco or Dubai, they always talk about Titanic Belfast and the fact that it would be a key element of their visit to Northern Ireland.

Of all the figures available, and taking into account that the targets include the Great Britain, overseas, Republic of Ireland and domestic markets, we are broadly on track to meet the overnight visitor and revenue targets, so I do not see any need to revise them at this time.

Renewable Energy: Intergovernmental Agreement

7. **Mr Rogers** asked the Minister of Enterprise, Trade and Investment what discussions she has had with the

Irish and British Governments in relation to the proposed intergovernmental agreement on renewable energy. (AQO 3649/11-15)

Mrs Foster: I have been in correspondence with the Rt Hon Edward Davey MP, Secretary of State for Energy and Climate Change and his predecessor, Charles Hendry, on this issue for some time. Although this is a reserved matter, I have highlighted its potential impact on consumers and the renewable energy sector in Northern Ireland.

There is an enormous amount of analytical work to do before proceeding to an intergovernmental agreement. Northern Ireland will be fully involved in discussions to examine the costs and benefits of any renewable energy co-operation.

Mr Rogers: Trade in renewable energies will be possible only if it is facilitated by the required legislation across Departments and the different Governments. What are the implications for the Department of Enterprise, Trade and Investment?

Mrs Foster: The UK renewable road map, which was published in July 2011, sets out the Government's intention to enable the export and import of renewable energy under the flexibility mechanisms in the renewable energy directive in order to secure the greatest benefit to the whole of the UK.

Although the renewable energy directive contains a provision to enable co-operation across Europe, the detailed practical arrangements, which are largely left to member states to determine, are still to be worked out. That is why the memorandum of understanding is aspirational at present. A huge amount of analytical work needs to be carried out, particularly, from our perspective, on the impacts that such trading would have on Northern Ireland. Obviously, we do not want offshore energy from the Republic of Ireland to be traded into the UK, thereby skewing the renewable obligations under which we operate currently.

That is why I believe that we need to be at the heart of any discussions between the UK Government and the Irish Government on this issue.

2.30 pm

Regional Development

Schools: Speed Limits

1. **Mr I McCrea** asked the Minister for Regional Development to outline any plans to reduce speed limits to 20 mph close to schools in Mid Ulster. (AQO 3657/11-15)

Mr Kennedy (The Minister for Regional Development): My Department's Roads Service's speed management policy is supportive of the roll-out of 20 mph zones and 20 mph speed limits in residential areas and locations where high numbers of vulnerable road users, such as schoolchildren, are present. 'Northern Ireland's Road Safety Strategy to 2020' contains action measures that are consistent with Roads Service policy. Traffic calming schemes in residential areas often benefit local primary schools and normally include self-enforcing engineering

measures, such as road humps, to ensure that traffic speeds are less than 20 mph.

I consider the safety of schoolchildren to be of paramount importance. Over the years, my Department has developed several policies to enhance the safety of children on their journeys to and from school. Those have ranged from additional signing and road markings at schools to central refuge islands and off-road set-down and pick-up areas. Other initiatives include the development of safe walking and cycling routes to schools from neighbouring residential areas.

Despite those measures, there remains a public perception that traffic in the close vicinity of schools travels at inappropriate speeds. Roads Service officials have conducted considerable research to ascertain whether there are additional measures that would be effective in reducing the speed of traffic at school operational times. It was concluded that it would be worthwhile piloting part-time 20 mph speed limits at schools during opening and closing times. Analysis of the pilot schemes has indicated that they were and continue to be very effective at reducing vehicle speeds at schools during operational times, as drivers could observe that there was activity at the schools and, therefore, were more likely to respect the lower speed limits.

Mr I McCrea: I thank the Minister for his commitment and his acceptance that the safety of schoolchildren is paramount. He will have heard of the primary school in Newtownards where the children were stopping cars that were breaking the limit, even if only by 1 mph. I heard it on the radio, and they were certainly not holding back in telling them —

Mr Deputy Speaker: We need a question shortly.

Mr I McCrea: — that they were doing so. Does the Minister agree that there are schools in rural locations that need more measures to be put in place? Cars were passing near a school in my constituency at 70 mph, and I am happy to discuss the specifics of that with the Minister. However, does he accept that rural schools need more attention?

Mr Kennedy: I am grateful to the Member for his supplementary question. I am happy to discuss any individual cases that he wishes to raise. As I said, generally, my commitment to the road safety of schoolchildren and, indeed, everyone is of paramount importance. Roads Service officials have concluded that the provision of 20 mph part-time speed limits at schools is effective. We have carried out pilot studies, and we hope to take those forward. We are developing a new policy encompassing all existing school safety measures that will incorporate the use of 20 mph part-time speed limits where appropriate.

Mrs Overend: I congratulate the Minister on his commitment to road safety at schools. Will the Minister update the House on the 20 mph pilots that have been conducted, please?

Mr Kennedy: I am grateful to the Member for her comments and her question. As I said, three pilot schemes were implemented. Those were at Hezlett Primary School between Articlave and Castlerock, Kilmoyle Primary School near Ballybogy and Templepatrick Primary School. The pilot schemes were developed in response to ongoing concerns that traffic is passing schools at excessive speeds, despite the provision of other engineering measures to warn of the

presence of schoolchildren and provide protection. After research on the options, it was agreed that the most promising one would be to trial an enforceable, part-time 20 mph speed limit at the beginning and end of the school day. Traffic speeds were monitored for a year at all three sites. There is evidence from the analysis that the introduction of part-time speed limits has been effective in reducing vehicle speeds when the speed limits are illuminated. That continues to be the case, and there has been very positive support from schools and local communities at all three locations. As I have said, officials are developing a new policy encompassing all existing school safety measures that will incorporate the use of 20 mph part-time speed limits where they are appropriate.

Mr McDevitt: Does the Minister accept that the case for 20 mph speed limits in urban residential areas and around schools is beyond argument, both from a road safety point of view and a well-being and public health point of view? Is the Minister aware of the huge progress that has been made in Lancashire, where kids — schoolchildren — have played a very active role, alongside members of the community, in regulating and enforcing 20 mph zones and have done so with fantastic results?

Mr Kennedy: I thank the Member for his supplementary question. Great is the zeal of the convert. The Member has spoken to me directly on the issues. It is not that I or the Department need convincing of this: we are convinced. The issue is the practical rolling out of schemes, particularly, as the Member mentioned, in residential areas. Part of that would be the enforcement of such measures and co-operation with bodies and agencies such as the PSNI.

Mr McAleer: Go raibh maith agat, a LeasCheann Comhairle. Should schools wish to be included in the safer routes to school programme, how do they go about that?

Mr Kennedy: I am grateful to the Member for his supplementary question. If he has particular schools in mind or if schools want to correspond with me directly or with my Department, I will be happy to hear from them, and we will see whether we can make progress.

Car Parking: Season Tickets

2. **Mr McClarty** asked the Minister for Regional Development whether he has any plans to promote the use of season tickets for Roads Service car parks to encourage businesses to make full use of the car parks. (AQO 3658/11-15)

Mr Kennedy: A limited number of monthly and quarterly season tickets are made available at the majority of Roads Service's charged car parks. A season ticket offers a substantial cost saving in comparison with daily charges. For example, a monthly ticket for the Central Car Park in Limavady or the Waterside car park in Coleraine will potentially achieve a saving of up to a third in comparison with the daily rate, while a quarterly ticket may achieve an even greater saving. The number of season tickets made available for each car park is usually a twentieth of the overall total — 5% — and that will depend on the number of spaces and their normal usage.

It is most likely that season tickets are used by all-day parkers. However, it should be noted that a season ticket does not automatically guarantee the availability of a parking space. The availability and turnover of parking

spaces is ultimately in the best interests of town centre traders and shoppers. However, any request for an increase at a specific car park will be considered by Roads Service officials, taking into account current utilisation levels and the uptake of season tickets.

Mr McClarty: I thank the Minister for his response, particularly the last bit, when he stated that the Department would listen to any further requests. Is he aware that many local businesses that are adjacent to or very close to Roads Service car parks are interested in making use of season tickets, particularly for their staff and particularly in car parks that are not full to capacity from Monday to Friday?

Mr Kennedy: I am grateful to the Member for his supplementary question. He has written to me about the issue, and we hope to meet to discuss car parking season tickets in the east Londonderry area. I am aware of the point that the Member makes. The balance is that we must keep sufficient spaces available to ensure the flow of parking in town centres. All Members will know the pressure that town centres are under, and blocked and all-day parkers do not really contribute significantly to alleviating those conditions. Recently, I was able to convince Executive colleagues that there should be a moratorium on increases in car parking charges until 2015 at the earliest. That was welcome news, as, indeed, was the non-implementation of on-street car parking charges in most of our towns across Northern Ireland. We continue to take measures and will look at all requests in a way that will be positive not only for members of staff and people who want to avail themselves of season tickets but for town centres generally and small businesses in those areas.

Mr G Robinson: Will the Minister examine the removal of the double yellow lines at the perimeter of the Connell Street and Newtown Square car parks in Limavady and their replacement with one- or two-hour restrictions?

Mr Kennedy: I am grateful to the Member for his supplementary question. It was not possible to predict such a question and, therefore, to have an instant response. I am happy to take the issue forward and will correspond with the Member as soon as possible.

Mr Ó hOisín: Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire. Does the Minister recognise that there are disparities between some on-street parking machines? That has caused confusion, and people have been fined after using the wrong machine.

Mr Kennedy: I am grateful to the Member for his supplementary question. That is an occasional problem that has been highlighted particularly in the media, and I recognise it. When parking our cars, all of us should give due care and consideration to how we park and for how long and ensure that we pay the appropriate amount of money if necessary. Common sense goes a long way in these issues, and that point has been made to the appropriate staff.

Old Warrenpoint Road, Newry

3. **Mrs McKeivitt** asked the Minister for Regional Development what plans his Department has to provide ongoing monitoring of traffic and road safety on the Old Warrenpoint Road, Newry. (AQO 3659/11-15)

Mr Kennedy: I am grateful for the opportunity to respond to the question. I and my Department's officials were greatly saddened to learn of the recent tragic accident that occurred on Wednesday 6 March involving a cyclist, Mr Lewandowski, on the Old Warrenpoint Road in Newry. I am sure that the Member — indeed, all Members of the House — will join me in extending our sincere sympathy to the family circle at this time. My officials have advised that police investigations are under way, and, when they are complete, Roads Service officials, together with the PSNI, will determine whether additional traffic management measures are considered appropriate at that location, as is the case after all fatal incidents on the road network. Officials will continue to monitor that road and all others throughout Northern Ireland, in line with established policies and standards. One fatality on our roads is one too many, and my Department remains committed to continuing its good work with the Department of the Environment and the PSNI as part of the Northern Ireland road safety strategy to 2020 to further reduce the number of casualties on our roads.

Mrs McKeivitt: I join the Minister in offering my condolences to the family of the gentleman who was killed on 6 March. Can the Minister assure the House that a full consultation process will take place with residents and the neighbourhood policing team before there are any changes to road safety on the Old Warrenpoint Road?

2.45 pm

Mr Kennedy: I am grateful to the Member for her supplementary question and, indeed, for her sympathy to the family. Over recent years, Roads Service has received many requests from locally elected representatives and residents to consider a reduction in the speed limit on the Old Warrenpoint Road from 40 miles per hour to 30 miles per hour. The existing speed limit has been reviewed in line with current policy for the setting of local speed limits, and, to date, it has been considered that the 40 miles per hour limit remains appropriate. That is the shared opinion of Roads Service and the PSNI.

Northern Ireland Water: Board Members

4. **Mr Lynch** asked the Minister for Regional Development to outline the appointment process used to select board members of Northern Ireland Water. (AQO 3660/11-15)

Mr Kennedy: The Department is responsible for managing the selection process and making the appointments of non-executive members to the board of NI Water (NIW). The process is regulated by the Commissioner for Public Appointments in Northern Ireland. This means that it is based on merit after a fair, open and transparent process that involves independent scrutiny. At the outset, officials seek the Minister's agreement to the role profile, person specification, including the essential criteria for the positions, and appointment timetable. They also consult on how the final submission of candidates suitable for appointment should be presented, either in merit order or an unranked list. Applications for appointment to the board are invited by means of public advertisement. A selection panel, including an independent assessor, then shortlists candidates who meet the essential criteria for the positions. These candidates are then invited for interview. Following the interviews, the panel makes its recommendations for appointment to me to consider. In

accordance with the commissioner's code of practice for public appointments, the Minister must record the rationale for his decision on whom to appoint.

The only appointments that I have made to the NI Water board were in August 2011. This competition had commenced whilst my predecessor, Conor Murphy, was in office. He had agreed the role profile, person specification, including the essential criteria for the positions, and appointment timetable. He had also agreed that the final submission of candidates suitable for appointment should be presented by means of an unranked list. I appointed four non-executive members to the board from this competition. There were no complaints or legal challenges to this process.

Mr Lynch: Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire as an fhreagra. I thank the Minister for his answer. Minister, given that you did not alter the selection process used by your predecessor and that you also rejected Dr Alan Lennon's application to be a member of the board, how can you justify the acceptance, at the cost of £290,000 to the public purse, that your Department discriminated against Dr Lennon in his application for a position in NIW?

Mr Kennedy: I am grateful for the supplementary question. The Member will know that the issues were all teased out in considerable detail at a recent meeting of the Regional Development Committee. The Member has made another good try today to ask me to comment on the legal and privileged counsel of which I am in receipt as an Executive member. The fact that Dr Lennon had applied for the post of a non-executive director in Northern Ireland Water became public through the tribunal case. In the non-executive director competition, the appointments panel found that there was a very strong field of 13 candidates who were suitable to be recommended for the four appointments to the NIW board. As there were only four appointments to be made, it was inevitable that a number of strong candidates would be disappointed. These are often difficult choices, but I based my decision on what I believed was a combination of the best skills and experience for the board of NI Water. I believe that the board has worked well together, and the improved performance and public perception of the organisation is testament to that. I restate that there have been no complaints or legal challenges to this competition.

Mr Hussey: Will the Minister confirm again that he has made four appointments — I think that that is what he said — since his appointment to office, and will he give us some assistance as to the community background of those who were appointed?

Mr Kennedy: I am grateful to the Member for his supplementary question. Overall, I have made 19 first appointments following open competition since May 2011. I have made a total of 38 appointments: 19 were first appointments, as I said; five were non-executive reappointments; 10 were councillors; and four were ex officio board members, such as the chief executive of NI Water. Of the 19 first appointments of board chairs and non-executive board members that I have made, six were Protestant, eight were Roman Catholic, and the community background of five was not known or acknowledged. I simply confirm that all my appointments have been made on merit.

Mr Deputy Speaker: Before calling the next Member, I remind Members that they must ask a single question and supplementary questions should not be read.

Northern Ireland Water: Chief Executive

5. **Ms Fearon** asked the Minister for Regional Development whether the retiring chief executive of Northern Ireland Water will receive any bonuses on his retirement. (AQO 3661/11-15)

Mr Kennedy: The chief executive is an employee of Northern Ireland Water, and his contract is with the company. He will not receive any bonuses on his retirement. He will, of course, be entitled to the normal retirement package based on the length of his service with both Water Service and Northern Ireland Water. I am sure that the Member would wish to join me in paying tribute to Trevor Haslett for the very valuable contribution that he has made as chief executive over the past two or three years in bringing stability to Northern Ireland Water and addressing the problems in the organisation, particularly after the difficult freeze/thaw winter a couple of years ago.

Ms Fearon: Go raibh maith agat. I thank the Minister for his answer. Has the retiring chief executive received any productivity or other bonuses from NI Water?

Mr Kennedy: The terms and conditions of employment contained in the contract of the retiring chief executive of Northern Ireland Water did not change as a result of his taking on his present role. He remained subject to the same terms with regard to salary progression and pension entitlement as was the case in his previous substantive role in the company. The chief executive has been subject to the terms of the pay freeze as set out in the terms of the Northern Ireland public sector pay policy during the pay period 1 April 2010 to 31 March 2012, and his salary remains subject to the pay progression constraints contained in the 2012 Northern Ireland public sector pay policy, as set out by DFP.

Mr Cree: Will the Minister provide an outline of the type of package available to the incoming chief executive? Does he consider that to be adequate to attract the right type of applicant?

Mr Kennedy: I am grateful to the Member for his supplementary question. Obviously, this is a matter primarily dealt with by NI Water and carried forward by it. In many ways, it is an impossible question to answer until the market has been tested. It may have an impact on the quality of applicants interested in the position. However, the appointment and the selection process will determine that. NI Water is now treated as a non-departmental public body for public expenditure purposes, although it was established as a government-owned company, with the intention of giving the organisation greater freedom and flexibilities. The fact that domestic charges have not been introduced means that tighter public expenditure controls are exercised over the company, and that includes the remuneration for senior officials. The Member may know that the post is to be advertised at a salary level of £150,000. That salary is somewhat lower than the current package for the chief executives of Invest NI and Translink and significantly less than the remuneration package for the chief executive of Scottish Water.

Mr McGlone: Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for his integrity in dealing with matters at NI Water and issuing an apology to Mr Gormley on behalf of the Department. On that point and with regard to the appointment of board members and the procedures and protocols dealt with by the Department and through NI Water, will the Minister advise whether there has been a review internally in the Department or through the Civil Service of how matters would be dealt with in the future in circumstances in which critical PAC reports are brought to the fore? Indeed, the independence of the alleged independent review panel has certainly been brought into question, as has the amount of money paid in that regard. Has there been any extensive review either internally in the Department or at Senior Civil Service level in the office of the head of the Civil Service?

Mr Kennedy: I am grateful to the Member for that somewhat lengthy supplementary question. It contained a number of questions. Let me make a general statement: as Minister, I expect the highest standards when important public appointments are made. I think that I continue to display that through my record. I very much hope that the incidents that I have had to deal with — I did not invent them, but I inherited them — will now finally be put to rest and companies such as NI Water can continue to make significant progress and retain the confidence not only of Members of the House and my Executive colleagues but of the general public.

Southern Relief Road, Newry

6. **Mr Wells** asked the Minister for Regional Development for his assessment of the projected cost of the southern relief road, Newry. (AQO 3662/11-15)

Mr Kennedy: I consider the southern relief road to be a priority for the Newry area and welcome the positive findings of the feasibility report on the transport benefits that a new road linking the A2 Warrenpoint dual carriageway to the A1 Belfast-Dublin key transport corridor could provide. That would include the potential removal of some through traffic from the city centre road network and improved access to Warrenpoint port.

The feasibility study considered four route options to provide a link between the A2 Warrenpoint dual carriageway and the A1 Belfast-Dublin dual carriageway. Estimated costs range between £100 million and £200 million. The range of costs reflects the challenges presented by the characteristics of the location, including the significant engineering and environmental challenges associated with crossing the Newry river and the canal, making contact with Fathom Mountain on the other side, and crossing the Belfast-Dublin railway line. Nevertheless, affordability in the current economic climate remains challenging, and I am unable to outline any timescale for implementation of the scheme or further public consultation. Timing will, however, depend on a number of factors, including the development process and the proposal clearing the statutory procedures, which includes formal public consultation. It must continue to have a satisfactory economic appraisal, and, given other competing priorities, progress to construction will depend on the funding made available in future Budget settlements.

Mr Wells: I welcome the fact that the Minister has suggested that this is a priority for Newry. I totally agree

with him. I also accept that the cost is extremely high. It is a very difficult technical project. Given that it is highly unlikely that that sort of money will be available in the foreseeable future within his present budget, would he consider other options for funding the project, such as a public-private partnership or some form of tolling, or some different way in which we could raise the capital required?

Mr Kennedy: I am grateful to the Member for his supplementary question. I am not sure that tolling my constituents would be terribly popular. I caution him on that, because he is in the neighbouring constituency. I have no ideological opposition to looking at ways in which we could involve the private sector. Therefore, I am happy to explore any such opportunities.

Finance and Personnel

Mr Deputy Speaker: I inform Members that question 1 has been withdrawn. Mr Gerry Kelly is not in his place —

Mr Weir: He has escaped.

Mr Wilson (The Minister of Finance and Personnel): On the run.

Mr Deputy Speaker: Order, please. Some remarks made from the Benches just now were totally inappropriate — I do not imagine that we will hear them again.

Mr Conall McDevitt is not in his place. We move on to Mr Roy Beggs, who is in his place.

3.00 pm

Some Members: That is you, Roy.

Mr Beggs: Question 4. *[Laughter.]*

Northern Ireland Civil Service: Jobs

4. **Mr Beggs** asked the Minister of Finance and Personnel to outline how he determines new locations for Northern Ireland Civil Service jobs. (AQO 3675/11-15)

Mr Wilson: I am glad to see a fair degree of confusion this afternoon.

It is up to individual Departments and Ministers to consider the relocation of Civil Service facilities and jobs subject to the normal requirements of business need, value for money and affordability.

Mr Beggs: Apologies; I did not realise that a number of questions had been withdrawn or that a number of Members were not in their place.

Will the Minister ensure that in determining locations for civil servant jobs, business cases are made, value for money is a major consideration and that lessons are learned from other places such as Scotland and the Republic of Ireland?

Mr Wilson: Those are prerequisites. In departmental relocations, there will normally be necessary capital expenditures. There may well also be revenue consequences such as travel expenses for the initial period of relocation, the fitting-out of offices etc and staff redeployment. All of that will require a business case, and, of course, when that is submitted, we look at the value for money, affordability and costs involved in such relocation.

Mr Byrne: I welcome the Minister's comments. Does the Minister still favour the economic merit of Northern Ireland having some decentralisation? Will he comment further on what he means by value for money in a private sector-led office relocation?

Mr Wilson: As I said, it is really up to individual Ministers to decide what their Department most needs and what opportunities are available. If there is to be a relocation or dispersal of jobs, that is usually best done when a new function comes on to the books rather than looking at existing functions. However, there may well be occasions when existing functions can be relocated. As far as I am concerned, that is a responsibility not for me or the Department of Finance and Personnel (DFP), and not even for the Executive, but for individual Ministers. All that we wish to ensure — I am sure that the Member will agree with me — is that in times of financial austerity, we do not spend money simply on an ideological commitment to disperse jobs despite that requiring immediate capital expenditure and additional revenue expenditure in the long term.

Mr Deputy Speaker: Minister, you are over your time.

Mr Wilson: When determining whether we get value for money, we look at the costs and benefits.

Mr Deputy Speaker: I remind the Minister that he is on a two-minute limit, which he exceeded.

Mr McQuillan: Will the Minister outline the current policy on the dispersal of Civil Service jobs?

Mr Wilson: The current policy is that it is up to individual Ministers to decide where best to locate the functions that their Department has to carry out. If Ministers decide to change how and where those jobs are located, they have to make a business case to the Department of Finance and Personnel. Some time ago, the Bain report suggested pilot schemes for the dispersal of jobs, but no pilot scheme was implemented by the Executive. A cost of £40 million was attached to the pilot scheme, and I do not believe that that would be money very well spent in the present climate when we are looking for every penny that we can get to deliver front line services.

Review of Public Administration: Finance

5. **Mr G Robinson** asked the Minister of Finance and Personnel what is the total financial allocation for delivery of the review of public administration. (AQO 3676/11-15)

Mr Wilson: The Executive agreed an allocation of £47.8 million for the review of public administration (RPA) in local government. Of that, £17.8 million will be allocated in the years 2013-14 and 2014-15. That money is to be used to fund transitional costs, such as the councillors' severance scheme, shadow councils, change management, staff induction and the winding up of old councils. It also includes £2 million each year towards the cost of servicing the borrowing that councils will need to undertake for the convergence of ICT systems.

The remaining £30 million will be allocated in the next Budget period. That is designed to deal with rates convergence after the mergers have taken place, and it will be across a three-year period from 2015-16 to 2017-18 and, therefore, will fall beyond the current Budget period.

Mr G Robinson: How will rates convergence be managed?

Mr Wilson: We are looking at a number of models. First, we could simply support individual ratepayers; secondly, we could support council clusters; thirdly, we could have differential rates for a period after the merger while convergence actually happens.

We have not decided on which is the best model. We are doing some work on how they would be implemented and the cost of implementing them. Obviously, there will be administrative costs. We are also looking at which model would be the most effective way of doing it and which would encourage convergence over the period. The one thing we do not want to happen as a result of RPA is that some ratepayers find that they get a huge hike in their rates because rate levels are different in two councils that join the cluster.

Mr McKay: Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for his answer. Has the Department made any assessment of what savings there would have been to the taxpayer had the review of public administration gone according to the original timetable? Does he agree that we need to ensure that there is no further delay in the process?

Mr Wilson: We have not assessed the savings that have been lost so far, but, of course, a lot of them would have been long-term savings, such as those resulting from councils sharing services, downsizing or avoiding duplication of services, etc. Off the top of my head, I think that the total saving was about £400 million over a 20-year period. There would have been initial costs to the councils due to redundancies, but those costs should have quickly resulted in savings, as councils would have had fewer staff to pay, less top management and have been using shared services.

I think that it would be a mistake to have further delay in the review of public administration and the bringing together of councils. Do not forget this: the real benefit in this is for councils, which will have additional powers and be able to do things in their areas that they cannot do currently. It will make the councillors' job very exciting and give councils a real ability, at a micro level and at a local level, to make big changes for their constituents.

Mr Durkan: I thank the Minister for his answers thus far. He spoke of the provision for rates convergence. I know that there is still work to be done on this, but will he explain how he foresees the money being shared out among councils?

Mr Wilson: Some councils will not get any of it, because, in some cases, there will be no problem of rates convergence; there will not be a huge difference between the rates in one council area that is joining with another. I am reluctant to give the Member a list of the main places, in case I leave out an area. If I do that, people will come to me and ask, "Why are we not getting anything; there is a difference here." The main areas were, of course, Fermanagh, south Tyrone and Omagh, where there was a big difference. There will be some differences around Belfast, Castlereagh. There are other areas, and if I have not mentioned them, it is only because I have forgotten them. Where there is a substantial difference in rates, money will, of course, be made available for convergence. How it will be distributed will depend on whether we use the individual ratepayer method, the council cluster method or convergence over a period.

Mr McCarthy: This has been going on for almost 10 years. Is the Minister convinced that, after a 20-year period of jumping through hoops, pain and agony, there will be significant savings for the ratepayer? That is what it is all about; saving the ratepayer huge amounts of money.

Mr Wilson: There are two elements to RPA. First, there will be savings. It stands to reason that if, for example, three councils merge, there will be no need for three chief executives or three directors of environmental services, recreation services, or whatever it happens to be. Therefore, there will be staff savings.

Secondly, as a result of councils coming together like that, they will be able to engage in shared services. Indeed, it is hoped that there will be shared services not only in clusters but between clusters. That will lead to savings. That is one aspect of it.

To me, the more exciting aspect is that councils will now have the ability to do far more things. They will have greater economic, vesting, planning and tourism powers; a whole range of things that they can do. To me, that is what is really exciting about RPA. The Member has been a councillor for a long time —

Mr McCarthy: And still is.

Mr Wilson: He still is — and an excellent councillor he is, I believe.

Some Members: Hear, hear.

Mr Wilson: Of course, it depends who you speak to. Other people might have a different view.

I am sure that he knows the kinds of things that he would love the council to be able to do, but councils do not have the powers. After RPA, they will have those powers. That is where the big gain from RPA lies.

Mr Deputy Speaker: Before I call the next speaker, I remind Members that if they are interested in being called to ask a supplementary question, they must continue to rise in their place. Otherwise, I have no way of knowing whether their particular questions have been answered.

Community Safety College, Desertcreat: Funding

6. **Mr I McCrea** asked the Minister of Finance and Personnel whether he has received any requests for additional funding for the Desertcreat training college. (AQO 3677/11-15)

Mr Wilson: My Department has not been approached by the Department of Justice (DOJ) or the Department of Health, Social Services and Public Safety seeking additional funding for the joint Northern Ireland community safety college at Desertcreat.

On 4 March 2013, I met Minister Ford to discuss the options that the Department of Justice is considering to progress the project. As part of that process, the Department of Justice, along with colleagues in the Department of Health, will seek measures that will reduce the cost of the project in order to ensure that it remains affordable from existing agreed budget allocations.

Along with the Justice Minister and the Health Minister, I remain committed to the project. I hope that those difficulties can be overcome within the next few months.

Mr I McCrea: I welcome the Minister's commitment and support to continue to provide that long-overdue college in mid-Ulster. Will he explain what steps are being taken to keep the project on track?

Mr Wilson: Since the problems came to light, the programme board, which was set up by the police and the two Departments, has worked to identify and develop the best way forward. The first step was an analysis of the additional cost that was undertaken to determine exactly what elements have resulted in the cost escalation. As the tender costs exceed those in the business case significantly, DOJ will seek DFP approval for a revised business case. Work on that is currently under way. As that progresses, health estates will continue to provide advice on the best way forward.

Mr Deputy Speaker: I call Mr Patsy McGlone for one supplementary question.

Mr McGlone: Go raibh maith agat, a LeasCheann Comhairle. Thank you very much, indeed, Mr Deputy Speaker, for your guidance as usual.

Will the Minister advise the House whether any advice or information has been provided by the programme board as to how the projected costs have been so far out of kilter with the actual tendered costs for that project?

Mr Wilson: Mr Deputy Speaker, you will note that the Member kept his question to one question. He kept it succinct. I will try to answer him succinctly while also giving him a full answer.

3.15 pm

I have not spoken to the programme board about this, but from my conversations with DOJ and my Department's knowledge of the project, it is my understanding that the difference between the tenders and the business case relates solely to the capital costs of the project. The Department informed me that there were a number of reasons for that: first, inaccurate cost planning; secondly, inaccurate market testing; and, lastly, failure to factor in all the additional costs resulting from the design changes. That is the information that I have been given. Of course, the review will go back over some of that to see where some of the costs can be taken back from the original design so that we get back within the 10% tolerance level for the budget that was allocated.

Budget: Review of Financial Processes

7. **Mr Easton** asked the Minister of Finance and Personnel for an update on the review of financial processes. (AQO 3678/11-15)

Mr Wilson: In February 2011, the Executive commissioned a review of financial processes in Northern Ireland by my officials. On 9 March 2012, following consultation with the key stakeholders, including the Assembly, I circulated a paper to the Executive reporting the outcome of the review. To date, the report has not been tabled for discussion at the Executive.

I recently held meetings with the Education Minister and the Minister for Regional Development regarding concerns that they raised on sections of the report. I am hopeful that we will be able to agree a way forward and that the review report will be considered by the Executive shortly. I believe

that this is an opportunity for the Executive to deliver significant reform. I also believe that the review will help the Assembly to better understand the financial processes and, therefore, be in a better position to scrutinise the way in which Ministers and Departments use the money that is allocated to them.

Mr Easton: I thank the Minister for his answer. Will he let us know what has delayed Executive discussions on the review report, plus the action plan?

Mr Wilson: The main delay has been the opposition from the Education Minister, which, as I have said many times in the House, I do not understand. There was no response from the Office of the First Minister and the deputy First Minister (OFMDFM) or the Department of Agriculture and Rural Development (DARD), but I take their silence as an indication that they agree with the paper.

The Education Minister's concern is that he does not seem to want scrutiny of his budget. He would rather have one budget line, which, I think, is about £1.5 billion, because, provided that is not broken down, he would not have to explain the moving of money between one part of his Department's expenditure and another. I have had discussions with him, and he has made some suggestions, which do not change the one big, broad budget line but which would give greater transparency to what goes on within it, and my officials and I are looking at that.

The Minister also expressed some concern about the Education and Skills Authority (ESA) being included in this and the fact that there would not be a dry run for it, which could create problems with the Northern Ireland Audit Office. We have undertaken to speak to the Northern Ireland Audit Office to illustrate that, in the first year, there may be information that cannot be easily transposed into the new arrangements and that the Department of Education should not be penalised for that.

We are trying to make some progress but, to date, we have not been able to get the paper to the Executive. Since all parties in the Assembly have raised this matter with me on many occasions, I want to point out that, if we do not get a decision made fairly quickly, we will not be able to get the necessary legislative changes through before the end of this Assembly period.

Ms Fearon: Go raibh maith agat, a LeasCheann Comhairle. Does the Minister accept that progress could be made if individual Ministers were assured that reform of the financial process would not impact on their existing control of their budgets?

Mr Wilson: I find that fairly difficult to understand because Ministers do, of course, have control over their own budgets. The first thing to say is — I have been criticised by the Public Accounts Committee over this — that we do not want to micromanage Departments' budgets, and we have never sought to do that. Indeed, we have been criticised for not scrutinising savings delivery plans enough and for not giving enough guidance on them. The argument that we have always put forward is that we do not want to tell Ministers how to run their Departments.

There is considerable scope for Ministers to use their own budgets. For example, there is a £1 million de minimis level below which they do not have to seek approval from the Department of Finance and Personnel. They can also make proactive management changes, which they simply

notify to the Executive in monitoring rounds after the event. I cannot think of any time when a Minister has been refused that. Ministers can also make bids at monitoring rounds. Even for money that they have to surrender, they can make bids to have it brought back into their budget. Very often, that happens as well.

There is no reason why a Minister should argue that the changes remove the scope for him or her to manage their budget. The Assembly ought to be concerned about a Minister who wants to do that, since the Assembly votes money to Departments for specific purposes. I doubt that anyone in the room would want a Minister, after having bid for money and the Assembly having voted for that money, to have the power to spend it on something different.

Mr Cree: I note what the Minister said. It is certainly not a matter of holding people to account for any particular reason; it is to make it open, transparent and accountable. The existing system is poor enough. Does the Minister not think it a failure of government that the matter has not been resolved because of the delay with one particular Minister, who clearly does not understand the issue?

Mr Wilson: I regard it as a failure of the Executive not to have agreed this, but I point out to the Member that that is not a failure of all the parties in the Executive. The majority of the parties in the Executive signed up to it, welcome it and understand the reason for it. A thinking Minister would welcome it. If we do not have that transparency, Ministers could hide money that was voted for one purpose and use it for another, so that they would not surrender it at monitoring rounds. Ministers who could have used that money for a higher priority or something that would perhaps have been more effective in dealing with a social or economic problem do not have access to it. A thinking Minister would want to have that transparency, so that money that is not spent is surrendered back to the centre to be used for the most profitable purpose possible.

It is all part of the Minister of Education's desire to have some kind of financial autonomy. Events over the past week have shown that that autonomy is not used very effectively by him. In fact, it is sometimes used for the most disgraceful populist exercises.

Narrow Water Bridge

8. **Mrs McKeivitt** asked the Minister of Finance and Personnel when he will announce the additional funding for the Narrow Water bridge project. (AQO 3679/11-15)

Mr Wilson: I congratulate the Member on her persistence. I think that she has tried to ask this question at three Question Times. It is normally about number 15 on the list. She must thank the Member for North Belfast and her colleague from South Belfast that we have got this far in Question Time today.

The Narrow Water bridge project is progressing through the agreed INTERREG IVa programme assessment process, and is under review by DFP, which is the accountable Department. We are undertaking the essential internal critical analysis of the project in conjunction with work that is being carried out by the Department of the Environment (DOE), which is responsible, of course, for the planning conditions that have been attached to it, and the Development for Regional Development (DRD), which has to make sure that all the statutory approvals about

navigable waterways and whatnot have been sought. All that information has to be in place before a final decision can be taken, so no funding has been or will be allocated to the project until all the approvals have been obtained.

We are aware of the time constraints associated with the project. I have received numerous letters and requests from Members about this. We will seek to reach a decision as promptly as we can, but I am sure that the Member will understand that, with so much public money involved, it is right that all the proper processes be gone through.

Mrs McKeivitt: I thank the Minister for acknowledging the popularity of this project. I know that he is quite keen for it to proceed.

Minister, in or around 4 December, you indicated that the investigation would possibly take six weeks. Has the First Minister or the deputy First Minister ever made representations to you, either jointly or individually, on the delay associated with providing the balance of funding that is required to allow the Narrow Water bridge project to proceed?

Mr Wilson: I am not aware of either the First Minister or the deputy First Minister having raised this issue with me or with officials in my Department. However, it really would not matter who made representations.

Given the amount of money that is going to be spent on this project, statutory processes have to be gone through and checks have to be made by us. The money also has to be spent within a certain time period, or it will be lost totally. Until we have made all those checks and have all the information, we cannot make a decision. There was a debate in the Assembly on this project, and numerous Members have written to me, contacted me and questioned me about it. However, we have to go through those processes and make sure that the planning conditions, the statutory approvals and the financial case that has been made are sound.

Mr Hazzard: Go raibh maith agat, a LeasCheann Comhairle. Does the Minister agree that the bridge, in conjunction with the infrastructure that is there, will act as a powerful driver for sustainable economic growth in south Down in the years ahead?

Mr Wilson: Since I am the Minister who will make the final decision, I do not think that the Member would expect me to be drawn — to prejudice the decision one way or the other — on whether I believe that the bridge is a good thing or a bad thing for the area. I have to wait until all the information is in front of me.

During the debate in the Assembly, accusations were made that, because this is a cross-border project, somehow or other I was prejudiced against it. All the INTERREG IVa spend is cross-border, so my political opinion on cross-border issues does not really matter. I have to make an objective assessment, and I will do so, once all the information is available to me.

Mr D McIlveen: Will the Minister update us on the position of local groups under the INTERREG IVa programme?

Mr Wilson: At one stage, there was quite considerable interest in the local groups aspect, because it was feared that they were not going to spend all the money that was available to them. They have achieved substantial funding. To date, 36 projects worth £46.7 million have received

letters of offer, and one project worth £13.9 million is progressing through the accountable Department. I have been assured that we are in line to spend the money that has been allocated to the local groups. Of course, the local dimension of the future of the cross-border programme is to be determined through research.

Income Tax

9. **Mr Flanagan** asked the Minister of Finance and Personnel for his assessment of the mechanisms currently being developed by Revenue and Customs to administer the Scottish rate of income tax as a means of providing a more accurate figure for income tax generated locally. (AQO 3680/11-15)

Mr Wilson: Clearly, the mechanisms being developed by HMRC to administer the Scottish rate of income tax will make it possible to determine the Scottish share of UK income tax with a high level of precision. However, the Member has to recognise that those mechanisms are being developed as part of the process to devolve increased income-tax-varying powers to the Scottish Government, and there will be fairly significant administrative and IT costs associated with that for Scotland. Given that the scale of those costs is not clear, I doubt whether putting similar mechanisms in place, solely for the purpose of obtaining data for Northern Ireland, would represent value for money. I also doubt very much that HMRC would be willing to undertake such work, unless, of course, we were prepared to pay it to do so. Whether that would be a good use of resources is debatable.

3.30 pm

Health, Social Services and Public Safety

Hospital Appointments

1. **Mr Molloy** asked the Minister of Health, Social Services and Public Safety to outline any proposals for dealing with cancelled hospital appointments. (AQO 3687/11-15)

2. **Mr McElduff** asked the Minister of Health, Social Services and Public Safety what plans he has to deal with the number of appointments that are cancelled by consultants and hospitals. (AQO 3688/11-15)

Mr Poots (The Minister of Health, Social Services and Public Safety): With your permission, Mr Deputy Speaker, I will answer questions 1 and 2 together, as they both relate to cancelled hospital appointments.

My Department has had the integrated elective access protocol in place for a number of years. That requires that, for outpatient appointments, six weeks prior to the appointment, patients are issued with a letter inviting them to contact their Health and Social Care trust to agree and confirm their appointment. Partial booking allows patients to choose a suitable date and time for their appointment. The protocol also requires consultants to give a minimum of six weeks' notification of intended leave of absence in line with locally agreed human resources (HR) policies. Those policies are intended to reduce the likelihood of hospital cancellations at short notice and to give trusts greater assurance that clinics will proceed as planned.

I am pleased to advise the Assembly that the number of patients who do not attend outpatient appointments has reduced from 10.3% in 2010-11 to 9.4% in 2011-12. Trusts are working to reduce that further by, for example, piloting the introduction of a text-reminder service for appointments. The rate of consultant-led appointments that hospitals cancelled has also reduced over the past four years, decreasing from 12.3% in 2008-09 to 10.8% in 2011-12. Those reductions are welcome, but I want to see further improvement.

Mr Molloy: Go raibh maith agat. I thank the Minister for his answer. I would like him to separate the number of appointments that patients cancelled from the number of those that consultants, private clinics and hospitals cancelled. How do the latter cancellations relate to the amount of money that is being paid into private clinics?

Mr Poots: As I said, the number of consultant cancellations is now sitting at 10.8%, and it was 12.3% in 2008-09. Therefore, improvements have been made. I think that the Member needs to understand that there will always be consultant cancellations. That can happen because of ill health, consultants being engaged in emergency work or having spent the previous night carrying out emergency work and are, therefore, unable to fulfil an appointment. It might also be because consultants have been called on to carry out further training, which is an important element of their work. Therefore, there are a number of reasons why consultants have to cancel their appointments.

Mr McElduff: Go raibh maith agat, a LeasCheann Comhairle. I suggest to the Minister that some patients are saying that they have been told that their appointments have been cancelled, only for them to be rearranged for a private clinic with the same consultant. Is the Minister aware of that practice? How does it represent value for money?

Mr Poots: We operate under a protocol for doctors that was established in London, and that agreement is carried out across the four countries. Our position is that doctors are allowed to carry out work outside the time that they are employed in the National Health Service (NHS). I suspect that if we wished to change that, it would be very challenging. Consultants' ability to move makes them very accessible, and they can move to locations that best suit their needs. Therefore, we need to be very careful about how we approach the issue. Doctors are allowed to practise outside the National Health Service. I think that some of the agreements that have been made with them have not necessarily been in the public's best interests, but seeking to change those will be very challenging.

Ms P Bradley: I thank the Minister for his answers thus far. Will the Minister tell us whether the figures on cancelled appointments suggest that there will be delays for patients?

Mr Poots: A cancellation can, but will not necessarily, lead to a delay. For example, patients may have had their original appointment brought forward; they may have received their treatment; or they may be in hospital on the appointment date. Obstetric patients may have cancelled because their baby was delivered by the time of the appointment, or some cancellations may be a result of internal patient administration system adjustments that do not affect a patient in any way. So it can cause delay, but in many instances it does not.

Mr McClarty: How does the Minister plan to implement a much needed balance in hospitals to ensure that scheduled appointments are met and sufficient resources for accident and emergency departments are provided?

Mr Poots: It is crucial, particularly in hospitals where accident and emergency services are important and we want to retain those services, that emergency surgery continues to be available. Without emergency surgery, you do not have a full-scale emergency department.

Community Resuscitation Strategy

3. **Mr G Robinson** asked the Minister of Health, Social Services and Public Safety to outline his plans to develop a community resuscitation strategy. (AQO 3689/11-15)

Mr Poots: I have asked the Chief Medical Officer to set up a working group to develop a community resuscitation strategy aimed at co-ordinating the available resources to maximise the number of individuals trained in emergency life-support skills in order to improve the survival rate of those who suffer an out-of-hospital cardiac arrest. The working group is chaired by the Northern Ireland Ambulance Service and includes representatives from my Department, health and social care bodies, community and voluntary bodies involved in resuscitation training and representatives from the other Northern Ireland Civil Service Departments, such as Education and Culture, Arts and Leisure. I have asked for the strategy to be ready for consultation by October 2013.

Mr G Robinson: Will the Minister outline what work has been carried out by his Department to test a model for emergency life skills (ELS)?

Mr Poots: Last year, my Department completed a pilot scheme to test a model of cascade training in ELS and the use of automated external defibrillators (AED). The pilot was designed to test the feasibility of training a number of volunteers in ELS skills and in the use of an AED to the level of being able to cascade the training to others. The volunteers were from organisations involved in sport, including the IFA, GAA, and some district councils. The pilot scheme was completed and evaluated in 2012. The evaluation led to two key conclusions. The first is that cascade training is feasible and is a viable way of increasing the pool of people who can provide emergency life support or use an AED in an emergency. The second conclusion is that it is essential that an organisation taking part in this type of scheme must have commitment from its senior leadership or management and that such commitment must be communicated to people throughout the organisation.

I pay tribute to all across Northern Ireland involved in this valuable work, including Health and Social Care and a number of voluntary organisations, such as the British Heart Foundation, ABC for Life, the Red Cross and St John Ambulance, as well as the sporting bodies.

Mr Beggs: Although the development of such a strategy must be welcomed, lives will not be saved until services are delivered on the ground. So when does the Minister envisage the training and necessary equipment being provided?

Mr Poots: We intend to have a strategy available to allow us to make those decisions. The Chief Medical Officer and a team are working up that strategy, and we anticipate that

its impact will be positive. Currently, around 90% of people who have a cardiac arrest outside a hospital environment do not survive. In places where there has been extensive training, such as Seattle, the survival figure has gone up to around 52%, which demonstrates that a lot of progress can be made in this area if we train more people. That is why we have tasked the Chief Medical Officer to carry out this work. Ultimately, it will save many lives.

Sudden Infant Death Syndrome

4. **Mr Newton** asked the Minister of Health, Social Services and Public Safety what actions have been taken to highlight the risks associated with sudden infant death syndrome. (AQO 3690/11-15)

Mr Poots: Advice on reducing the risk of sudden infant death syndrome has been provided since the early 1990s, when the Reduce the Risk of Cot Death campaign was introduced. The initial leaflet focused on the sleeping position of the baby and contributed to a welcome reduction in the number of unexpected infant deaths. To ensure that the benefits are sustained, my Department periodically updates the advice to take account of additional identified risks. The most recent version of the leaflet was published in December 2012. In addition, sections on reducing the risk of cot death are included in 'The Pregnancy Book' and 'Birth to Five' book, which are issued to new parents at antenatal clinics or GP surgeries.

Mr Newton: I thank the Minister for his answer so far. Will he outline the main points of the December 2012 information booklet that he published?

Mr Poots: The main points were as follows: the safest place for your baby to sleep is on their back, in a cot in a room with the parents in the first six months; place the baby in a feet-to-foot position in the cot; do not let your baby's head become covered; smoking in pregnancy greatly increases the risk of sudden infant death syndrome; do not let your baby get too hot or too cold; breastfeeding your baby reduces the risk of sudden infant death syndrome; research shows that using a dummy at the start of any sleep period can reduce the risk of sudden infant death syndrome; and, if your baby is unwell, seek medical advice promptly.

The good news is that in 1990, there were 56 cot deaths, and last year, there were five. This is an absolutely dramatic reduction, which has avoided an awful lot of pain and anguish that many parents of young children would have had to endure.

Ms Boyle: Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for his answers thus far. What work has his Department undertaken with other agencies to help alleviate the immediate stress that families face after a sudden death, by agencies investigating such a death, accepting that that needs to be done, but in a sensitive and timely manner?

Mr Poots: In each trust, we have specialist counsellors who are there to provide advice and support where that is appropriate and where it is wanted. Many people will never go through a greater trauma than losing their infant at such an early stage, after having had the joy of giving birth in the first instance.

Mr Cree: Does the Minister agree that if he promotes policies that inhibit people from starting smoking early,

they, in turn as parents, will not be smokers, and that that could reduce cot death?

Mr Poots: I do not see any redeeming features of cigarette smoking. One in two people die from them, and the impact that they have on others is damaging, so whatever we can do to dissuade and discourage people from commencing smoking, we will attempt to do that. We could get into a longer debate about the means of doing that, but I do not think that now is the appropriate time.

Royal Belfast Hospital for Sick Children: Cardiac Care

5. **Mr Brady** asked the Minister of Health, Social Services and Public Safety, following the recent legal decision in England that the review into paediatric congenital cardiac surgery was flawed, what impact will this have on the review of children's cardiac care in the Royal Belfast Hospital for Sick Children. (AQO 3691/11-15)

Mr Poots: The recent legal judgment in England does not impact on the review being undertaken by the Health and Social Care Board on the future commissioning of paediatric congenital cardiac surgical services for Northern Ireland. The Northern Ireland review is, therefore, continuing as planned, and I expect to reach a decision on the future commissioning of that service in the coming months.

Mr Brady: I thank the Minister for his answer. On Friday, it was said at the working group that the Minister had signed off on the post-consultation document. Will he explain what that means and why the Committee was not informed? Go raibh maith agat.

Mr Poots: The Committee should have been informed, and I apologised to the Chair earlier for that slip up. That is something that we accept. The framework gives us the ability to actually arrive at a decision point on that very important and very sensitive issue. On the one hand, I have many parents saying that I could be putting their children at risk by taking surgery outside of Northern Ireland. On the other hand, I have people from the medical side who are saying that if the skills and capacities do not actually exist in Northern Ireland, I could be putting children's lives at risk by insisting that surgery continues to take place in Northern Ireland. One can see the very difficult place in which we are on that issue. What I will seek to do is to ensure that we do not put children's lives at risk anywhere, that we seek to ensure that the provision of that service is as convenient as possible and that the quality of care that is provided to parents and to their little ones — who are the most important people here — at the time that they need that care is of the highest standard.

3.45 pm

Mr Swann: I declare an interest as the parent of a five and a half-week-old son, Evan, who is currently awaiting heart surgery in Belfast.

From my experience, the cardiac and paediatric surgeons and the anaesthetists in the Royal Victoria Hospital are of the highest professional and specialist standard, as I am sure the Minister will agree. Does he also agree, however, that if he reduces the number of surgeries that are completed in the Royal, it will become increasingly difficult to recruit to those posts, which are necessary for follow-on surgeries, not just for the heart but for non-related cardiac

surgeries on children who have already had successful cardiac operations in Belfast?

Mr Poots: One of the important issues for me is the potential knock-on effect for other services. It may not just be the paediatric congenital cardiac surgery that is affected as a result of not providing that service in Belfast. We have to take all of that into account and take cognisance of it.

First and foremost in all of that, we will be looking at what is in the best interests of the children and how we can provide the best possible care. I was aware of the Member's son, and the whole House will wish his son and his family well as they go through this time. I know that the Member will want to ensure that his child is afforded the best possible treatment, and that is what we want to do for every child in those circumstances.

Ms Brown: I thank the Minister for his answers so far. What changes have been incorporated following the public consultation?

Mr Poots: There was an analysis of the public consultation, and the working group considered the main themes arising from the respondents and the key clinical issues that were raised by clinicians.

The draft post-consultation document incorporates changes that cover options for future commissioning of the service, the selection criteria and the weightings to be attached to the assessment of those options. Following the approval of the framework, it will be applied to the options that are outlined in the post-consultation document, with the aim of identifying a preferred way forward for the provision of the service.

Mr Rogers: I thank the Minister for his answers so far. What discussions has he had recently with his counterpart in the South on coming to a decision on this very important matter?

Mr Poots: I have had a number of discussions, and senior departmental officials are engaged in ongoing discussions. One of the issues will be the ability of the hospital in Dublin to take additional capacity. Around 140 operations are being carried out currently on children from Northern Ireland, and around 40 of them take place outside Northern Ireland, mostly in England but some in Dublin. We would prefer to do more of that surgery in Dublin if we can be assured of quality standards, and I think that we are getting there.

They intend to build a new facility in Dublin, so there may be a course of work to determine how we can manage the services over that time if additional services are to be carried out in Dublin. A lot of work has been done, and there is a lot more to be done before we get to a final outcome.

Health Innovation Corridor

6. **Ms Maeve McLaughlin** asked the Minister of Health, Social Services and Public Safety to outline any discussions he has had with the Minister of Enterprise, Trade and Investment about developing a health innovation corridor in the north-west. (AQO 3692/11-15)

Mr Poots: I understand that the health innovation corridor in the north-west is still in the early stages of development and, to date, I have not had any discussions

with the Minister of Enterprise, Trade and Investment about it. However, Minister Foster and I are committed to the pursuit of healthcare innovation through our joint memorandum of understanding on connected health and prosperity. Therefore, I welcome this initiative and I will be interested to see what emerges from it.

It will be important that the initiative is complementary to the broader eHealth and innovation agendas that are being taken forward by my Department and Invest NI. I would also encourage organisations that are associated with the initiative to become members of the Northern Ireland Connected Health Ecosystem, which is a forum that brings together organisations from the health, academic and industry sectors to consider the development of innovative solutions to address needs that are identified by the health sector.

Ms Maeve McLaughlin: I thank the Minister for his comments. I agree that any such initiative has to be complementary to whatever exists. However, the facilities in the north-west such as Project Kelvin, the Clinical Translational Research and Innovation Centre (C-TRIC) and the university research facility, which are the only such facilities in the North should, therefore, be supported and developed accordingly.

Mr Poots: I am very supportive of the development of innovation in healthcare. I had the opportunity to visit C-TRIC, so I know the excellent work that goes on at that facility. Project Kelvin brings an added dimension, with the ability to pass information very quickly to and from the United States of America in particular. We are in an advantageous position on a lot of these things. Northern Ireland needs to develop innovation in healthcare. That is why we have the memorandum of understanding between Invest NI and the Department of Health, which was signed by Arlene Foster and myself. That is why we have established an ecosystem. That is why we have established a task and finish group between the Department of Health and Invest NI, with support from other people in business and academia, to identify how we can deliver on innovation.

Mr Durkan: Will the Minister outline to the House any discussions that he has had with the universities in the north-west or his colleague the Minister for Employment and Learning about the development of health research in the north-west?

Mr Poots: Two meetings have been held to date comprising representatives from the University of Ulster, C-TRIC, Derry City Council and Co-operation and Working Together. The initiative has been linked to the One Plan, which is about economic regeneration in Londonderry. Considerable work is being done between the key stakeholders on how we develop these things.

Mr Anderson: What actions are being taken to promote research and development?

Mr Poots: I am committed to research and development and innovation in health and social care services as a way to meet major challenges, including demographic change. Our work in progress on addressing the innovation challenge was outlined in a statement that I made to the House in December. There is the regional health and social care resources directorate fund, which provides additional funding to enable Northern Ireland-based researchers to apply for major awards through applied

programmes of the National Institute for Health Research. Synergies with Invest NI R&D programmes are increasing the ability of clinical, academic and business organisations to make discoveries and apply them for improvement in the prevention, diagnosis and treatment of illnesses, and care of patients and clients.

The shift towards a population with a higher proportion of older people requires a change in how the services are delivered while we maintain the high quality that people want and deserve. There is a whole course of work. We are delighted to note that Therese Murray, the president of the Massachusetts Senate, was able to join the event on the north-west health innovation corridor. I was very pleased to meet Senator Murray at an EU/US connected-health marketplace conference in October 2012, when we announced a new research partnership in medical device technologies and innovation between the universities of Ulster and Massachusetts. That partnership will bring together experts on both sides of the Atlantic, which will be to the benefit of Northern Ireland and the United States.

Termination of Pregnancy Guidelines

7. Mr McDevitt asked the Minister of Health, Social Services and Public Safety when he will publish guidelines on the termination of pregnancies. (AQO 3693/11-15)

Mr Poots: I have circulated draft guidance on termination of pregnancy to Ministerial colleagues, seeking their agreement to hold a public consultation. I intend to discuss the document 'The Limited Circumstances for a Lawful Termination of Pregnancy in Northern Ireland' at the next meeting of the Northern Ireland Executive. Following public consultation, I will submit a final guidance document back to the Executive for their consideration. It is my intention that publication of the final document will take place in the autumn. The draft guidance document does not change the law in Northern Ireland, and it does not make it easier for a woman to have a termination of pregnancy.

Mr McDevitt: I take this opportunity to apologise to the House for being absent during Finance and Personnel questions.

I acknowledge the publication of the guidelines and welcome the fact that they are now out for consultation. Does the Minister agree that we must now move, without changing the legal position in this jurisdiction, to ensure that we are able to guarantee that everyone operating in this field does so within a regulated context?

Mr Poots: I would very much like that to be the case. It is essential that people who work in this very sensitive area ensure that whatever they do is within the legal framework. The guidelines are an asset to people who want to work within the legal framework and will help them to ensure that that is the case.

Mr Boylan: Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire as an fhreagra sin. Given that the Minister spoke in the debate last week as a private Member, will he outline whether he has had any discussions since then with the Justice Minister on the matter?

Mr Poots: I have not had discussions with the Justice Minister, but I have instructed my staff to write to him to seek a meeting on the issues that were raised last week.

I welcome the fact that the Justice Minister recognises that this is a justice issue in that the legislation is justice legislation and his Department is involved. We need fully and frankly to discuss how best to move forward, particularly in light of last week's vote, which allows Marie Stopes to operate in an unregulated way, which is something that I could not support.

Mr Dunne: I thank the Minister for his answers. How many terminations of pregnancy take place annually across the five trust areas in Northern Ireland?

Mr Poots: In 2008-09, there were 44; in 2009-2010, there were 36; and in 2010-11, there were 43. In the rest of GB during that period, there were 189,000. Some people talk about the number of people who travel. Regrettably, around 1,000 people with registered addresses in Northern Ireland did travel. However, the proportionate number here would be 4,000, if you look at the number of terminations that have taken place across the UK. Therefore, one can see that not having the ability to pop into a facility that can basically give you an abortion on demand significantly reduces the number of terminations that take place. Consequently, many tens of thousands of children have grown up in Northern Ireland over the past 45 years who would not have had that opportunity in England or Wales.

Fire and Rescue Service

8. **Mr G Kelly** asked the Minister of Health, Social Services and Public Safety for an update on the Fire and Rescue Service investigation that he announced in October 2012. (AQO 3694/11-15)

Mr Poots: On 1 November 2012, in a written statement to the Assembly, I referred to a number of allegations about potential fraud, theft or other irregularities in the Northern Ireland Fire and Rescue Service and announced that I had tasked the departmental accounting officer with responsibility for ensuring a satisfactory and independent investigation into the specific material allegations that have been made.

The Department for Social Development corporate investigation unit has been commissioned to undertake a detailed investigation, and I expect to receive its report by the end of this month. Once I have had the opportunity to consider its findings, I will ensure that that report is made public.

Mr G Kelly: Gabhaim buíochas leis an Aire as an fhreagra sin. Mr Deputy Speaker, I would like to take the opportunity to apologise for not being here to ask my question during questions to the Minister of Finance and Personnel.

There have been a number of reports before now. Was anyone disciplined for anything that was in those reports?

Mr Poots: There certainly was a recommendation for disciplinary proceedings to be carried out. The Fire Service board should be very careful about how it handles things because in one particular report, it was very clear that discipline was the expected outcome. Sometimes, people can use the system to avoid disciplinary procedures. It would be a travesty if that were the case in this instance, and the board would be snubbing the House if that happened. That is something that it should reflect on and be very careful about.

4.00 pm

Executive Committee Business

Public Bodies (Abolition of British Shipbuilders) Order 2013: Assembly Consent Motion

Mr Deputy Speaker: The next two items of business are motions seeking the Assembly's consent to draft orders that have been made in the UK Parliament. There will be separate debates on each.

Mrs Foster (The Minister of Enterprise, Trade and Investment): I beg to move

That this Assembly consents to the Public Bodies (Abolition of British Shipbuilders) Order 2013 in the form of the draft laid before the UK Parliament on 1 November 2012.

I am today seeking the consent of the Assembly to abolish the British Shipbuilders Corporation and for the transfer of its liabilities to the Secretary of State for Business, Innovation and Skills. As Members will be aware, the Public Bodies Act 2011 allows UK Ministers to abolish, merge or transfer functions of the public bodies listed in the appropriate schedules. The proposal to abolish this body was included in the schedule to that Act. Members may recall that the First Minister and deputy First Minister obtained the agreement of the Assembly to a legislative consent motion on the Public Bodies Bill on 7 March 2011. Section 9 of the Public Bodies Act 2011 requires, where appropriate, the consent of the devolved legislatures before an order can be made under the Act.

(Mr Speaker in the Chair)

The abolition of British Shipbuilders, in so far as it is able to exercise powers in Northern Ireland, including under section 3 of the Aircraft and Shipbuilding Industries Act 1977, falls within the legislative competence of the Northern Ireland Assembly under section 9(3)(a) of the Public Bodies Act 2011. The consent of the Northern Ireland Assembly is therefore required for the abolition. British Shipbuilders is a public corporation that owned and managed large parts of the British shipbuilding industry and had shipyards in England and Scotland but none in Wales or Northern Ireland. There are, therefore, no Northern Ireland liabilities to transfer to the Secretary of State. I commend the motion to the Assembly.

Mr McGlone (The Chairperson of the Committee for Enterprise, Trade and Investment): Go raibh maith agat, a Cheann Comhairle. Mo bhuíochas leis an Aire chomh maith as ucht an mholta seo a thabhairt os ár gcomhair. I thank the Minister for bringing the motion before us. The Committee examined the Public Bodies (Abolition of British Shipbuilders) Order 2013 at its meeting on 28 February and had no issues with it.

Mrs Foster: I have very little else to say but that I commend the motion to the House.

Question put and agreed to.

Resolved:

That this Assembly consents to the Public Bodies (Abolition of British Shipbuilders) Order 2013 in the form of the draft laid before the UK Parliament on 1 November 2012.

Public Bodies (Abolition of the Aircraft and Shipbuilding Industries Arbitration Tribunal) Order 2013: Assembly Consent Motion

Mrs Foster (The Minister of Enterprise, Trade and Investment): I beg to move

That this Assembly consents to the Public Bodies (Abolition of the Aircraft and Shipbuilding Industries Arbitration Tribunal) Order 2013 in the form of the draft laid before the UK Parliament on 1 November 2012.

This is a similar motion, and I am seeking the consent of the Assembly to abolish the Aircraft and Shipbuilding Industries Arbitration Tribunal. The proposal is to abolish the tribunal, which was contained in the Public Bodies Act 2011. The tribunal was established to determine any question or dispute that was expressly required by the Aircraft and Shipbuilding Industries Act 1977 to be subject to arbitration. The tribunal was formed in 1978 and considered two applications, neither of which was about Northern Ireland. The tribunal completed its determination of both cases by 1981 and has not met since. It has been defunct for 30 years. It has completed its work, and no further cases will need to be considered by it. It had the power to sit in Northern Ireland but was never required to do so, and its abolition is a deregulatory measure and will not impact on business. I commend the motion to the Assembly.

Mr McGlone (The Chairperson of the Committee for Enterprise, Trade and Investment): The Committee considered the Public Bodies (Abolition of the Aircraft and Shipbuilding Industries Arbitration Tribunal) Order 2013. The Minister said that it has been defunct for 30 years, and, clearly, the Committee did not have any issues with it.

Mrs Foster: I welcome the fact that we are getting rid of bodies such as these that are on statute but provide no function to society. I commend the motion to the House.

Question put and agreed to.

Resolved:

That this Assembly consents to the Public Bodies (Abolition of the Aircraft and Shipbuilding Industries Arbitration Tribunal) Order 2013 in the form of the draft laid before the UK Parliament on 1 November 2012.

Private Members' Business

Civil Service (Special Advisers) Bill: Consideration Stage

Mr Speaker: I call the sponsor, Mr Jim Allister, to move the Bill.

Moved. — [Mr Allister.]

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

There are two groups of amendments, and we will debate the amendments in each group in turn. The first debate will be on amendment Nos 1, 5, 9 and 10, 18 to 22, 24 to 30, 39, 40 and 44, which make technical and drafting changes to the Bill. The second debate will be on amendment Nos 2 to 4, 6 to 8, 11 to 17, 23, 31 to 38, 41 to 43, and opposition to clauses 2, 3 and 6 stand part.

The amendments deal with reviews and qualifications of the automatic barring of special advisers with a serious criminal conviction and the procedure for appointments. Once the debate on each group is completed, any further amendments in the group will be moved formally as we go through the Bill, and the Question on each will be put without further debate. The Questions on stand part will be taken at the appropriate points in the Bill. If that is clear, we shall proceed.

Clause 1 (Meaning of "special adviser")

Mr Speaker: We now come to the first group of amendments for debate. With amendment No 1, it will be convenient to debate amendment Nos 5, 9, 10, 18 to 22, 24 to 30, 39, 40 and 44. These amendments make technical and drafting changes to the Bill.

Mr Allister: I beg to move amendment No 1: In page 1, line 7, after "position on" insert "or before".

The following amendments stood on the Marshalled List:

No 5: In clause 2, page 1, line 14, leave out "section" and insert "subsection".— *[Mr Allister.]*

No 9: In clause 2, page 1, line 18, leave out "Ministers" and insert "A Minister".— *[Mr Allister.]*

No 10: In clause 2, page 1, line 19, leave out "them" and insert "the Minister".— *[Mr Allister.]*

No 18: In clause 3, page 2, line 1, after "sentence of" insert "immediate".— *[Mr Allister.]*

No 19: In clause 3, page 2, line 5, after "State" insert "or the Minister of Justice".— *[Mr Allister.]*

No 20: In clause 3, page 2, line 9, after "Governor" insert "or the Secretary of State".— *[Mr Allister.]*

No 21: In clause 3, page 2, line 15, leave out "Act" and insert "section".— *[Mr Allister.]*

No 22: In clause 3, page 2, line 15, at end insert

"(3) Where the person was convicted in a country or territory outside Northern Ireland, the references in subsection (1)(c), (d) and (e) to sentences are to be read

as references to equivalent sentences in the country or territory in which the person was convicted.— [Mr Allister.]

No 24: In clause 4, page 2, line 18, after “employed” insert “at any time”.— [Mr Allister.]

No 25: In clause 5, page 2, line 26, leave out “3” and insert “2”.— [Mr Allister.]

No 26: In clause 5, page 2, line 30, leave out “function” and insert “power”.— [Mr Allister.]

No 27: In clause 5, page 2, line 32, leave out “function” and insert “power”.— [Mr Allister.]

No 28: In clause 5, page 2, line 34, leave out “function” and insert “power”.— [Mr Allister.]

No 29: In clause 5, page 2, line 38, leave out “employment” and insert “appointment”.— [Mr Allister.]

No 30: In clause 6, page 3, line 3, leave out “3” and insert “2”.— [Mr Allister.]

No 39: In clause 8, page 3, line 20, before “Department” insert “The”.— [Mr Allister.]

No 40: In clause 8, page 3, line 21, before “Minister” insert “The”.— [Mr Allister.]

No 44: In clause 10, page 3, line 32, leave out “and 6” and insert “, 6, 8, 10 and 11”.— [Mr Allister.]

Mr Allister: I will very briefly speak to amendment No 1 and the other amendments in group 1. As has been indicated, these are entirely technical amendments that tidy up the flow of the Bill, and most of them emerge from advices given by the Office of the Legislative Counsel (OLC). I was happy to accept those, and, in the main, that is the source of these technical amendments. I will not bore the House with indicating the detail of each and every one. If there are points raised during a debate on group 1, I will happily deal with those in winding up, but I do not anticipate that there is much scope for such.

Amendment No 18 makes a change to clause 3, which is the definition clause relating to the meaning of serious criminal conviction. There had been some question and some clarification had been sought about where the definition, when it spoke about a sentence of imprisonment of five years or more, stood in relation to suspended sentences, recorded sentences or any other possible derivation of sentence. To make it abundantly clear and to put it beyond doubt, I am proposing in amendment No 18 that we insert a sentence of “immediate” imprisonment of five years. That makes it beyond doubt that we are talking about a sentence of exactly that, not a suspended sentence or anything else.

Amendment Nos 19 and 20 simply update slightly the remainder of clause 3 on detentions at the pleasure of the Secretary of State, etc, to bring us up to date with the fact that the Minister of Justice might have a role in that. I believe that the amendments are of a wholly technical nature, unless someone thinks otherwise. Having said that, I am very happy to leave the matter there for now.

Mr McKay (The Chairperson of the Committee for Finance and Personnel): Go raibh maith agat, a Cheann Comhairle. In addressing this group of amendments, I will first refer briefly to the Committee for Finance and Personnel’s scrutiny of the Bill.

In response to its call for evidence on the Bill, the Committee received over 860 written submissions, and that included almost 830 signatories to an online petition that opposed the Bill. The Committee took oral evidence on two occasions from the Bill sponsor and received legal advice from Assembly Legal Services.

Oral evidence was also received from a range of key stakeholders, including the Department of Finance and Personnel, the Attorney General, NIACRO, the Commission for Victims and Survivors, the Equality Commission, the Human Rights Commission, Ann Travers, Coiste na nIarchimí and Tar Isteach and a number of academic witnesses. Members also heard from Nigel Hamilton and the late George Quigley on the Office of the First Minister and deputy First Minister (OFMDFM) employers’ guidance on recruiting people with conflict-related convictions.

The Committee is grateful to all those who assisted with its scrutiny of the Bill. I particularly take this chance to acknowledge George Quigley’s contribution to the work of the Committee and offer the Committee’s and, I am sure, the House’s condolences to his family circle.

The Committee examined a number of key themes and issues that were identified in the evidence, including the consideration of the needs of victims, compatibility with human rights requirements, commitments under the Good Friday Agreement and the St Andrews Agreement, transparency on arrangements for special advisers and the views on individualisation versus blanket disqualification. I will return to some of those later in the debate on the second group of amendments.

As well as the themes arising from the evidence that I mentioned, the OLC raised a number of technical and drafting points via the Department of Finance and Personnel (DFP) during the Committee Stage scrutiny. Members may be aware that the OLC correspondence is provided in full at appendix 4 of the Committee’s report. In response to the points raised by the OLC, the Bill sponsor provided the Committee with details of the issues that he intended to address by way of amendments to clauses 1, 2, 3, 4, 5, 6, 8 and 10. Explanations were also given as to why amendments would not be moved in respect of a number of other points. The Bill sponsor’s detailed response is provided in the report.

The Committee did not have the wording of the proposed technical amendments during its clause-by-clause scrutiny, and, therefore, the clauses that I have listed were agreed by the Committee, some on a majority basis subject to the proposed technical amendments from the Bill sponsor.

From a party perspective, quite clearly Sinn Féin is opposed to the Bill. It is opposed to clauses 2 and 3 in particular. As the proposer of the Bill said, I also have no wish to extend the sitting on this debate any longer than necessary. The focus of our opposition will be in the debate on the second group of amendments as opposed to the technical debate here in which we will be voting and focusing on a substantial amount of the other clauses.

Mr D Bradley: Go raibh míle maith agat, a Cheann Comhairle. Like the Member who spoke previously, we view these as technical and drafting amendments and, therefore, will not enter into debate on them but will

reserve our comments for the more substantial issues that arise under the second group of amendments.

Mr Cree: I am pleased to speak on the first group of amendments to Mr Allister's Civil Service (Special Advisers) Bill. I begin by commending the Member for North Antrim on the considerable work that he has put in to date on the Bill. The Ulster Unionist Party has fully supported the merits of the Bill from the outset, and I am pleased that we have reached this crucial point in its passage today.

I want to pay tribute, as the Chairman has, to the Committee for Finance and Personnel for the high volume of excellent work that it has undertaken.

The unnecessarily insensitive appointment of Mary McArdle as a special adviser to the Minister of Culture, Arts and Leisure was, of course, the staging post for the legislation. The subsequent hurt that that appointment caused to the Travers family and, indeed, to a wider number of victims —

Mr Speaker: Order. Members will note that they will get some latitude, but I ask the Member to come back to the amendments before us.

Mr Cree: Thank you, Mr Speaker, for that bit of flexibility. The first group of amendments are, as the title suggests, mostly technical in their nature and have been tabled in the name of Mr Allister. They deal with any potential loose ends and give clarification when necessary on issues such as the definition of a special adviser, what constitutes a relevant conviction for the purposes of the Bill and when the various sections should come into force following Royal Assent. A number of amendments also appear solely to address the terminology used — for example, in respect of Ministers and Departments.

I have no issue with the amendments in group 1. The Ulster Unionist Party will support them. I look forward to the debate on the group 2 amendments, which will deal with the more substantive and contentious issues in the Bill.

4.15 pm

Mr Allister: I note the observations from Members and the acknowledgement that these are technical amendments. I want to put on record my appreciation to the Committee for the diligent manner in which it examined the Bill, took evidence and explored the issues and for the courteous manner in which, on two occasions, I was received. I am grateful for that. I do not think that there was anything of substance in the points made that I need to otherwise respond to.

Amendment No 1 agreed to.

Clause 1, as amended, ordered to stand part of the Bill.

Clause 2 (Special adviser not to have serious criminal conviction)

Mr Speaker: We now come to the second group of amendments for debate. With amendment No 2, it will be convenient to debate amendment Nos 3, 4, 6 to 8, 11 to 17, 23, 31 to 38, 41 to 43 and opposition to clauses 2, 3 and 6. The amendments deal with reviews and qualifications of the automatic barring of special advisers with a serious criminal conviction and the procedure for appointments. A number of amendments in the group

are mutually exclusive, and I advise Members as follows. Amendment Nos 2, 3 and 4 are mutually exclusive; amendment No 6 is mutually exclusive with amendment Nos 7 and 8; amendment No 11 is mutually exclusive with opposition to clause 2 stand part; amendment No 16 is mutually exclusive with amendment Nos 11, 12 and 13 and opposition to clause 2 stand part; amendment Nos 32, 33 and 34 are mutually exclusive; amendment No 37 is mutually exclusive with clause 6 standing part; amendment Nos 41 and 43, and amendment Nos 42 and 43, are mutually exclusive. I call Mr Jim Allister to move amendment No 2 and address the other amendments in the group.

Mr Allister: I beg to move amendment No 2: In page 1, line 9, leave out subsection (1) and insert

“(1) Subject to subsection (2) and section (Determination of eligibility of special advisers by Commissioners (Amendment 11)), a person is not eligible for appointment as a special adviser if the person has a serious criminal conviction.

(2) Where a Minister proposes to appoint as a special adviser a person who has a serious criminal conviction, that person may refer the proposed appointment to the Commissioners.”

The following amendments stood on the Marshalled List:

No 3: In page 1, line 9, leave out subsection (1) and insert

“(1) Where a Minister proposes to appoint as a special adviser a person who has a conviction for a conflict-related offence, the Minister must refer the proposed appointment to the Commissioners.”— [Mr D Bradley.]

No 4: In page 1, line 10, at end insert

“, but this is subject to section (Exception for conflict-related offences: procedure for proposed appointees).”— [Mr Mitchel McLaughlin.]

No 6: In page 1, leave out line 17 and insert

“the Minister who appointed that person must, after consultation with that person, refer the appointment to the Commissioners, within 21 days of this subsection coming into operation.”— [Mr D Bradley.]

No 7: In page 1, line 17, at end insert

“, but this is subject to section (Exception for conflict-related offences: procedure for existing appointees).”— [Mr Mitchel McLaughlin.]

No 8: In page 1, line 17, at end insert

“() but a person to whom subsection (3) will apply may refer the appointment to the Commissioners, within 21 days of this subsection coming into operation.”— [Mr Allister.]

No 11: After clause 2 insert

“Determination of eligibility of special advisers by Commissioners

2A.—(1) Where—

(a) a proposed appointment is referred to the Commissioners under section 2(2- as inserted by Amendment 2), or

(b) an appointment is referred to the Commissioners under section 2(subsection as inserted by Amendment 8),

the Commissioners shall determine whether the person is eligible for appointment as, or to continue to hold appointment as, a special adviser.

(2) The Commissioners shall only determine that a person is eligible for appointment as, or to continue to hold appointment as, a special adviser, if satisfied that there are exceptional circumstances justifying it—

(a) after having regard to the matters set out in subsection (3), and

(b) in the case of a proposed appointment, after taking account of the outcome of the vetting procedures mentioned in subsection (4).

(3) Those matters are—

(a) whether the person has shown contrition for the offence to which the serious criminal conviction relates,

(b) whether the person has taken all reasonable steps to assist in the investigation and prosecution of all other persons connected with the commission of the offence,

(c) the views of any victim of the offence, or where a victim has died, the views of any close family member of the victim.

(4) The Commissioners must arrange for the proposed appointee to be the subject of the same vetting procedures as apply to the appointment of persons as Senior Civil Servants to the Northern Ireland Civil Service.”— [Mr Allister.]

No 12: After clause 2 insert

“Exception for conflict-related offences: procedure for proposed appointees

2A.—*(1) Where a Minister proposes to appoint as a special adviser a person who has incurred a serious criminal conviction for a conflict-related offence, the Minister must refer the matter to the First Minister and deputy First Minister.*

(2) The First Minister and deputy First Minister, acting jointly, must within 14 days of the referral, establish a review panel in accordance with section (Exception for conflict-related offences: review panel) and refer the matter to it.

(3) The review panel must arrange for the proposed appointee to be the subject of the vetting procedures referred to in section 6.

(4) Subject to the outcome of those procedures, the review panel must determine that the proposed appointee is eligible for appointment, unless satisfied that the nature of the proposed appointee’s role as a special adviser is manifestly incompatible with the circumstances of the conflict-related offence.”— [Mr Mitchel McLaughlin.]

No 13: After clause 2 insert

“Exception for conflict-related offences: procedure for existing appointees

2B.—*(1) This section applies if, on the date of its coming into operation—*

(a) a person holds an appointment as a special adviser,

(b) the person has before that date incurred a serious criminal conviction, and

(c) the serious criminal conviction was for a conflict-related offence.

(2) The Minister who appointed that person may, within 21 days of the coming into operation of this section, and after consultation with the person, refer the matter to the First Minister and deputy First Minister.

(3) The First Minister and deputy First Minister, acting jointly, must within 14 days of the referral, establish a review panel in accordance with section (Exception for conflict-related offences: review panel) and refer the matter to it.

(4) The review panel must determine that the person’s appointment will not be, or is not, terminated by virtue of this Act, unless satisfied that the nature of the person’s role as a special adviser is manifestly incompatible with the circumstances of the conflict-related offence.”— [Mr Mitchel McLaughlin.]

No 14: After clause 2 insert

“Exception for conflict-related offences: review panel

2C.—*(1) This section applies where the First Minister and deputy First Minister, acting jointly, are required to appoint a review panel for the purposes of section (Exception for conflict-related offences: procedure for proposed appointees) or (Exception for conflict-related offences: procedure for existing appointees).*

(2) The First Minister and deputy First Minister, acting jointly, must—

(a) appoint independent persons with suitable qualifications, expertise or experience, to be members of the review panel,

(b) pay those persons such fees, allowances or expenses as appear appropriate,

(c) provide the review panel with staff, accommodation or other facilities as appear appropriate.

(3) A review panel may regulate its own procedure.

(4) A review panel only remains in existence for so long as is necessary for it to exercise its functions.”— [Mr Mitchel McLaughlin.]

No 15: After clause 2 insert

“Exception for conflict-related offences: appeals

2D.—*(1) Where a review panel—*

(a) determines under section (Exception for conflict-related offences: procedure for proposed appointees) that a person is not eligible for appointment as a special adviser, or

(b) determines under section (Exception for conflict-related offences: procedure for existing appointees) that a person’s appointment as a special adviser will be, or is terminated by virtue of this Act,

that person may appeal to the High Court.

(2) The appeal can only be brought on the ground that the nature of the person’s role as a special adviser would not be, or is not manifestly incompatible with the circumstances of the conflict-related offence.

(3) The appeal must be brought within 21 days from the day on which the review panel made the determination.

(4) On hearing the appeal, the High Court may make such order as it thinks fit in respect of the person's—
(a) eligibility for appointment as a special adviser, or
(b) termination of appointment as a special adviser.”—
[Mr Mitchel McLaughlin.]

No 16: After clause 2 insert

“Determination of eligibility of special advisers by Commissioners

2A.—(1) Where—

- (a) a proposed appointment is referred to the Commissioners under section 2(1 - as inserted by Amendment 3), or
(b) an appointment is referred to the Commissioners under section 2(3 - as amended by Amendment 6),
the Commissioners shall determine whether the person is eligible for appointment as, or to continue to hold appointment as, a special adviser.
(2) The Commissioners shall only determine that a person is eligible for appointment as, or to continue to hold appointment as, a special adviser, if satisfied that it is reasonable to do so—
(a) after having regard to the matters set out in subsection (3), and
(b) in the case of a proposed appointment, after taking account of the outcome of the vetting procedures mentioned in subsection (4).
(3) Those matters are—
(a) the nature of the offence to which the serious criminal conviction relates,
(b) the relevance of the nature of the offence to the person's role as a special adviser, and
(c) such other matters as the Commissioners consider relevant.
(4) The Commissioners must arrange for the proposed appointee to be the subject of the same vetting procedures as apply to the appointment of persons as Senior Civil Servants to the Northern Ireland Civil Service.”— [Mr D Bradley.]

No 17: After clause 2 insert

“Appeals against Commissioners' determinations

- 2B.—(1) Where a person who is the subject of a determination of the Commissioners is aggrieved by that determination, that person may appeal to the High Court.**
(2) The appeal can only be brought on the ground that it was not reasonable for the Commissioners to make that determination.
(3) The appeal must be brought within 21 days from the day on which the Commissioners made the determination.
(4) On hearing the appeal, the High Court may make such order as it thinks fit in respect of a person's eligibility for appointment as, or to continue to hold appointment as, a special adviser.”— [Mr D Bradley.]

No 23: After clause 3 insert

“Meaning of ‘conflict-related offence’

3A. In this Act, ‘conflict-related offence’ means—

- (a) an offence for which a person was released on licence under the Northern Ireland (Sentences) Act 1998, and that licence has not been revoked, or
(b) an offence for which a person would have been released on licence under the Northern Ireland (Sentences) Act 1998, had the person not already been released before that Act came into operation.”—
[Mr Mitchel McLaughlin.]

No 31: In clause 6, page 3, line 3, at end insert

“() Where a Minister proposes to appoint a special adviser, such an appointment shall be subject to the terms of the code.”.— [Mrs Cochrane.]

No 32: In clause 6, page 3, line 4, leave out subsection (2) and insert

- “(2) Without prejudice to the generality of subsection (1), the code must provide that persons proposed for appointment as special advisers—
(a) must be subject to the same vetting procedures as persons to be appointed as Senior Civil Servants to the Northern Ireland Civil Service,
(b) must not be subject to further vetting procedures if they have been subject to vetting procedures in accordance with section (Determination of eligibility of special advisers by Commissioners (Amendment 11)).”.— [Mr Allister.]

No 33: In clause 6, page 3, line 4, leave out subsection (2) and insert

- “(2) Without prejudice to the generality of subsection (1), the code must provide that the appointment of special advisers must be subject to—
(a) an assessment of the candidate's character by the Department of Finance and Personnel, including a criminal record check; and
(b) a recommendation to the appointing Minister regarding test of character, consistent with the decision that would have been taken with any other applicant to the NICs.”.— [Mrs Cochrane.]

No 34: In clause 6, page 3, line 4, leave out subsection (2) and insert

- “(2) Without prejudice to the generality of subsection (1), the code must provide that persons proposed for appointment as special advisers—
(a) must be subject to the same vetting procedures as persons to be appointed as Senior Civil Servants to the Northern Ireland Civil Service,
(b) must not be subject to further vetting procedures if they have been subject to vetting procedures in accordance with section (Determination of eligibility of special advisers by Commissioners (Amendment 16)).”.— [Mr D Bradley.]

No 35: In clause 6, page 3, line 7, at end insert

“() Until such times as the appointment process has been completed, and an appointment made in accordance with the code, no person may exercise the

functions or be entitled to the benefits and privileges of a special adviser.

() The code must provide for a mechanism that would allow an appointing Minister or a prospective candidate to appeal to an independent panel appointed for that purpose by the First Minister and deputy First Minister.”— [Mrs Cochrane.]

No 36: In clause 6, page 3, line 9, at end insert

“(4) All persons exercising functions in respect of the appointment of special advisers must have regard to the code.”— [Mr Allister.]

No 37: After clause 6 insert

“Procedure for appointments

6A.—(1) The Department must, within 3 months from the date of coming into operation of this section, make regulations governing the appointment of special advisers.

(2) Without prejudice to the generality of subsection (1), those regulations must provide that—

(a) a person to be appointed as a special adviser must be subject to the same vetting procedures as persons appointed as civil servants to the Northern Ireland Civil Service, save that the vetting procedures must not take into account any serious criminal conviction the person has for a conflict-related offence,

(b) where enhanced vetting procedures apply to a particular class of civil servants, those enhanced vetting procedures do not apply to persons to be appointed as special advisers,

(c) where a person has been subject to vetting procedures in accordance with section (Exception for conflict-related offences: procedure for proposed appointees), the person will not be subject to any further vetting procedures for the purposes of appointment as a special adviser.

(3) Regulations under this section must not be made unless a draft of the regulations has been laid before and approved by a resolution of the Assembly.”— [Mr Mitchel McLaughlin.]

No 38: In clause 8, page 3, line 19, at end insert

“the Commissioners’ means the Civil Service Commissioners for Northern Ireland.”— [Mr Allister.]

No 41: In clause 10, page 3, line 32, after “Sections” insert

“2(subsection as inserted by Amendment 8), (Determination of eligibility of special advisers by Commissioners (Amendment 11)).”— [Mr Allister.]

No 42: In clause 10, page 3, line 32, after “Sections” insert

“(Exception for conflict-related offences: procedure for existing appointees), (Exception for conflict-related offences: review panel), (Exception for conflict-related offences: appeals), (Meaning of ‘conflict-related offence’).”— [Mr Mitchel McLaughlin.]

No 43: In clause 10, page 3, line 32, after “Sections” insert

“2(subsection as amended by Amendment 6), (Meaning of ‘conflict-related offence’), (Determination of eligibility of special advisers by Commissioners (Amendment 16)).”— [Mr D Bradley.]

Mr Allister: As you have indicated, Mr Speaker, I will speak on the collection of amendments in group 2.

I begin by reminding the House that the catalyst for the introduction of the Bill was the appointment by the Culture Minister of Mary McArdle as her special adviser. Mary McArdle, as we all know, had been convicted of the cruel murder of a young lady, in an attempt to murder the entirety of her family, who were present on that occasion, the Travers family. On that occasion, the very gentle Mary Travers was cold-bloodedly done to death. It was of that heinous crime that Mary McArdle was duly convicted. The appointment by the Culture Minister of Mary McArdle had all the appearances of being a calculated, deliberate act signalling an attitude that, because it could be done, it would be done and signalling a quite deliberate elevation of someone of that ilk. It was an act just as calculated as the calculated, murderous attack on the Travers family. The purpose of the Bill is to make sure that never again shall such a slight on common decency, such an affront to the principles that most people in the community hold to or such hurt as was caused to the family be delivered to a victim’s family in Northern Ireland. That is the primary motivation for and purpose of the Bill. As we come to examine all these amendments — some of them competing amendments — I invite the House to apply this test to each where it is relevant: would this amendment make it easy or difficult for what happened to happen again? That would be a legitimate and appropriate test to apply to many of the amendments.

I spoke of the hurt that was caused to the Travers family. I again salute the immense courage of Ann Travers, who was prepared to stand on the front line in terms of publicity and drawing the ire of those against whom she spoke and to rebuke that appointment and explain why it was so intolerable for her and her family. I would have thought that, of all the pertinent evidence that the Committee received, the most poignant and telling was the evidence that it received from Ann Travers. Let me remind the House of some of the things that she had to say in setting out why legislation such as this is necessary. She told the Committee:

“As the position of special adviser is taxpayer-funded, victims find themselves in the surreal position of contributing to the salary of the person who destroyed their family. That is wrong. Victims have rights, too, and they have the right to move on with their lives.”

She then told how, like a bolt out of the blue, the announcement that the one convicted of the murder of her young sister had been elevated to such a high office broke upon her in a crescendo in the news and spoke of the impact that that had upon her. She described herself and her family as:

“damaged once again through no fault of their own”.

She said this to the Committee:

“Victims deserve the very important human right not to be re-traumatised time and again.”

She asked the Committee:

“do you believe that the rights of perpetrators of violence are more important than, or supersede, those of victims in today’s civil society?”.

She was very careful to point out — this is her spirit — that it is not about revenge or saying that somebody does not have the right to work or move on. It is about having thought and treating victims as equally as those who made them victims in the first place. Ann Travers makes the case for this Bill far more eloquently and from a far more poignant standpoint than I ever could. When she makes that simple plea that victims are entitled not to be retraumatised as she was retraumatised by the appointment of Mary McArdle, the House owes it to not just her but to victims of all types and descriptions to sit up and take notice. What she says is true and is something that we should wish to associate ourselves with in the House. So, I say again that, when Members come to weigh up and measure the various amendments, they should apply the test of whether they will allow the repetition of what so grievously happened when the Culture Minister appointed her former commander from the prison to be her special adviser.

Amongst the amendments, we have a batch from Sinn Féin. When you read those amendments, it is clear that Sinn Féin seeks special treatment for those with conflict-related offences. They seek that special treatment by way of an OFMDFM panel that must determine that they are eligible for appointment unless the role is manifestly incompatible with the circumstances of the offending. Of course, to make it as specific as that is to provide *carte blanche* for appointment. That special treatment for terrorist offenders amounts to nothing less than looking after their own, and it is certainly unacceptable to me.

By amendment Nos 4 and 7, Sinn Féin introduces a special dispensation for convicted terrorists, and amendment Nos 12 and 13 all but guarantee their appointment through the referral mechanism, where the presumption is in favour of appointment. In my amendment, however, unapologetically — amendment No 11 — the assumption or presumption is essentially the other way: the appointment is only possible in exceptional circumstances. It is not a presumption that those with terrorist convictions shall be appointed unless there is something that specifically makes the job they would do incompatible with the crime they have committed — the lowest possible setting of the threshold. The threshold that is set in amendment No 11 is the very opposite of that.

Of course, it is interesting that the Sinn Féin amendments focus on and introduce this hierarchy of criminals. Sinn Féin has no concern for anyone who is not a terrorist convict. There is no appeal for them; there is no panel set up by OFMDFM to which they can go to plead their case. No, Sinn Féin is happy to see them dismissed under the terms of the Bill without appeal. Some of those people cried loudest for an appeal mechanism, but, when their amendments appear, it is clear that it is only for their own conflict-related convicts that any appeal mechanism is sought. I reject that hierarchy of criminals. My Bill — this Bill — applies equally, across the board, to all convicted of serious criminal offences, be it a terrorist offence, a domestic offence, rape, murder, whatever, without distinction. There is certainly no distinction and no bye ball if they can dress it up and say that it was a conflict-related conviction. That, of course, is to excuse, and that, of course, is the purpose.

Sinn Féin wishes to neuter the vetting. It is going to oppose clause 6 *per se*, which introduces vetting on a

statutory basis. It proposes amendment No 37, which exempts terrorist convictions from consideration at any vetting. Under amendment 37, if you have a conviction for a terrorist offence, it is not to be mentioned or looked at. You are exempt from that. Of course, amendment 37 also prohibits any enhanced vetting and, effectively, imposes a Sinn Féin veto by requiring the regulations that control vetting to be laid and approved in the House.

4.30 pm

As for non-terrorist convicts, they are fully excluded, as I have said. There is no appeal for them. In Sinn Féin's view of the world, if someone robs a bank, such as the Northern Bank or the Danske Bank, on behalf of a criminal gang, that person stands to be excluded with no appeal. However, if that person robs the Northern Bank on behalf of the IRA — oh, no — there is special treatment, special provision. That person is ushered in. That is excluded from any vetting to which the person might be subjected. That focuses attention on the perversity of Sinn Féin's amendments to the Bill.

If someone who had murdered Corporal Howes or Corporal Wood — in the week that is in it — were brought forward for appointment as a special adviser, there would be a special panel for that person. There would be special treatment. However, for someone who had bludgeoned someone in a pub brawl there would be nothing special. There would be no special treatment for them. What does that tell us? It tells us that there is a mindset that, if you kill, wound or murder in the name of terrorism, you are not to be regarded as a criminal. I disagree. Those who butcher and murder in whatever name — terrorist organisation or none — are criminals one and all, and so they must be treated. I say that neither should be appointable to such a position.

Remember, these are among the highest-level government jobs that are paid for by the public purse in Northern Ireland. They are right at the top. They are right at the heart of government. Some in those positions are paid £90,000 a year. They have access to all the papers that the Minister sees and to top civil servants, with the privileges that all of that suggests. That is the sort of appointment we are talking about. I say to the House that it would be unconscionable to allow someone with a serious criminal conviction, whoever they are, to be elevated to such a position in this land. Only a perverse view of the law and a perverse view of history could distinguish criminal acts and introduce that hierarchy of criminality. Therefore, it might be no surprise to the House to hear that I oppose utterly each and every one of the Sinn Féin amendments.

The Alliance Party, in fact, wants to go even further than Sinn Féin. It wants to hollow out the key clauses of the Bill — clauses 2 and 3. It wants to remove them altogether. Those are the very clauses that seek to temper at all the appointment of those who might hold the position of special adviser and prohibit anyone with a serious criminal conviction. Those are the clauses that the Alliance Party wants to take out of the Bill. That speaks for itself. It has tabled some other amendments to clause 6 that I will maybe come back to in my winding-up speech after I hear more fully what is said about them, but they are obviously premised on the thinking that clauses 2 and 3 should be jettisoned and clause 6 should be amended in

consequence. I wait to hear more fully what is in mind in that regard.

As I indicated at Second Stage, I was and am willing to address any significant concerns that arose at Committee Stage. I am very conscious that I am but a single voice in the Chamber. Therefore, if there is widespread concern about an aspect, I cannot turn a blind eye to that; I need to address it. I have always said that I was willing to address such issues. One such issue that emerged was the absence of any appeal mechanism for someone disqualified from office by my Bill. Some thought that that was unfair, some thought that it offended due process, and some thought that an appeal mechanism, therefore, ought to be provided. I said then and remain of the view that the absence of such a provision does not breach due process or public law expectations, given that the Bill merely sets the qualifications for a particular job and given the minuscule number of posts under discussion. Nevertheless, in an effort to meet genuine concerns — I accept that many of those who raised concerns were genuine in doing so, and I am not ridiculing the motivation behind those concerns whatsoever — I have tabled amendment No 11. Amendment No 11 provides a mechanism of appeal for someone who faces exclusion from a SpAd position. That mechanism of appeal means that they can, if they wish, refer the matter to the Northern Ireland Civil Service Commissioners. I chose the Northern Ireland Civil Service Commissioners because this really is a staffing issue and these people end up as civil servants, so, if the Northern Ireland Civil Service Commissioners are good enough as a body to arbitrate and deal with the concerns and difficulties that ordinary civil servants find themselves in, they are good enough to deal with issues in respect of special advisers.

Mr Wilson: I thank the Member for giving way. Does he accept that, by using the Northern Ireland Civil Service Commissioners, the degree of independence that people would wish to see in any appeal mechanism can be guaranteed, unlike with some of the suggestions in, for example, the Sinn Féin amendment, with which an appeal would be put very firmly into the political arena?

Mr Allister: Yes, I absolutely agree. Because the Northern Ireland Civil Service Commissioners have that aura of independence and an obligation to be independent, they are ideally suited to take a role in this matter, whereas a special panel appointed by political vested interest or that contributes to an appointment by political vested interest is far less likely to command public confidence and deliver an impartial outcome in any such scenario. Therefore, from both the point of view of public confidence and of making sure that the job is done independently, it seems to me that the Civil Service Commissioners fit that role perfectly. So, amendment No 11 provides for a person who is proposed for appointment or is in post and would offend the conditions of clause 2 because they have a serious criminal conviction to appeal to the Civil Service Commissioners, who will determine whether they are appointable. In the doing of that, amendment No 11 seeks to set legitimately, as legislation should, the parameters within which they will operate. That is couched in proposed new clause 2A(2), which states:

“The Commissioners shall only determine that a person is eligible for appointment as ... a special

adviser, if satisfied that there are exceptional circumstances justifying it”.

That takes me back to the starting point — it is unconscionable to approach it otherwise — which is that someone with a serious criminal conviction should not hold the post. Therefore, if there are to be exceptions, they should be exceptional circumstances that would permit them to hold it.

Furthermore, the commissioners should have regard to the three specific issues that are set out in proposed new clause 2A(3): the person seeking appointment should have shown contrition for the offence of which they were convicted; they should have taken all reasonable steps to assist in the investigation and prosecution of all persons connected with the commission of the offence; and the views of any victim of the offence should be considered. Those are the three guiding principles in amendment No 11.

If you are looking for exceptional circumstances, you look for contrition. I am not talking about some weasel words of regret from someone who says, “I regret all the killings”. That serves no purpose. Those weasel words do not speak of a mind and heart that recognise that what they did was wrong. They do not indicate remorse, so they do not indicate that that person should be given a second chance in holding that very high office. “Contrition” is the word that is chosen. It is a common word in the English language. It has that meaning of essential remorse. It is right and proper that, when we are talking, in some cases, about people who killed others and who stole the life of another through a violent criminal act, they should be remorseful for that. If they want to rehabilitate themselves to the point at which they can hold such a high office, society is entitled to say, “We have some expectations of you. We expect you to show genuine remorse. If you do not, we are knowingly and deliberately elevating you to an office in which you can gloat about what you did and say that you hold that office in spite of what you did or, in some cases, because of what you did”. That is unconscionable. No legislature should shrink from saying that it is right that, if someone is to have such a high office, there is nothing wrong — indeed, there is everything right — in saying to them, “Let us see a bit of remorse and some contrition for the terrible thing that you did”.

4.45 pm

The second expectation that I believe lawful society can have of someone is that they should have helped the police in respect of the crimes that they know about. If someone was a party of a murder squad that killed someone, they know who else was with them, who gave them the gun, who took the gun from them and who was there when the murder was planned. The probability is that they know that and much more besides. If such a person wants to hold the elevated position of being a special adviser — a special adviser — in government, where Ministers, under the code of conduct, are supposed to have an affirmation of total support for the rule of law, why should that special adviser not be required to say and to show that they have done all that they can to solve the crimes of which they have knowledge and for which they were convicted? I do not think that that is irrational or unreasonable. That is why that requirement is in amendment No 11.

The third thing in amendment No 11 is a requirement to have some regard to the views of victims. It was interesting that evidence was given to the Committee that we do not do enough to recognise victims. I refer to what Professor Brice Dickson told the Committee. He said:

“So, in the case of special advisers, you might say, for example, that part of the purpose of the ineligibility is to reassure the public in general and victims or families of victims that people of influence at the top of the Civil Service do not have a particular attitude, background, mentality or approach to, for example, the use of violence for political ends that would render them unacceptable to the majority of people in the community.”

I believe that Professor Dickson was right in articulating that view and that that would be a legitimate public expectation.

Dr Máire Braniff gave some evidence that touched on this matter. She had a view of the Bill. She said:

“the Bill redresses an ongoing sidelining of victims. ... the Bill sends out a signal that reconciliation is not just about moving forward but that it also has a historical dimension. The Bill has been dismissed as divisive and anti-peace process. We contend that that is only true if we equate peace to amnesia and if we equate justice to amnesty.”

Those are very telling words. She went on to say:

“We believe that politicians should grasp the opportunity to say to future generations that violence is not reasonable or an ethical option, and politics and democracy can be seen to work.

The Bill is a test, therefore, of Northern Irish governance, Northern Irish democracy and the kind of values that we, in Northern Ireland, are seen to cherish.”

Those are not my words. Those are not the words of some political activist. They are the words of an academic professional, Dr Máire Braniff, who sees this Bill, correctly, as what it is in that regard.

We then had some interesting contributions from Professor O’Flaherty, the chief commissioner of the Human Rights Commission. In this context, he was speaking specifically about vetting, but his comments can be seen in the general application of amendment No 11. He said:

“However, I do think that they would be better human rights tools if we could create a space within them where the voice of the victim is heard in some appropriate fashion.”

That is what I am seeking to do through amendment No 11. I am seeking to create a space where the voice of the victim can be heard in an appropriate fashion.

Remembering that Professor O’Flaherty is from the Human Rights Commission, he later said:

“We think that there is space for a better capacity to listen to victims in the vetting procedure ... We recognise that if this Bill were not adopted, that might cause grave offence to victims and the relatives of victims.”

Therefore, I welcome that, even in the evidence that the Committee gathered, there was a recognition that it is right and necessary that we should have a role for victims in any such appeals mechanism. They will not have a veto; we are simply saying to the commissioners that, if they want to create exceptional circumstances for an appointment, they will have to find that there was contrition and co-operation in the solving of crimes. They will also have to take the victims’ views into account while remembering, as I said to the House at the beginning, Ann Travers’s evidence about being retraumatised on even hearing the announcement of the appointment. Even hearing that announcement had an effect, and she then had to relive the reopened wounds all those years later.

Therefore, I commend amendment No 11 to the House. It has been tabled in the spirit of seeking to meet the genuine concerns that were raised about the lack of an appeal mechanism. I think that it adequately meets those concerns. The terms of the amendment have been tightly drawn, but I believe that that is reflective of what society would expect.

Mr B McCrea: Will the Member give way?

Mr Allister: Yes.

Mr B McCrea: On a point of clarity, when one considers legislation, no matter how deftly the draftsman tries to draw it, one sees that some things occasionally require further interpretation. In such cases, the issue might go to judicial review. In such a judicial review, the judiciary may — in fact, should, I think, but I am asking for Mr Allister’s opinion — consider the context of the deliberations behind the legislation. Therefore, when you emphasised the need for the word “contrition” and what you meant by that, I think that that should be taken in full as the settled will of the House, should it choose to adopt amendment No 11.

Mr Allister: I think that two or three interesting points are tucked away in that intervention. Although this is not a binding exercise for a court when it reviews and analyses the meaning of legislation, it will certainly look at what was said in the legislature in support of the propositions on the Bill in so far as that will help with interpretation.

You mentioned judicial review. It would be my perception that any decision by the Civil Service Commissioners would be subject to judicial review. A special adviser who was disappointed by the commissioners’ decision would be able to judicially review that decision on both a procedural basis and on the basis of merit, the reasonableness of the latter being within the confines of the legislation.

Interestingly enough, were victims to be given the status of their views having to be taken into account, they, too, may have the locus standi to bring a judicial review if disappointed by the outcome. So there might in fact be double opportunities for judicial reviews of the Civil Service Commissioners’ decisions. That is what causes me to believe that, in amendment No 11, one has probably done enough to provide a discrete appeal mechanism. However, I am conscious that the SDLP, for example, has tabled amendment No 17, which, over and above the deliberations of the Civil Service Commissioners, would provide an as of right appeal to the High Court. For the reasons that I have just explained, I do not personally think that that is necessary, in that there would be the facility of judicial review. Nevertheless, in the spirit of making the Bill as wide in its appeal as possible, I will not die in a ditch

over amendment No 17 if it is the will of the House and it thinks that there should also be an appeal mechanism specifically to the High Court. Sometimes, the House is rightly concerned about the cost implications of such things, but if the House thinks that it would be desirable to copper-fasten it with another appeal mechanism or one from the Civil Service Commissioners, I am not, as I said, implacably opposed to that. I offer that to the SDLP as a gesture of goodwill for its approach to the Bill, and I am grateful to the Member for taking my mind in that direction.

Mr Weir: I thank the Member for giving way. I hear some harping from the side here about lawyers getting in on this. I am obviously not on the same eminent level as the proposer of the amendment. I concur broadly with what he said about amendment No 17, with which I also have no major problem. Specifically on amendment No 11, however, the locus standi of someone taking a judicial review was mentioned. Does the Member agree that the particular advantage of how amendment No 11 is drafted — its specific reference to the need to consult the victim of the crime — is that it increases the opportunity for a court to determine that the victim has locus standi, as opposed to the more general approach to what is considered reasonable when reaching a decision?

Mr Allister: Yes, I do, and that is why it is there: to put in statutory form the status of the victim. I am sure that many in the House have been met with the persistent victims' refrain that they are the forgotten ones: when the tragedy passes, the public move on and victims are left where they were, dealing with all the repercussions. That is why I think that it is right to consider the view of a victim. Look at the appointment of Mary McArdle. No family should have been traumatised again in the manner that the Travers family was. Therefore, it is right that the Travers family or that of any victim should have that position. Some victims' outlook is such that they find it possible to say that they have moved on and so everyone else should move on. Their view is that they do not want anything said or done about this. That is a legitimate view to have and one that would emerge from any consultations that the Civil Service Commissioners would have to carry forth.

However, at the end of a judicial review, either side — to put it in those terms, which is not really the accurate way to put it — the interests of the victims or the potential appointee would, I think, probably have sufficient standing to bring a judicial review. However, in order to guarantee that the disappointed special adviser, were there to be such, from the Civil Service had a more fulsome range of appeals than I think that he or she needs, I am, as I said, not entirely hostile to amendment No 17.

5.00 pm

I have to say, though, that the SDLP's amendment No 16 is a considerable disappointment to me because it sets up a similar appeal infrastructure. It is, again, through the Civil Service Commissioners, and it excludes the exceptional circumstance. It simply states:

"shall only determine that a person is eligible ... if satisfied that it is reasonable to do so"

having regard to three matters. The three matters are:

"(a) the nature of the offence to which the serious criminal conviction relates, (b) the relevance of

the nature of the offence to the person's role as a special adviser, and (c) such other matters as the Commissioners consider relevant."

Nowhere within that is there an ensconced provision that you must have remorse, you must have assisted to resolve the crime and you must consider the views of the victims. Rather, it is fairly nebulous, referring to the nature of the offence and the relevance of that to the person's role as a special adviser. You can well understand the contention that Ms McArdle, for example, was a special adviser on culture, sports and the various duties of the Department of Culture, Arts and Leisure, and that there was nothing specific in her conviction that would prevent her from performing that role. Therefore, I am back to my first question to the House.

Mr D Bradley: Will the Member give way?

Mr Allister: In a moment.

I am back to my first question in the House. If the resolution of the House is that what happened to the Travers family should never happen again, you have to have a mechanism capable of being likely to deliver that. Therefore, a mechanism that is as wide, general and porous as this mechanism is one that cannot guarantee any outcome approaching that. That is the inherent weakness of the SDLP amendment. I will give way.

Mr D Bradley: I thank the Member for giving way. In relation to the point that he raised on Ms McArdle's appointment as special adviser to the Minister of Culture, Arts and Leisure, surely a special adviser would have a huge degree of input into policymaking; and the nature of the remit of Culture, Arts and Leisure involves children in the arts, in sport, and so on. Surely it would be adjudged that perhaps it would not be appropriate to have a person with such a background contributing to policy in areas that affect children and young people, where we expect to see role models.

Mr Allister: If that is the Member's thinking — that it would not be appropriate to have such a person — why go for a referral mechanism that does not prevent such a person being appointed? Why not go for a mechanism that sets the bar at having regard to the victim of the crime, showing remorse and all those things that point to the sort of outcome that the Member says he desires? Why go for a porous type of mechanism through which all sorts of things can filter? I say back to the Member —

Mr Wilson: Will the Member give way?

Mr Wells: Will the Member give way?

Mr Allister: I say back to the Member that if that is his mindset — and that would be welcome — he needs to ensure that the mechanism that he supports is one that can deliver for him, and I do not think amendment No 17 is one that can deliver. I will give way to whomever.

Mr Wells: Would the Member accept that, for instance, had Ms Ní Chuilín been the Minister of Agriculture and Rural Development and McArdle had been appointed, Agriculture clearly has no direct links whatsoever with children and, therefore, you would have the same insult and the huge offence that was caused to the community and the Travers family? There is no mechanism to have the adviser removed under the SDLP's appeal system because, clearly, the special situation that Mr

Bradley mentioned that would arise could not happen in Agriculture, just to pluck out an example.

Mr Allister: The Member makes a very good point, with which I concur. I may be about to get another good point.

Mr Wilson: Does the Member not find Mr Bradley's reasoning on this particular issue rather odd? During the evidence session at which the chief commissioner of the Northern Ireland Human Rights Commission was present, Mr Bradley said that he was interested in the chief commissioner's comments about the vetting process and, in particular, the role that there ought to be for victims. Yet, in the amendment in question, victims are not even mentioned.

Mr Allister: I take the point. It is true; I have followed the operation of the Committee closely and I was struck that, on a number of occasions, Mr Bradley talked a lot of common sense on these matters. When I referred earlier to wanting to reach out and to respond to genuine concerns, it was people such as Mr Bradley whom I had in mind, because he raised genuine concerns about the absence of an appeal mechanism.

I am not rubbishing the Member for Newry and Armagh at all; I am simply gently pointing out, as did Mr Wilson, that the appeal mechanism that he has proposed will not meet the declared objective. Therefore, we want to have one that will. There is no point in going through the processes of passing this Bill and creating legislation only, at the end of it, to have a process that defeats the primary purpose of the Bill. That is where, I fear, the SDLP amendment could lead us and that is why I reject it.

I have taken rather longer than I anticipated, Mr Speaker, and I apologise for that because there will be a knock-on effect on the lateness of our sitting. Nevertheless, I have tried to deal with the pertinent points as I see them emerging from these amendments. I look forward to the various contributions and to responding at the end of the debate.

Mr McKay (The Chairperson of the Committee for Finance and Personnel): Go raibh maith agat, a Cheann Comhairle. Again, the Committee for Finance and Personnel did not have an opportunity to consider this group of amendments either before or after the publication of its report. To inform this debate, I will take this opportunity to reflect briefly on some of the views that were expressed in the evidence that was presented to the Committee and which are applicable to various amendments in this group.

As I mentioned in the debate on the first group of amendments, a key theme that was identified in the evidence that was received by the Committee was that of individualisation versus what was frequently referred to as a blanket disqualification. That theme is of direct relevance to several amendments in the second group, as that is where issues about the lack of provision in the Bill for assessing individual circumstances or for an appeal or review mechanism were highlighted.

In that regard, concerns were raised that the inability to take individual circumstances into account may not be compatible with the European Convention on Human Rights. Members heard that a blanket disqualification should not be used unless its aims and its proportionality could be objectively justified.

It was also the view of a number of witnesses, including those from the Equality Commission and the Human Rights Commission, that the material relevance of a conviction to a post should be considered. The Human Rights Commission advised that the absence of individualisation in the Bill is undoubtedly problematic.

The centrality of the material relevance test was also highlighted in the evidence from Nigel Hamilton and the late George Quigley on the Office of the First Minister and deputy First Minister's employers' guidance on recruiting people with conflict-related convictions. The Committee was advised that the guidance, which aims to fulfil British Government commitments to ex-prisoners that were made in the Good Friday Agreement and the St Andrews Agreement, states:

"the onus of proof on the employer to show material relevance"

and

"the conviction must be manifestly incompatible with the position in question".

It also explains that the seriousness of the offence is not of itself enough to make a conviction materially relevant.

Other witnesses, including Dr Rory O'Connell and Professor Brice Dickson of Queen's, suggested that the inclusion of an appeal mechanism would assist the Bill's compatibility with the European Convention. On this point, Dr Anne Smith of the University of Ulster advised that the European Court of Human Rights had:

"held that the fact that there was no mechanism to individually review a person's circumstances gave rise to a violation of the European Convention on Human Rights."

In written correspondence to the Committee, the Department noted that the provisions in clauses 2 and 3 exceed the current arrangements for vetting in the wider Civil Service. Unlike in appointments to the rest of the Civil Service, those with a serious conviction will automatically be prohibited from being appointed as a special adviser with no provision for mitigating factors to be taken into account in the vetting process. DFP also advised that, in the wider Civil Service, appointments are considered on a case-by-case basis where a conviction has been disclosed.

In response to the concerns raised in the evidence, the Bill sponsor advised the Committee that he did not consider that the provisions in the Bill amount to a blanket ban but that they are quite targeted in nature. He did, however, advise that he would be willing to consider that further and set out the conditions that he would wish to see considered within a review mechanism.

The themes and issues identified from the evidence, including in respect of individualisation and an appeal mechanism, were examined in more detail in the Committee's report, which was agreed on 13 February and issued to all Members. The Committee noted that there was no consensus in the evidence on most of those themes and issues. Nevertheless, during Committee Stage, a substantial body of evidence was gathered. It offers an insight into the different perspectives on these issues, and the Committee expects that it will assist in forming contributions to the remaining stages of the Bill,

including today's proceedings. In the same way that there was no consensus in the evidence, the Committee failed to reach consensus on all the Bill's provisions during its clause-by-clause scrutiny, with some clauses and the schedule agreed on a majority basis.

I will now speak from a party perspective. I have to say that I agree with the proposer of the Bill that the Committee's evidence gathering was useful from all perspectives. It was interesting to delve into these issues, regardless of your position on the Bill.

NIACRO was one of our main witnesses. Its position is that people should not be discriminated against with regard to access to employment. NIACRO has a number of concerns about the Bill. It said that employment aids resettlement and reintegration and that NIACRO supports a progressive rehabilitation and resettlement process. It also argued that people with conflict-related records should be considered separately. It sees the Bill as incompatible with section 75 and the Good Friday Agreement. In NIACRO's opinion, the OFMDFM guidelines that I referred to earlier have not worked. NIACRO wants to see those strengthened and enacted in legislation. It agrees that the guidelines are positive and set in an appropriate framework but said they need to be put on a firmer footing.

Pat Conway from NIACRO made a very important point. He said:

"in any society emerging from conflict, where there are prisoners' issues, those issues need to be dealt with. We argue that in any conflict, the issue of prisoners needs to be addressed. Not doing so does not assist in concluding the conflict, no matter where it is."

There was a lot of concern that the Bill is being predicated on political opinion rather than a person's being a threat to society. The Department's review of the guidance, which was referred to earlier, came out in early 2001. It wanted to make special advisers subject to vetting. Those with convictions would have to show remorse or regret as part of the vetting criteria. NIACRO is concerned that the model in respect of spent and unspent convictions is quite restrictive, as is the term "character" in accessing suitability. In NIACRO's view, the risk assessment process adopted is flawed in that it is not as detailed, tight or transparent as it should be. It made reference to the fact that it works closely with Access NI on adopting its code of practice and believe that that is the example that should be followed and applied across the Civil Service.

5.15 pm

It was NIACRO's view that the risk assessment grid in that promotes exclusion rather than inclusion. A number of examples were highlighted to show that, including one instance where a job offer was rescinded by the Department of Finance and Personnel. In that case, the Department did not bother to explore the details of the conviction with the candidate to assess how relevant they would or would not be to the post.

There was also some discussion around rehabilitation and a lot of concern about introducing the words "repentance" and "contrition". Sackcloth and ashes is the term that comes to mind when I look at some of the proposals. That is not the correct approach to rehabilitation, especially in

the context that we have, because a lot of the main actors in the conflict did not go through the court system, such as those who were members of the British Army and the RUC and others. Ultimately, issues like this become a blame game and a de facto continuation of the conflict. That is something that we do not want to see.

The Bill's sponsor made reference to the fact that we need to ensure that the conflict does not happen again and that events within the conflict do not happen again. I agree entirely with that statement, but the persecution of ex-prisoners in particular will push us towards further conflict rather than away from it. Certainly, the evidence from Peter Shirlow, which I will refer to later, is quite fitting in that regard.

In terms of the blanket prohibition, the European Court has made it clear that it is a crude tool that fails to do justice at an individual level. The Human Rights Commission raised concerns in that regard. The Bill's sponsor had a very rosy view of the Human Rights Commission's evidence, but some of the main points that its representatives raised clashed with the Bill.

The Commission stated that the law should not exclusively serve the process of retribution or revenge, as is quite clearly the case here. In retrospective application, there is a possibility of triggering violations of article 7 of the European Convention on Human Rights. The retroactive penalty is a clear violation in that case, and given that the Bill's purpose is to be punitive, articles 7 and 15 of the convention are engaged. Certainly, it was interesting that the view of the Commission was that if the OFMDFM guidance was legislated for, it would meet international standards and would be a suitable alternative.

We also received some evidence from ex-prisoner groups. Michael Culbert and Thomas Quigley made quite interesting submissions. They were particularly praising of George Quigley and Nigel Hamilton for their work in this area, much of which was done under the radar, to bring people together and to get them round the table to discuss those issues. That was mutually beneficial, given some of the comments from Mr George Quigley in his evidence.

Tar Isteach works with ex-prisoners in north Belfast who live in disadvantaged areas that are socially and economically deprived and have to deal with discrimination in employment on top of that. Tar Isteach found that, of the ex-prisoners that it works with, around 75% are what people would legitimately term "victims" in that they had had relatives killed by state forces or loyalists or had been injured themselves. They have come through all of that during the conflict and now they want to work to improve society and their communities. Tar Isteach does not believe that placing barriers in the way of that particular group in our community will move the political process or the peace process forward. Tar Isteach is coming from the perspective that it is trying to move society on, and this Bill is most certainly not in keeping with that. It also said that approximately 25,000 former IRA-connected political prisoners and 17,000 former prisoners connected with loyalism are in our communities. Those numbers are based on recent research from Queens. That is a very big sector of our society, especially if you include the family, friends and people in wider social circles. The impact of the Bill will not only be on the role of special advisers, but it will send out an entirely negative message from this Assembly and will impact not only on the prisoners

but their families and wider social circles. We should not underestimate the impact of that, how that message will play out and who will take advantage of it in our community at present. Tar Isteach was also of the view that the Bill undermines the commitments in the Good Friday Agreement and St Andrews Agreement that ex-prisoners should receive assistance in moving towards employment opportunities and an undertaking to reduce barriers to employment.

Nigel Hamilton and George Quigley were before the Committee in November, and they co-chaired a working party that included representatives from a range of ex-prisoner groups, trade unions, the Confederation of British Industry and a number of Departments, including the Department for Employment and Learning and the Department of Finance and Personnel. They were all around the one table. They were genuinely surprised at the wide range of blockages to reintegration for former political prisoners, including not being accepted for jobs, not being able to get certain taxi licences and not being able to adopt children or get insurance for homes and businesses. The one thing that struck Mr Quigley as he chaired an earlier group on those issues was that there was no co-ordinated effort by Departments and agencies to address integration. He told us that he got involved in and stayed with the issue for at least two reasons, one of which was the scale of the issue and the tens of thousands of ex-prisoners and their family circles who were affected thereafter.

Mr Wilson: I thank the Member for giving way. I do not know how much he intends to quote from the evidence from Sir George Quigley and Nigel Hamilton, but I remind him that — he was the Chairman of the Committee at the time — both of them refused point blank to comment on this Bill. They said that they were invited along to comment on guidelines that they had drawn up for employment but made it quite clear that they had no view on this Bill and would not comment on it. Therefore, from the Assembly's point of view, it is probably pointless to hear what they said about guidelines since they said nothing about the issue that we are discussing today.

Mr McKay: That is not true. Mr Hamilton had an exchange with Peter Weir, I believe, on whether he would comment on the Bill, but Mr Quigley said that he would be greatly concerned if the effects of this legislation were to be spread across all of society and all employers. That was of great relevance to the Committee and to today's debate.

Mr Quigley stated that the principle of the guidance was:

“ensuring that an ex-prisoner with a conflict-related offence would be able to compete with other applicants for employment on a totally level basis, with the employer making his or her decision solely on the basis of the applicant's skill and experience.”

He was firmly of the view, as were others, that the correct next step was for the guidance to be put on a legislative footing. There was a view, which was shared by most members of the Committee, that it was scandalous that, at this stage, we have still not addressed adequately the emotional or material needs of victims. However, bringing the issue of victims and ex-prisoners together helps neither.

There was huge interest in this Bill. We received over 800 replies opposing the Bill, which was perhaps one of the greatest responses to a Committee Stage that I am aware

of in the history of this Assembly. A significant majority opposed the Bill, and hundreds signed a petition opposing it. The petition recognised that clauses included will add to the number of legal ways that former political prisoners can be excluded from employment and that it will reinforce the discriminatory attitudes and practices with which former political prisoners have to contend.

Numerous points were raised in different letters to the Committee. I will go over some of those comments because they are relevant:

“Conflict resolution requires a no-winners and no-losers approach.”

“Punitive measures against one particular group of former participants in the conflict run contrary to conflict resolution and leads to alienation from the political process”

“The Assembly should not be involved in creating a barrier to employment”

“My specific objections to Clause 2 of the Bill is that it will open the floodgates to political vetting of political ex-prisoners”.

“This further punishment is unfair ... and clearly discriminatory.”

“represents a breach of Human Rights, contravenes the ECHR”

“in breach of the St Andrews Agreement”

“we, as ex prisoners already face enough barriers to employment without those opposed to us creating more barriers. It is an affront to section 75 ... legislation”.

The correspondent also stated that this Bill will alienate many ex-prisoners from the political institutions.

“If enacted into law Clause 2 of the Bill will: Be a breach of the international agreement between the Irish and British governments”

and

“Be in contravention of domestic and international human rights provision, due to its ‘retrospective penalisation’ of those current special advisors.”

“The idea of singling out one particular group ... for punishment is anathema to the building of a better safer future for all. How can anyone who has an eye to a more equal and settled community give this legislation other than a complete rejection?”

Mr A Maginness: I thank the Member for giving way. The Member has emphasised the points made by prisoners' groups, and so forth, that this is discriminatory, a breach of rights and all the rest. Yet, your colleagues in Sinn Féin have tabled amendments that introduce a process, albeit light in comparison with some of the other amendments that have been tabled today. A Sinn Féin amendment states that, in the case of:

“a person who has incurred a serious criminal conviction for a conflict-related offence, the Minister

must refer the matter to the First Minister and deputy First Minister."

The amendment goes on:

"The First Minister and deputy First Minister ... must ... establish a review panel"

and

"The review panel must arrange for the proposed appointee to be the subject of the vetting procedures referred to in section 6."

It goes on further in relation to the appointment of the special adviser being:

"manifestly incompatible with the circumstances of the conflict-related offence".

I am not sure what that means, but it certainly is not the situation that existed prior to the appointment of Mary McArdle, and it seems that Sinn Féin is trying to have it both ways. You are saying that this is a breach of rights, prisoners' aspirations, and so on, but that you will introduce your own scheme. It might be a light touch scheme, but it is conceding the very point that Mr Allister made when he introduced the Bill at Second Stage.

Mr McKay: I thank the Member for his intervention. It is no surprise that Mr Maginness has come out in support of Jim Allister and his proposals. However, ultimately, we want to reject this Bill —

Mr A Maginness: Will the Member give way?

Mr McKay: No. Let me respond to your first point. *[Interruption.]* Sit down, please. I have already said that I will not give way. *[Interruption.]*

Mr A Maginness: You are not the Speaker, you know. Yet.

Mr McKay: Excuse me?

Mr Speaker: Order. The Member has the Floor.

Mr McKay: Go raibh maith agat, a Cheann Comhairle.

We have tabled a number of amendments, and my colleague Mitchel McLaughlin will speak to those in detail shortly. We would rather that this Bill had not come forward and that the SDLP had sided with us to ensure that the Bill did not reach this stage, but we are where we are. We are at Consideration Stage, and there will be another opportunity to table amendments. If this goes to another stage, we will table amendments then if need be as well.

The fact of the matter is that the view from the overall number of people who responded to this with extreme concern is that this sets a dangerous precedent, that it is an unwinding of the Good Friday Agreement and what was committed to at St Andrews and there is no good reason for it. Yes, there are concerns about victims' needs, and there are concerns about the needs of ex-prisoners, but to intertwine the two in this way will not do anyone any good and is not in keeping with conflict resolution. As the Human Rights Commission and others such as NIACRO have said, this is not a positive development in any way.

5.30 pm

The Attorney General gave evidence to the Committee and raised concerns that stem from Article 7 of the European Convention on Human Rights, which prohibits

retrospective penalisation. It also prohibits an increase in penalty or the imposition of a heavier penalty than was available at the time. The purpose of the Bill looms large. It is punitive and it is targeted at one particular group. Therefore, there are legal concerns over clauses 2 and 3.

Conflict-related offences should be treated differently because, if they are not, it is more difficult to move beyond conflict. Perhaps that suits the proposer of the Bill, but it most certainly does not suit our society and our view.

Amendment Nos 6 and 8 to clause 2, both of which are from the SDLP and the TUV, do not deal with the retrospective actions in the Bill and they do not deal with the human rights concerns that were raised in evidence sessions with the Committee. The Attorney General also referred to the Human Rights Act 1998 and article 7, which prohibits an increase in penalty or imposition of a penalty more severe than was available at the time of the conviction. As I said, the Human Rights Commission had a similar view with regard to the ECHR.

The Human Rights Commission also suggested that the Bill would be more punitive for those in post than those applying for a post. At a time when we should be focusing on job creation, it is concerning that, although the evidence during the Committee sessions were quite interesting and useful, we should be focusing on job creation as opposed to excluding people from jobs. Those bringing forward legislation should focus more on those issues rather than on punitive matters such as that.

Professor Peter Shirlow from Queen's University referred to the United Nations standards for disarmament, demobilisation and reintegration of ex-combatants, also referred to as DDR. He said that DDR is successful when it is based on inclusion, not exclusion. Also, the Good Friday Agreement, which is the cornerstone of our peace process here in the North, is based on inclusion, not exclusion. The majority of respondents to the consultation believed that the Bill is in contravention of the Good Friday Agreement, because the Good Friday Agreement refers to the reintegration of prisoners, and that includes assistance towards availing themselves of employment opportunities. The Bill is about barriers.

The OFMDFM guidance took a more mature approach to conflict resolution, reintegrating political prisoners and moving this society on. It recognised that political prisoners would not have been imprisoned had it not been for the onset of the most recent and prolonged period of civil disorder and violence that caused so much damage and hurt and shaped the lives of so many during those 35 years, and we need to take that into account as well.

I refer again to Peter Shirlow's evidence. He stated that a third of republican and loyalist ex-prisoners had lost a direct family member, while 50% had lost a relative during the conflict. He contended, quite rightly, that victims are still being used as political footballs in this society, and he took issue with how they are part of an ideological battle, as opposed to what we should be doing with regard to meeting victims' needs, such as medical care and emotional support.

I conclude by stating that the Bill is greatly retributive, it is a punitive act, and it is about reintroducing conflict, not conflict resolution, which we should be focused on. The proposer referred to the appeal mechanism and insinuated that the appeal mechanism should have some sort of

predetermined outcome for barring ex-prisoners. That is not something that the House should support today. We should oppose that, we should oppose clauses 2 and 3 as they stand, and we should ensure that, as a society and as an Assembly, we meet the needs of victims and political prisoners. Mixing the two is certainly not good for moving society forward.

Mr Girvan: I support the Bill. In doing so, I will make a number of points. We are here today as a consequence of those who have power and authority making a decision that did nothing but rub salt in the wound of a family that had already suffered great loss. In the light of that, we each have a responsibility in the position that we have to ensure that we act and make decisions that reflect the concerns and sensitivities associated with those decisions. Unfortunately, Sinn Féin, in the appointment of Mary McArdle, fell far short of that. Had that not happened, we would not need to legislate for such a matter; we would feel that people were going to act in a responsible and caring manner. Unfortunately, that is not what has happened.

To come back to the Bill: amendment Nos 3 and 7 try to link the Bill to conflict-related issues. Irrespective of what anyone says, the Bill is drafted to deal with those who have been found guilty and convicted of a serious crime. A tariff of five years or more was mentioned. As a consequence of that, the Bill does not rule out anyone else. Even those who have been involved in conflict-related crime that has a tariff of less than five years are not excluded. It is those who have been involved in serious crime and have a conviction of five years or more.

Much mention has been made of the evidence received in Committee. The most compelling evidence came from two people. Ann Travers was present in Committee. It was quite a brave step to take to come before the Committee and give evidence about a Bill that she felt was addressing issues associated with her family being asked to revisit something that they felt they had put some form of closure to many years before. Another lady, Catherine McCartney, sister of Robert McCartney, was present on the same day to give her story. Mention was made of those killed within one community. That is one community that killed people from their own community. Those two Roman Catholic families were bereaved due to republican activity, as was mentioned earlier.

To come back to the substance of the Bill: I have to agree with amendment No 11. It is vital that we include:

“(3) ... (a) whether the person has shown contrition for the offence”.

Some people try to link the word contrition to sackcloth and ashes. If it stands that somebody is contrite for something that they have done, that is vital. However, they have to:

“assist in the investigation and prosecution of ... other persons connected with the ... offence”.

Unfortunately, there are people in this House who probably know more about what went on but are unwilling to volunteer that information. I know that that is maybe present on both sides of the House, but it is something that we need to be very mindful of. The other vital point to come out at those evidence sessions is that we must take into view the members of the victims' families associated

with that. That is why it is vital that we have amendment No 11.

I appreciate that some people are saying that they want to vote down clauses 2, 3 and 6, and I think the Alliance Party has indicated on clause 6. However, if you vote down clauses in those areas, you might as well not have the Bill. It is vital that we are bringing this Bill to the House to address what has been a very dangerous issue. I know that the sponsor of the Bill has brought it forward for the right reasons, those being that we want common decency to prevail within the business that is carried on in this House.

We had many evidence sessions, and mention has been made of some of the academics who reported. All of them felt that there was a natural justice issue that needed to be addressed and dealt with. Mention has also been made of the human rights aspect. There is a question of getting a balance with the human rights of the victims and how they feel. Unfortunately, human rights legislation has driven down one road, which is to protect the perpetrators of crime more so than the victims.

Had my party — we would not have been stupid enough to do it — decided that it was going to appoint someone such as Johnny Adair as a special adviser, there would have been a hue and cry from the other side of the House. My party would not have done that, but I am just using that as an example.

I want to turn to the appeals process, which Mr Dominic Bradley mentioned many times at Committee. The sponsor of the Bill has attempted to address that in the mechanism of the Civil Service Commissioners for Northern Ireland, which gives people the opportunity of an appeals process. That goes a long way to addressing the issue of an appeals process and ensuring that independence is maintained. Sinn Féin tabled an amendment that would have introduced political involvement. That is taking the matter back into a political forum as opposed to an independent Civil Service forum.

On many occasions, the evidence given to the Committee was compelling. Mention has been made about the large volume of consultees who responded. When you read through the responses, it is evident that there had been a campaign to get a response from a community. Having looked down the list of those who responded, I can say that very few were from the loyalist side.

I am not saying that people do not have the right to a job. We are not ruling them out of getting jobs; it is just the type of job in question, which was a senior post. It was a political appointment but that person was a civil servant and, as such, was being paid by the taxpayer from the Civil Service purse. It is vital that we try to protect that mechanism.

When we go through the amendments for clauses 2, 3 and 6, which some people want to vote down, we will be supporting them with a number of the amendments and rejecting others. It is evident that we will be rejecting those put forward by Sinn Féin.

Mention has been made of amendment No 17 about appeals against the commissioners' determinations. I will not die in a ditch over that matter, and if it has to go through, we will end up supporting it. To be honest, I think that the Alliance Party has gone further than Sinn Féin

in many areas in its proposed amendments, and I will be opposing those, too.

5.45 pm

Mr D Bradley: Go raibh míle maith agat, a Cheann Comhairle. Gabhaim buíochas leat as deis cainte a thabhairt dom ar Bhille na gComhairleoirí Speisialta sa Státseirbhís. Thank you very much, Mr Speaker, for the opportunity to contribute here today. During the Second Stage debate, the SDLP said that the Bill was worthy of support. We said that because we believe that there are worthwhile principles behind the Bill on the protection of victims from the effects of insensitive appointments at special adviser level.

I will not go into the detail of the events leading up to the Bill; I did so when I spoke during the Second Stage debate, and others have done so here today. In the interim, however, I listened very carefully during Committee Stage to Ann Travers's very moving and eloquent evidence to the Committee. At Second Stage, the SDLP said that its support was not unqualified throughout the passage of the Bill. At Committee Stage, the SDLP rigorously questioned witnesses, including the sponsor of the Bill on two occasions. We did so to help to ensure that all aspects of the Bill were fully explored from all angles, including those matters relating to reviews and appeals.

The SDLP is not content with the Bill as it stands. We see it as being too absolutist, with little or no recourse for potential appointees to review or appeal in the event of their rejection. The same applies to present incumbents of the post of special adviser. As a result of our position, we have sought to amend the Bill so that Ministers seeking to appoint people with conflict-related offences must refer the proposed appointment to the Civil Service Commissioners, and in the case of those already in post, the appointments must be referred to the commissioners within 21 days, and clauses 3 and 6 refer.

By conflict-related offences, we mean an offence for which a person was released on licence under the Northern Ireland (Sentences) Act 1998, and that licence has not been revoked, or an offence for which a person would have been released on licence under the Northern Ireland (Sentences) Act 1998 had the person not already been released before that Act came into operation, as per amendment No 23. That is in recognition of the fact that there was a desire politically, and agreement, to bring those involved in violence into the political and peaceful process where they could make a positive contribution. All parties in the House, bar one, have worked in that context up until the appointment of Mary McArdle.

As amendment No 16 outlines, the commissioners' role would be to determine the eligibility of a person to be appointed as a special adviser in relation to the three criteria set out in clause 2A(3): the nature of the offence to which the serious criminal conviction relates; the relevance of the nature of the offence to the person's role as a special adviser; and such matters as the commissioners consider relevant.

The commissioners must arrange for the proposed appointee to be the subject of the same vetting procedures as applied to the appointment of persons as senior civil servants in the Northern Ireland Civil Service but not beyond those procedures, as per amendment No 34, and

not subject to the exceptions of amendment No 37. The process has the added element of appeal to the High Court in the event of grievance on behalf of a potential appointee or a current post holder who is not appointed or whose appointment has ended. I acknowledge Mr Allister and Mr Girvan's gesture on amendment No 17.

First and foremost, we believe that this process brings victims protection from what happened in the McArdle case. As well as that, we believe that it is fair to potential appointees and current post holders. It is a process that is fair to all involved because the commission is an independent body that has vast experience in dealing with employment situations. The commissioners are, therefore, ideally qualified to scrutinise such appointments. Mr Allister and the Minister have already attested to that fact.

The matters referred to under 2A(3) of amendment No 16 are broad enough to allow the commissioners to assess the sensitivity surrounding the appointment of a person who has serious criminal, conflict-related convictions. They allow the commissioners flexibility in coming to their decision. We believe that people caught up in violent offences arising from the Troubles can change their behaviour and views and that even they can make a positive contribution to politics and society in general.

We welcome, in amendment No 11, Mr Allister's recognition of the need for an appeal mechanism, but we consider that the criteria that he proposes are unworkable and impracticable. Contrition is difficult to assess objectively. How does one assess it? What appears to be contrition to one person might appear contrived to another. How does one assess whether contrition is genuine? That is the most salient point in all of this. How does one ascertain the degree to which a person has assisted in the investigation and prosecution of persons involved in the offence? How does one measure "reasonable steps" in that type of situation? It is very difficult to do.

I agree that the third criterion, clause 2A(3)(c), of Mr Allister's amendment No 11, is well intentioned. However, one would have to question the practicality of its outworking. What would happen if, for example, there were conflicting views among close family members, as, in my experience, there are on these issues? How would such a situation be resolved?

The three criteria that Mr Allister has used cast serious doubt on the viability of his appeals mechanism. It is for that reason that we find it difficult to support. We agree, however, that the Civil Service Commission should deal with appeals as per amendment No 38 to clause 8, page 3, line 19.

I will turn to other amendments. We note that, as Mr Maginness pointed out, Sinn Féin, in its amendments, actually concedes the point made in Mr Allister's Bill that someone with a serious criminal conviction could be unsuitable or ineligible for appointment as a special adviser. That, indeed, is a change in the Sinn Féin outlook. However, there are a number of issues in the Sinn Féin amendments with which we take issue. We note that amendment No 12 from Sinn Féin states:

"Where a Minister proposes to appoint as a special adviser a person who has incurred a serious criminal conviction for a conflict-related offence, the Minister

must refer the matter to the First Minister and deputy First Minister.”

We consider that to be the wrong move, because we believe that it is better to take these matters out of the political sphere and arena and rest them with an independent body, as we have suggested, namely the Civil Service Commissioners for Northern Ireland.

As well as that, we find the term “manifestly incompatible” in subsection 4 of this amendment to be extremely vague and not definitive enough to be convincing. Perhaps some Sinn Féin Members, when responding, can give us some concrete examples of what would be manifestly incompatible.

Turning to amendment No 13; in subsection 2, Sinn Féin deals with those already in post. It allows the Minister the freedom to decide whether to refer an incumbent to OFMDFM. We believe that if Sinn Féin was being genuine and consistent, it would replace the word “may” with the word “must”, as that would be much more appropriate in that situation.

I have to clarify that there is a drafting error in subsection 3(a) of amendment No 16. It should read: “conflict-related serious criminal convictions”, and if we have the opportunity, we will correct that.

I will conclude my remarks at this stage. My colleague Mr Maginness will speak later in the debate and will comment on the amendments that I have not covered.

Mr Cree: I will set out the Ulster Unionist Party position on the raft of amendments contained in group 2 under the heading, “Appointments, reviews and appeals”. At the outset, I want to say that we have the opportunity today to move a Bill to the next stage in the legislative process that will regulate an area fairly, effectively, and in a way that displays the necessary sensitivity to innocent victims — something that is not currently the case. I hope that we do not lose that opportunity today. The simplest way to deal with the amendments is to look in turn at those tabled by each party, and I will begin with the amendments put down by Mr Allister.

The most pertinent amendment from Mr Allister is amendment No 11, which introduces a new clause after clause 2 entitled:

“Determination of eligibility of special advisers by Commissioners”.

I will concentrate on that, as my reading of the Marshalled List is that a number of his other amendments, namely amendment Nos 2, 8, 32 and 41, are to some extent consequential to the new clause.

I welcome the new clause as I believe that it strengthens the Bill by introducing a role for the Northern Ireland Civil Service Commissioners who, having regard for Civil Service vetting procedures can, in exceptional circumstances, justify a special adviser appointment under three circumstances.

Those circumstances, as we heard today, are: a show of contrition; reasonable steps to assist an investigation and prosecution in relation to the offence; and importantly, the view of the victim or victim’s family having been taken into account. I believe that it is very difficult to argue against the rationale for that threefold test.

We have heard a lot from Sinn Féin recently on the subject of reconciliation and on the need to have difficult conversations. Today is a test for Sinn Féin and, indeed, the SDLP. If they are serious about reconciliation, they should have no issue with signing up to a Bill that requires a show of contrition and reasonable steps to assist an investigation and prosecution. That is the minimum that we should expect from any prospective candidate for a senior role at the heart of government. I am interested to hear if and why they oppose those two conditions, because there is an obvious knock-on effect for confidence about whether those involved in Sinn Féin will ever really be ready to tell the truth about the past.

6.00 pm

The third aspect is the view of the victim and their family. That is necessary because it was so blatantly ignored in the appointment of Mary McArdle. We must adopt a victim-centred approach to sensitive appointments, and the requirement certainly does that. It really should not be asking too much that appointments at special adviser level be subject to the same vetting as senior civil servants. The Bill, as amended by Mr Allister, rectifies that anomaly. I support his amendments.

My party will oppose the Sinn Féin amendments. They introduce a number of new clauses that would weaken the Bill quite substantially if accepted. Amendment No 12 introduces the bizarre phrase “manifestly incompatible” as regards a proposed appointee. Quite how that could be defined is anyone’s guess. Are we saying that those who are only moderately incompatible are suitable to be a special adviser, whereas those who are considered manifestly incompatible are not suitable? I am sure that I am not alone in having difficulty with that point.

Amendment No 13 sets up a situation in which a Minister may refer the matter to the First Minister and deputy First Minister. Therefore, there is no requirement to do so. After that, the First Minister and deputy First Minister can set up a review panel, but only acting jointly. We have no way of knowing how many review panels will be set up, as Sinn Féin effectively has a veto. Amendment No 14 gives some information on what a review panel would look like. We see some vague statements, such as that it will contain persons with “suitable qualifications, expertise or experience”, that it will pay:

“fees, allowances or expenses as appear appropriate”

and that it “may regulate its own procedure.” Even Sinn Féin will recognise the lack of clarity and weakness of that amendment.

The Alliance Party has indicated its intention to oppose clause 2 and clause 3, and has tabled a few amendments. I note particularly amendment No 33, which contains provision for a recommendation to the appointing Minister regarding the character of a special adviser. Given Sinn Féin’s refusal to abide by the guidelines that were produced by the Finance Minister, I fail to see how a recommendation will carry any weight at all. For that reason, I cannot accept the Alliance Party’s proposals. I am disappointed that it is not taking the side of innocent victims in the debate.

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

Lastly, I will speak briefly on the SDLP amendments. I understand where the party is coming from in attempting to amend the proposed legislation, and I welcome that it has sought to constructively engage with the Bill. However, it must also know that it holds the balance of power in the vote. I hope that it does not find itself on the wrong side of the argument so that we can achieve the goal of strengthening the law on the appointment of special advisers. I note its amendment Nos 3, 6, 16, 34 and 43, which are interlinked, and particularly amendment No 16, which sets out three different requirements to amendment No 11. I do not feel that the nature of the offence, the relevance of the offence to the special adviser role and other matters that commissioners may feel are relevant are as strong as the requirements set out by Mr Allister, but we will listen to the rest of the debate. I also note the potential advantages of an appeals process. The SDLP amendment No 17 does that, so I will listen to the debate on that issue.

Mrs Cochrane: I welcome the opportunity to speak on this group of amendments. Special advisers are important and sensitive appointments. As such, although we respect that the nature of the positions requires that Ministers be given a level of discretion regarding appointments, there are nevertheless aspects that are matters of public interest.

Special advisers are, in practice, senior civil servants, but without the requirement to act at all times in a politically impartial manner. They are also different from other civil servants in the nature of their appointment and in that their tenure in office is tied to that of their Minister. However, given the influential nature of the role, there are critical issues in ensuring that those who are appointed are sufficiently qualified for the post and competent to execute the duties. It is also critical that there is no risk, especially with sensitive positions.

We welcome the steps that have been taken over a number of years to bring a greater degree of formality and structure to the process for appointing special advisers. Initially, guidance was introduced to improve the process by which Ministers identify and consider potential applicants. More recently, a process has been introduced whereby the potential appointees are subjected to similar vetting processes that are used in the Civil Service for any other civil servant. Alliance Party Ministers have accepted and implemented those improved guidelines and processes.

There continues to be a lack of public confidence in the current system and a perception that the processes for appointing special advisers are exempt from controls and accountability. We accept that there is merit in seeking to address that lack of public confidence. Our view is that the best way to do so would be to place the existing guidelines and processes on a statutory footing, essentially turning what are guidelines and protocols into legally binding requirements. That is the basis on which we have tabled amendments to the Bill.

We oppose clauses 2 and 3. Those clauses substantially change the current practice, and it is here that we have to ask the broader question of whether the proposed legislation is appropriate, and consider the advice that was given to the Committee by a broad range of individuals. Taking that advice into account, our principal concerns relate to the blanket nature of exclusion from appointment

and the retrospective effect of clause 2. Of course, we have legislation in other spheres that specifies certain areas of employment from which people should be barred. However, those are either based on concerns about public safety, for example, the protection of children and vulnerable adults, or on the direct relevance of the crimes that were committed to the job in question.

Clause 2 provides a blanket exclusion, based on the view that anyone convicted of any crime for which they have received a sentence of five years or more should be deemed unsuitable for the job of special adviser. That takes us significantly beyond the exclusions that apply for other civil servants. That and the retrospective nature of the proposal, which we have been advised would only be warranted in the pursuit of public safety, were highlighted as problematic by the Human Rights Commission, the Equality Commission and the Attorney General.

Mr Wilson: Will the Member give way?

Mrs Cochrane: Yes.

Mr Wilson: I am at a bit of loss to follow the logic of the Member's point. She has agreed that some vetting is essential and, if there is to be vetting, you vet out certain people. What I understand clauses 2 and 3 do is to indicate the people who would be subject to vetting and vetting out. However, it is not a blanket exclusion. As the proposer was at pains to point out during his speech, he has included an appeals mechanism that would enable those who were initially vetted out to argue their case so that they can be appointed.

The Member either thinks that vetting is a good idea or it is not. The proposer of the Bill has proposed a mechanism whereby those who may initially be excluded can be included. If that is the case, it is not a blanket exclusion.

Mrs Cochrane: I thank the Member for his intervention. We agree that vetting should be in place and, essentially, that is what our amendment seeks to do. It seeks to put your guidelines on statute and be carried through for them all.

As I said, our amendments seek to place existing DFP guidance and processes for appointments and vetting on a statutory footing, and to make it legally impossible for any Minister to get around the processes that would fall under clause 6.

Our amendment No 35 seeks to close the current loophole. I have spoken to the proposer of the Bill about this, and perhaps that will need to be looked at at Further Consideration Stage. The second part of amendment No 35 refers to an appeals mechanism, and I take the point that has been made by others about a potential better make-up of an appeals panel.

The review undertaken at the instruction of the Minister of Finance and Personnel and the outcome that was accepted by him in 2011 have strengthened the vetting procedure and moved it in line with the procedure that is applied for other Civil Service appointments. That is the essence of what the Alliance Party amendment seeks to achieve. It would provide for vetting on a par with other civil servants with some scope for discretion. For example, for conventional civil servants, unspent convictions, which are any convictions that result in a custodial sentence of two and a half years — actually less than the five years proposed in the Bill — are considered against a risk assessment matrix. Proposed appointees are then invited

to provide comments to DFP on the decisions about those convictions. DFP officials then go through a process of weighing up all the relevant issues before deciding whether the offences should preclude a candidate from appointment.

Decisions on convictions and suitability for appointment are therefore based on relevance. There is no blanket ban. Both Alliance Ministers accepted the revised code of appointments, and, indeed, my colleague the Minister for Employment and Learning was the first to deploy it with the appointment of a temporary special adviser.

We believe that we should take that rigorous system, which does not carry the risk of challenge that appears to come with the proposals under clauses 2 and 3, and make it law. That would be a strong, safe and practicable law.

Alliance has had specific difficulty with the SDLP and Sinn Féin amendments, in that they draw a distinction between conflict-related convictions and other convictions. We are supporters of the Good Friday Agreement, and we accepted the logic of early release on licence of prisoners who were convicted of paramilitary offences before 1998. We also accepted the logic that those who were convicted after 1998 for such pre-1998 offences would serve two years. That was a recognition of the much-reduced risk of reoffending in a political context. However, it did not mean that we would excuse what they had done. Therefore, when it comes to the rehabilitation and reintegration of prisoners into society, we should treat them all equally, irrespective of whether the conviction was conflict-related or under another distinction.

The St Andrews Agreement also committed the two Governments to working with business, trade unions and ex-prisoners groups to produce guidance for employers that would reduce barriers to employment and enhance the reintegration of former prisoners. The Minister for Employment and Learning is working to give former prisoners the employability skills that they need to re-engage with the world of work. The Alliance Minister of Justice has made the strong case that effective policies on rehabilitation and reintegration are in the interests of society as a whole, as the risk of reoffending is reduced, with the consequence that community safety is increased.

Therefore, for those reasons we will oppose clauses 2 and 3, and I ask others to support my amendments to clause 6.

Mr Wilson: I welcome the debate. As demonstrated in Members' speeches, the history of this matter is well known. Guidelines were established that the Executive never accepted, although I do not believe that they ever had to go to the Executive. Nevertheless, apart from Sinn Féin, all parties abided by those guidelines.

As I said in the Second Stage debate, I would prefer that we reached a situation whereby everyone agreed the rules on special advisers. Rules that are agreed are much better than rules that are imposed. As a teacher, I know that, in a classroom, that is a much more robust way of keeping control and of keeping people with you. However, that has not been possible in this case; hence, we have a Bill and guidelines are being put on a statutory footing. Indeed, in some cases, those guidelines may be strengthened as a result of some of the proposed changes.

One area about which I was reluctant and that I discussed in a previous debate was that the initial proposal that came

from the sponsor of the Bill was far too black and white. If you had a conviction, that was the end of the story and you were not employed. I believed, however, that there ought to be some way that people could prove that they had changed and that, as a result, they were eligible for employment as a special adviser.

The other reason that I wanted this is that I want the regulation of special advisers, as does my party, so that we can withstand the scrutiny of the law and the courts and so that the position can be in place without a successful challenge. The absence of an appeal mechanism provided for the kind of situation that Ms Cochrane described of having a blanket exclusion with no chance of people convicted of a serious crime being able to argue that they had changed sufficiently, and shown that change to have taken place, to be eligible for appointment. For that reason, I welcome the fact that the sponsor of the Bill has now included the appeal mechanism, which is much stronger than that described in Sinn Féin's or the SDLP's amendments.

6.15 pm

I will turn to some of the arguments that have been made, first by Sinn Féin. Sinn Féin has been unwilling, of course, to accept any regulation of special advisers. It argues that it alone should have the right to choose and appoint, and it really did not matter what the consequences were as far as the public are concerned. Mr Allister put it well when he said that there has to be public confidence in someone holding that position, with their access to papers, to top civil servants and often being the people who will initially direct party policy. There cannot be public confidence if people believe that such an individual is unfit because of something that they did in their past and its consequences. For that reason, Sinn Féin has been wrong in kicking against regulation. Indeed, the fact that no Assembly party other than Sinn Féin is arguing against regulation indicates that it is standing alone on the issue. Albeit that some parties would accept lighter touch regulation than would others, we must all accept regulation for these posts.

I do not make a habit of quoting the Northern Ireland Human Rights Commission. It is hardly my favourite quango, and I have probably said fairly harsh things about it in the past. However, I suppose that, on occasion, it is even better that we quote — we all do it — some of those groups that would not necessarily be sympathetic to our view. When the point was put to the commissioner in Committee, he made it clear:

"With regard to the suggestion that the appointment of a special adviser is a political matter that should not be subject to a regulatory framework, we have to disagree".

The commissioner did not qualify that, and a number of other witnesses made exactly the same point: special advisers are senior civil servants in whom there has to be public confidence. There is regulation for everyone else at that level, so why not for special advisers?

I listened to the Chairman of the Finance and Personnel Committee talk about the Bill being predicated on political opinion. This was all about retribution or revenge. Only one group was being targeted. Actually, I did not hear any talk from Mr Allister about one group being targeted. However, the Sinn Féin amendment, and to a certain extent the

SDLP amendment, each targets a group. Sinn Féin wants to target those who are not guilty of conflict-related offences; the SDLP wants to target only those who have committed conflict-related offences.

Mr D Bradley: Will the Member give way?

Mr Wilson: I will in a moment or two when I have finished the point.

Mr Allister has at least been consistent and made it clear that the Bill excludes anyone who has been found guilty of a serious offence that carries a five-year sentence from being appointed a special adviser. I will give way.

Mr D Bradley: I thank the Member for giving way. Is the Minister not guilty of the offence that he accuses others of committing? His regulations contained an appeal mechanism that was directed only at ex-prisoners. Indeed, his officials made that point. So he has done what he accuses us of doing.

Mr Wilson: No. The guidance that I issued — I am not speaking as Minister, by the way, just in case there is some confusion about that — was for serious offences, which could have included many more offences than those related only to conflict. The appeal mechanism allowed people, by demonstrating that they had changed and mended their ways, to show that they were now eligible and should be eligible.

I want to emphasise a point made by the Chairman of the Committee. He talked about the evidence given to us by the late Sir George Quigley and Nigel Hamilton and the guidance for employers on people involved in the conflict and terrorist campaign of the past. The point that I made in an intervention was that Sir George Quigley and Nigel Hamilton made it very clear that they did not intend to comment on whether this Bill was commensurate with the guidelines that had been laid down. Indeed, they pointed out that it related to a totally different situation.

The amendment from Sinn Féin Members, although they do not accept regulation, goes into quite a lot of detail about what kind of appeal mechanism there would be. The one thing that I will say is that an appeal mechanism that in any way involves other Ministers or Members from other parties in setting up the panel or whatever is bound to face derision. Indeed, I think that that would do a disservice to the individuals who may then apply for an appeal because they would not know whether the Committee had been packed or whether it was objective.

This is one of the points that we agonised about when looking at the appeal mechanism under the guidelines that DFP produced on special advisers: how do we make sure that there is independence? The one way that you do not ensure independence is by referring this to the Office of the First Minister and deputy First Minister, where getting agreement inevitably involves horse-trading about liking one individual but not another. So what you get is a political balance rather than a group of people who are capable of doing the job objectively.

Mr D Bradley: I thank the Member for giving way. As well as the point that he makes about political horse-trading, is there not also the danger, as we have seen in the past, that, if something controversial goes in one door of OFMDFM, it rarely comes out another door? *[Laughter.]*

Mr Wilson: The Member makes a very good point. I will not deny it, and it means that an appeal mechanism might never be set up because it is too much of a political hot potato or because agreement cannot be reached. It is for a very good practical reason that he suggests that any appeal mechanism be kept well away from there. Indeed, the suggestion by the sponsor of the Bill that the Northern Ireland Civil Service Commission look at these issues would ensure that degree of independence.

We will vote against the Sinn Féin amendment because we believe that it is simply another way of trying to avoid the issue of proper regulation and keep these appointments within the political sphere, albeit that that party has accepted that the Assembly is moving in a certain direction and has tried to circumvent some of that.

All that — the way in which the appeal mechanism is set up, the fact that Ministers have only the choice of whether to refer anyone to the appeal mechanism and the special exceptions that would be given to what it calls conflict-related convictions — is designed to simply avoid the issue of regulation, on which the House has clearly expressed a view in the past, and which the public have come to expect.

Mr Mitchel McLaughlin: I suppose I should address you as a Member; that would be more appropriate. You have made great play of the issue of Sinn Féin's opposition to regulation. Although we will come to discuss clause 6, I refer you to where Sinn Féin has addressed this very directly and would call on whoever is the Minister of Finance and Personnel at the time to bring forward regulations to govern this procedure.

I will just give you that as a piece of information because you do not seem to have read that far.

Mr Deputy Speaker: I remind Members that Mr Sammy Wilson has chosen to speak as a Back Bencher on this occasion and is speaking as an MLA.

Mr Wilson: In fact, Mr Deputy Speaker, you will note that, just to ensure that Members know that I am speaking as a Back Bencher, I have come as far back on the Back Benches as I possibly can. I have not even gone to the intermediate Benches, so there cannot be any doubt about the status from which I am speaking.

I accept the point that the Member has made, but all the amendments that Sinn Féin has proposed are designed to make sure that if there is any regulation it is to be the lightest touch of regulation and that it will exempt the very people about whom the public are concerned. So, I do not think that we are any further forward on that. The fact that amendments have been tabled that refer to the regulation of advisers does not necessarily prove anything. One has to look at the detail of the particular amendments.

I will now turn to the SDLP's amendment. I congratulate the SDLP because of the stance that it took. In his speech, the sponsor of the Bill indicated that there was some influence in making it a better Bill, making it less black and white and less prone to a successful legal challenge in getting an appeal mechanism into the Bill. That was the right thing to do, and it is one of the reasons why I am much more comfortable with the Bill than I was at Second Stage, when I expressed some reservations.

Nevertheless, I have a number of concerns about the SDLP's amendment. In his speech, Mr Bradley talked about some of the hurdles that people would have to

get over when it came to the appeal mechanism that Mr Allister had proposed. I presume that Mr Bradley was arguing that the SDLP's amendments were superior to Mr Allister's amendments. He talked about the protection of victims and he asked how that would work. He talked about contrition and asked how it would be measured, and about the practicality of measuring the offence that had been committed and whether that should rule people out. He talked about all the vagueness that there was there.

6.30 pm

There is the same degree of subjectivity in the amendment that the SDLP has put forward. I believe — and there is no point in pretending otherwise — that there will be a degree of subjectivity in any criteria that you lay down, because an assessment has to be made. It is not, and cannot be, simply a box-ticking exercise with these kinds of issues. You have to listen to the arguments that people put forward and to what they say about the offence that they committed, etc, and then make a decision about it.

In fact, if you compare and contrast Mr Allister's amendment No 11 with the one put forward by the SDLP, you will see that there is a degree of subjectivity in all of them. The SDLP's amendment refers to:

“the nature of the offence to which the serious criminal conviction relates”.

That is the first hurdle that you would have to get over if the SDLP's version of the appeal mechanism were to be applied. What about the nature of the offence? Would you take into consideration, for example, the circumstances in which that offence took place? Someone might say, “I only got involved because my street was under attack.” Was it a serious attack? Was it just somebody throwing a stone down the street? Was it somebody shooting down the street? Did they come into your street and try to burn the houses down? Someone might argue, “I fought back and finished up in jail because someone got killed.” There will be a degree of subjectivity when it comes to making an assessment of the nature of the offence itself.

There will also be a degree of subjectivity as regards the relevance of the nature of the offence to the person's role as a special adviser. Mr Bradley gave the example of someone who is going to be the adviser to the Department of Culture, Arts and Leisure or the Department of Education, although he later clarified this so this would not even count. The offence of interfering with children, for example, would immediately rule you out. However, I notice that the SDLP's amendment refers only to conflict-related offences. So, a serious sexual offence, for example, would not even be covered by the SDLP's amendment. The relevance of the offence to the post will tend to be subjective and will not be clear-cut. If you want subjectivity, look at 3(c) in amendment No 16:

“such other matters as the Commissioners consider relevant.”

You could hardly get vaguer than that, yet the SDLP argues that the proposer's amendment is too vague and too subjective. There is a vagueness and a subjectiveness there.

Mr D Bradley: I thank the Member for giving way. I have to say that his attack on the criteria that we have set down is ill-conceived. In fact clause 3(a) and (b) in our

amendment come from his own code of appeal. So, once again, he is accusing us of something that he is guilty of himself. Mr Wilson says that clause 3(c) is rather vague. However, we prefer to leave these matters to those who have most experience in them and particularly in the field of employment, namely the Northern Ireland Civil Service Commissioners. Earlier in this debate, Mr Wilson and Mr Allister said that those are the people who are ideally qualified to adjudicate in these circumstances.

Mr Wilson: I think the Member has missed the point that I made. At the very start, when I was going through the criteria laid out in the SDLP amendment, I was not saying that the SDLP was wrong for saying that the criteria in either Mr Allister's proposition or in the guidelines that I put forward from DFP were vague or subjective. I was accepting that, when you are dealing with this kind of issue, there is bound to be a degree of subjectivity. If your own guidelines are subjective and carry a certain degree of interpretation, you cannot then argue that you are rejecting another amendment because it is too vague or subjective or open to interpretation.

Mr D Bradley: Will the Member give way?

Mr Wilson: Yes, I will.

Mr D Bradley: The Member spoke earlier about his reservations about the Bill as it stands. I think he said that it was perhaps too rigid and that it needed the addition of an appeal mechanism, which would give people the opportunity to, as it were, redeem themselves. My contention is that the nature of the criteria in Mr Allister's appeal mechanism quite firmly shuts the door on those who would wish to appeal. Surely, an appeal mechanism should offer the person who is appealing some chance of success.

Mr Wilson: That is where I disagree, because there are degrees of subjectivity, degrees of vagueness and degrees of interpretation. When you come to look at the issues, you see that a person has to demonstrate that they have shown contrition. Mr Bradley asked how you measure contrition. It is difficult to measure, but you know when someone is not contrite. That is the important thing. You know by their demeanour, by what they say, by the actions that they have engaged in, by the associations they have and by how proud or otherwise they are of what they did. You know when someone is not contrite. So, contrition is more measurable than some of the criteria that have been laid down by the SDLP.

Mr Wells: Will the Member give way?

Mr Wilson: I will, yes.

Mr Wells: Does the Member accept that the one criterion that is absolutely measurable is whether the person who committed the crime has co-operated with the police by giving evidence? That is an absolutely black and white fact. Either they have come forward and given the police all the information that they possess about that crime or they have not. In the case that we are talking about, the McArdle case, she most certainly did not do that. So, that is a black and white issue that has no level of subjectivity about it whatsoever.

Mr Wilson: That was the second point that I was going to come on to, because the second criterion is whether the person has taken all reasonable steps to assist in the investigation. You can measure that. The police can tell

you, "Yes, they made a statement" or, "Yes, they helped us". So, there is no interpretation there at all. That is measurable, and it is certainly more measurable than any of the criteria in the guidelines that I produced or in the amendment that the SDLP has produced.

The third point is the views of the victims. That is where there is a big deviation between the amendment put forward by the SDLP and the amendment put forward by the proposer of the Bill. The one thing that I find a bit odd about the omission in the SDLP's amendment is that, as I pointed out, Mr Bradley, during Committee Stage, raised with the Northern Ireland Human Rights Commissioner the issue of the vetting process and strengthening the role for victims. Indeed, he said he was very interested in how the role for victims could be strengthened. He went further when Ann Travers was giving evidence to the Committee. He pointed out:

"I said in my speech in the Assembly that it looked very much like the perpetrators were being rewarded and the victims were being punished again, as it were — made to suffer again, in any case. That does not seem to be as it should be, to most of us anyway."

If I had been Ms Travers at that time, I would have thought that there is a real commitment from the SDLP that victims' voices will be heard when appointments of special advisers are made. If I had listened to what he said to the Northern Ireland Human Rights Commission when he said that he was interested in how the victim's voice could be heard, I would have expected, as a victim — those are just two snippets from the evidence to the Committee — that the SDLP was on my side and that it will ensure that, when the issue of special advisers is being dealt with, the views of victims are heard. However, not only is that not in this amendment, it is an argument that Mr Bradley has used for opposing the amendment put forward by the sponsor of the Bill. I see that he wants to intervene, and I will be happy to give way. I find that exclusion very strange, given what was said during Committee Stage.

Mr D Bradley: Once again, I thank the Member for giving way. When I read the six criteria in the Minister's appeal mechanism, there was absolutely no mention of victims. Once again, what he accuses me of, he does not do himself. However, in interpreting the mechanism that we have provided and in the context of the overall purpose of this Bill, the Civil Service Commissioners would know that the feelings of victims have to be taken into account.

Mr Wilson: Although I initially had reservations about this Bill and expressed them at Second Stage, I believe that things have been done during its passage to strengthen it. I accept that there was an omission, in the guidelines that have been given, in an appeal; I am big enough to admit that. The evidence given by the Human Rights Commission made it clear that there ought to be greater emphasis on the victims. That was the case in evidence from others. It is right and proper that that is now addressed. I am happy enough to admit that that perhaps should have been part of the initial guidelines. It was not, but the situation is being remedied, and that is one reason why I and my party support amendment No 11. We see that as an essential ingredient — not, as Mr Allister said, to give victims a veto, because, as Mr Bradley pointed out, it would be difficult to do that given that different victims will have different approaches, but their views should be

listened to. It is not enough to say that the guidelines that the SDLP has proposed in its amendment allow that. That is what he said in his speech at Second Stage and during Committee Stage. If the perception is that not enough consideration is being given to the people who are hurt by the inappropriate appointments, what better way to address that than to make it clear specifically that there will be an opportunity for them to say what they want to say about an appointment.

6.45 pm

For all those reasons, I believe that the amendments from the sponsor of the Bill are superior to the amendment from the SDLP. I hope that we will be able to unite behind what are not draconian measures. I spoke to Mr Allister about that and made it clear to him that we ought to have guidelines that could bring the widest support in the House, because that is the way, I believe, that the Bill will have good standing in the community.

It must not be seen in the way in which the Chairman of the Committee portrayed it as being simply some petty act of revenge or punishment against Sinn Féin. This must be seen as a genuine attempt to regulate those who are appointed to special positions to accept that what happened in the past caused distrust about the system of control that we have, and it must be seen as an attempt to show that we have sought to remedy it in an honest way. For that reason, I hope that the House will unite on amendment No 11.

I take a different view on the concession that Mr Allister has made to the SDLP about whether there should be provision for an appeal to the High Court. I noticed that all the lawyers nodded in agreement to that concession; there was total unanimity among the lawyers. It did not matter what party they came from because they saw the pound signs ringing. [*Laughter.*] How many days in court would that mean, and how much would that bring in to the coffers of the barristers and the solicitors, and so on? I suspect that whether it is in the Bill or not, that is where some of these cases will finish up anyway. If it helps to bring people along, even I as a critic of the judicial fraternity will be quite happy to accept Mr Allister's concession.

I will not say a great deal about the Alliance Party amendments. Many people will find it strange that they were tabled despite the furor that has been caused. This issue was about the appointment of someone who had been found guilty of having been engaged in a serious crime, yet the Alliance Party seems to be prepared to strip out the core of the Bill. If this is all about engendering confidence, the one part of the Bill that has to stay is clauses 2 and 3; otherwise, it just makes a nonsense of it. I do not want to enter into any debate with the Alliance Party about it. It is not a blanket ban. There is an appeal mechanism. It is not disproportionate, and the Alliance Party should think long and hard about its amendments.

I hope that the Bill will get through Consideration Stage on the basis of the amendments that I have said we will support, and the House will have a better standing among the general populace if we do it.

Mr Mitchel McLaughlin: Go raibh maith agat, a LeasCheann Comhairle. I will speak to the Sinn Féin amendments: amendment No 4, which is a paving amendment for amendment No 12; amendment No 7,

which is a paving amendment for amendment No 13; and amendment Nos 14 and 15.

In coming to the discussion on the Bill, we have to deal with a number of fault lines in the process that we are all now involved in by virtue of our presence in the Chamber. The first one that it is important to address is the way in which the negotiations in the Good Friday Agreement came to the question of conflict-related sentences and prisoners. If we consider that somewhere in the order of 17,000 or 18,000 people out of the republican community were convicted in special courts to a total of 100,000 years, and a figure approaching that, or perhaps slightly less, were convicted out of the loyalist/unionist community, we can see that very many people in our society are, in a very real sense, a community that has to be addressed. The Good Friday Agreement attempted to do that.

In my view, the fault line occurs when we compare the statistic of 100,000 years for republicans — I do not know the exact estimate available from loyalist prisoners — with those involved in the British security services. Then, we can see that there is a blind spot in the entire process. It is perfectly understandable to me, in those circumstances, why we would have this subjective approach and why we —

Mr Wells: Will the Member give way?

Mr Mitchel McLaughlin: Let me have a chance to develop my arguments, please.

It is perfectly understandable why we would have continuous attempts to row back from the compromises that were involved and which made the Good Friday Agreement possible — not only the Good Friday Agreement but the St Andrews Agreement, the Weston Park agreement and all the other negotiations, including those at Hillsborough, that followed. Mr Allister's position at least has the virtue of him being a consistent and implacable opponent of the agreement that brought us peace and democracy; that brought us the support of the people who live in this island, North and South, through the very powerful mandate of a referendum; and that brought us support from the EU, financial and material, and from the US Government and Governments right across the international sphere.

I find that in this community, particularly among representatives across the way, there are people who have yet to come to terms with all of that. Therein lies a contradiction. I acknowledge that Mr Allister's position is consistent, but there are people who want to address this issue and ignore the fact that the conflict was sustained by a constant and very significant and virulent frame of illegality and murderous activity on the side of the British state forces that has never been acknowledged or addressed. So when we come to an issue like this over an individual such as Mary McArdle, we cannot deal with it as a collective in the Assembly because a significant body of people here approaches state murder as something that is legitimate in all circumstances. I ask — in fact, I challenge — Members to make an intervention if they want to address that, and I will make room for Jim if he wishes.

Mr McNarry: I thank the Member for giving way. As one of only two former special advisers who sits in the House, I have listened carefully to the debate, the quality of which is a credit to the House, as are the arguments being put forward and the manner in which they have been received. The word "contrition" has been mentioned,

and this follows on from what the Member has just said, which is why I intervened. It seems that it would have been better all-round if contrition had been considered prior to the appointment of Mary McArdle and that it was a grave error that that did not happen. I would welcome from Mr McLaughlin the clarification that I certainly need and which, I think, the public would welcome and the House would accept: does Sinn Féin's outright rejection of the Bill from the outset, as illustrated by your colleague, the Chairman of the Finance Committee, imply that it would reappoint Mary McArdle tomorrow or appoint another person with a CV similar to that of Ms McArdle as a ministerial special adviser? That is a legitimate question. From my unionist perspective, I would like to hear from Mitchel McLaughlin whether we have moved on at all. Are we just where you left this situation? Are we still there, and are you telling the House, on behalf of Sinn Féin, that you would appoint Mary McArdle, or someone very much like her, tomorrow, if you so desired?

Mr Mitchel McLaughlin: I am sorry, Mr Wells, I thought you had changed your mind.

Mr Wells: I did notice that you gave way to Mr McNarry but not to me. You mentioned the 100,000 years of sentencing that republican prisoners received. What about the many hundreds of thousands of years of suffering that their victims have been consigned to, with no release until they die? Men and women in every corner of Northern Ireland are haunted and traumatised by the deaths of loved ones. You say that we have a blind spot to the needs of republican prisoners. You, clearly, have a blind spot to the desperate need of those, such as the Travers family, who have been traumatised. Your party must have known the enormous hurt and anguish that the appointment of Mary McArdle caused. You must have known that, yet you went ahead and cynically appointed her in the face of intense opposition from the Travers family and the general community.

I will be interested in your response to Mr McNarry. Are you reserving the right to appoint another Mary McArdle, knowing full well the intense pain that that would cause to that terrorist's — or that prisoner's — victims? We have to take the victims into account. What you are proposing means that their views count for absolutely nothing.

Mr Mitchel McLaughlin: I thank both Members for their mini-speeches. Interventions are grand, but I hope that people would not abuse the opportunity.

Let me deal directly with the points that you both made. I take seriously the commitments that were given and the compromises that we all had to make at the time of the Good Friday Agreement. I refer people to the 1998 Sentences Act, which dealt with this issue. In fact, there are 20 pages of explanatory notes that define and explain for people who profess to be surprised at what is meant by conflict-related offences. Read the legislation that governed the early release scheme. They did not open all the gates of the prisons to let every single prisoner out. They made a very careful distinction and inserted a review that allowed people to come to the conclusion that the individuals concerned posed no threat to society. So, I take at absolute face value the commitments that were taken to the people.

I understand that there are people on the other side of the House who will constantly remind us that they did not

vote for the Good Friday Agreement. I have heard that in every single term since then, but what I have yet to hear is people acknowledge that they had their say and their vote but lost the argument. Your position should not, and did not, detract one jot from the authority or integrity of the decision that was made by people North and South on this island to support the Good Friday Agreement.

Indeed, the vote would satisfy the terms of reference that we use for petitions of concern in this place. So, if people are prepared to come at this issue as democrats, they will recognise that what was voted for there with impeccable, unimpeachable authority was that prisoners of the conflict were to be given the opportunity to re-enter and be useful members of society and not to be discriminated against. All of us were given the opportunity to move on. Fifteen years later and we are still stuck with that.

I am addressing these amendments because I believe that this is the fault line that predisposes the vote that will be taken later on. We could all have written the script. I recognise what I think my colleague just recognised, that this debate was less difficult, passionate and vitriolic than it could have been and I hope that is a sign that people are starting to come at these issues in a more thoughtful way.

I have addressed an issue that, at some stage — and it may not happen in this debate — I would expect unionists to be prepared to look at. What role did the British state forces play? What contrition was demanded there? Where, in fact, can that word “contrition” be found in the Good Friday Agreement or in the 1998 Sentences Act?

Mr Deputy Speaker: Can I ask that all remarks be made through the Chair and referenced through the amendments, please?

7.00 pm

Mr Mitchel McLaughlin: Absolutely. The reason why I am addressing it in this way is that I believe that there are, in fact, people who are, in many ways, prisoners of the conflict as opposed to advocates of the peace process. The lack of progress on key issues, such as truth recovery and reconciliation, is due to the fact that we, as a corporate body, find it difficult to move beyond that conflict. Indeed, some, and I number the sponsor of the Bill amongst them, are people who are determined to undermine this political process and, consequently, would take us back to the past. I think that all of us have decided that we do not need to do that.

Ending conflict will always be a difficult and daunting challenge, especially when there are so many competing aspirations and when there are so many people who have been injured and damaged as a result of the conflict.

Mr Wells: Would you reappoint McArdle?

Mr Deputy Speaker: Order.

Mr Mitchel McLaughlin: I have made it clear in both interventions that I would stand very, very four-square with the commitments and compromises that were made at the time of the negotiation, and which have been entered into law. I think that we all should proceed to deal with the Bill on that basis. I think that the Bill runs contrary to that, and I think that that is the reason why it must be opposed.

Legislating for special advisers should not be beyond us, but I believe that it is, at the present time. I think that we

will indulge our instincts for revenge and retribution and, unfortunately, that has tainted the approach.

Our amendments are a direct challenge to people to look at this in the round, to consider it in all circumstances, and to make it possible for that very, very sizeable ex-prisoner community to feel that they have a role in the future, because that is what the peace process was about; that is what the Assembly is about.

When we talk about the expectations of people in our community, regardless of their political aspirations, we have to remind ourselves at times of why there was such international recognition and acclaim for the achievement of negotiating the peace process. They recognise it; perhaps, we do not, but we should.

I will address the approach of the SDLP, for example. I find interesting — I will put it no stronger than that — the difference between the word “may” and the word “must” in the SDLP amendment, and their dispute over that with Mr Allister. I find that quite interesting. I also find it interesting that the SDLP would open the door to the role of MI5 in a vetting process for people who would be employed through the Assembly. I find that a very interesting departure. To try to out-Jim-Allister Jim Allister is, I think, a very strange direction for the SDLP to go, but it will also be held to account. I think that that is the appropriate way of dealing with that.

I think that the Alliance Party has attempted to be constructive, and I want to recognise that. It has sought to find a middle course in a very difficult set of circumstances. In my view, that was always going to be difficult. *[Interruption.]* I am sure that that is not a judgement on me praising the Alliance Party. It was always going to be a very, very difficult task, and I am not certain that it has succeeded. My view is that, in agreement with pro-agreement parties, we should have developed a position that strengthened the agreement, did not seek to undermine it, did not seek to double-guess the negotiations, and certainly did not seek to undermine the democratic mandate that reinforced it. Unfortunately, however, on the basis of the arguments from the unionist representatives, it appears that they want to take it in the other direction. I think that that would be a mistake.

On a final point, consider the lack of preparation and understanding in relation to very recent events in Belfast over the flags decision. That was a democratic decision, but the reaction to it is a salutary lesson to us all, and we should not repeat that mistake in dealing with the Bill.

Mr Weir: By this late hour, much has been said. First of all, I want to say, as a member of the Committee for Finance and Personnel, that it was a very interesting and, indeed, rewarding experience to listen to the evidence at Committee Stage. Across the spectrum, the Committee gave people a fair hearing. I want to echo remarks that were made earlier that if one single evidence session stood out, it was the courage and clarity of Ann Travers's evidence.

I have been a Member of the Assembly since its inception in 1998. I have served on a range of Committees. Perennially, for some reason, I always seem to come back to the Committee for Finance and Personnel. During those 15 years of experience, I doubt that there has been as impressive a witness in front of a Committee as Ann Travers. It is sad to see that, despite various opportunities

that were given by Mr McNarry, Mr Wells and others to members of the party opposite about what lies at the genesis of the debate — the appointment of Mary McArdle — in response to questions on whether things should have been done differently and whether the same person would be appointed today, all that we got from the party opposite has been, at best, a range of dodging and weaving. From the point of view of public acknowledgement, it certainly seems as though the lesson has not been learnt.

I will turn to the various amendments. First of all, I will deal with the response of the Alliance Party, which is almost in absentia. It seems to have run away, or whatever terminology one wants to use. It was very noticeable that, the moment that Sinn Féin started to welcome its very constructive approach and say how glad it was for that, the last of the Alliance Party's number disappeared from the Chamber. I have to say that I am disappointed with the Alliance Party's attitude to the Bill, although, given some of that party's approaches, perhaps, not surprised. What we have seen in its position and a number of its amendments is that it stands in direct opposition to clauses 2, 3 and 6; the removal of which would leave a hollow shell of a Bill. They are, in effect, wrecking amendments. What substance would be left? Well, there would be an annual report on special advisers and a code of conduct — not even a code of appointments because that is contained in clause 6. We would be left with a paper tiger of a Bill. It is clear that, rather than simply gut the Bill by way of those particular pointless amendments, the more principled stance would simply have been to oppose the Bill full stop. We await with interest the Divisions on those amendments.

A distinctive flavour and commonality of approach, perhaps, not surprisingly, has been taken by Sinn Féin. The previous Member who spoke referred to the theme, which is, essentially, to draw a distinction between conflict-related offences and, particularly, with regard to one of its amendments, conflict-related offences pre-1998 and post-1998, which, obviously, relates to the Belfast Agreement. The previous Member who spoke mentioned that, in 1998, it was not simply that the prison gates had been left open, but that there was a "careful distinction". I think that that was the phrase that he used. I have to say that the definition of careful distinction of conflict-related offences is the very reason why I would oppose Sinn Féin's amendments.

I certainly believe, as I expect that the sponsor of the Bill and, indeed, a range of others do, that a crime is a crime. There should certainly not be some sort of special category for conflict-related crimes. Consequently, if a disqualification should be there for special advisers, it should apply on the basis of the gravity of the crime and a range of other factors, but certainly not on whether it was conflict related. What really sickens me about some of the Sinn Féin amendments is not simply the distinction between what it calls "conflict related" and other forms of crime, but the fact that it draws a distinction between pre-1998 and post-1998 offences: the mythology that, if you like, there were good terrorists before 1998, who, at least, had some degree of beneficial or good motivation to be able to carry out those crimes, and, of course, the evil opponents of democracy and good government who appeared after 1998. That is a false distinction. I regard that as unacceptable. That runs through its amendments. To give the party opposite some degree of credit, at least that is consistent throughout its amendments. Be it

amendment No 4, 7, 12, 13, 14, 15, 37 or, I think, 43, there is that distinction. Consequently, we will oppose all of Sinn Féin's amendments on that front.

I now turn to some other amendments, some of which seem to be alternative amendments. Specifically, amendment No 2, standing in the name of Mr Allister, and amendment No 3, standing in the name of SDLP Members, have a similar proposition. I am not going to get into the distinction between "may" and "must". If any degree of tweaking needs to be done, I am sure that something can happen at Further Consideration Stage. It is clear that Mr Allister's amendment is comprehensive enough to cover the situation, whereas amendment No 3, again, unfortunately, draws the distinction of making specific reference to conflict-related convictions, although to be fair, that has not been the general tenor of much of what the SDLP said. Consequently, I think that amendment No 2 is much more attractive.

Similarly, there has obviously been much discussion about the distinction between amendment Nos 6 and 8, again supplied by the SDLP and Mr Allister, which are essentially variations on the same theme. Mention was made — and I certainly think that this is the case — of the fact that the Finance Minister did a lot of the groundwork for this. I think that it was very man of him to admit that there are areas where there could perhaps be some degree of improvement.

I think that amendment No 8 from Mr Allister and the clarification of what counts as exceptional circumstances, with references to contrition and a direct reference to victims, which, I think, will allow victims a greater opportunity for locus standi, are useful.

Mention was made, particularly by the last Member to speak, who, unfortunately, is no longer with us.

Mr Hamilton: He is alive.

Mr Weir: He is still alive, but he is no longer in the Chamber. He made this clarion cry: when are we going to see contrition on behalf of the British Government? As pointed out by my colleague, we had an apology on behalf of the British Government for Bloody Sunday and contrition for the Finucane case. So, there has been clear-cut contrition for Government acts or at least measures by some of the security forces and British forces. Whether or not we agree with that, the Government have clearly done it. However, I have to say that I am still waiting to see acts of contrition from the paramilitaries involved, particularly those from a republican background. Even at the time of the ceasefires, we did not see any degree of contrition for their acts. I think that it is important that we take the opportunity —

Mr Deputy Speaker: I draw the Member back to the amendment and the clauses.

Mr Weir: Mr Deputy Speaker, I am talking about the issue of contrition. Amendment No 8, which specifically refers to contrition and the needs of victims, is one that we should embrace. Consequently, when faced with a choice between the two amendments, I would choose amendment No 8, because, again, as indicated, amendment No 6 from the SDLP replicates some of what is already there. As the Minister indicated, we should look to improve, where possible, upon what is there. The third part of amendment No 6 leaves a high level of vagueness and is essentially an

invitation for almost every case to go to a judicial review if the issue is, "What other factors may be considered reasonable by the Commissioners?". I appreciate that the Minister was making some degree of malicious allegation by saying that lawyers were essentially ganging up to get extra cases. I will say, in an act that would not necessarily be welcomed by my former profession, that amendment No 8, which perhaps less lends itself to an open judicial review than amendment No 6, is the better route to go down. So, there is a form of self-denying ordinance within that. The Minister may take a little bit of convincing on that point, but, certainly, if you compare the two, I think that you will find that that is the better position.

Amendment Nos 11 and 16 have a similar position.

There is relatively little difference between amendment Nos 11 and 16. Sorry, I made a mistake earlier — that is the area that does make those degrees of difference. I think that amendment No 11 is the better of the two.

7.15 pm

There is a contrast between amendment No 17 and amendment No 35. Given the opportunity for a lot of these cases to end up in the High Court, the SDLP's amendment No 17 to give a final power of decision — a final court of appeal — to the High Court seems to be the more sensible route. If the idea is that this should be taken independently, the alternative proposition, which is largely in the Alliance Party's amendment No 35, which essentially would establish a panel by way of the First Minister and deputy First Minister, does not bear a great deal of scrutiny. What is there on behalf of the SDLP seems to be a reasonable way forward, as has been indicated by the Minister.

There is a contrast between the Alliance Party's amendment No 31 and the Bill sponsor's amendment No 36, in that amendment No 36 has a wider definition. It refers to "All persons", which means that there is a stronger case for it. Indeed, a couple of the other amendments flow naturally.

The final amendment Nos 41 to 43 are of a similar wording. The major difference is that amendment No 41 deals much more clearly with the issue that this is meant for all crime, as opposed to amendment Nos 42 and 43, which have a certain consequential quality. Amendment Nos 42 and 43, however, tie this in with conflict-related crime. This should apply to all crime.

I want to go back briefly, Mr Deputy Speaker, for one final point. Given the number of amendments, I have to confess that I got one set slightly mixed up. When I referred earlier to amendment Nos 6 and 8, I should have referred, obviously, to amendment Nos 11 and 16. However, with amendment Nos 6 and 8, there is a clear-cut distinction. Although there is not a big gap between amendment No 6 and amendment No 8 — amendment No 8 simply creates an addition, and amendment No 6 leaves out the full indication — I think that amendment No 8 has the advantage. By keeping what is included at line 17, it has the certainty that when there is any serious conviction, it terminates an appointment immediately. Amendment No 6 leaves us with more vagueness, so I am much more minded to back amendment No 8.

There is an opportunity. Much has been made of the historic compromises that we have been told are included in the Bill. Indeed, the previous Member who spoke made particular reference to the fact that, were we not to

recognise conflict-related crimes, we would in some way be flying in the face of the Belfast Agreement. Personally speaking, I have no problem flying in the face of the Belfast Agreement, but may I also indicate —

Mr McCartney: And St Andrews.

Mr Weir: What? Sorry?

Mr McCartney: And St Andrews.

Mr Weir: An indication was given as to how this would be so wrong because it would fly in the face of the people. Let me make this point. We all know many people who voted for or against the agreement. Had the referendum been purely on the basis of early release of paramilitary or terrorist prisoners, I suspect that many who backed the agreement believe that it would not have got a majority in Northern Ireland.

Mr Deputy Speaker: Will the Member return to the Bill, please?

Mr Weir: I am responding to what was said. I believe that the thrust of the amendments and the Bill is helping to normalise society. The amendments that work alongside the Bill normalise it. I throw out the challenge. Can anyone think of any other democracy in which this would happen? We are dealing with a very senior position that lies not in the gift of the people but essentially in the patronage of Ministers. Can we think of a single example whereby someone with serious criminal convictions, whether terrorist-related or ordinary crime, would be appointed to this high-paid, influential position of special adviser? That is why I believe that this is a step in the direction of normalising society, both through the Bill and in the thrust of the amendments, which will make the Bill more technically correct and will allow, if some of them are accepted, for a proper means of appeal that can genuinely take Northern Ireland forward by helping to normalise our society.

I highlighted areas in the amendments that I believe are unacceptable and those that I believe are improvements. I trust and hope that the House will think likewise.

Mr A Maginness: I would like to say, from the outset, that this Bill is a great tribute to Ann Travers and her single-minded campaign in relation to the murder of her sister and the attack on her father and family. That campaign is the genesis of the Bill, and it is an inspiration to everybody that one person could generate so much interest and create a campaign that has proven to be so successful, at least thus far.

In relation to Mary McArdle's appointment, what has been omitted today, by Sinn Féin Members in particular, is that Sinn Féin removed her from that position. I pose this question: why was she removed? She was removed because of the political embarrassment caused by Sinn Féin's political insensitivity to her appointment in the first place. She was appointed because she was, in their language, an activist and they saw no distinction between an activist who was involved in violence and served a prison sentence for murder and someone who became a political activist. They saw absolutely no distinction and wanted to preserve the mythology that there was a war and that they were involved in a war that was legitimate, despite the fact that it broke every rule under the sun. I am talking not just about domestic law; it broke all the laws of war. It was, in my view, totally unjustified. It caused misery

to many, many people and innumerable deaths. It caused misery to people in the republican movement itself, and it caused greater division in this society. We have a Bill today that is a product of the nonsense that Sinn Féin talked about that. There is an attempt to create a new history and narrative about what happened years ago. The fact is that their insistence on keeping McArdle was an attempt to create a new narrative in which everything that they did was legitimate. Of course, it was not legitimate. As I said, it caused massive misery to everyone.

It is important that we recognise the Sinn Féin amendments. Its amendments are a recognition that it was right to introduce the Bill and that there should be scrutiny of the appointment of special ministerial advisers. When I asked its Members, earlier in the debate, to explain their position on this, I got no explanation of the reasoning behind the amendments. We got the usual stuff about state forces etc, but we got no explanation of why Sinn Féin has changed its position substantially, which it has. If you measure the difference between our amendments, Jim Allister's amendments and the amendments proposed by Sinn Féin, you will see differences — Sinn Féin's amendments are light-touch — but, in essence, they say the same thing. They say that there should be scrutiny and there should be, in effect, a process. They say not that special advisers can be appointed willy-nilly but that they have to go through a process if they have committed a conflict-related criminal offence. That is a very important conversion on the part of Sinn Féin.

I heard a lot about MI5 from Mitchel McLaughlin. I do not know how MI5 influences the Civil Service Commission, but there are certain leaps of imagination from Sinn Féin in relation to this whole process. The reality is that, because of the inept way in which they dealt with the McArdle appointment, this process and this Bill had to be brought in. The Finance Minister brought in guidelines, which, effectively, are now being put on a statutory basis. That is, essentially, what is being done. The Bill might not be precisely the same as what the Minister put forward, but it is reflective of what he, sensibly, introduced in the first instance.

We now face a choice: what route do we go down? What amendments do we accept? I have to say that the best amendments are undoubtedly the SDLP's. They are the best because they are the most flexible, sensible and effective in terms of the process of scrutinising candidates and allowing fairness and flexibility in appeals, if necessary.

Mr Wilson: Will the Member give way?

Mr A Maginness: Yes.

Mr Wilson: We have not yet heard one of the criteria clearly spelled out by the SDLP. In Committee, when addressing Ann Travers, Mr Bradley pointed out that there needed to be recognition of the hurt of the victims in any vetting process. If the Member really believes that his party's amendment is best, maybe he will spell out how he believes it deals with the issues of victims and ensures that they do not feel left out of the process.

Mr A Maginness: As Mr Bradley said, we have not excluded that. In fact, we have said that there is a catch-all in the final part of our amendment that allows for that sort of thing to be considered by the commissioners. There is no reason why the commissioners should exclude that.

Given that we are dealing with conflict-related offences, there is every reason why it should be included.

Mr Wells: Then what would be wrong with including it and spelling out very clearly that the needs and concerns of victims have to be considered? He is saying that the third criterion is a catch-all, but would it negate or dilute his amendment to include the reference that Mr Allister made to the views of victims?

Mr A Maginness: We have come a long way with this Bill in considering the position of victims — not simply victims of the Troubles but victims of ordinary crime. That is very much at the centre of people's considerations. There is no reason why that should not be an element in the commissioners' considerations. I think that Mr Allister has made an attempt to address some of the issues that were raised in Committee. We do not doubt his efforts in that respect, but, as a party, we believe that they fall short. I will not go into all the elements of that because Mr Bradley did that so expertly in his speech. I say as a net point that Mr Allister has moved and has shown a degree of flexibility. However, it does not match the degree of flexibility that we, as a political party, would have liked.

7.30 pm

Mr D Bradley: I thank the Member for giving way. Does he agree that, since this is a victims-orientated Bill, it is well nigh impossible that the Civil Service Commissioners would ignore the effects that appointments would have on victims?

Mr A Maginness: The Member has invited me to agree with that. Of course I agree. There is a different attitude and approach to dealing with victims at large but particularly victims of the Troubles. That is part of the current thinking, and it would be part of the approach of the Civil Service Commissioners.

In conclusion, I ask the House to consider very seriously the SDLP amendments. They provide the necessary flexibility. It is important to provide a genuine appeal. It is important that that flexibility be there so that it gives confidence to people at large and to the candidate —

Mr Wells: Will the Member give way?

Mr A Maginness: Yes.

Mr Wells: If that is the Member's concern, he should argue for the retention of Mr Allister's three criteria and the inclusion of his catch-all as a number 4. My problem with what he is saying is not only on the issue of victims. You could have the appointment of someone who clearly has a vast store of information about his or her own crime and many others but who adamantly, as McArdle did, refuses to produce one iota of that evidence to help the authorities. That person could slip through the net under what you suggest.

Mr A Maginness: I think that Mr Bradley has made the point in detail about the whole issue of contrition. He asked how you could establish contrition. It is a subjective assessment. How do you establish that? How do you know whether somebody is genuine? I am not saying that that is not an element, but you cannot objectively assess that.

You might be right about police investigations: a person may have a vast store of information that they are reluctant to disclose or have not disclosed. How can you assess

that? It is impossible. When it comes to prosecution, the fact is that it is practically impossible to say, "That person has so much information that could lead to the prosecution of this person or that person".

Mr Wells: Will the Member give way?

Mr A Maginness: Yes.

Mr Deputy Speaker: I remind Members to make their remarks through the Chair.

Mr Wells: I am very surprised that someone as learned and experienced in the legal profession should be taking this type of intervention from a lowly Back-Bencher with no legal training. He knows, from his vast experience in front of various judges, that the judge will often make an assessment about whether the person who is being prosecuted has been fully co-operative with the courts and the police. The police will also confirm that So-and-so has helped them in all their enquiries and provided all the information. They make that assessment. That is accepted by legal counsel, the police and judges. McArdle did not give 1%; she gave no evidence whatsoever to the police. She gave no information. She did not name those who took part with her in that dreadful crime. That is black and white; there is no subjective nature to that. Either she has done it or she has not. In this case, she did not. Therefore, you are left with no difficult judgements to make; you are absolutely clear. You are excluding that from the Bill.

Mr A Maginness: We could go on all night about this. All that I will say is that Mr Allister's criteria are too prescriptive. We need something much more flexible. It is then up to the commissioners to make their determination.

We have these choices tonight. We should try to make the best choice, and I say again that I think the best choice is the amendments tabled by Mr Bradley.

There is just one final point. A Sinn Féin Member mentioned "may" and "should" — I think that is what the point was. Amendment No 13, in relation to the procedure for existing appointees, says:

"The Minister who appointed that person may, within 21 days of the coming into operation of this section, and after consultation with the person, refer the matter to the First Minister and deputy First Minister."

If it is simply left at a Minister's discretion, he or she will not refer. It really is a pretence to put that into that clause, and it is deceitful in the extreme to suggest that that clause has any substance whatsoever. I will leave it there.

Mr D McIlveen: I know that the hour is late. Therefore, I will try to keep my remarks as brief as is humanly possible.

Mr Hamilton: Hear, hear.

Mr D McIlveen: Thank you very much for the encouragement, colleagues. I welcome the opportunity to speak on the Bill. It is a good Bill, and, to some extent, it is necessary. The code that was produced by the Minister of Finance is very similar in many ways, but the Member for North Antrim has seen fit to enshrine this in legislation, and I do not think that we could have any particular problem with that.

We do, however, have problems with some of the amendments. We have been quite dismissive of the Alliance Party's amendments, and I am probably going to

continue that theme. The Alliance Party's amendments can only be described as being comparable to the peace of God, in that they pass all understanding. I certainly would have considerable difficulty with any of them.

I am supportive of the vast majority of the SDLP amendments, although, as my colleague mentioned, we would have considerable difficulty with amendment No 3. When you start to define conflict-related offences, by definition, it brings in special treatment or special circumstances around a particular type of offence. That is a dangerous road to go down. I am surprised that that came from the SDLP, as some of the most passionate deliveries that I have heard in the Assembly about the futility of the conflict and almost its worthlessness have come from the sponsors of that amendment. Given reflection on the debate that has taken place, I hope that the Members may reconsider amendment No 3. Besides that, I do not think that there are any other SDLP amendments that would cause me to lose too much sleep.

Mr D Bradley: I thank the Member for giving way. He said that there was not a lot of difference between the Bill and the regulations brought forward by the Minister. In fact, of the three criteria that Mr Allister has proposed in amendment No 11, two were not included in the Minister's list. The Minister and his senior officials said that the appeal mechanism that he included in his regulations was exceptional. As I said to the Member for East Antrim, what you are accusing the SDLP of, Mr Wilson, in his guise as Minister, is also guilty of.

Mr D McIlveen: I thank the Member for his intervention. I chose my words carefully. I said that they were "similar"; I did not say that they were "identical". Therefore, I think that the basis of the provision was in the code, and I welcome that we are having a broader debate on the matter. Mr Bradley and I are obviously on the same Committee, and we both heard the evidence. I think that it has been very constructive that we have been able to enter into a broader debate and to get into the detail of these issues. That has been very beneficial, and it can only be a good thing to see it enshrined in legislation.

One matter that came out of the evidence that we received, particularly that from Ann Travers, was the fact that we are greatly optimistic, as we should be, about a new Northern Ireland and about all the opportunities that that brings. I think that there is broad agreement throughout the House that the new Northern Ireland that we live in has brought considerable advantages, both politically and economically.

That is to be welcomed, but we cannot ignore the fact that many thousands of people in this country today still bear the scars of the old Northern Ireland. Ignoring those people and having them reminded every day of those scars by a foolish decision that a party in the Assembly took cannot be ignored. We have to stand up and take a stand on that. We also have to speak out about it and say that it is wrong and ill-advised and that something has to be done about it. We, likewise, have to say that something has to be done to make sure that those victims are not subjected to the same pain and hurt that Ann Travers was subjected to when she heard about Mary McArdle's appointment.

We also have to be very careful about the messages that the Assembly sends out, just as we do about the

messages that Members send out in their defence of illegal acts and terrorist atrocities. That was brought out very clearly in the evidence that we received. I want to quote in particular the evidence of two academics, Dr Cillian McGrattan from Swansea University and Dr Máire Braniff from the University of Ulster. I will keep this brief and concise, but I think that it is relevant to the debate as we look at where these amendments are coming from. That is because, at their heart, the Sinn Féin amendments still try to defend the indefensible, which is where we have to draw the line and oppose it.

In the evidence that the Committee received, the Sinn Féin Member for South Antrim put this question to Dr McGrattan:

"Is it not interesting that 15 years after the signing of the Good Friday Agreement, the only party to put forward a formal proposition for an independent truth-recovery process is the republican movement?"

Dr McGrattan's answer was:

"I am not too sure whether it is interesting. If you look at other cases, such as Germany or Spain, you see that these things can take generations."

Mr Deputy Speaker: This may be very interesting, but it is not relevant to the amendments. I ask the Member to come back to the amendments to the Bill.

Mr D McIlveen: With respect, Mr Deputy Speaker, it is relevant. It is the basis for the amendments, and it explains where they have come from, which is on the back of evidence that has been gathered. So, with respect, I have to bring the evidence forward to allow a fuller debate on the issue.

The point that was being made was that, as educators, they were particularly concerned with that and that we, as politicians, should also be concerned with that. A further question was put forward, which I will paraphrase somewhat, in which Mr McLaughlin made the point that, in many ways, so-called combatants had been responsible for bringing us to the place where we are now. Dr Braniff clearly answered that, if we take that view, we are looking at peace as a privilege rather than a right.

7.45 pm

That is why I say that we have to be very careful in all of our decisions, on all sides of the House, about the message that we put out. If we put out a message that we are trying to justify and condone the indefensible, it would take us to a very dangerous place. That is why I take exception to some of Mr McLaughlin's comments in the House tonight. He accused us of inconsistency, and that is simply not the case. The party opposite has a mandate. I would prefer that it did not, but it does, and I am a democrat who respects that mandate. In the same way, we have a mandate to represent the people who very kindly voted for us.

However, the appointment of Mary McArdle was not the result of a democratic decision. It was an appointment, and one that came on the back of a fundamentally flawed procedure and ultimately on the back of a fundamentally flawed decision by the party opposite. To bring forward these amendments when, by its own admission, that party dismissed the said member of staff from that position, is

the height of hypocrisy. Therefore, these amendments in their entirety should be opposed.

Concern has also been raised about the definition of the word "contrition" as it is used in the amendments. It is a word that we would certainly like to see remain in the legislation. Perhaps to clarify the word, I will bring it back to the amendments and the Bill. When it comes to defining contrition and illegality, the reality is that it is, for want of a better term, regrettable if a person involved in terrorism — whether loyalist, republican or Islamic — loses their life in the course of a terrorist act. However, when a 22-year-old woman walking to church is shot in the spine, that is murder. That is the difference, and it is a difference that Members on the Benches opposite fail to recognise time and time again. That is why these amendments must be opposed and dismissed after the debate runs its course.

We could say much more and challenge many more things, but I am conscious that this is an emotive issue and one that I am sure will not be fully settled in the debate. However, I will say this: the accusation was put forward that those on this side of the House had failed to convince the public of the best way forward as far as agreements were concerned. I beg to differ because, between 1998 and 2005, the party opposite had the opportunity to convince the people that the Belfast Agreement was the best way forward. It failed to do that and it was resoundingly rejected in 2005, with renegotiation leading to the St Andrews Agreement.

I will oppose the Sinn Féin amendments in their entirety. I wish that the SDLP would reflect on one of its amendments, apart from which I have no difficulty with the SDLP amendments. We will certainly support Mr Allister's amendments in their entirety.

Mr Lunn: At the outset, I echo what others have said about the debate being entirely constructive and reasonably good natured. I think that it was Mitchel McLaughlin who said that it had the capacity to go way beyond that, and I heard David McNarry and Mitchel agreeing about the nature of the debate. It is a credit to the House that we have managed to keep it in under control.

I am also impressed by David McIlveen comparing our amendments to "the peace of God". We have been called many a thing by the DUP, but I think that that is probably the best so far, and I appreciate the context in which he said it.

I do not know whether Ann Travers is here, but I imagine that she is probably listening to the debate. I hope that she is encouraged by most of the things that have been said.

I will talk particularly about Mr Allister's amendment No 11. There are three amendments that go various ways about the same problem. It has been well rehearsed, and I do not need to cover it again. We just cannot entertain the Sinn Féin amendment on that issue at all. We can have another look at the SDLP amendment, but we are interested in Mr Allister's amendment No 11, because he has made some compromises from his original position on that matter.

It is clear that he is no longer demanding a blanket ban, and he concedes the need for an appeal mechanism. We can thrash out what the actual appeal mechanism may be. We have concerns about some of the language, such as the use of the word contrition. We would like to give a bit more consideration to the precise language. We can do

that at the next stage. We also have concerns that there may be some human rights infringement, or the potential for it, and also that it may not, in the fullness of time, stand up to legal scrutiny. It would probably be better if we did not pass laws if we knew that they were going to be defeated legally at some future date.

We are entitled, when we have a debate here, to sometimes change our minds. It might be a lesson to all if we were all prepared to do so. What is the purpose of debate if it is not to sway people's opinion? In that context, we have been having considerable discussion about this today, and I can tell you now that we are not going to oppose the Question that clauses 2 and 3 stand part of the Bill. I know that we have been heavily criticised for that. We have had time to reflect on it, have listened to what everybody has said, and we think it is better if we withdraw that opposition.

Mr Allister: Unaccustomed as I am to people agreeing with me in the House, I will have to struggle with some of the contributions that were made, but I will do my best in that regard. I do not intend to detain the House for very long. As has been said, it has been a constructive and useful debate. The last contribution indicates that there has been some progress in the debate as well, and I welcome that.

The Sinn Féin contribution, however, falls very far short. Mr McKay, speaking on behalf of his party, really set out his wish list and charter for ex-prisoners, with all of the demands in that regard. In the course of it, he peddled a number of matters that, in respect of the Bill, of course just do not stand up to scrutiny. He tried to suggest that the Bill was targeted at one group, but, as Mr Girvan pointed out following him, the Bill is directed at all criminals — all criminals. It does not pick out, as some amendments do, a particular class or history of criminal. It is directed at all convicts with serious criminal convictions and it deals equally with all, as it should. So, I want to utterly reject that suggestion.

He also spoke about there being no winners and no losers in the past with what had happened. The Travers family were very big losers in the appointment of Mary McArdle, and anyone who thinks otherwise has not even begun to appreciate the great hurt that was caused in that source, and which would be caused to the families of other victims. He then tried to excuse that and say that there were people in prison who would not be there but for the conflict. The reality is that they would not be there if they had not committed the crime; it is as simple as that.

(Mr Speaker in the Chair)

The seminal moment for the Sinn Féin position came from the challenge from Mr Wells and Mr McNarry as to whether, in respect of Ms McArdle, that party would do it again. Answer came there none in the form of a denial, so it was quite clear that Sinn Féin is not in a position to acknowledge that what it did — that which sparked this Bill — and the hurt that it caused was at all wrong. It is that mindset and the refusal to acknowledge it that underscores the necessity for this Bill. It is quite clear that the opportunity could well be taken to do the same again. Mr McLaughlin's ducking and diving and his persistent refusal to answer that question spoke volumes about Sinn Féin's position.

Mr Wells: I will pose a question to the honourable Member for North Antrim. What would have happened had Mary Travers not had such an articulate and courageous sister? What would have transpired had this happened to a family, perhaps, from a more vulnerable part of Belfast, who were not as articulate, who could not handle the media, who could not get their message across and who were not able to represent their family as well as Ann Travers did?

After a few short comments, Sinn Féin would have brazened it out and McArdle or her equivalent would still be in position. Sinn Féin removed McArdle because it was embarrassed by the campaign that was led by Ann Travers and by how effective she was. Eventually, even Sinn Féin, with its brass neck, had to remove her. It made up a strange story about the realignment of its staffing needs in Connolly House, which was absolute nonsense. It withdrew McArdle because she was an embarrassment even to that party.

The sad thing is that there could be another family who do not have that articulate spokesman and who will have to endure the pain, humiliation and anguish of watching a future special adviser (SPAD) on £90,000 a year traipsing around this Building because they do not have that effective voice. Sinn Féin will not care about that family and it will not be embarrassed, because that family does not have an articulate voice with which to express themselves.

Mr Allister: I am grateful to the Member, and I agree with him absolutely. The articulate, but above all courageous, Ann Travers was undaunted by the prospect and the overbearing nature of this appointment. In the words of Alban Maginness, this Bill is a tribute to her because had it not been for her there would not have been the stand that has been taken. I trust that, tonight, that courage will be marked by the progress of this Bill to its next Stage. That is the challenge to us all.

I will turn now to the SDLP. We have seen some movement from the Alliance Party, which is good. It is not going to oppose clauses 2 and 3 and, perhaps — I am not sure — it will abstain on amendment No 11. It may even vote for amendment No 11, which would be even better.

I say to the SDLP that, throughout this debate, a number of very pressing and cogent points have been put to it about what I called the porous nature of its grounds of appeal. Other Members described them as flexible, and that is the problem. They are so flexible that they can mean anything and everything to anyone. Therefore, they can allow and permit any consequence to flow. The SDLP would do well to listen to some of those points and consider whether there is not movement on its part to deal with some of those issues.

Mr Bradley asked how the Civil Service Commissioners would know whether there was contrition, and he asked how you measure contrition. Well, it is the job of the Civil Service Commissioners to measure that and to reach a judgement on it, having spoken with the person, probed them and analysed what they say. The commissioners reach an assessment as to whether or not that amounts, in their understanding, to contrition. There is no great mystery about that.

8.00 pm

He then asked this: how will they know whether they have co-operated with the police? How the commission conducts itself is a matter for the commission. However, I would have thought that it is almost inevitable that it would contact the police and ask for the assessment of the level of co-operation of the applicant in respect of the criminality in which the applicant engaged. I would have thought that that was a pretty obvious step to take.

He then asked this: how would you know what the victims think, because one part of the family might say, "Let us move on and forget about it", and another might say, "No, I cannot"? It is possible that you will have different attitudes within the one family. The commission has to balance that and reach a view. If it is a balanced situation, one of the consequences might be to neutralise the view of the victims. However, it certainly does not stop you from searching it out. It is that point above all that was made in many of the submissions that sent out a clarion call that, hitherto, there has been no regard to victims. It is not good enough so say, "It can be caught in a catch-all clause that refers to 'any other relevant matter' and leave it to the commission to determine what is relevant and what is not." I think that the SDLP amendment falls far short in that regard. We need to nail that matter down considerably.

I will return for a moment to the Alliance Party's position. Amendment Nos 31 and 36 are very similar; amendment No 31 came from the Alliance Party, and amendment No 36 came from me. I am quite happy to accept amendment No 31 if it is the will of the House. In some terms, amendment No 31 is as good as amendment No 36.

I will not accept amendment No 33, because amendment No 33 seeks to exclude clause 6(2). Clause 6(2) is the one that ties the vetting to that of senior civil servants, which can be an evolving process over the years, and, therefore, SPADs need to move with that. However, amendment No 33 would set in stone a present aspect of vetting and not require it to move beyond that. So, I am not inclined to accept amendment No 33.

I would be prepared to accept the first part of amendment No 35 at Further Consideration Stage, because I think that the first part strengthens the Bill. However, I could not accept the second part. I hope that that helps.

There was a discussion — Mr Weir raised the point — about amendment Nos 2, 3, 6, 8, etc. There is something that has not been drawn out that I think we should draw out. Look at the difference in the drafting between amendment Nos 2 and 3, for example. My amendment No 2, which is about how you activate the process to the Civil Service Commissioners, is couched on the basis that the disappointed SPAD has to activate it. The reason for that is that if it then goes further down the legal route and into judicial review, it will not be the public purse that pays for that judicial review. However, amendment No 3, which is the SDLP's amendment, is couched on the basis that the Minister must refer the proposed appointment to the commissioners. If the Minister is dissatisfied with the outcome from the commissioners and someone wants to bring a judicial review, he would have the standing to do it. The Minister could look to the public purse to pay for it, and I think that that is wrong. One of the distinctions between amendment Nos 2 and 3 is looking down the road at who would be likely to be responsible for any resulting

legal cost. It is worth trying to save the public purse money when we can, and that is one of the reasons why amendment No 2 and its sister amendments are drafted in that way.

The Minister spoke, although not as the Minister, and really put his finger on it when he said that this is a matter of public confidence. It is a matter of public confidence that the patronage in the House, about which we can do something, is exercised in a transparent and proper way and lives up to standards that the public would expect. That is another way of saying what the Bill is all about: it is about laying the framework and the groundwork so that there can be public confidence in the appointment of special advisers because there are parameters that correspond with the due expectations of a lawful society. That is very important.

The Minister also made a very good point that any mechanism other than the Civil Service Commissioners will have a question mark over its independence. If it is appointed by politicians, there will always be people who say, maybe correctly or maybe not correctly, that it is a product of a political fix and that political horse-trading has resulted in the nominees, and so on. That is also important when building confidence.

Someone said that amendment No 11 is so constructed that the outcome is inevitable. No, it is not. If the commissioners are persuaded on proper grounds that there are exceptional circumstances — having regard for whether there is contrition, whether the police have been helped and the views of the victims — there can be affirmation of the appointment. It is not predetermined in any shape or form in that regard. So, they do have a chance of success. Amendment No 11 does not shut the door, as Mr Bradley said in an intervention, on success in an appeal.

There were some other contributions that touched on issues. However, the essence of the Bill is that it deals with a necessary matter of public interest. It is in the public interest that we put the appointment of people to such high positions in this land on a proper and equal footing for all so that the public looking in can see that there is a process that is proofed against the obscenity that we saw in the appointment of Ms McArdle. The Bill unashamedly wants to proof those appointments against that happening again. It is necessary to do that in such a way to ensure that the Bill cannot be made a nonsense of and be undermined by people ticking a few boxes and saying, "I regret all killings" or "I am a victim of circumstance" to restore their position. That is not conscionable and is not in the public interest. The Bill is in the public interest, and I recommend the amendments in my name to the House and trust that they will find favour with it.

Mr Speaker: Before putting the Question, I advise Members that amendment No 2 is mutually exclusive with amendment Nos 3 and 4.

Question put, That amendment No 2 be made.

The Assembly divided:

Ayes 48; Noes 36.

AYES

Mr Allister, Mr Anderson, Mr Bell, Ms P Bradley, Ms Brown, Mr Buchanan, Mr 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 Hamilton, Mr Hilditch, Mr Humphrey, Mr Hussey, Mr Irwin, Mr Kennedy, Mr Kinahan, Mr McCallister, Mr McCausland, Mr McClarty, Mr B McCrea, Mr I McCrea, Mr D McIlveen, Miss M McIlveen, Mr McNarry, Mr McQuillan, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mr Poots, Mr G Robinson, Mr Ross, Mr Spratt, Mr Storey, Mr Swann, Mr Weir, Mr Wells, Mr Wilson.

Tellers for the Ayes: Mr Allister and Mr McNarry.

NOES

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

Tellers for the Noes: Mr Boylan and Mr Sheehan.

The following Members voted in both Lobbies and are therefore not counted in the result: Mrs Cochrane, Ms Lo, Mr Lunn, Mr Lyttle.

Question accordingly agreed to.

Mr Speaker: I will not call amendment Nos 3 and 4 as they are mutually exclusive with amendment No 2, which has been made.

Amendment No 5 made: In page 1, line 14, leave out "section" and insert "subsection".— [Mr Allister.]

Mr Speaker: Amendment No 6 has been debated and is mutually exclusive with amendment Nos 7 and 8.

Amendment No 6 proposed: In page 1, leave out line 17 and insert

"the Minister who appointed that person must, after consultation with that person, refer the appointment to the Commissioners, within 21 days of this subsection coming into operation."— [Mr D Bradley.]

Question put, That amendment No 6 be made.

Question put a second time and negatived.

Mr Speaker: Amendment No 7 has already been debated and is a paving amendment for amendment No 13.

Amendment No 7 proposed: In page 1, line 17, at end insert

" , but this is subject to section (Exception for conflict-related offences: procedure for existing appointees)."— [Mr Mitchel McLaughlin.]

Question put.

The Assembly divided:

Ayes 27; Noes 61.

AYES

Mr Boylan, Ms Boyle, Mr Brady, Ms Fearon, Mr Flanagan, Mr Hazzard, Mr G Kelly, Mr Lynch, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCartney, Ms McCorley, Mr McElduff, Ms McGahan, Mr McKay, Ms Maeve McLaughlin, Mr Mitchel McLaughlin, Mr McMullan, Mr Maskey,

Mr Molloy, Ms Ní Chuilín, Mr Ó hOisín, Mr O'Dowd, Ms S Ramsey, Ms Ruane, Mr Sheehan.

Tellers for the Ayes: Mr Boylan and Mr Sheehan.

NOES

Mr Agnew, Mr Allister, Mr Anderson, Mr Bell, Mr D Bradley, Ms P Bradley, Ms Brown, Mr Buchanan, Mr Byrne, Mr Clarke, Mrs Cochrane, Mr Copeland, Mr Craig, Mr Cree, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Durkan, Mr Easton, Mr Elliott, Mrs Foster, Mr Frew, Mr Gardiner, Mr Girvan, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Hussey, Mr Irwin, Mr Kennedy, Mr Kinahan, Ms Lo, Mr Lunn, Mr Lyttle, Mr McCallister, Mr McCausland, Mr McClarty, Mr B McCrea, Mr I McCrea, Mr McDevitt, Mr McGlone, Mr D McIlveen, Miss M McIlveen, Mrs McKeivitt, Mr McNarry, Mr McQuillan, Mr A Maginness, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mr Poots, Mr G Robinson, Mr Rogers, Mr Ross, Mr Spratt, Mr Storey, Mr Swann, Mr Weir, Mr Wells, Mr Wilson.

Tellers for the Noes: Mr Allister and Mr McNarry.

Question accordingly negatived.

Amendment No 8 proposed: No 8: In page 1, line 17, at end insert

"() but a person to whom subsection (3) will apply may refer the appointment to the Commissioners, within 21 days of this subsection coming into operation."— [Mr Allister.]

Mr Speaker: Clear the Lobbies. The Question will be put in three minutes. Order, Members. Before we proceed, I have been advised by party Whips that, in accordance with Standing Orders, there is an agreement that we can dispense with the three minutes and move straight to the Division. I ask the Tellers to please approach the Table.

Question put.

The Assembly divided:

Ayes 53; Noes 27.

AYES

Mr Agnew, Mr Allister, Mr Anderson, Mr Bell, Ms P Bradley, Ms Brown, Mr Buchanan, Mr Clarke, Mrs Cochrane, 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 Hamilton, Mr Hilditch, Mr Humphrey, Mr Hussey, Mr Irwin, Mr Kennedy, Mr Kinahan, Ms Lo, Mr Lunn, Mr Lyttle, Mr McCallister, Mr McCausland, Mr McClarty, Mr B McCrea, Mr I McCrea, Mr D McIlveen, Miss M McIlveen, Mr McNarry, Mr McQuillan, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mr Poots, Mr G Robinson, Mr Ross, Mr Spratt, Mr Storey, Mr Swann, Mr Weir, Mr Wells, Mr Wilson.

Tellers for the Ayes: Mr Allister and Mr McNarry.

NOES

Mr Boylan, Ms Boyle, Mr Brady, Ms Fearon, Mr Flanagan, Mr Hazzard, Mr G Kelly, Mr Lynch, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCartney, Ms McCorley, Mr McElduff, Ms McGahan, Mr McKay, Ms Maeve McLaughlin, Mr Mitchel McLaughlin, Mr McMullan, Mr Maskey, Mr Molloy, Ms Ní Chuilín,

Mr Ó hOisín, Mr O'Dowd, Ms S Ramsey, Ms Ruane, Mr Sheehan.

Tellers for the Noes: Mr Boylan and Mr Sheehan.

Question accordingly agreed to.

Mr Speaker: Amendment Nos 9 and 10 have already been debated and are technical amendments to clause 2. I propose, by leave of the Assembly, to group these amendments for the Question.

Amendment No 9 made: In page 1, line 18, leave out "Ministers" and insert "A Minister".— *[Mr Allister.]*

Amendment No 10 made: In page 1, line 19, leave out "them" and insert "the Minister".— *[Mr Allister.]*

Question put, That the clause, as amended, stand part of the Bill.

The Assembly divided:

Ayes 48; Noes 36.

AYES

Mr Allister, Mr Anderson, Mr Bell, Ms P Bradley, Ms Brown, Mr Buchanan, Mr 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 Hamilton, Mr Hilditch, Mr Humphrey, Mr Hussey, Mr Irwin, Mr Kennedy, Mr Kinahan, Mr McCallister, Mr McCausland, Mr McClarty, Mr B McCrea, Mr I McCrea, Mr D McIlveen, Miss M McIlveen, Mr McNarry, Mr McQuillan, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mr Poots, Mr G Robinson, Mr Ross, Mr Spratt, Mr Storey, Mr Swann, Mr Weir, Mr Wells, Mr Wilson.

Tellers for the Ayes: Mr Allister and Mr McNarry.

NOES

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

Tellers for the Noes: Mr Boylan and Mr Sheehan.

Question accordingly agreed to.

Clause 2, as amended, ordered to stand part of the Bill.

New Clause

Mr Speaker: Amendment No 11 has already been debated and is consequential to amendment Nos 2 and 8.

Amendment No 11 proposed: After clause 2 insert

"Determination of eligibility of special advisers by Commissioners

2A.—(1) Where—

(a) a proposed appointment is referred to the Commissioners under section 2(2- as inserted by Amendment 2), or

(b) an appointment is referred to the Commissioners under section 2(subsection as inserted by Amendment 8),

the Commissioners shall determine whether the person is eligible for appointment as, or to continue to hold appointment as, a special adviser.

(2) The Commissioners shall only determine that a person is eligible for appointment as, or to continue to hold appointment as, a special adviser, if satisfied that there are exceptional circumstances justifying it—

(a) after having regard to the matters set out in subsection (3), and

(b) in the case of a proposed appointment, after taking account of the outcome of the vetting procedures mentioned in subsection (4).

(3) Those matters are—

(a) whether the person has shown contrition for the offence to which the serious criminal conviction relates,

(b) whether the person has taken all reasonable steps to assist in the investigation and prosecution of all other persons connected with the commission of the offence,

(c) the views of any victim of the offence, or where a victim has died, the views of any close family member of the victim.

*(4) The Commissioners must arrange for the proposed appointee to be the subject of the same vetting procedures as apply to the appointment of persons as Senior Civil Servants to the Northern Ireland Civil Service."— *[Mr Allister.]**

Question put.

The Assembly divided:

Ayes 46; Noes 36.

AYES

Mr Allister, Mr Anderson, Mr Bell, Ms P Bradley, Ms Brown, Mr Buchanan, Mr 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 Hamilton, Mr Hilditch, Mr Humphrey, Mr Hussey, Mr Irwin, Mr Kennedy, Mr Kinahan, Mr McCausland, Mr McClarty, Mr I McCrea, Mr D McIlveen, Miss M McIlveen, Mr McNarry, Mr McQuillan, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mr Poots, Mr G Robinson, Mr Ross, Mr Spratt, Mr Storey, Mr Swann, Mr Weir, Mr Wells, Mr Wilson.

Tellers for the Ayes: Mr Allister and Mr McNarry.

NOES

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

Tellers for the Noes: Mr Boylan and Mr Sheehan.

The following Members voted in both Lobbies and are therefore not counted in the result: Mrs Cochrane, Ms Lo, Mr Lunn, Mr Lyttle.

Question accordingly agreed to.

New clause ordered to stand part of the Bill.

New Clause

Amendment No 12 proposed: After clause 2 insert

“Exception for conflict-related offences: procedure for proposed appointees

2A.—(1) Where a Minister proposes to appoint as a special adviser a person who has incurred a serious criminal conviction for a conflict-related offence, the Minister must refer the matter to the First Minister and deputy First Minister.

(2) The First Minister and deputy First Minister, acting jointly, must within 14 days of the referral, establish a review panel in accordance with section (Exception for conflict-related offences: review panel) and refer the matter to it.

(3) The review panel must arrange for the proposed appointee to be the subject of the vetting procedures referred to in section 6.

(4) Subject to the outcome of those procedures, the review panel must determine that the proposed appointee is eligible for appointment, unless satisfied that the nature of the proposed appointee's role as a special adviser is manifestly incompatible with the circumstances of the conflict-related offence.”—
[Mr Mitchel McLaughlin.]

Question put.

The Assembly divided:

Ayes 27; Noes 61.

AYES

Mr Boylan, Ms Boyle, Mr Brady, Ms Fearon, Mr Flanagan, Mr Hazzard, Mr G Kelly, Mr Lynch, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCartney, Ms McCorley, Mr McElduff, Ms McGahan, Mr McKay, Ms Maeve McLaughlin, Mr Mitchel McLaughlin, Mr McMullan, Mr Maskey, Mr Molloy, Ms Ni Chuilín, Mr Ó hOisín, Mr O'Dowd, Ms S Ramsey, Ms Ruane, Mr Sheehan.

Tellers for the Ayes: Mr Boylan and Mr Sheehan.

NOES

Mr Agnew, Mr Allister, Mr Anderson, Mr Bell, Mr D Bradley, Ms P Bradley, Ms Brown, Mr Buchanan, Mr Byrne, Mr Clarke, Mrs Cochrane, Mr Copeland, Mr Craig, Mr Cree, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Durkan, Mr Easton, Mr Elliott, Mrs Foster, Mr Frew, Mr Gardiner, Mr Girvan, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Hussey, Mr Irwin, Mr Kennedy, Mr Kinahan, Ms Lo, Mr Lunn, Mr Lyttle, Mr McCallister, Mr McCausland, Mr McClarty, Mr B McCrea, Mr I McCrea, Mr McDevitt, Mr McGlone, Mr D McIlveen, Miss M McIlveen, Mrs McKeivitt, Mr McNarry, Mr McQuillan, Mr A Maginness, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mr Poots, Mr G Robinson, Mr Rogers, Mr Ross, Mr Spratt, Mr Storey, Mr Swann, Mr Weir, Mr Wells, Mr Wilson.

Tellers for the Noes: Mr Allister and Mr McNarry.

Question accordingly negatived.

New Clause

Amendment No 13 proposed: After clause 2 insert

“Exception for conflict-related offences: procedure for existing appointees

2B.—(1) This section applies if, on the date of its coming into operation—

(a) a person holds an appointment as a special adviser,

(b) the person has before that date incurred a serious criminal conviction, and

(c) the serious criminal conviction was for a conflict-related offence.

(2) The Minister who appointed that person may, within 21 days of the coming into operation of this section, and after consultation with the person, refer the matter to the First Minister and deputy First Minister.

(3) The First Minister and deputy First Minister, acting jointly, must within 14 days of the referral, establish a review panel in accordance with section (Exception for conflict-related offences: review panel) and refer the matter to it.

(4) The review panel must determine that the person's appointment will not be, or is not, terminated by virtue of this Act, unless satisfied that the nature of the person's role as a special adviser is manifestly incompatible with the circumstances of the conflict-related offence.”— [Mr Mitchel McLaughlin.]

Question put.

The Assembly divided:

Ayes 27; Noes 61.

AYES

Mr Boylan, Ms Boyle, Mr Brady, Ms Fearon, Mr Flanagan, Mr Hazzard, Mr G Kelly, Mr Lynch, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCartney, Ms McCorley, Mr McElduff, Ms McGahan, Mr McKay, Ms Maeve McLaughlin, Mr Mitchel McLaughlin, Mr McMullan, Mr Maskey, Mr Molloy, Ms Ni Chuilín, Mr Ó hOisín, Mr O'Dowd, Ms S Ramsey, Ms Ruane, Mr Sheehan.

Tellers for the Ayes: Mr Boylan and Mr Sheehan.

NOES

Mr Agnew, Mr Allister, Mr Anderson, Mr Bell, Mr D Bradley, Ms P Bradley, Ms Brown, Mr Buchanan, Mr Byrne, Mr Clarke, Mrs Cochrane, Mr Copeland, Mr Craig, Mr Cree, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Durkan, Mr Easton, Mr Elliott, Mrs Foster, Mr Frew, Mr Gardiner, Mr Girvan, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Hussey, Mr Irwin, Mr Kennedy, Mr Kinahan, Ms Lo, Mr Lunn, Mr Lyttle, Mr McCallister, Mr McCausland, Mr McClarty, Mr B McCrea, Mr I McCrea, Mr McDevitt, Mr McGlone, Mr D McIlveen, Miss M McIlveen, Mrs McKeivitt, Mr McNarry, Mr McQuillan, Mr A Maginness, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mr Poots, Mr G Robinson, Mr Rogers, Mr Ross, Mr Spratt, Mr Storey, Mr Swann, Mr Weir, Mr Wells, Mr Wilson.

Tellers for the Noes: Mr Allister and Mr McNarry.

Question accordingly negated.

Mr Speaker: I will not call amendment Nos 14 and 15 as they are consequential to amendment Nos 12 and 13, which have not been made. I will not call amendment No 16 as it is mutually exclusive with amendment No 11, which has been made.

New Clause

Mr Speaker: Amendment No 17 is consequential to amendment No 11.

Amendment No 17 proposed: After clause 2 insert

“Appeals against Commissioners’ determinations

2B.—(1) *Where a person who is the subject of a determination of the Commissioners is aggrieved by that determination, that person may appeal to the High Court.*

(2) The appeal can only be brought on the ground that it was not reasonable for the Commissioners to make that determination.

(3) The appeal must be brought within 21 days from the day on which the Commissioners made the determination.

(4) On hearing the appeal, the High Court may make such order as it thinks fit in respect of a person’s eligibility for appointment as, or to continue to hold appointment as, a special adviser.”— [Mr D Bradley.]

Question put.

The Assembly divided:

Ayes 61; Noes 27.

AYES

Mr Agnew, Mr Allister, Mr Anderson, Mr Bell, Mr D Bradley, Ms P Bradley, Ms Brown, Mr Buchanan, Mr Byrne, Mr Clarke, Mrs Cochrane, Mr Copeland, Mr Craig, Mr Cree, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Durkan, Mr Easton, Mr Elliott, Mrs Foster, Mr Frew, Mr Gardiner, Mr Girvan, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Hussey, Mr Irwin, Mr Kennedy, Mr Kinahan, Ms Lo, Mr Lunn, Mr Lyttle, Mr McCallister, Mr McCausland, Mr McClarty, Mr B McCrea, Mr I McCrea, Mr McDevitt, Mr McGlone, Mr D McIlveen, Miss M McIlveen, Mrs McKeivitt, Mr McNarry, Mr McQuillan, Mr A Maginness, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mr Poots, Mr G Robinson, Mr Rogers, Mr Ross, Mr Spratt, Mr Storey, Mr Swann, Mr Weir, Mr Wells, Mr Wilson.

Tellers for the Ayes: Mr Byrne and Mr Durkan.

NOES

Mr Boylan, Ms Boyle, Mr Brady, Ms Fearon, Mr Flanagan, Mr Hazzard, Mr G Kelly, Mr Lynch, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCartney, Ms McCorley, Mr McElduff, Ms McGahan, Mr McKay, Ms Maeve McLaughlin, Mr Mitchel McLaughlin, Mr McMullan, Mr Maskey, Mr Molloy, Ms Ni Chuilín, Mr Ó hOisín, Mr O’Dowd, Ms S Ramsey, Ms Ruane, Mr Sheehan.

Tellers for the Noes: Mr Boylan and Mr Sheehan.

Question accordingly agreed to.

New clause ordered to stand part of the Bill.

Clause 3 (Meaning of “serious criminal conviction”)

Amendment No 18 made: In page 2, line 1, after “sentence of” insert “immediate”.— [Mr Allister.]

Amendment No 19 made: In page 2, line 5, after “State” insert “or the Minister of Justice”.— [Mr Allister.]

Amendment No 20 made: In page 2, line 9, after “Governor” insert “or the Secretary of State”.— [Mr Allister.]

Amendment No 21 made: In page 2, line 15, leave out “Act” and insert “section”.— [Mr Allister.]

Amendment No 22 made: In page 2, line 15, at end insert

“(3) Where the person was convicted in a country or territory outside Northern Ireland, the references in subsection (1)(c), (d) and (e) to sentences are to be read as references to equivalent sentences in the country or territory in which the person was convicted.”— [Mr Allister.]

Question put, That the clause, as amended, stand part of the Bill.

The Assembly divided:

Ayes 48; Noes 35.

AYES

Mr Allister, Mr Anderson, Mr Bell, Ms P Bradley, Ms Brown, Mr Buchanan, Mr 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 Hamilton, Mr Hilditch, Mr Humphrey, Mr Hussey, Mr Irwin, Mr Kennedy, Mr Kinahan, Mr McCallister, Mr McCausland, Mr McClarty, Mr B McCrea, Mr I McCrea, Mr D McIlveen, Miss M McIlveen, Mr McNarry, Mr McQuillan, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mr Poots, Mr G Robinson, Mr Ross, Mr Spratt, Mr Storey, Mr Swann, Mr Weir, Mr Wells, Mr Wilson.

Tellers for the Ayes: Mr Allister and Mr McNarry.

NOES

Mr Boylan, Ms Boyle, Mr D Bradley, Mr Brady, Mr Byrne, Mr Durkan, Ms Fearon, Mr Flanagan, Mr Hazzard, Mr G Kelly, Mr Lynch, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCartney, Ms McCorley, Mr McDevitt, Mr McElduff, Ms McGahan, Mr McGlone, Mr McKay, Mrs McKeivitt, Ms Maeve McLaughlin, Mr Mitchel McLaughlin, Mr McMullan, Mr A Maginness, Mr Maskey, Mr Molloy, Ms Ni Chuilín, Mr Ó hOisín, Mr O’Dowd, Ms S Ramsey, Mr Rogers, Ms Ruane, Mr Sheehan.

Tellers for the Noes: Mr Boylan and Mr Sheehan.

The following Member voted in both Lobbies and is therefore not counted in the result: Mr Agnew.

Question accordingly agreed to.

Clause 3, as amended, ordered to stand part of the Bill.

Mr Speaker: I will not call amendment No 23 as it is consequential to a number of earlier amendments, none of which has been made.

Clause 4 (Annual report)

Amendment No 24 made: In page 2, line 18, after “employed” insert “at any time”.— [Mr Allister.]

Question put, That the clause, as amended, stand part of the Bill.

The Assembly divided:

Ayes 61; Noes 27.

AYES

Mr Agnew, Mr Allister, Mr Anderson, Mr Bell, Mr D Bradley, Ms P Bradley, Ms Brown, Mr Buchanan, Mr Byrne, Mr Clarke, Mrs Cochrane, Mr Copeland, Mr Craig, Mr Cree, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Durkan, Mr Easton, Mr Elliott, Mrs Foster, Mr Frew, Mr Gardiner, Mr Girvan, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Hussey, Mr Irwin, Mr Kennedy, Mr Kinahan, Ms Lo, Mr Lunn, Mr Lyttle, Mr McCallister, Mr McCausland, Mr McClarty, Mr B McCrea, Mr I McCrea, Mr McDevitt, Mr McGlone, Mr D McIlveen, Miss M McIlveen, Mrs McKeivitt, Mr McNarry, Mr McQuillan, Mr A Maginness, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mr Poots, Mr G Robinson, Mr Rogers, Mr Ross, Mr Spratt, Mr Storey, Mr Swann, Mr Weir, Mr Wells, Mr Wilson.

Tellers for the Ayes: Mr Allister and Mr McNarry.

NOES

Mr Boylan, Ms Boyle, Mr Brady, Ms Fearon, Mr Flanagan, Mr Hazzard, Mr G Kelly, Mr Lynch, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCartney, Ms McCorley, Mr McElduff, Ms McGahan, Mr McKay, Ms Maeve McLaughlin, Mr Mitchel McLaughlin, Mr McMullan, Mr Maskey, Mr Molloy, Ms Ni Chuilin, Mr Ó hOisín, Mr O'Dowd, Ms S Ramsey, Ms Ruane, Mr Sheehan.

Tellers for the Noes: Mr Boylan and Mr Sheehan.

Question accordingly agreed to.

Clause 4, as amended, ordered to stand part of the Bill.

10.00 pm

Clause 5 (Code of conduct)

Amendment No 25 made: In page 2, line 26, leave out “3” and insert “2”.— [Mr Allister.]

Mr Speaker: Amendment Nos 26 to 28 have already been debated and are technical amendments to clause 5. I propose, by leave of the House, to group these amendments for the Question.

Amendment No 26 made: In page 2, line 30, leave out “function” and insert “power”.— [Mr Allister.]

Amendment No 27 made: In page 2, line 32, leave out “function” and insert “power”.— [Mr Allister.]

Amendment No 28 made: In page 2, line 34, leave out “function” and insert “power”.— [Mr Allister.]

Amendment No 29 made: In page 2, line 38, leave out “employment” and insert “appointment”.— [Mr Allister.]

Question put, That the clause, as amended, stand part of the Bill.

The Assembly divided:

Ayes 60; Noes 27.

AYES

Mr Agnew, Mr Allister, Mr Anderson, Mr Bell, Mr D Bradley, Ms P Bradley, Ms Brown, Mr Buchanan, Mr Byrne, Mr Clarke, Mrs Cochrane, Mr Craig, Mr Cree, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Durkan, Mr Easton, Mr Elliott, Mrs Foster, Mr Frew, Mr Gardiner, Mr Girvan, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Hussey, Mr Irwin, Mr Kennedy, Mr Kinahan, Ms Lo, Mr Lunn, Mr Lyttle, Mr McCallister, Mr McCausland, Mr McClarty, Mr B McCrea, Mr I McCrea, Mr McDevitt, Mr McGlone, Mr D McIlveen, Miss M McIlveen, Mrs McKeivitt, Mr McNarry, Mr McQuillan, Mr A Maginness, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mr Poots, Mr G Robinson, Mr Rogers, Mr Ross, Mr Spratt, Mr Storey, Mr Swann, Mr Weir, Mr Wells, Mr Wilson.

Tellers for the Ayes: Mr Allister and Mr McNarry.

NOES

Mr Boylan, Ms Boyle, Mr Brady, Ms Fearon, Mr Flanagan, Mr Hazzard, Mr G Kelly, Mr Lynch, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCartney, Ms McCorley, Mr McElduff, Ms McGahan, Mr McKay, Ms Maeve McLaughlin, Mr Mitchel McLaughlin, Mr McMullan, Mr Maskey, Mr Molloy, Ms Ni Chuilin, Mr Ó hOisín, Mr O'Dowd, Ms S Ramsey, Ms Ruane, Mr Sheehan.

Tellers for the Noes: Mr Boylan and Mr Sheehan.

Question accordingly agreed to.

Clause 5, as amended, ordered to stand part of the Bill.

Clause 6 (Code for appointments)

Amendment No 30 made: In page 3, line 3, leave out “3” and insert “2”.— [Mr Allister.]

Amendment No 31 proposed: In page 3, line 3, at end insert

() Where a Minister proposes to appoint a special adviser, such an appointment shall be subject to the terms of the code.”— [Mrs Cochrane.]

Question put.

The Assembly divided:

Ayes 52; Noes 35.

AYES

Mr Agnew, Mr Allister, Mr Anderson, Mr Bell, Ms P Bradley, Ms Brown, Mr Buchanan, Mr Clarke, Mrs Cochrane, Mr Craig, Mr Cree, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Easton, Mr Elliott, Dr Farry, Mrs Foster, Mr Frew, Mr Gardiner, Mr Girvan, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Hussey, Mr Irwin, Mr Kennedy, Mr Kinahan, Ms Lo, Mr Lunn, Mr Lyttle, Mr McCallister, Mr McCausland, Mr McClarty, Mr B McCrea, Mr I McCrea, Mr D McIlveen, Miss M McIlveen, Mr McQuillan, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mr Poots, Mr G Robinson, Mr Ross, Mr Spratt, Mr Storey, Mr Swann, Mr Weir, Mr Wells, Mr Wilson.

Tellers for the Ayes: Mrs Cochrane and Ms Lo.

NOES

Mr Boylan, Ms Boyle, Mr D Bradley, Mr Brady, Mr Byrne, Mr Durkan, Ms Fearon, Mr Flanagan, Mr Hazzard,

Mr G Kelly, Mr Lynch, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCartney, Ms McCorley, Mr McDevitt, Mr McElduff, Ms McGahan, Mr McGlone, Mr McKay, Mrs McKeivitt, Ms Maeve McLaughlin, Mr Mitchel McLaughlin, Mr McMullan, Mr A Maginness, Mr Maskey, Mr Molloy, Ms Ní Chuilín, Mr Ó hOisín, Mr O'Dowd, Ms S Ramsey, Mr Rogers, Ms Ruane, Mr Sheehan.

Tellers for the Noes: Mr Boylan and Mr Sheehan.

Question accordingly agreed to.

Mr Speaker: Amendment No 32 has already been debated and is mutually exclusive with amendment Nos 33 and 34.

Amendment No 32 proposed: In page 3, line 4, leave out subsection (2) and insert

“(2) Without prejudice to the generality of subsection (1), the code must provide that persons proposed for appointment as special advisers—

(a) must be subject to the same vetting procedures as persons to be appointed as Senior Civil Servants to the Northern Ireland Civil Service,

(b) must not be subject to further vetting procedures if they have been subject to vetting procedures in accordance with section (Determination of eligibility of special advisers by Commissioners (Amendment 11)).” — [Mr Allister.]

Question put.

The Assembly divided:

Ayes 56; Noes 27.

AYES

Mr Agnew, Mr Allister, Mr Anderson, Mr Bell, Mr D Bradley, Ms P Bradley, Ms Brown, Mr Buchanan, Mr Byrne, Mr Clarke, Mr Craig, Mr Cree, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Durkan, Mr Easton, Mr Elliott, Mrs Foster, Mr Frew, Mr Gardiner, Mr Girvan, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Hussey, Mr Irwin, Mr Kennedy, Mr Kinahan, Mr McCausland, Mr McClarty, Mr B McCrea, Mr I McCrea, Mr McDevitt, Mr McGlone, Mr D McIlveen, Miss M McIlveen, Mrs McKeivitt, Mr McNarry, Mr McQuillan, Mr A Maginness, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mr Poots, Mr G Robinson, Mr Rogers, Mr Ross, Mr Spratt, Mr Storey, Mr Swann, Mr Weir, Mr Wells, Mr Wilson.

Tellers for the Ayes: Mr Allister and Mr McNarry.

NOES

Mr Boylan, Ms Boyle, Mr Brady, Ms Fearon, Mr Flanagan, Mr Hazzard, Mr G Kelly, Mr Lynch, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCartney, Ms McCorley, Mr McElduff, Ms McGahan, Mr McKay, Ms Maeve McLaughlin, Mr Mitchel McLaughlin, Mr McMullan, Mr Maskey, Mr Molloy, Ms Ní Chuilín, Mr Ó hOisín, Mr O'Dowd, Ms S Ramsey, Ms Ruane, Mr Sheehan.

Tellers for the Noes: Mr Boylan and Mr Sheehan.

Question accordingly agreed to.

10.30 pm

Mr Speaker: I will not call amendment Nos 33 and 34 as they are mutually exclusive with amendment No 32, which has been made.

Amendment No 35 not moved.

Amendment No 36 not moved.

Question put, That the clause, as amended, stand part of the Bill.

The Assembly divided:

Ayes 61; Noes 27.

AYES

Mr Agnew, Mr Allister, Mr Anderson, Mr Bell, Mr D Bradley, Ms P Bradley, Ms Brown, Mr Buchanan, Mr Byrne, Mr Clarke, Mrs Cochrane, Mr Craig, Mr Cree, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Durkan, Mr Easton, Mr Elliott, Dr Farry, Mrs Foster, Mr Frew, Mr Gardiner, Mr Girvan, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Hussey, Mr Irwin, Mr Kennedy, Mr Kinahan, Ms Lo, Mr Lunn, Mr Lyttle, Mr McCallister, Mr McCausland, Mr McClarty, Mr B McCrea, Mr I McCrea, Mr McDevitt, Mr McGlone, Mr D McIlveen, Miss M McIlveen, Mrs McKeivitt, Mr McNarry, Mr McQuillan, Mr A Maginness, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mr Poots, Mr G Robinson, Mr Rogers, Mr Ross, Mr Spratt, Mr Storey, Mr Swann, Mr Weir, Mr Wells, Mr Wilson.

Tellers for the Ayes: Mr Allister and Mr McNarry.

NOES

Mr Boylan, Ms Boyle, Mr Brady, Ms Fearon, Mr Flanagan, Mr Hazzard, Mr G Kelly, Mr Lynch, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCartney, Ms McCorley, Mr McElduff, Ms McGahan, Mr McKay, Ms Maeve McLaughlin, Mr Mitchel McLaughlin, Mr McMullan, Mr Maskey, Mr Molloy, Ms Ní Chuilín, Mr Ó hOisín, Mr O'Dowd, Ms S Ramsey, Ms Ruane, Mr Sheehan.

Tellers for the Noes: Mr Boylan and Mr Sheehan.

Question accordingly agreed to.

Clause 6, as amended, ordered to stand part of the Bill.

Mr Speaker: I will not call amendment No 37 as it is mutually exclusive with clause 6, which now stands part of the Bill.

Clause 7 ordered to stand part of the Bill.

Clause 8 (Interpretation)

Mr Speaker: Amendment No 38 is consequential to earlier amendments in group 2.

Amendment No 38 made: In page 3, line 19, at end insert

“the Commissioners’ means the Civil Service Commissioners for Northern Ireland.” — [Mr Allister.]

Amendment No 39 made: In page 3, line 20, before “Department” insert “The”. — [Mr Allister.]

Amendment No 40 made: In page 3, line 21, before “Minister” insert “The”. — [Mr Allister.]

Clause 8, as amended, ordered to stand part of the Bill.

Clause 9 ordered to stand part of the Bill.

Clause 10 (Commencement)

Mr Speaker: Amendment No 41 is consequential to amendment Nos 8 and 11 and is mutually exclusive with amendment No 43.

Amendment No 41 made: In page 3, line 32, after “Sections” insert

“2(subsection as inserted by Amendment 8), (Determination of eligibility of special advisers by Commissioners (Amendment 11)),”.— [Mr Allister.]

Mr Speaker: I will not call amendment No 42 as it is consequential to amendment Nos 12 and 13, neither of which has been made. I will not call amendment No 43 as it is mutually exclusive with amendment No 41, which has been made.

Amendment No 44 made: In page 3, line 32, leave out “and 6” and insert “, 6, 8, 10 and 11”.— [Mr Allister.]

Clause 10, as amended, ordered to stand part of the Bill.

Clause 11 ordered to stand part of the Bill.

Schedule agreed to.

Long title agreed to.

Mr Speaker: That concludes the Consideration Stage of the Civil Service (Special Advisers) Bill. The Bill stands referred to the Speaker. I ask the House to take its ease as we move to the next business.

10.45 pm

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

Private Members' Business

EU Regional Aid

Mr Deputy Speaker: The Members who tabled this motion do not intend to move it due to the lateness of the hour. However, we have to formally dispose of the motion, as it is in the Order Paper.

The following motion stood in the Order Paper:

That this Assembly recognises the positive effect that Northern Ireland's 100% coverage for EU regional aid has had on the economy; believes that it has been significant in aiding economic growth and inward investment; is concerned that removing this automatic coverage would have a detrimental impact on the economy, jobs and growth; and calls on the Minister of Enterprise, Trade and Investment to continue to lobby the Government at Westminster and the European Commission to ensure that EU regional aid is retained for all of Northern Ireland. — [Mr Newton.]

Motion not moved.

Motion made:

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

Adjournment

Post-primary Schools: 'Together Towards Tomorrow'

Mr Deputy Speaker: The proposer of the Adjournment topic will have 15 minutes. The Minister will have 10 minutes to respond, and, on this occasion, all other Members who wish to speak will have a maximum of seven minutes.

Mr McCartney: Go raibh maith agat, a LeasCheann Comhairle. Lá fada é. It has been a long day.

First, I welcome the publication of the document, 'Together Towards Tomorrow', which deals with post-primary education in Derry and, indeed, throughout the Foyle constituency. In doing so, I acknowledge and commend the work, commitment and leadership of Monsignor Eamon Martin on this issue. 'Together Towards Tomorrow' has at its core raising standards in our post-primary sector and giving all children the same chances for educational success. Of course, key to that is having a learning community of sustainable schools that provide good education to all pupils on the basis of equality of access. I also acknowledge and place it on record that Derry has a high standard of education offered by our post-primary sector, but, as always, there is room for improvement. Of course, it is the responsibility of all of us to ensure that we bring about that improvement. I also acknowledge that Derry has a high level of social deprivation, and, as educationalists accept, it is vital that education plays a central role in tackling inequality and social deprivation. Our education system has to be designed to ensure that we tackle disadvantage and underachievement, and the document, 'Together Towards Tomorrow', recognises that academic selection is a major barrier to achieving that.

I will cover some aspects of the document. In particular, I welcome the fact that the partnership is to be called Le Chéile, which, translated from Irish to English, means "Together". I acknowledge that this will not involve any additional tier of management but will act as a catalyst to allow schools to pledge to work together under the theme Together Towards Tomorrow. In Derry, for a long number of years, we have had the excellent example of people collaborating through the Foyle learning community. Le Chéile is person-centred and will, at its core, ensure that disadvantage and underachievement are tackled. It also has an emphasis on building links with other sectors and has many similarities with what people call area-based learning.

The document outlines a structured transition away from academic selection as an admission criterion. As a party, we wish that that proposal had been more foresighted and not taken as long, but we acknowledge that, at their core, the proposals accept that academic selection is not the way forward. We welcome the proposal to create a number of sixth-form colleges, and, indeed, that discussion is ongoing at present in the city.

It is particularly welcomed by those schools that have a very small sixth form sector, and they seek opportunities. The Foyle learning community has been to the fore and the vanguard of ensuring that schools with a small sixth form are assisted in ensuring that they offer the full range of subjects.

Co-education is a welcome part of the document, and many of the schools are involved in discussing its merits. Obviously, people will want to have a discussion around the minuses of the idea of co-education, but, for us, these types of initiatives are required, particularly where people say that co-education can, in itself, help to tackle underachievement in our schools.

We have had a very long day, and this is our last sitting before the Easter recess. Therefore, it would be remiss of me not to wish Francie Molloy, the Príomh-LeasCheann Comhairle, well, although I will not say in his retirement. He has been here since the inception of the Assembly, and I wish him well. I also commend Monsignor Martin in his role in Derry. I hope that the new incumbent in his position in the city will ensure that they take this document forward and lead the debate, which is much welcomed, much appreciated and much participated in within our city. I wish Monsignor Martin well in his new role as the Archbishop of Armagh.

Mr Durkan: It is appropriate, given the hour, that we are debating 'Together Towards Tomorrow'. In February last year, the senior trustees in the diocese of Derry issued the discussion paper 'Together Towards Tomorrow', which offered a strategic vision for post-primary Catholic education in the Derry city area. The paper was prepared in response to a post-primary review project undertaken by the Northern Ireland Commission for Catholic Education and conversations in 2011 with primary and post-primary school principals in the Derry city area. Monsignor Eamon Martin, diocesan administrator and now coadjutor Archbishop of Armagh, said that the idea behind this was to bring fresh ideas to the table that might help to inspire further discussion and analysis on the future shape of post-primary education in the Derry city area.

Credit must go to those behind this initiative and those who have participated in the process — a worthy, well-intentioned attempt to cut through the shambles of the education system. We cannot ignore the current impasse, and people in the House cannot escape responsibility for it. I give credit to Monsignor Martin and his colleagues for the discussion paper that proposes a partnership of distinct but linked Catholic schools in Derry known as Le Chéile partnership, a phased move away from academic selection as an admission criterion, the possibility of greater opportunities for co-education and the possibility of a change to the shape of post-16 education in Derry.

We must carefully analyse the outcomes of the discussion paper as we seek a way forward not just for the children of Derry but for all the children of the North. There was a broad welcome for the debate engendered by the discussion paper. There must be proper consultation with parents and schools. The issue of academic selection dominated much of the response, as it unfortunately now dominates most discussion about education. There are those who are vociferously opposed to any move from it, and there are those who are equally determined to see its complete eradication. Those in favour of selection argue that it can be removed only when there is consensus

on removal in the Catholic and non-Catholic sectors, otherwise Catholic parents who wish their children to receive a grammar school education will send them to a grammar school in another sector.

There is a developing issue. As some grammar schools cannot fill their places, they move down the grades, and that is having a detrimental impact on some of our non-selective schools. That issue needs to be addressed.

Although the document speaks of the distinctive nature of Catholic schools, many appear to reduce the proposals to a one-size-fits-all comprehensive system, which has, in many ways, failed in England.

In our opinion, the best place to tackle the problems of underachievement in the current system is at primary level. I compliment our hard-working primary teachers as well — that is not to say that secondary and grammar teachers are not hard-working, of course. Having a class size of over 30 — in some cases 35 — is not conducive to raising standards. Distracting primary teachers with poorly thought out initiatives — computer-based assessment, to name one — will not raise standards. Insisting on levels of progression and ignoring tried and tested assessment for learning tools that teachers use does not contribute to raising standards. The best way to raise standards is for us to actively listen to what our primary teachers tell us.

The idea of schools working together is certainly the way forward, but this document gives little acknowledgement to shared education or the excellent work of the Foyle learning community that Mr McCartney referred to. In addition, this is strictly Derry city, with little reference to the many feeder schools outside the city.

The idea of a separate sixth-form college received mixed views, but there was certainly a feeling that there was a reluctance to lose good sixth-form provision that already existed. Similarly, there were mixed views on co-education.

Many areas need further investigation, but the lack of research data to support the proposals and the lack of outworking of certain elements of the proposals are shortcomings. The debate needs to be moved forward, not just at Derry level but at Northern Ireland level. It is important that parents — I speak as a parent — have the opportunity to suggest a preference for their children, be it all-ability, integrated, Irish-medium or grammar. Like all parents, I want to give my son the best possible chance in education.

Ms Maeve McLaughlin: Go raibh maith agat. I also welcome the opportunity to contribute to this important debate regarding post-primary education in the Derry City Council area. I acknowledge that a very high standard of education is offered by post-primary schools in the Derry area, and I look forward to further positive developments in our school estate.

I acknowledge that Derry has a high level of social deprivation, and it is vital that education plays a central role in tackling inequalities and social deprivation. I, too, acknowledge the leadership and vision of Monsignor Eamon Martin in moving the debate forward and his commitment to engage directly with boards of governors on the issue. I welcome the fact that some other schools are engaging in the debate.

'Together Towards Tomorrow' is more ambitious than any previous statements. In relation to the proposal for a structured transition from the use of academic selection as an admissions criterion, I welcome the emphasis, as has been stated, that this document puts on social deprivation and the impact that academic selection has on contributing to that cycle. Therefore, I would like to concentrate briefly on the recent child poverty report from the Child Poverty Action Group and the link with academic selection. Whilst the eradication of child poverty requires departmental focus, early intervention and, of course, investment in jobs, there can be no denying that child poverty and deprivation have a direct link with academic selection, a link that is not often referenced. In my constituency of Foyle, more than 35% of children — one in three — live in poverty. Creggan Central, at 63%, has the highest level of poverty, followed by Brandywell at 61% and Creggan South at 59%. Those are stark figures and cannot be ignored. Academic selection clearly disadvantages those who are already disadvantaged.

There is another irony in our education system when our primary schools are seen, as in recent studies, as among the best in the world. So, what is it that happens to our young people in that transition period that results in high numbers of them being classified as failures by the system?

Educational excellence does not require academic selection. The highest performing countries have non-selective systems.

I welcome the publication of the document and the strong correlation that is made between inequality of access, underachievement and falling enrolments and the suggestions that are made to address those issues. I, for one, look forward to continuing to work together with others in this process to deliver our aims of providing the best education for our children and young people, addressing social deprivation and inequality and ensuring that our education system plays a major role in the wider success of society.

11.00 pm

Mr Storey: I noticed that this was on the Order Paper, and I was interested to hear what the Members were going to say. I am more interested to hear what the Minister is going to say, for the simple reason that you could say, "Here we go again". We have a document about which I received a considerable amount of correspondence from people living in the Londonderry area. They were very concerned about some of the assertions, comments and statements that were made in 'Together Towards Tomorrow'. Together with whom? Is it together with the controlled sector, the integrated sector or the Irish-medium sector? Is it the same old mantra of "ourselves alone"?

When we come to the debate about education, we all have to have a degree of honesty. What is the primary objective? Is it to protect our system and our schools, or is it to ensure that children, irrespective of class, colour or creed, have the best possible educational provision? I have not heard anything here tonight other than praise for the author of the report and the well-repeated mantra that, if we ended academic selection, we would all move into the new world, the land of Canaan, the Promised Land, and everything would be well. I am glad that the Member for Foyle Mr Durkan was honest enough to put his finger on one of the issues, which is an issue that I see in my

constituency. The maintained sector — the Catholic sector — has, in a very small number of schools, reluctantly heeded the bishops' call to move away from academic selection. What has been the result in the numbers in the nearest non-denominational grammar school? What has happened? They have gone up. That clearly indicates that there are Roman Catholic parents who are prepared to put educational outcome, ability and provision, first and foremost, ahead of Catholic education.

Let me dispose of another fallacy that we produce failures at 11 only. The Minister publishes reports and statistics on the basis of five GCSEs, grades A* to C, and he is prepared to use the inspectorate to go into schools to find fault in schools that do not meet those criteria. What does he call those schools? Failing schools. You cannot have it both ways. You cannot set a test for 11-year-olds and say, "We are creating failures. That is an awful thing. It is educationally unsound and morally unjust" and then set a standard at the other end when they are 16 and say, "That is the standard that we want to meet. If they do not meet it, there is something else". I honestly think that there has to be a degree of honesty around this debate.

Mr Durkan referred to the comprehensive system in England. Why would we want to replicate something that they have thrown out and which has failed? If you want to have social mobility, you will have social mobility on the basis of assessment, not on the basis of what is in a child's lunch box, where a child lives or the ability of the child's parents to pay. You will have social mobility on the ability of the child.

I remember I was not very popular in going to — I will conclude with this — a very well-known Catholic non-selective school in west Belfast. I asked the sixth form what happened to them on the first day that they came into the school. They told me that they had all done a test. I said, "Hold on: tests are wrong. You are not allowed to do tests. They are immoral. They are educationally unsound". Then, of course, in the non-selective sector —

Mr O'Dowd (The Minister of Education): Will the Member give way?

Mr Storey: Yes.

Mr O'Dowd: Where does the Member come across the information that we are opposed to tests? Where does he come across his information that testing is immoral? At no time have I, as Minister of Education, or any of my predecessors condemned streaming in schools. That happens in the Member's head. It is in his head. He never lets the facts get in the way of a good argument. I doubt whether any debate would have kept the Member here to 11.05 pm other than one in which he can defend his friends in the voluntary grammar schools.

Mr Storey: I am glad that the Minister has got somewhat upset. I am entitled, as a Member of the House, to stay here for the debate. It is not about defending friends; it is about the hypocrisy of those who claim that there is something immoral about testing but are then quite prepared, on the width and breadth of a door, to call it something else. They call it "streaming" or "banding". Go to Holy Cross College in Strabane: it has a more aggressive streaming system than any academic selection process would have.

Mr O'Dowd: Does it stop any children getting into the school?

Mr Storey: Sorry?

Mr O'Dowd: Does it stop any children getting into the school?

Mr Deputy Speaker: Order.

Mr Storey: No, but I will tell you what it has done: it has ensured, as the Minister and Members from Foyle know, that people are still leaving Strabane and either going to Omagh or going to Londonderry or going to the local Strabane Academy, which now has a considerable number of Catholic pupils. We need to stop the nonsense of trying to denigrate the grammar system and accept that there are those schools. The top-performing school in Northern Ireland happens to be a school that Members from Foyle have not even had the decency to mention in the debate: Lumen Christi.

Mr McCartney: Will the Member give way?

Mr Storey: Yes.

Mr McCartney: No schools were mentioned. Why would we pick one above all others?

Mr Storey: Because that proves the point: there is almost dancing around the head of a pin here. Let us get to the situation. The document was a production by the Catholic system. It indicates clearly, as today's area plans have indicated, that the Catholic system needs to come into the 21st century. The challenge for the Minister in his response is whether the Department will allow it to sit outside or whether the only show in town is area plans. We will wait to hear what the Minister has to say with regard to that document. In the past, he has told me that it is about ensuring that the Department is in control of the process, that CCMS will not be able to set the agenda and that it has to be part of area plans.

Mr Deputy Speaker: Will the Member draw his remarks to a close, please.

Mr Storey: I would love to know when they have been part of the area plan system because, to date, I have not seen much evidence. I say it in the House tonight, in this debate: the controlled sector is not taking any more of the flak for the failure —

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

Mr Storey: It is now up to others to deliver.

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

Mr Kinahan: I am very pleased to speak today. I agree with much of what we have just heard, but I want to come at this from a slightly different angle. I want to start by saying that, during my brief time on the Education Committee, what I have seen from the Catholic schools is a good, professional, high standard of excellence. We must always recognise that.

I find this a strange debate for us to be having as an Adjournment topic, because it is actually hugely important. At last, it raises the elephant in the room that is sitting there with all of us: selection. I do not accept the direct link, although certain change may be needed. We need to resolve the position. We all need to sit down together, discuss the way forward and try to find an agreed way forward.

Our party's position is that there should be one exam for the next two years while we all sit down and work out a

way forward for the selection system. It is also our party's position that you do not mend what is not broken and that you go to the highest — not the lowest — common denominator and try to lift everyone to that level. There is a whole mass of other matters — I am not going to go into all of them here because the hour is late — from the capping or setting of school numbers to keeping parental choice, much of which has been raised by others, but I think that we should be focused on trying to find a way forward.

Mr Storey: Will the Member give way?

Mr Kinahan: I am happy to give way.

Mr Storey: The Member raised the issue of parental choice. As far as some Members in the House are concerned, there should be parental choice only if it happens to be Catholic education or Irish-medium education, but, if it happens to be a grammar school, you are not allowed parental choice, and that is something to be resisted. *[Interruption.]* The Members can laugh and try to be derogatory about the issue, but that is how it is perceived by many out there, including Catholic parents who are now choosing — this is what worries the Monsignors — non-denominational schools rather than staying within the Catholic sector. Therein lies the problem for the system.

Mr Deputy Speaker: The Member has an extra minute. Can all remarks come through the Chair, please?

Mr Kinahan: Thank you very much. The 'Together Towards Tomorrow' document has some good ideas in it. It talks about partnership, but, at the same time, that partnership, as has been pointed out, is only within the Catholic system. Nevertheless, the idea of a partnership is there. As many of you know, our party's policy is for a single, shared education system. So, again, we need to sit down and discuss things. Partnership is the right idea, but it is about pulling everything together — all beliefs and ideas — and trying to get a solution that we can all sign up to.

The document mentions parents, the community and early years, and we all know how important they are. We need to bring in and include everyone in this. We need to, as the document does, recognise that there will be different visions and different ethos. So, we need to take on board the fact that there will be very different visions and ethos, if that is the right way forward for all of us.

As I go on through the document, I see that there is a focus on deprivation. It is absolutely right that we should focus on deprivation, and yet, we seem to spend a lot of our time in here talking about GCSE exam passes. We listened to OFMDFM announce that it was going to get more trained teachers on the ground, but what we seem to fail to do on the ground is make sure that we identify the people who are failing at school and the reasons for that, so that those teachers, when they get there, know the right people to tackle. Again, I think that this needs all of us working together.

So, my plea really is this: let us learn from this document. It is not just about Catholic schools working together but about all of us trying to find a way forward. In our view, we need to keep academic selection but change the systems that work around that, so that we lift those in deprived areas and others, and get everyone up together, and then let us look outside Northern Ireland.

Mr McCartney: Will the Member give way?

Mr Kinahan: Yes.

Mr McCartney: The Member may not be aware, but the Foyle learning community in Derry encompasses all schools. Every school in the area co-operates and works in partnership.

Mr Kinahan: Thank you. I think that all the learning communities should really be praised, because they are the way forward, but the document does not really go into that.

My plea today is that we try to work together. The Belfast Agreement had the idea of everyone working together rather than in our silos. It may seem right that the Minister has his say and direction, but we all need to work together on the broad picture. So, let us pull together and get something from today's debate.

Mr O'Dowd: Ba mhaith liom buíochas a ghabháil leis an gcomhalta Raymond McCartney as aird an tí a tharraingt ar an gceist seo. I would like to thank Raymond McCartney for bringing this matter to the attention of the House. Before turning to the specific proposals for Derry, I want to acknowledge the work undertaken by the Catholic bishops and trustees in developing a vision for the future of post-primary education across the Catholic sector. I also thank them for their active and constructive engagement in the area planning process. In answer to Mr Storey's question, they are involved in it. The proof is in the primary and post-primary area plans that have been published and have gone through consultation. They are there. That is the only place in which area planning is taking place: in those documents. The process is at the core of raising our standards agenda. Improvement in educational standards can only be fully delivered through a network of strong, sustainable schools that command the confidence of the communities they serve.

11.15 pm

I welcome the leadership that the Catholic bishops and trustees have demonstrated in bringing forward a framework to move all Catholic post-primary schools away from academic selection. I commend the leadership that has been demonstrated by Monsignor Martin in articulating a vision for the Catholic family of schools in Derry. He has produced a document in relation to the Catholic schools in Derry, but I am aware that he is keen to engage with all the school sectors in the Derry area about how we move beyond academic selection.

Regardless of political opinion, I believe that we can all share the vision of an education system that prepares pupils to lead fulfilling and purposeful lives; a system that tackles disadvantage and underachievement. It matters what is in the child's lunch box and their parents' bank account. All the evidence shows us that a wealthy or middle-class family's children will do well in education. That is the reality; it is fact. It is not Sinn Féin propaganda. It is not the Minister's propaganda. Mr Kinahan said that we need to study those things and that we need to get down onto the ground. Those are things that you have not done.

Mr Kinahan: I have.

Mr O'Dowd: You have not done them. If you were down on the ground and looking at the evidence, it would show you that social and economic disadvantage has a bearing on your educational outcomes. Why should it? Why should

we allow it to have such a detrimental impact on your educational outcomes? The challenge is for us all to move away from that. You cannot ignore the evidence, but you insist on ignoring the evidence every time. Every time you speak about education, you tell me that we have to get down on the ground to look at evidence. I suggest that you do it.

Mr Storey: Will the Minister give way?

Mr O'Dowd: I will maybe give way later on.

The Members opposite, and indeed Mr Durkan — I have to say that I do not know what his position is. I understand his position as a father. I am a father. I am also a political leader, as is everyone in the Chamber. We have to show political leadership. I want and expect the best for my children in education, but I know that my children will not have to go through academic selection to achieve that. They will not have to go through academic selection to achieve excellent education. That is a fact, a simple fact.

Anyone who defends academic selection on the basis that you have to have it for good education purposes is wrong. International evidence shows that they are wrong. I understand the concerns of parents. As I said, I am a parent. I understand some of the concerns that were raised in the responses to the Derry document from parents who are concerned about academic excellence. However, we are now talking about an education system in the 21st century. Understandably, many people reflect on their own educational experiences, but we have moved beyond that. Academic excellence is now spread across all our schools. You can access 27 subjects in all our post-primary schools. You do not have to go to a selective school to access this course or that course or to do academia or whatever. You do not have to do that any more; it is no longer relevant. Indeed, our grammar schools also have to offer 27 subjects across a wide range.

Mr Storey: Will the Minister give way?

Mr O'Dowd: I will.

Mr Storey: Thanks. I am glad, at last, that the Minister has admitted something that he and his Department have denied. The entitlement framework was brought about to give pupils greater choice, but the Minister has confirmed in the House tonight that it was brought about so that academic schools and grammar schools would not be the only place where there was the provision of other subjects. That was really why the entitlement framework was brought about.

Mr O'Dowd: Yes. Why would we not bring that about? Why would the Member deny all children access to 27 subjects? The Member's defence of the voluntary sector at any cost absolutely baffles me. There is no subject that you would be debating in the Chamber at 11.20 pm other than this one. Your defence —

Mr Storey: Settle.

Mr Deputy Speaker: Order.

Mr O'Dowd: Your continued defence of academic selection at the cost of the Protestant working class amazes me. Your defence of academic selection at the cost of all the working classes amazes me. *[Interruption.]* If there is any chance of having a —

Mr Deputy Speaker: Order.

Mr O'Dowd: The Derry proposals are about bringing academic excellence and educational equality to everyone. I do not understand why that cannot be embraced. There is a responsibility on all political leaders, civic leaders, church leaders and community leaders to bring this forward. Derry has a very proud history of delivering social change to this society. It can lead the way again in delivering social change on this matter — *[Interruption.]*

Mr Deputy Speaker: Order. There are not meant to be comments from a sedentary position. If someone wishes to intervene, they should ask the Member who is speaking if they will give way.

Mr O'Dowd: This debate did not start with Monsignor Martin's paper nor with Martin McGuinness, the previous Education Minister; it started five decades ago. Look at the political progress, the socio-economic changes and all the changes that have happened for the better in our society over the past five decades, yet one sector — the grammar sector — has not moved one inch. I can produce reports from five decades ago in which the grammar sector asked for another couple of years to change, to bring in another type of test or to do something to be more inclusive. Not one change has taken place over five decades, and no one in this Room can deny that.

Mr Storey: Will the Minister give way?

Mr O'Dowd: Very quickly.

Mr Storey: The Minister is trying to use a document produced in Londonderry to mask the fact that the Catholic system has not moved. The Member for Foyle referred to the fact that there is deprivation in Creggan and the Bogside. What has happened to the leadership in that city to allow that deprivation? It is an insult to schools to blame them for the failure of political leadership in the city of Londonderry.

Mr O'Dowd: The Member will be aware that deprivation exists across the North. It exists in the Member's constituency, and he will be acutely aware of the detrimental impact that socio-economic deprivation has on his constituency and on the schools estate.

The Catholic sector has decided to move. It defended academic selection for the past four out of five decades — *[Interruption.]*

Mr Deputy Speaker: Can all remarks be made through the Chair, please?

Mr O'Dowd: Thank you, Mr Deputy Speaker. It now recognises that it needs to move away from it, and it has made the right decision. We have to offer assurances and practical measures to families who are genuinely concerned, and I accept that there is genuine concern among families about the need for continued academic excellence. However, I would ask them to look at the post-primary schools in Derry that do not practise academic selection. They should look at the results coming out of those schools — not just the academic results but the quality of the individuals who come out of those schools. They are well-rounded young people who value themselves and the communities around them. Schools that practice non-academic selection in the Derry area are proof, if proof be needed, that you do not need academic selection.

The Member opposite has thrown up the issue of children being tested when they go into schools. Only in the Member's head does the theory exist that I am opposed to testing. Of course schools test children's ability and match teaching to their ability. It is not about excluding children from schools.

The Member spoke about people leaving colleges in Omagh and going up to Strabane, and he let the words "Strabane Academy" slip. He did not let it slip that Strabane Academy is also moving away from academic selection and is going bilateral. So, not only the Catholic sector is moving away from academic selection. I am glad to hear that there are also schools in the controlled sector that have had, at times, a difficult and passionate debate about the pathway for education but have made the right decisions. They have found that academic selection is not necessary for academic excellence. There is a challenge for us all —

Mr Deputy Speaker: Will the Minister draw his remarks to a close, please?

Mr O'Dowd: Given all the changes that have taken place in this society over the past five decades, we can no longer accept the position that one sector alone is beyond change. That is the challenge for everybody in the Room.

Adjourned at 11.24 pm.

Northern Ireland Assembly

Monday 8 April 2013

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

Members observed two minutes' silence.

Assembly Business

Mr Speaker: Before we begin the day's business I would like to welcome back Members and make some announcements.

I advise the House that Mr Francie Molloy resigned as a Member of the Assembly with effect from Sunday 7 April 2013. I have been informed by the Chief Electoral Officer that Mr Ian Milne has been returned as a Member for Mid Ulster to fill the vacancy. Mr Milne signed the Roll of Membership in my presence and that of the Clerk to the Assembly/Director General this morning and entered his designation. Mr Milne has taken his seat.

Executive Committee Business

Business Improvement Districts Bill: Royal Assent

Mr Speaker: I inform the House that the Business Improvement Districts Bill has received Royal Assent and became law on 21 March 2013. Let us move on.

Mr Allister: On a point of order, Mr Speaker. I want to seek some clarification regarding declarations of conflict of interest. Whatever ambiguity there may have been about Mr Molloy, his successor in the House is a murderer. Can you —

Mr Speaker: Order. The Member knows well that he is well out of order. That is not an issue for the House, and we should move on.

Mr Allister: Further to that point of order —

Mr Speaker: Order. I ask the Member —

Mr Allister: I had a point I wanted to make.

Mr Speaker: Order. I ask the Member to take his seat. If he wants to raise it outside the Chamber with me, I am happy to talk to the Member there. Let us move on.

Criminal Justice Bill: Final Stage

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

That the Criminal Justice Bill [NIA 10/11-15] do now pass.

I am pleased to present the Final Stage of the Bill to the Assembly, because it contains some important revisions to various aspects of the law. As originally conceived, the Bill dealt only with sex offender notification provisions and the new DNA and fingerprint retention framework. Before it was introduced, however, the need to legislate on human trafficking was identified, additional clauses were introduced, and that proved to be the shape of things to come. Since its introduction, a further four strands have been added, making the finished product a miscellaneous provisions Bill in all but name, though it is still relatively small, with 16 clauses and four schedules.

Before I deal with the content of the Bill, I would like to record my thanks to the many people who have contributed along the way and assisted in shaping and refining it. First and foremost, I thank the Committee for its detailed scrutiny. The Committee began detailed consideration in September and devoted time between then and the Christmas recess to its analysis of the Bill, hearing oral evidence from key interests outside government and producing an extremely detailed report. Before they criticise me on the details of the Bill, I record my formal thanks to Paul Givan as Chair, Raymond McCartney as Deputy Chair and their colleagues for the work that they did. I also record my thanks to the many officials in my Department who contributed to the crafting of the Bill, to the staff of the Assembly who have assisted in its passage and to the Office of the Legislative Counsel, which turned drafting demands around in record time when asked.

Mr Speaker, let me remind the House of the main aspects of the legislation. The first group of clauses deals with the law on sex offender notification. The House will be aware that, three years ago, the Supreme Court ruled that it was unlawful to attach a notification requirement to a sex offender for an indefinite period without any opportunity to review that requirement. The House will also recall that it is not just in the course of this particular Bill that we have debated the issue. I am glad to say, however, that this time we have been able to reach agreement on the detail of the provision. Consequently, the Bill addresses the court's ruling by introducing a system that allows offenders to apply for a review of indefinite notification periods. Of prime importance as we sought to respond to the ruling was a continuing commitment to protecting the public. I can reassure the House that that commitment remains intact and that the provision in the Bill will not allow sex offenders to escape their requirement to notify in cases where there is still a risk to the public.

We have also used this opportunity to look at other ways in which the law on notification can be made more effective in protecting the public, and the Bill adds a range of strengthening measures to that end. Together with the review mechanism, these provisions represent a rebalancing of focus within the notification regime and will allow for better targeting of resources and effort on where risk is greatest.

Members across the Assembly have united in their condemnation of the abhorrent practice of human

trafficking. I share the determination that that evil crime should be allowed no foothold in Northern Ireland. My Department already has in place a range of measures aimed at preventing trafficking, protecting its victims and bringing its perpetrators to justice through the courts. As I have made Members aware at different times, trafficking is a key issue for both the Organised Crime Task Force and the North/South intergovernmental agreement meetings. The provisions made under the Bill will reinforce our stance against this horrific crime. Those measures reflect the seriousness of the crime and echo the Justice Committee's views that the strongest possible legislation should be introduced so that our laws provide a real and effective deterrent to traffickers.

The Bill creates new offences that will allow for prosecution where an individual has been trafficked anywhere outside the United Kingdom by a UK national, a habitual resident of Northern Ireland or a body incorporated under UK law and makes it an offence for an individual who has not previously been trafficked into the United Kingdom to be trafficked internally within it for the purposes of non-sexual exploitation, as is already the case in respect of sexual exploitation. The new offences bring Northern Ireland law into line with the criminal aspects of the EU directive on preventing and combating trafficking in human beings.

The Bill also provides that all future human trafficking offences will be triable only on indictment in the Crown Court, allowing for a maximum sentence of 14 years' imprisonment. Together, the provisions send a strong signal to traffickers that that heinous crime will not be tolerated in Northern Ireland.

Responding to concerns expressed by the European Court of Human Rights, the Bill puts in place a new framework for the retention of DNA and fingerprints. The court was specifically concerned with the position of persons suspected but not convicted of an offence, and it concluded that the current regime failed to strike a fair balance between the competing public and private interests. The challenge has been to devise a retention framework that assists in the prevention and detection of crime and the protection of the public while intruding no more than is necessary upon the rights and freedoms of the individual. The Bill replaces the existing indeterminate and indiscriminate retention arrangement with one that distinguishes between those who are convicted and those who are not, between serious and minor offences and between adults and juveniles. In the absence of a conviction, material will be retained only in cases involving serious offences and, even then, for a limited period.

The new framework closely follows arrangements that have been in place for some time in Scotland and are now being introduced in England and Wales. Within the constraints of the European Court judgement, I consider that it strikes the right balance between the competing demands of public protection and civil liberties.

At Consideration Stage, I set out the background to the detention orders used for the small number of children who commit very serious offences, which, in their present form, have been declared incompatible with the ECHR. The Bill requires the court to specify a point at which release on licence should be considered and introduces the Parole Commissioners for Northern Ireland as the independent judicial element for determining matters of release, licence conditions and recall to custody. Amending the provisions

in that way maintains an important sentencing option for the courts, meets our convention obligations, links the detention orders to established provisions for similar orders and strengthens the processes for establishing risk and protecting the public. Crucially, it will also allow us to place the management of the small number of existing cases on a robust and compliant footing.

The new provisions also include transitional arrangements to deal with any relevant cases that could have arisen prior to their commencement. In the event, as there are no such cases, the transitional arrangements are redundant, and I have noted them for repeal in due course.

The Bill also provides for the examination of an accused person through a registered intermediary. They are communications specialists who will provide a very important service assisting vulnerable victims, witnesses and defendants to communicate their answers more effectively and thus be understood throughout the criminal justice process. The schemes will be piloted in the Crown Court, sitting in Belfast for certain offences, on commencement of the provisions.

An amendment repealing the common law offence of scandalising the court was tabled by the Justice Committee and debated and accepted by the Assembly at Consideration Stage. Again, I thank the Committee for the work that it has undertaken. The amendment repeals the offence of scandalising the court in its entirety and puts the position in Northern Ireland on a par with that in England and Wales.

Having considered the comments made during Consideration Stage, I have asked my officials to take forward work in due course to consider whether the repeal of the offence creates a vacuum and, if it does, whether something needs to be put in its place.

The Assembly also agreed a late amendment at Further Consideration Stage dealing with Sunday courts. The amendment allows Magistrates' Courts to deal with criminal business on Sundays in exceptional circumstances. Members will recall that this was a request brought to me by the Chief Constable as part of the contingency planning process ahead of the G8 conference this coming June.

Were there to be significant public order offences, which have not been entirely unknown around G8 summits, we need to ensure that our police and court systems can operate swiftly and effectively in the eyes of the world. When the G8 was held at Gleneagles eight years ago, there were 350 arrests on the first day alone. Were there to be significant numbers of weekend arrests, we need to ensure that those who are arrested can be brought quickly to court from police cells and that judges can make decisions on remands into prison custody or to grant bail.

I welcome the contributions made in the development of the new provision and for what I referred to as the "quadruple lock". The Chief Constable, the Lord Chief Justice and the First Minister and the deputy First Minister will all be engaged before the power can be used. That is all part and parcel of ensuring that the power is only deployed when it is truly needed. I have made it clear that this is an exceptional power as part of a contingency plan to cater for potential trouble; there will not be Sunday courts as a matter of routine.

The Criminal Justice Bill makes necessary and important changes across various aspects of our justice system, remedying incompatibilities with the ECHR while strengthening the law in certain important respects. I commend the Bill to the House.

Mr Speaker: Before I call Mr Givan, the Chair of the Justice Committee, I warn the House that the debate is about the Final Stage of the Bill, whether you are for or against it. It is not about rehearsing or regurgitating the debates that we have already had, especially when it comes to amendments that have not been accepted in the House. I warn all Members that they should try as far as possible to stick to the Final Stage of the Bill.

12.15 pm

Mr Givan (The Chairperson of the Committee for Justice): On behalf of the Committee for Justice, I welcome the Final Stage of the Justice Bill, a Bill not without its difficulties. Petitions of concern were lodged at both Consideration Stage and Further Consideration Stage, and there is also the matter that was highlighted by the Minister of Justice today regarding the amendments made to change the licensing arrangements relating to the release of young offenders convicted of certain serious crimes and the issue of competence raised by the Attorney General in relation to the transitional measure.

There is no doubt that the Bill has undergone detailed scrutiny and debate both during Committee Stage and the lengthy debates at Consideration Stage and Further Consideration Stage. That has resulted in a large number of amendments being made and some being voted down, one of which I will touch on briefly later. As stated previously, the Bill was essentially viewed by the Committee as a necessity to address issues of compliance. On parts of the Bill, particularly the clause and schedules that bring in a new framework for the retention of fingerprints and DNA profiles, there was a divergence of view that was subsequently reflected by the amendments debated and voted on during the passage of the Bill.

It is particularly unfortunate that, due to a petition of concern, the prescribed circumstances referred to in article 63D have not been included in the Bill, given the concerns highlighted and the support for that from organisations including the Children's Law Centre, the Northern Ireland Human Rights Commission, the Northern Ireland Commissioner for Children and Young People and NIACRO. When it was raised at Committee Stage, agreement from the Minister to bring forward the necessary amendment was found.

Turning to the human trafficking clauses in the Bill, the Committee is satisfied that the amendments that have been made to ensure that human trafficking offences under the Sexual Offences Act 2003 and the Asylum and Immigration Act 2004 and the new offences created by this Bill will be triable on indictment only are justified given the seriousness of the crimes and indicate that Northern Ireland will take the necessary steps to deal properly with the problem. I have no doubt that there is further work to be done to address a range of human trafficking issues, and the Committee will continue to work in this area over the coming months. I note Lord Morrow's attendance for this debate. The Committee looks forward to receiving the private Member's Bill on this issue. Many of us on the

Committee believe that that Bill will ultimately provide the best protection in dealing with this very serious offence.

The Committee sought the support of the Assembly for the amendment to abolish the offence of scandalising the judiciary. At Consideration Stage, I set out at some length the background to and reasons for the amendment. Abolishing the offence in Northern Ireland is the right thing to do. The Committee very much welcomed the support received from around the House to bring it about. During that debate and as we have taken it forward, it has shown the Assembly the importance and power that a Committee has in taking on an issue and bringing forward legislation to tackle something that can attract consensus in the House. The Committee has been able to achieve that on this issue. I caution the Minister about now creating a loophole through the abolition of the offence. I am wary of the indications, and we will look closely at what the Department may bring forward in this respect. What I am clear on is that our judges should not be treated any differently from how judges are treated right across the United Kingdom. That is the test that I will apply if the Minister decides to bring anything forward in respect of that issue.

I thank all the Committee members for their commitment and diligence in carrying out the scrutiny of the Bill. I also thank the Committee staff, who carry out a lot of work on behalf of members. When we have had particular questions and issues, they have been very studious and incredibly professional in going about their work. In my view, they provide a very professional service to Committee members to ensure that we are able to do our job properly on behalf of the people who elect us. I extend those thanks to the Department's officials who, on every request, were able to provide us with information. It was not always information that some of us wanted to hear, but nevertheless they provided us with information in a timely form. On behalf of the Committee, I express my appreciation to the Department and the Minister for that co-operation. Final thanks go to those who responded to the Committee by providing the written and oral information that we sought. I thank them for their engagement with the Committee, which ensured that we were able to scrutinise the Bill properly.

I will speak briefly as an individual Member of the Assembly. I take on board the Speaker's earlier point and will certainly not regurgitate this particular point. However, it is important to note at Final Stage that this was a missed opportunity to deal with a serious issue: the sensitive matter of abortion. The amendment that was tabled by Alban Maginness, along with others in this place and me, would have addressed that very serious issue, but others chose to veto the amendment. They have to deal with that and explain themselves to those who ask why they did that.

It is an issue for the Minister, who indicated during that debate that it was a criminal justice matter. I know that the Health Minister has written to him seeking a meeting on the back of the vote that took place, which clearly demonstrated where the majority of Members are on the issue. It is for the Minister to take it forward and take the will of the Assembly forward. If that requires public consultation, we have the fairer, faster justice Bill, which is an opportunity for the Minister to address the issue. I look forward to his engagement with the Health Minister. I trust

that the Minister will give that the same urgency and vigour that he gave to opposing the amendment that was tabled by Alban Maginness and me so that we can finally deal with something that, for a lot of people in Northern Ireland, needs to be dealt with as a matter of urgency.

Mr McCartney: Go raibh maith agat, a Cheann Comhairle. I echo the Chair's comments, particularly those on the Committee staff's work in steering the Committee through the legislation and the contribution of the departmental officials and the many people who gave evidence. For some elements of the media, it would be useful to lay out the amount of work that has gone into taking the Bill forward, because we are sometimes criticised for not dealing with legislation. In many ways, this legislation went through a lot of scrutiny and debate, and people obviously had different positions on it.

There were three main planks to the Bill, two of which we had no issue with at all. Matters around sexual offenders and human trafficking were teased out, which we very much welcomed. Unfortunately, we found ourselves against major aspects of the legislation in relation to the retention of DNA and fingerprints and, to some degree, the issue of photographs. At Consideration Stage and throughout Committee Stage, we laid out the template for testing the legislation, which was based on the presumption of innocence. We said that there were aspects of the Bill that ignored that principle and that there were situations in which someone who was not charged with an offence could have their DNA retained indefinitely. We felt that that was the complete antithesis of the presumption of innocence, and in no way was that issue addressed. So, we have a major concern about that. Indeed, as a result, we cannot support the Bill, even though there are, as I said, major elements that we support concerning sexual offenders and human trafficking. We cannot lend our voice in support of a Bill that in many ways undermines the presumption of innocence.

We also asked whether the legislation on the retention of DNA, fingerprints and other aspects would pass a test in the European Court of Human Rights, which is why the legislation had to be enacted. The Minister addressed that in some way but not to our satisfaction. We believe — we see it happening in other jurisdictions — that, sometimes, when there is a ruling from the European Court, there is a tendency to buy a bit of time by saying, "How do we raise the standard in the area in which the court has found a flaw to a position that will cover us until another case is taken?". When another case is taken — I predict that, in this instance, a case will be taken on aspects of this Bill — it will maybe take six to eight years before it goes through the process of reaching the Court of Human Rights. We will then find ourselves in the position where we say, "We got that wrong". I cautioned against that at Consideration Stage, and I do so again. In the past, we could have blamed other legislatures or other people for framing bad law, but the responsibility now falls on the Assembly, and we cannot, in the future, say that we got it wrong despite people giving us advice to the contrary. In my opinion, the principle of the presumption of innocence should guide us, but, in this instance, it has not guided us. I think that it is accepted, and I do not think that anybody, even the Minister, will argue that there is not a problem with situations where a person has not faced charges, never mind acquittal or what follows. That is wrong, and it is a form of discrimination. I do not think that we can allow

ourselves to lend our support to something that we feel is flawed, undermines the principle of the presumption of innocence and is discriminatory.

We may be able to take lessons from previous legislation, and that is perhaps something to bear in mind in the future with criminal justice matters. We know that we were under some pressure to deal with aspects of the Bill, but that puts us in a position, because we cannot support one part of the Bill even if other parts are completely separate. There is no relationship between human trafficking, sexual offenders and DNA, and when they are run together, you find yourself in the position —

Mr Givan: Will the Member give way?

Mr McCartney: I will indeed.

Mr Givan: Can the Member put this very clearly on the record: is he telling us that he will divide the House and vote against the Bill at Final Stage?

Mr McCartney: Yes, we will divide. We believe that we cannot lend our support to or even be silent in framing legislation that undermines the presumption of innocence. We do that despite the fact that we support other aspects of the Bill. Throughout the Bill's passage, in Committee Stage and during the debates, we took the position that we support aspects of it totally and absolutely. However, on the presumption of innocence, because there is no opt-out, we cannot say that we support 90% of the Bill but not the other 10%. You will have seen that throughout the Committee Stage. People might say tomorrow, "You had your chance to vote against something that undermines the principle of the presumption of innocence and you didn't". Therefore, that is why we find —

Mr Campbell: Will the Member give way?

Mr McCartney: Yes.

Mr Campbell: The Member said that he believed that cases may proceed to the European Court of Human Rights. Is part of the reason for Sinn Féin voting against the Bill based on a belief that people might take a case to the European Court of Human Rights?

Mr McCartney: No, it is not. I used that as an example. At Consideration Stage, I outlined why I felt that that was the case. To me, there is an inbuilt defect in the legislation, and it practically invites a case from someone who feels that the presumption of innocence is undermined. In many ways, I accept that I am making an assumption, but it is an assumption based on the fact that someone has already taken a case. There is a case already in the courts where someone feels that their DNA has been retained, despite the ruling of the European Court of Human Rights.

So, it is not that I am hoping that someone will take a case; I am basing it on the fact that the presumption of innocence is undermined where someone has been arrested and not charged. The case has been well highlighted. There have been a number of cases where the police have told people that they are totally and absolutely innocent and that they should not have been arrested in the first instance. However, aspects of the Bill will ensure that their DNA is retained, and I do not think that that is fair. So, that is the basis on which I say that someone will take a case in the future. Therefore, to respond to the Chair's question, we cannot vote for the Bill because we

would be saying that it is OK to disregard our position on the presumption of innocence.

12.30 pm

Mr Givan: I appreciate the Member giving way. It is useful that we get a full grasp of why the party opposite is taking its position. Does the Member not accept that, having gone through a variety of stages, you get some things that you want and some you do not? Not everyone on this side of the House will be able to say that we think that the Bill is 100% right in every aspect. We have amended it to a point on a number of issues where we are satisfied, but not necessarily to the same test that Sinn Féin seems to want to apply on this issue. If we were to take the approach that Sinn Féin is taking, given that we are the two largest parties that are, ultimately, in control of the Executive, this Bill would fall. Is there not an onus on the party opposite, as the leading nationalist party in the Executive, to recognise that, when you do not get everything, you still, ultimately, have a responsibility to govern for the greater good and ensure that the Executive are operating? If we were to take the approach that the party opposite is taking by reflecting on our position in the course of this debate and applying the same test as Sinn Féin, this Bill would not get through.

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

Mr McCartney: I agree with parts of what you are saying. There are times when you may not get totally and absolutely what you want from a Bill, but there are matters of principle. When the Bill went through previously, there were aspects that you could not live with to do with sexual offenders, and you used a petition of concern. I might have issues around using a petition of concern, but I do not think that you can say that we will sell ourselves a bit short on a point of principle. If you find yourselves comfortable with the Bill, albeit that there are aspects that you do not agree with but which do not undermine what you believe are principles, that is fine. I am sure that we have taken the same position on other pieces of legislation, but this is fundamental. Indeed, if you were to follow the commentary from the introduction of the Bill through every stage, you could stand up tomorrow and say that we said throughout the process that presumption of innocence was our template, yet we voted for the Bill. If so, I would have a harder case to defend than I feel I am defending now.

Mr Humphrey: I thank the Member for giving way. Given what the Member has just said, was the appalling decision that your party and the SDLP took collectively to lodge a petition of concern on the National Crime Agency not a point of principle? Was that just politics?

Mr McCartney: Absolutely not. In many ways, you are making the point for me. We voted against the NCA on a point of principle. As we said throughout that debate, and as is on the record, the point of principle is that one of the pillars that allowed policing to progress to the position that it is in in the North was the issue of accountability. In our opinion, the NCA was not going to be as equally accountable as all other police officers serving in the North. That, to us, was a principle, and that is the principle on which we opposed the NCA.

Mr Humphrey: Will the Member give way?

Mr McCartney: Yes.

Mr Humphrey: What you said in response to my intervention undermines that entirely. It was not about a point of principle, because the petition of concern that you and the SDLP lodged totally undermines your point.

Mr Deputy Speaker: I remind Members that we are not dealing with a previous debate. I ask Members to concentrate on the matter before us.

Mr McCartney: Thank you very much, Deputy Speaker, for that guidance. I will make the broad point that, when you defend a principle, you take whatever measures possible to defend it. If someone had wanted to sign a petition of concern on this aspect, we might have found ourselves in a position to agree. Accountability is key to policing in the North. We would not lend our support to anything that undermines the principle of accountability. Much in the same way, we will not support anything that undermines the presumption of innocence. That is where we find ourselves today.

Mr A Maginness: Like other Members, I thank the Committee for its work on the Bill. I also thank the departmental officials for their work in co-operation with the Committee. It is a good example of the Executive and the Assembly working together on a serious piece of legislation.

As other Members have already said, there is much consensus on the Bill, in particular the provisions dealing with sex offenders. That is something that arose out of a judicial decision, and that has been, in our view, properly addressed. Also, the human trafficking aspect of the Bill was rightly and properly brought to the House, properly debated and properly looked at. Of course, we give our full support to that.

The initiative by the Committee in dealing with the judiciary and the whole issue raised by the Hain case — scandalising the judiciary — was a right and proper initiative and one that reflected, I believe, the unhappiness in the public mind in relation to the Hain case. It was right and proper that we, as a Committee, took the initiative and dealt with that. That shows the value of having the Committee and the value of the Committee being able to take its own initiative independently of the Executive and the Department. It was the right position for the Committee to adopt. Of course, we are very supportive of that.

The issue of the retention of fingerprints and DNA arises out of the Marper case — the 2008 European Court ruling — and has seen most contention within the Bill. It is something that has divided the House on previous occasions. I think that it is innately unfair, where someone is cautioned or innocent — in other words, not convicted of any offence — for that person to be subject to the same rigours as, effectively, somebody who has been found guilty in a court. That creates an equivalence, which I believe is unacceptable. It is a matter of regret that we in the SDLP cannot support that aspect of the Bill. Of course, we have made that plain on previous occasions when those matters have been raised in the Assembly and in Committee.

Lord Morrow: I thank the Member for giving way. There are two points that I would like to hear his comments on. Is he telling the House today that the SDLP is in favour of the retention of DNA where a person has gone through due process and been convicted in court? Does he welcome what we have been told here today? The Chair of the

Committee opened up the debate, and we thank him very much for doing that, in relation to abortion. There was a great debate here when the Member's party and my party came together to take that matter through. However, we were opposed right, left and centre, not least by the opposition pioneered by the Department of Justice, which all the time the Minister contended this was not a matter for. Now we learn that it is. Perhaps the Minister, when he is speaking, will tell us whether he was misled in relation to that particular matter and whether the advice that he was given was not the correct advice. It seems to me that he now acknowledges something different today.

Mr A Maginness: I thank Lord Morrow for his interesting intervention. Perhaps I could deal with it later and complete the point that I am making in relation to the retention of DNA and fingerprints.

It is not simply a matter of academic concern. There is an actual hurt to or impact on the individual when this happens. If the individual is innocent and is, perhaps, simply being cautioned, it affects him or her. It is important that we bear that in mind.

I turn to the point that Lord Morrow raised in relation to someone who has been convicted. Yes, there should be retention; yes, the case of *S and Marper v the United Kingdom* dealt with that. What the Marper judgement said, essentially, was that there should not be blanket or indiscriminate retention. My party supports that view, and we believe that a balance should be struck between those who are convicted of offences and those who are effectively innocent. I speculate that Lord Morrow might say that, in being cautioned, people admit to a certain offending, but, nonetheless, this takes away from the effectiveness of cautioning if retention is a consequence of it. Retention would not be a consequence of it in a great number of cases because, in a great number of cases, retention of DNA and fingerprints would not take place in any event. Therefore, my party is not supportive of those provisions as they stand in this, the final form of the Bill, and, regrettably, we cannot vote for them.

In relation to the matter raised by the Chairperson of the Committee and yourself, Lord Morrow — namely the abortion amendment brought forward by Mr Givan and supported by me and others in the Assembly — that was a missed opportunity. The House was deprived of the opportunity to deal effectively and in a reasonable and reasoned fashion with a private institution working outside the health service. I will not go into the detail of that, and I am sure that the Deputy Speaker would not permit me to do so. However, I emphasise the point that Mr Givan made: this was a missed opportunity. I deeply regret that. Many thousands of people share that regret. The petition of concern was a very blunt instrument to be used in such circumstances. Those who used it will have to explain that to the public. I cannot think of any reasonable explanation in relation to the usage of that petition of concern. *[Interruption.]* Does the Member wish to make an intervention?

Lord Morrow: I thank the Member for giving way. We know that the Minister is to the far left on these issues, and his Department, obviously, seems to be further to the left. I am sure that Mr Maginness agrees with me that it takes some distance to get even further to the left than his own party. In relation to the matter, Sinn Féin, at the time, obviously referred to some principle that none of us could

understand. It reminds me of the person who said, "These are my principles; however, if you do not like them, I have others that I can show you." So I suspect that the principles that Sinn Féin Members were talking about were the other principles.

Mr Deputy Speaker: I remind Members of the question before us today and draw them back to today's decision.

12.45 pm

Mr A Maginness: Of course, Mr Deputy Speaker. To conclude on the particular point that has been raised, I have to emphasise that it was a wasted opportunity. I regret the fact that things turned out the way that they did, but there is recognition that this is a criminal justice issue. If it is a criminal justice issue, I believe that it should be addressed expeditiously by the Department, and I look forward to that in the near future. I believe that other issues that were raised at the time of the amendment were spurious, and I do not think that they were of any great substance whatsoever.

In conclusion, the substance of the Bill is acceptable to the SDLP, but I have indicated that we cannot fully support what the Minister has put forward with regard to the retention of DNA and fingerprints. Therefore, it is very difficult for us to support that.

Mr Elliott: I add my thanks to all the staff involved at every stage in bringing this forward, whether that was the Justice Committee staff or the staff from the Department. They were always very helpful to us when we asked questions, and they were always very quick to respond to our queries.

I am concerned to hear that one party has clearly indicated that it is voting against the Bill, and the SDLP appears to be falling into line and suggesting that it may vote against it. It brings an element of surprise, because we scrutinised the Bill very closely, as others have suggested. We do not want to be soft on crime or soft on criminals.

Maybe the Bill is not all that I would want it to be either. There were certain aspects of it that I would have liked to have seen included that would have strengthened it even more. However, I am confident that it is at least strengthening certain aspects of the law as far as criminal justice goes, particularly around sexual exploitation, human trafficking, DNA and fingerprints. We need to hear the reason why Sinn Féin and the SDLP are not supporting it. Is it because it will strengthen the law on some of those issues? Are they weak on the law? Are they weak on the protection of the citizens of Northern Ireland? Maybe that is why they are not supporting it. I have grave concerns about that, Mr Deputy Speaker. In this legislative place, we should all help to protect the public.

Mr Humphrey: I thank the Member for giving way. He will be aware of the dreadful scenes last week at the Easter parade in Ardoyne where children as young as five years of age took part in an appalling parade dressed in paramilitary garb. Sinn Féin, of course, cannot say anything about that because it has been putting children on the streets —

Mr Deputy Speaker: I ask the Member to return to today's debate.

Mr Humphrey: Yes, I am coming to that. The reality is that Sinn Féin said nothing and the SDLP said little or nothing

on the issue of child protection and child abuse, and that was child abuse.

Mr Elliott: I thank the Member for his intervention. We are all aware of those situations — dire situations in many instances — where children are used and abused.

To come back to the debate on the legislation, I welcome the fact that we are bringing forward the Criminal Justice Bill, and, as I said earlier, I would have liked the Minister and the Department to put even more strengthening measures into it, but we are left with what we have. We arrived at compromises, and I thought that compromises were what this place was about in many instances. However, that just goes to prove some of the republican mentality: you grab what you can when you can; you pocket what you can when you can; and, in the end, it is not enough. You have to come back looking for more. That is unfortunate when we want to bring forward a legislative process and legislation that will help to protect the public. For goodness' sake, why would you oppose this Bill, particularly around aspects relating to human trafficking and sexual exploitation? There are other measures to bring forward the aspects that you want, and I know that we will look to bring forward other aspects of criminal justice through other Bills and measures, but to oppose this is downright selfishness. It is based on personalities, and it is just the old republican mentality.

Mr McCarthy: I am pleased to speak at the Final Stage of this Bill. It is very encouraging that we are passing yet another piece of justice legislation. Since the devolution of policing and justice, our Minister has been keen to identify local solutions to local needs, to develop partnership working across government and wider society and to reshape our justice system to build a safer Northern Ireland for everyone. Those values and objectives are encapsulated in this Bill.

I turn to the context. Changes had to be made to the sex offender notification requirements as a result of a Supreme Court ruling. Throughout the detailed debate and deliberations during the progress of the Bill, the primary motivation of all involved has been to protect the public and to ensure that greater protections are in place against the risk of sex offenders reoffending. While meeting our obligations under the court ruling, the Bill also adds a number of strengthening measures that are very much welcome. In particular, new notification requirements for travel within the UK will provide the police with more useful information to prevent crime and to protect the public. I commend the Department and the Minister for working closely with the police and other key stakeholders on those issues to ensure that we have a robust and effective piece of legislation in place.

I turn to the measures on human trafficking. Every person is of equal worth, and each citizen is a foundation stone of a democratic society. Our institutions depend on, and must uphold, human rights. Unfortunately, many people have had, and continue to have, their rights assaulted by traffickers. This Assembly has rightly expressed its disgust at these crimes. We take action to enhance deterrents and ensure that perpetrators are brought to justice and receive appropriate punishment for their offences. The new offences created by this Bill will strengthen our efforts in that regard, as will the measure that all trafficking offences be tried on indictment in a Crown Court. We are sending

out a clear signal that these crimes will not be accepted in Northern Ireland.

I also want to mention the new framework that we are putting in place for the retention of DNA and fingerprints. This has been a difficult issue, but I believe that what we have agreed provides appropriate protection to the public, while ensuring that the rights of the individuals are not unnecessarily interfered with. This framework creates appropriate distinctions between adults and juveniles, serious and minor offences and those who are and are not convicted. There are many areas where the issue of public protection versus civil liberties is raised. I believe that we have struck the right balance in this case.

The Bill, as a whole, introduces a number of necessary and important changes and, ultimately, strengthens our justice system here in Northern Ireland. I congratulate Mr Ford, who is the first Justice Minister that Northern Ireland has had for many years, and his Department for their dedicated work in reaching the Final Stage of the Criminal Justice Bill. I encourage the Assembly to support the Bill.

Mr McGlone: Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire. I thank the Minister for being with us and seeing us through the Bill today.

The Criminal Justice Bill is concerned largely with updating legislation to ensure that it meets current standards on human rights as set out by UK Supreme Court rulings, the European Court of Human Rights and the Council of Europe Convention on Action against Trafficking in Human Beings. These are challenging issues, and Members have questioned whether some of the measures being put in place were too lenient. In some instances, amendments to the Bill strengthened measures to alleviate those concerns.

Once again, it is important to remember that we are legislating to protect the rights of individuals. As such, it is essential that if we are to err on one side, we err in favour of the individual over and above the state. As a member of the Committee for Justice, I listened carefully to the evidence presented to the Committee on the issues that the Bill is designed to address. I remain sceptical that the Bill strikes the right balance on protecting the rights of the individual.

I am content that the measures in the Bill meet the requirements of EU directives on human trafficking and that we are obliged to implement them. Similarly, the measures on sex offender notification, and the right to a review in the case of offenders subject to notification for an indefinite period, follows on from a UK Supreme Court ruling on compliance with European Court of Human Rights obligations.

On the issue of retention of DNA and other biometric material, however, I remain greatly concerned at the level of disregard to the rights of the individual demonstrated by some of the Bill's proposals. In his evidence to the Committee, Professor Michael O'Flaherty of the Northern Ireland Human Rights Commission made an important point:

"The issue is that your DNA profile is your private property. It is who you are. Unless you have committed a crime or there is some other reasonable reason for the state to interfere ... in normal circumstances your DNA profile belongs to you and it is nobody

else's business. That is the essence of the right to privacy. It is the same as your house. We recognise that the police, in certain circumstances, have every entitlement to come into your house, but they do not have an open invitation to go in and out your front door."

When we legislate, we should take great care not to infringe on such fundamental rights. The measures that relate to the retention of fingerprints and DNA profiles result from a 2008 European Court of Human Rights ruling that the blanket and indiscriminate —

Mr Elliott: I thank the Member for giving way. His party brought forward an amendment at an early stage on the issue of DNA, and I think that that was approved and accepted. What has caused the change of heart at this stage? They seem now to support the other aspects, so why the change of heart now that they are opposing the Bill in principle?

Mr McGlone: We accept that as an improvement. Nonetheless, I have every right to make a strong case here today around those fundamental and strong points. I will continue on those issues.

The measures that relate to the retention of fingerprints and DNA profiles result from a 2008 European Court of Human Rights ruling that the blanket and indiscriminate nature of the power of retention in England, Wales and Northern Ireland was in breach of article 8 of the European Convention on Human Rights, which is about the right to privacy and family life.

The UK regions were found to be the only countries or regions in the Council of Europe to permit the systematic and indefinite retention of DNA profiles and samples from persons who were acquitted or when criminal proceedings were not proceeded with. The new measures seek to specify in what circumstances and for how long biometric material, fingerprints, etc, can be retained. To use Professor O'Flaherty's analogy: when the police can legally enter your house.

After hearing the evidence to the Committee, I remain unconvinced that it is appropriate to allow the retention of fingerprints and DNA profiles of someone who, although arrested, was not charged with a serious offence, or, if charged with a serious offence, was found not guilty by the courts. Even if the qualifying offences for that retention of biometric material were deemed serious, broadly covering serious violent, sexual or terrorist offences, it is not relevant. If someone has been found not guilty by the courts, they should have the right to be treated by the state as innocent of that crime. If, at the conclusion of the investigation by the police, no charges are brought against an individual, they should also have the right to be treated by the state as innocent of that crime. However, the measures in the Bill do not do that.

1.00 pm

During earlier Committee meetings, Department of Justice officials defended that retention because:

"there was, at some point prior to acquittal, for example, sufficient suspicion of an individual."

I still find that argument unconvincing. I have no problem accepting the need to take the protection of the public into account, but, if we are to compromise the rights of the

individual to do so, it should be on a more simple case than mere suspicion, particularly where that suspicion has been tested in the courts and found to be without foundation.

The fact that recordable offences qualify an individual's biometric detail for retention is also a concern. A situation could occur where someone winds up in jail for defaulting on their electricity bill payments, and, as set out by the Bill, their DNA and fingerprints could be retained for three years with the availability of an extension of two years on application to the courts. How can that conceivably be in the public interest?

I also have grave reservations about how the proposals will impact on children and younger people who are alleged to have committed criminal offences or who are recognised as having done so. Their reintegration into society will be made more difficult by the stigmatising effect on the children and young people whose DNA and fingerprints will be retained. In fact, it is conceivable that, in some cases, they will be retained indefinitely.

The fact that there is the potential for the fingerprints and DNA of a child who has received their first caution — I emphasise first caution — to be retained for five years should cause Members to reflect on the disproportionate nature of the proposals. It is simply not proportionate to retain fingerprints and DNA following the conviction of children and young people for minor offences. In the case of the Bill, I am not concerned that we are merely matching legislation in other jurisdictions. Rather, we should be setting our own standards when it comes to human rights, and they should be the highest possible standards.

Mr Givan: Will the Member give way?

Mr McGlone: I am just finished, but OK.

Mr Givan: That is why I got in when I did. I appreciate your giving way. I also appreciate the rationale that this Member, at least, has decided to give to the House to explain the position.

I obviously disagree with the Member's viewpoint on the matter, but if this is a fundamental principle on the presumption of innocence, can he advise me and the House whether Sinn Féin presented the SDLP with a petition of concern to veto this? Did it attempt to veto this at the Executive? It could have done so, if the presumption of innocence is such a fundamental principle. The majority of the House will pass something, which, ultimately, Members on the opposite Benches could have vetoed if they had chosen to do so.

Mr McGlone: I thank the Member for his intervention. I am not aware of any petition of concern whatsoever on this. I am certainly not aware of anything that has happened at the Executive or at that level to stymie it, hold it up or amend it in any way.

I thank you for your intervention. I have been able to shed some light on it, and I have concluded my remarks. I was about to conclude my remarks, but I am sure that it is on record now.

Mr Allister: I will vote for the Final Stage of the Bill, not because I endorse every jot and tittle of it, but because the overall principles and what it seeks to do, particularly on trafficking, although I do not think it goes far enough in that regard, and some sexual offences, are matters for

which our legislation requires the strengthening that the Bill brings.

I have reservations. I have a reservation about the issue that Mr Alban Maginness raised concerning the fact that one of the consequences of the small print of the Bill is that, when it comes to the retention of DNA, someone who is deemed to be innocent of an offence will be treated in an equivalent manner to someone who is convicted of a serious offence. There is an issue there that sits uncomfortably with many of the principles that some of us hold.

That said, other elements of the Bill require me to vote for it. Therefore, I will. I will vote for the Bill in spite of the fact that it is deficient in respect of what it does not contain. The House spurned the opportunity to make it a timely and relevant piece of legislation on an issue of public concern, namely that which affects the operation of the Marie Stopes clinic. It is one of the ironies — indeed, one of the perversities — of this House that, although it was the will of the greater number of Members that the Bill should have tackled that issue, by reason of the perverse use of the perverse instrument that is a petition of concern, the undemocratic quirk that results is that the greater number in the House who wanted to see that dealt with were thwarted. The Bill is much the weaker and less relevant for that. I regret that very much.

I look forward to hearing what the Minister eventually says about how he anticipates, if at all, dealing with that issue and the obvious lacuna in the law that permits the Marie Stopes clinic to operate with impunity in Northern Ireland. The Minister tells us that he will examine that. We look forward to hearing about that.

I also have reservations about the clause on Sunday courts. In the debate at Further Consideration Stage, I heard no compelling justification for it. I certainly heard no compelling justification for the lack of a sunset clause. If it were but a temporary emergency requirement to deal with the possibilities of the G8 summit, why was there not a proper sunset clause? The Minister tells us that there is a quadruple lock. Well, some of us have come across multiple locks in the past. I do not know whether a quadruple lock will prove to be any more effective than a triple lock. I would certainly be less than persuaded, given the track record of triple locks, that a quadruple lock would be any better in this regard.

I will vote for the Bill. I note that Sinn Féin, of course, as the Chairman pointed out, did not, it seems, discover its principles — if one wants to call them that — sufficiently at the Executive to block the Bill. Today, however, it has discovered something that it can pass under that guise. Today, it will vote against the Bill. Perhaps it is no surprise, on a day when it has added a murderer to its ranks in the House, that it will vote against a justice Bill.

Ms O'Neill: On a point of order, Mr Deputy Speaker. That is a totally disgusting remark for that Member to make about another Member of the House. Mr Deputy Speaker, you should rule on that at this moment.

Mr Deputy Speaker: The matter will be brought to the Speaker's attention.

Mr Allister: I rise to speak the truth. Mr Milne is a convicted murderer. I will not be silenced from saying that he is a convicted murderer. He may not want to admit that. However, that is what he is.

Mr Deputy Speaker: Order. I ask the Member to return to the Bill, please.

Mr Allister: I will conclude with my observation that the circumstances in which Sinn Féin will oppose the Bill today —

Mr Givan: Will the Member give way?

Mr Allister: Yes.

Mr Givan: On that point, does the Member agree with me — I am sure that he will — that it is somewhat perverse that, on the fundamental principle of the presumption of innocence, which is the basis on which Sinn Féin will vote against the Bill, it did not use its veto to block the legislation when it used the very same mechanism to block an amendment that would have protected women and the unborn child?

Mr Allister: I am sure that it will not be lost on many that, when it came to protecting the unborn and giving a voice and protection to those who have no voice, Sinn Féin in the House neutered the Bill through a petition of concern. It was Sinn Féin in the House —

Mr Wells: And the Alliance Party.

Mr Allister: And the Alliance Party.

They ensured that the unborn remain voiceless and that their destruction remains possible within the ambits that were being sought to be addressed. That is no great surprise to me, given the moral ambivalence of that party — Sinn Féin — on all things touching upon the right to life.

Mr Ford: I must confess that I did not expect to be responding so early in the debate, given the interest shown by the small numbers who have participated. It appeared to me that, aside from the universal praise for Committee members and their staff and almost universal praise for my staff in the Department of Justice, there was not a great deal of meeting of minds around a couple of key issues. If you will permit me, let me briefly touch on the issue of abortion, since that issue was raised and Members were allowed to raise it.

I have always acknowledged that there are both justice and health issues in relation to abortion. That is why, before we got to Further Consideration Stage, I indicated that I would take a paper to the Executive to consider how we deal with the matter. My officials engaged with officials from the Health Department over the consultation paper that the Health Minister prepared. As the Chair said, the Health Minister wrote to me. Indeed, our messages crossed in the post. So, there will be continuing discussions between our two Departments with a view to taking proposals to the Executive. So we will see where that goes. What is needed, frankly, is a joined-up approach that recognises the justice and health aspects of dealing with the difficult and, indeed, traumatic issue of abortion.

On the specific —

Mr Givan: I appreciate the Minister giving way and the clarity that he is bringing on this point.

In taking this forward, will he take cognisance of the will of the House in the vote taken on the detail in the amendment that was brought forward by myself, Alban Maginness and others in the Assembly as the foundation upon which proposals to the Executive should be based?

Mr Ford: I am grateful for the Member's point. I will certainly take cognisance of what was said. I have to say that I opposed that amendment because of advice given to me by officials acting on the basis of the best evidence they had and of the legal knowledge available to the Department about the difficulties that would have arisen from that amendment. Although Lord Morrow is quite permitted to characterise me as being on the far left — though I suspect some of my Trotskyist friends might dispute that — or as anything else he wishes, I think that it is grossly unfair that officials doing their duty and giving the best advice they can give are characterised in a similar way.

Mr Wells: Will the Minister give way?

Mr Ford: Yes.

Mr Wells: I am interested in what the Member said. If, at a later stage, there is proper consultation on an amendment to a future justice Bill, and his officials state to him very clearly that it is properly worded and is, therefore, competent, will he prevent one of his Back-Benchers, Mrs Lo, from coming forward to sign a second petition of concern to block that if it has been done properly in his mind and that of his officials?

Mr Deputy Speaker: I ask the Minister, before he responds to the Member, to perhaps briefly respond to him and then come back to the Bill. I am trying to encourage Members and the Minister to deal with the decision in front of us today.

Mr Ford: Thank you, Mr Deputy Speaker. I was attempting to briefly deal with some of the points made during the debate.

First, I do wish that Mr Wells would learn to address my colleague as Ms Lo, not Mrs Lo.

Secondly, one of the great virtues of leading a liberal party is that one allows one's colleagues to have their rights of conscience. I do not direct my colleagues as to how to behave.

I will go — as I am sure you would wish me to, Mr Deputy Speaker — to the key issue that occupied much of the debate and resulted in disagreement across the Chamber: the biometric issue and the retention of DNA and fingerprints. I am somewhat concerned that representation has been made by some Members on the interpretation of the presumption of innocence question that is significantly beyond the position taken by the European Court of Human Rights in the Marper judgement. Let me deal with some of the points that have been raised by Mr McCartney, Mr Maginness and Mr McGlone.

1.15 pm

Although it is absolutely clear that, in the Marper judgement of 2008, the European Court of Human Rights criticised the indefinite retention of material from those who had been arrested but not convicted, it did not say that there should be no such retention of material. That appears to be the position that has been taken by nationalist colleagues. It is not that there should be no retention. In the Marper case, the court specifically highlighted that, in the way that the Scottish legislation operates, some retention of material for limited periods should be acceptable in certain circumstances.

For the benefit of the House, I will read paragraphs 109 and 110 of the Marper judgement, which state:

“the Scottish Parliament voted to allow retention of the DNA of unconvicted persons only in the case of... violent or sexual offences and even then, for three years only, with the possibility of an extension to keep the DNA sample and data for a further two years with the consent of a sheriff...”

This position is notably consistent with Committee of Ministers’ Recommendation R(92)1, which stresses the need for an approach which discriminates between different kinds of cases and for the application of strictly defined storage periods for data, even in more serious cases.”

Clearly, therefore, the court envisaged the retention of material from unconvicted persons in certain circumstances and did not see that as contrary to the presumption of innocence.

The judgement also made the point in paragraph 122 that:

“retention of the applicants’ private data cannot be equated with the voicing of suspicions.”

Although Mr McGlone quoted the view given to the Committee by Professor Michael O’Flaherty of the Human Rights Commission, it was also the case that, in the evidence presented the Human Rights Commission, there was no human rights argument to take a different approach from that which is set out in the Bill. That is based on the fact that research clearly indicates that those who have been arrested but not convicted have a significantly higher risk of being convicted of a future offence than otherwise similar individuals who have not been arrested and that the risk does not run down to the same level as the general population until between three and five years have elapsed. That is the basis on which Scottish law and the law that is proposed in this Bill operates. It is a reasonable retention period of three years that is extendable to five years on application to the courts. The direct equivalent of application to the sheriff, as cited in the Marper judgement, is proposed for individuals who have been arrested for, but not convicted of, serious violent and sexual offences.

This is not something to do with a default on an electricity account. Indeed, as I understand it, that is a civil wrong rather than a criminal issue — I think that we need to be careful with the examples that we use. This is about people who have been arrested for serious violence or sexual offences, and the House needs to take serious account of the clear evidence of the protection that is afforded by doing that.

Retention does not reflect on the innocence of an individual or the offence for which they were arrested but on the fact that they are, for the time being, part of a group that is at higher risk of future offending. That is the basis of the public protection that is included in this. If conviction is not the outcome, only in cases of serious offences will the material be retained and only for a limited time without extension by court approval. Retention involving cases where there has been an arrest but no charge will require independent consent. So, there is a clear distinction between those who have been convicted and those who have not. It is not correct to suggest anything else, and

those who have done so are not interpreting the legislation as it is.

The database does not convict people, and there is always a presumption of innocence. The database does, however, present the opportunity for an investigative lead that can be pursued by the police where appropriate. The Department has been advised by the PSNI that there are roughly 700 DNA matches in Northern Ireland every year. That is 700 investigation leads for serious offences for the police to pursue that they would not otherwise have had. Members need to take serious account of that if they are talking about protecting the public. It does not go against a presumption of innocence, but it does, potentially, provide an opportunity for things to be followed through.

Similarly, the Bill provides that young people who are convicted of a first minor offence will have their data retained for an individually tailored period of between five and 10 years because of the realities of juvenile offending. So let us be clear: this is not a blanket presumption against innocence; this is a way in which we can seek the best level of public protection, recognising individuals’ human rights but also ensuring that we make use of the opportunities that we have from the biometric retention framework.

Mr Givan: Will the Minister give way?

Mr Ford: Certainly.

Mr Givan: On this point, I agree with the Minister. Indeed, some would argue, and I am one of them, that we would be quite happy to have the indefinite retention of data of those arrested for the type of offences that the Minister outlined. In that respect, I argue that the Bill does not go far enough, but I have to take into account the European Court ruling on the matter. Given that the Minister provided the information that 700 leads came from DNA being retained, would those whose particular approach is to oppose this part of the legislation not be placing the public in grave danger should the Assembly follow the arguments outlined by some Members?

Mr Ford: It is always nice to be able to agree, at least temporarily, with the Chair of the Committee, who highlights the public protection arguments. I suspect that Mr Givan and I would disagree slightly: I happen to believe that the legislation gets the balance right and coincides with the European Court ruling; his position is, I believe, that it coincides with the European Court ruling but that he would wish the retention framework to be stricter. However, we can agree that what we have is in compliance with our legal obligations. There is no evidence from the Marper judgement to suggest that what is being proposed in this Bill, which I trust that the House will pass within a few minutes, is in any way at variance with that judgement.

Mr McCartney suggested that this might be merely buying time until the next case comes along. If I believed that that was the case, I would not be proposing this legislation. I believe that this legislation is right, that it is compliant with the Marper judgement and that it is unchallengeable. It will go through and continue to be the stated position because I would not have been interested in producing legislation merely to plug some hole for a while until a further case comes along. On the basis of the evidence that I have been shown, I believe that this is the correct judgement and that it creates a balanced Bill. I commend the Bill to

the House as one that should become law as soon after today as Royal Assent is granted.

Question put.

The Assembly divided:

Ayes 58; Noes 38.

AYES

Mr Agnew, Mr Allister, Mr Anderson, Mr Bell, Ms P Bradley, Ms Brown, Mr Buchanan, Mr Campbell, Mr Clarke, Mrs Cochrane, Mr Copeland, Mr Craig, Mr Cree, Mrs Dobson, Mr Dunne, Mr Elliott, Dr Farry, Mr Ford, Mrs Foster, Mr Frew, Mr Gardiner, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Hussey, Mr Irwin, Mr Kennedy, Mr Kinahan, Ms Lo, Mr Lunn, Mr Lyttle, Mr McCallister, Mr McCarthy, Mr McCausland, Mr McClarty, 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 G Robinson, Mr P Robinson, Mr Ross, Mr Spratt, Mr Storey, Mr Swann, Mr Weir, Mr Wells, Mr Wilson.

Tellers for the Ayes: Mr Lunn and Mr McCarthy.

NOES

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

Tellers for the Noes: Mr McCartney and Ms McCorley.

Question accordingly agreed to.

Resolved:

That the Criminal Justice Bill [NIA 10/11-15] do now pass.

Private Members' Business

Energy: Consumer Advice

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 to propose and a further 10 minutes to make a winding-up speech. All other Members who are called to speak will have five minutes.

Mr Flanagan: I beg to move

That this Assembly calls on the Minister of Enterprise, Trade and Investment, in conjunction with her Executive colleagues, to introduce a one-stop shop to provide free, independent and impartial advice to consumers and small businesses about their energy needs, to focus on saving consumers money and to encourage consumers to move away from fossil fuels and maximise energy efficiency.

Go raibh maith agat, a LeasCheann Comhairle. Tá mé sásta an rún seo a mholadh. I am hopeful that this will be one of the least contentious items that I will propose in the House, but I will wait and see how others react.

The soaring cost of energy, along with falling household incomes, presents great difficulties for many of our citizens, households and businesses. We have a complete over-reliance on fossil fuels for the creation of heat and electricity for our homes. In particular, the home heating oil industry is unregulated, and many people feel that there is an element of profiteering at some level in the supply chain. We have called on numerous occasions for that to be addressed. A Consumer Council report last week indicated that home heating oil prices had risen by around 60% over the past three years, so the issue of home heating oil is fairly pressing, with around 70% of homes being reliant on it. Of course, that figure is much higher in rural communities.

Aside from that, there are a considerable number of ways for consumers to save money on their overall energy costs. That can be done, but, even with saving that money, energy and electricity are still very expensive. Greater switching both between individual suppliers and between technologies needs to be facilitated. It needs to be made far easier for domestic and commercial consumers to compare the prices and services that alternative providers and alternative technologies offer, and switching should be made far easier.

We also need to make it far easier to facilitate the move to more sustainable and renewable forms of energy. There is a complete absence of information out there on the opportunities that exist in microgeneration and on the opportunities for farmers to make the best and most efficient use of their land to grow crops that can then be used to generate heat and power. That avenue has not really been explored to the extent that it should have been by the Departments that have responsibility for it. It needs to be done through a joined-up approach, where those setting energy policy work closely with the Department of Agriculture and Rural Development (DARD) to ensure that it is attractive for farmers to take such opportunities. Those crops can then be provided to local businesses or to local households so that homes can be heated. They can be put into district heating schemes to heat an entire housing

development or into combined heat and power plants to generate electricity and heat for public buildings or private houses.

That is really where we are at the moment. If we look at the significant power outages of the past few weeks, we will see that one of the main reasons for them is our over-reliance on electricity that is generated in power stations and then transmitted around the place using overhead power lines. Those lines are very susceptible to having snow fall on them, and that damages the power lines themselves and the pylons. There really needs to be a greater in-depth study of how more electricity can be produced closer to consumers and households that do not live beside electricity generation stations. My view is that that could be more reliable for households and businesses and could reduce overall electricity and energy costs for all our citizens.

We discuss the issue as, once again, we face very high levels of fuel poverty, which are still stuck at a percentage in the mid-40s. There is an element of the cost of energy that people have to pay that is outside the control of the Assembly and the Executive, but there is much more that can be done.

One of the easiest ways to reduce household energy bills is to reduce the energy consumed by that household. The right way to do that is not by allowing prices to continue to rise so that people cannot afford to heat their home. The right and sensible way is to enable households to take proactive measures to improve the energy efficiency of their home so that they do not have to consume as much energy to provide adequate heating. One of the ways to do that is through a scheme such as the green new deal, whereby finance was provided up front to households to allow them to get a wide range of retrofitted measures such as double glazing, wall and attic insulation and more efficient boilers. All those measures could be provided through one scheme that would be managed centrally so that people could phone in and see what is on offer.

Instead, at the moment, we have a boiler replacement scheme that has been fairly unsuccessful. It is quite hard for people who are fuel-poor or live in a poor household to avail themselves of that scheme. The numbers who have signed up for the scheme are fairly low, and, although there is considerable demand for it, only around 5% of those who make an enquiry can or do get it. The terms of the boiler replacement scheme need to be reviewed to ensure that it takes in those who are in greatest need. The fact that people have to pay £1,000 up front to avail themselves of the scheme is quite a disincentive for some people. The lack of some form of loan to get that £1,000, which could be paid back through reduced energy consumption, is part of the problem of the disjointed approach that we have to energy advice.

There is also a gap in the advice that is provided to our small businesses, many of which consume considerable amounts of energy. One of the first things that we will be told by energy companies, economists and others is that, if people switch to gas, they will save a considerable amount of money. The Consumer Council published a report that indicated that people could save £1,000 a year on household heating bills by moving from oil to gas, but that was a flawed report based on some poor figures. It was based on gas consumption across the whole of the North, even though some households used gas only to cook, and

it included one-bedroom apartments, which is not typical of the situation faced in rural communities. The figure is actually much lower; it is around 25% to 35% according to the gas companies themselves. That is still a considerable saving, but it is difficult for a fuel-poor household to make that saving by moving from oil to gas and to come up with the £2,500 that it will cost. Much more needs to be done to see where people can get advice and what incentives there are to help fund those installation costs.

There is also a greater need for more technical services for households and small and medium enterprises that cover the type of heating system that they use, the type of boiler that they have installed in their house, the form of fuel that they use and whether it is in their best interests to make the move away from fossil fuels and towards renewables. There is a need for such a service to be genuinely impartial. It cannot be taken forward by one of the energy companies or by someone who has a vested interest in promoting one form of energy or one supplier over another; it needs to be taken forward by government to ensure impartial credibility and a service that is in the best interests of the clients, not the energy or electricity companies.

1.45 pm

If this were done and done right, it would generate better results based on current levels of government expenditure. There are some advice services out there at the minute for energy efficiency schemes and renewables, but they are disjointed. It is not all done in one place. We need one simple freephone number, office or website through which people can avail themselves of this information. It should have all the information. At the minute, you have advice on NISEP schemes, the energy supplier obligation that is being brought in and the warm homes scheme. All of those have different phone numbers, and it is difficult for people to realise what is out there for them. That needs to be simplified.

I welcome the progress that has been made on energy advice to date. Considerable work has been done in this regard. In one evidence session, the Committee for Enterprise, Trade and Investment heard from energy officials in DETI that work is being done to establish a one-stop shop for energy advice. I welcome that progress, but I would like to ensure that it encompasses all the things that I have raised today. There are still significant gaps in the provision of advice, and it would be a sensible use of government funds to do this. It was one of the key aspects of my party's response to the consultation process that was undertaken by the Department of Enterprise, Trade and Investment on the recent Energy Bill. I welcome the work that the Minister has done on that and look forward to hearing the comments of other Members on the matter.

Mr Newton: I suppose that one-stop shop energy advice is some sort of laudable objective, and it is sometimes difficult to argue against that kind of approach. However, the supporters of the motion have asked for the introduction of a one-stop shop to provide free, independent and impartial advice to consumers and, in particular, small businesses. That suggests that they do not believe that that advice is already being offered. There is a history of one-stop shops in various fields. Indeed, Sinn Féin has a history of arguing for one-stop shops in other areas. Generally speaking, however, when

that type of approach is used, the information provided, whether across the counter or on the internet, can be very general. There can be a lack of specialist and professional knowledge and detail with that kind of general approach. Indeed, there is generally no delivery with a one-stop approach; it is advice only. There can be a veneer that a one-stop shop will be the panacea that will address all the communication issues. Of course, cost-effectiveness and whether or not a one-stop shop would provide value for money also has to be taken into account.

In terms of what it would offer businesses, there is no doubt that SMEs may be the critical recipients of such advice. They require an energy infrastructure; that is vital to support the growth of SMEs. SMEs are the powerhouse of the Northern Ireland economy. Developing, delivering and sustaining that powerhouse really requires an infrastructure that offers them more than general advice. When those businesses have spoken on the matter, they have indicated that the areas that are of concern to them are around the introduction of a carbon floor price and that it is not passed on to consumers; ensuring that there are the same safeguards for microbusinesses as already exist for consumers in the domestic market; and abolishing rollover contracts and ensuring that microbusinesses are treated in the same way as domestic customers with regard to energy contracts. They have other issues, but they are not calling for a one-stop shop approach.

The other source of advice is the Carbon Trust, and I pay tribute to the Minister for the work that she has done in this area. Reducing Northern Ireland's carbon footprint is an objective of government, and the Minister has taken some steps forward in that respect. However, the Carbon Trust is also a player in the field, and its mission is to accelerate the move to a sustainable, low-carbon economy.

We will all be concerned about consumers and what we want for them. The proposer knows that the Consumer Council has addressed this issue as a priority in its strategy. It should be our concern to see that the Consumer Council offers all the direct and professional advice to the consumer that is possible and that it is in the consumer area, representing the voice of the consumer. Perhaps we are in danger of creating some confusion if we move from organisations that support businesses and organisations that support the professional area, as the Carbon Trust does, and address the Consumer Council, maybe taking away from the work that the Consumer Council does.

It is a laudable objective. I will certainly need to see greater detail before I will be convinced that this is the way forward.

Mr McGlone: Go raibh maith agat, a LeasCheann Comhairle. I welcome the motion and the opportunity that it has provided for debate on this important issue. We have a responsibility to help consumers and businesses reduce their energy costs, as we hear day and daily; maximise the energy efficiency of homes and business premises; and reduce the reliance on fossil fuels. I support the motion as way of encouraging the Minister and her Executive colleagues to bring forward their plans for the provision of independent and impartial advice.

It is clear that there is widespread support for the provision of independent and impartial advice to consumers and small businesses about their energy needs. There may, however, be some disagreement about how that provision

should be funded and delivered. Indeed, we have heard some of that today already. Obligated companies involved in energy-saving schemes should, at the very least, be obliged to co-operate fully with the preparation and delivery of an independent and impartial advice service. If they are also to contribute to the funding of advice, that should be through allocations to a central pot for the use of the advice agency.

It is worth mentioning, however, the excellent work done by the Bryson Charitable Group through Bryson Energy to provide independent advice to consumers on energy efficiency and how to reduce their bills. In 2012, it handled over 34,000 telephone calls and referred 14,000 households to energy-saving grants.

We now have the opportunity to consider the best model to put in place rather than just tinker with the existing agencies. As such, there is a model in use on this island that the Executive should implement. The independent Environmental Protection Agency (EPA) in the South provides advice and support to households and businesses on ways in which they can participate in making Ireland a more sustainable country while saving themselves moneys through its Be Green, Green Home, Green Business and Greening Communities programmes. The agency's independence is, of course, a key part in delivering that advice.

The SDLP argued for a fully independent environmental protection agency in the North when the current agency was being established. Other parties obstructed the delivery of that. We argue for that independence again. That missed opportunity does not need to be missed again. An independent environmental protection agency could and should play an integral role in the delivery of impartial advice to consumers about their energy needs, focusing on reducing energy bills and encouraging consumers to move away from fossil fuels and maximise energy efficiency.

The SDLP has also long championed the green new deal as a key programme in improving our energy efficiency and boosting our economy. I am sure that people will argue that many of the measures from the green new deal are in place, but they are not. A key element that is absent from what DSD is delivering is door and window insulation. Other parties have obstructed the green new deal. A properly funded green new deal could help us build a sustainable economic recovery and help reduce energy costs and the consumption of fossil fuels. It remains the best way forward for the Assembly to address the real problems that our society faces. Given that, the SDLP supports the concept — I compliment Mr Flanagan for proposing it today — of a one-stop shop on energy advice as a good pointer and a good direction for a way forward.

Mrs Overend: This is a timely debate given the concern among many consumers, both individuals and businesses, about spiralling energy costs. We are all well aware in the House of the difficult economic conditions that consumers across Northern Ireland currently operate in. We need no further evidence than the latest labour force survey, which showed unemployment at its highest for 15 years and that the gap between Northern Ireland and the rest of the United Kingdom in economic performance in a range of areas continues to grow.

The number of people surviving on unemployment-related benefits also remains stubbornly high, and it is, therefore, more important than ever for the Executive to show flexibility and put in place measures to ensure that sufficient information is provided to allow consumers to make informed choices about their utilisation of energy. Energy prices and energy efficiency are topics that are raised with me in my constituency of Mid Ulster on an ongoing basis, and I welcome the opportunity that the debate affords to keep it on the agenda as we seek solutions.

The main part of the motion is the introduction of what is termed a "one-stop shop" to provide free, independent and impartial advice to consumers about their energy needs. From looking at the recent consultation on the policy proposals for the Department of Enterprise, Trade and Investment's Energy Bill, I can say that it is clear that it is felt necessary to offer sufficient advice. That was clear because 90% of respondents highlighted its importance, including organisations such as the Consumer Council and Bryson. The government response to the consultation, published in February this year, is significant as it concluded that DETI and DSD will work together to provide impartial advice across the range of energy efficiency and fuel poverty schemes. It also said that exploration should begin on a one-stop shop for energy advice. Therefore, the policy content of this motion from Sinn Féin, whilst useful in highlighting the issue on the Floor of the Chamber, is nothing new.

The Minister, in her response, will no doubt deal with how that exploration is going as well the potential funding package that could be put together to allow the work to go forward. Action is needed, and, if the service is to be set up, it needs to be done as soon as practicably possible. It must be remembered that we are already well into the current Budget period, and slippages are apparent in far too many projects in a number of Departments. I would welcome an update from the Minister on the timescale for improvements in energy advice. Individual consumers and small businesses are struggling in the present, and advice and support could help change that in the short term.

The motion also specifically mentions that a one-stop shop of this nature should focus on saving consumers money, and I wholeheartedly agree with that. Only last week, there was a Consumer Council announcement that the cost of home heating oil in Northern Ireland had risen by 60% in the past three years. We are also aware that in the region of 42% of households in Northern Ireland are in fuel poverty, that consumers in Northern Ireland pay some of the highest petrol and diesel prices in Europe and that our 30% largest companies pay more for electricity than the rest of Europe. Whilst, of course, many of the underlying factors behind this are out of the control of the Executive, locally made decisions can help ease the burden on families and businesses across the country.

Moving away from expensive and finite fossil fuels is also an essential element of the motion. The Department of Enterprise, Trade and Investment's document entitled 'Energy — A Strategic Framework for Northern Ireland' sets out that Northern Ireland will seek to achieve 40% of its electricity consumption from renewable sources by 2020. The 2011 to 2015 Programme for Government also commits the Northern Ireland Executive to encourage the achievement of 20% electricity consumption from renewable sources and 4% renewable heat by 2015. I

call on the Minister to outline specifically how increased consumer knowledge and awareness through the advice and support of a one-stop shop will help in achieving those renewable energy targets.

In conclusion, I believe that a one-stop shop would bring benefits to how we provide advice on energy matters. At the moment, good work is being carried out through Invest NI, the Bryson Energy hotline, Housing Executive programmes and various DSD initiatives, but they operate in a silo mentality, and it creates confusion for the consumer. I look forward to the Minister's contribution.

2.00 pm

Mr Lunn: We will also support the motion. However, the one-stop shop may not need to be a new service but rather one bolted onto an agency that forms part of existing provision. We do not need another layer of advice, given the number of organisations already in this area. Every Member who has spoken so far has mentioned different organisations. There is quite a lot of advice out there.

(Mr Speaker in the Chair)

There is no reasonable doubt that we are overdependent on fossil fuels, whether to heat our homes or to provide electricity. The balance of oil fuel power in Northern Ireland is completely at variance from that which exists elsewhere in the UK. The motion, apart from its main demand for the Minister to introduce an independent and impartial advice service, encourages consumers to move away from fossil fuels. I heard Mr Flanagan's comment about profiteering in the oil industry. We debated this last year, and price differentials were identified, but I do not believe that I heard any firm evidence of profiteering. It is a fairly straightforward market.

Mr Flanagan: I thank the Member for giving way. To clarify, when I spoke about profiteering, I was not generally talking about the distributors that we have here who are also facing soaring costs through the increasing price of fuel. I was talking about what happens before it reaches our shores or immediately upon reaching our shores before it is cut down to smaller quantities. That is where the major problem lies.

Mr Lunn: Fair enough, but there are so many variables in that. It is all priced in dollars and all the rest of it.

From what I have heard so far, the proposed one-stop shop sounds like an extended Consumer Council coupled with input from other organisations, including those in the third sector. We encourage the proposers and the Minister to work through existing providers rather than starting something from scratch.

We need to be clear that UK-wide advice is not appropriate to Northern Ireland as we have always been quite different in this sector. The majority of households here still use oil to heat their homes. In Great Britain, this is below 5%, as the vast majority use gas. Advice on grants is also different and unique to Northern Ireland. The priority here is on identifying and targeting low-income households with measures funded through the Northern Ireland sustainable energy programme and the warm homes scheme and on much smaller incentives for heating conversions and insulation, such as boiler replacement or insulation cashbacks.

As the market in Northern Ireland is opened to new suppliers, the focus on supporting low-income, fuel-poor households has continued as an obviously high priority here. The amount of information available and the ease of access continues to improve through the internet, social media, and so on, but this may or may not be relevant to Northern Ireland-specific needs. Then, we have the sheer myriad information that needs to be negotiated. Therefore, there is a growing need — not a declining one — for more formal technical independent and impartial advice so that householders and businesses can make informed decisions independent of the product information that they receive from suppliers or installers.

We think that a service that offers two tiers of support — that is, a first line information and advice service complemented by a much more technical hand-holding service for those requiring additional support — is necessary. This is particularly so for those considering a major investment such as insulation or microgeneration technology. Of course, we did have the Northern Ireland advice centre, managed and operated by Bryson Energy, which Mr McGlone referred to. That was the EU regional agency for advising in the region of 40,000 to 60,000 households annually here. It operated in partnership with the Energy Saving Trust and the Housing Executive for two decades, and in 2010-11 alone, it advised close to 40,000 households. I am told that this advice resulted in 41 million kilowatt hours of energy saved, a £3.6 million saving on domestic electricity bills and a reduction of close to 700,000 tons of CO₂.

We will support the motion as it stands. We hope that it will be a case of building on what is already there. In the current challenging economic climate, with rising fuel poverty and soaring energy costs, it is imperative that households can access and receive impartial local energy advice in an easily accessible way. I look forward to hearing what the Minister has to say.

Mr Moutray: I thank the Members who tabled the motion for bringing the matter to the Floor. It is apt that we are speaking about energy issues today, given that we have just emerged from suffering some extreme weather conditions in various parts of our country. My constituency escaped the worst of the weather, but I am mindful that many have suffered great loss. Without doubt, the cold spell of weather, in a month when we should really be looking for warmer weather, causes further strain on households and small businesses striving to heat premises. For some of the most vulnerable in our society, particularly our elderly population, it is at present a struggle to cope with price increases and the need to keep healthy by staying warm.

That said, I thank, in the first instance, Minister Foster and Minister McCausland for their concerted efforts in bringing forward initiatives to assist businesses and householders. I certainly do not want to go into every initiative today, but it would be remiss of me not to mention some of the most successful. The warm homes scheme, for example, has seen thousands of homeowners and tenants obtain cavity wall insulation, central heating or gas implementation and loft insulation, among other energy-saving tips. The boiler replacement scheme has been and continues to be popular, giving people who have an old, inefficient boiler an opportunity to obtain money towards a new one. Both those initiatives are very practical, and many

people in my constituency have availed themselves of them. However, we are mindful of the need to continue to push those schemes through the media and personal contacts, because many people still do not know that such assistance is available if they meet the qualifying criteria. I note that the Northern Ireland Housing Executive, under guidance from the Department, has played a role, along with Bryson Energy, in providing energy efficiency advice to householders in Northern Ireland. Again, that is a practical way to learn how to become more vigilant in your own home, conserve energy and ensure that energy bills are kept to a minimum.

Looking at the business side of things, I see again that the Minister has been particularly active in her efforts to aid small businesses in that regard, with Invest NI giving advice to businesses on how to achieve cost savings in the consumption of water, energy and raw materials. Invest NI is now able to provide tailored advice on trying to reduce such costs and interest-free energy efficiency loans for businesses, delivered by the Carbon Trust, which offers between £3,000 and £400,000 over four years to help Northern Ireland businesses to install energy-saving equipment. In addition, the House will be aware of the Minister's effort and drive, with the help of the Utility Regulator, in encouraging more energy providers to come into Northern Ireland so that there is more competitiveness and, therefore, cheaper prices for consumers. The Energy Wise campaign was hugely successful and aided businesses and householders through providing advice and signposting people to the relevant grants available and practical advice. Indeed, I encourage anyone to look at that website and take on board and implement some of the suggestions and ideas for saving money and energy.

With the worsening weather, the increasing cost of fossil fuels, high unemployment and lower incomes, there has never been a more difficult time for consumers and small businesses in coping with price increases. However, I commend the efforts that have been taken by this Government. This debate will evoke more ideas and suggestions for dealing with such. On the back of the debate, there may be some merit in the Minister looking for a way to gel all the initiatives and schemes together so that when a homeowner or business makes contact regarding energy costs, they will get sound advice about the best people or organisations to speak to. However, it is vital that it is not just another layer of bureaucracy or another helpline telephone number for people to ring. Certainly, we as a government do not need to waste further money on setting up another talking shop when that money could go towards tangible initiatives that will help the consumer. Ultimately, more work is needed on the notion of a one-stop shop, and I believe that today has provided a good opportunity to take a holistic view of the situation, with the next stage being further investigation by the Minister and her Department.

Mr Frew: I welcome the debate. Even though we have debated this subject so many times in the Chamber, it is a very important issue with which we as politicians and the community out there must grapple. We have only to look at our constituency offices to see the impact that fuel poverty has on our communities, households and families. We should talk about it and make a difference where we can.

Getting back to the motion, "one-stop shop" is a great phrase. If we could apply it to all things in life, everything

would be rosy, fine and dandy. Problems would be solved so quickly. The phrase "one-stop shop" runs off the tongue very easily. However, we have to deal in reality, particularly when constituents come into my office asking me for assistance. We also have to deal with the reality of asking what percentage of constituents' pay goes on energy. That is the cold, hard reality.

The question must be posed: what can government do? What can the Executive do best to resolve the problem of fuel poverty? It will take millions upon millions of pounds to resolve it. It will take all the sectors and all the individuals and stakeholders in those sectors to push and pull together to help. Frankly, a one-stop shop will not be the be-all and end-all of the issue; it is much deeper and much more of a problem than that.

Mr Flanagan: I thank the Member for giving way. He said that people come into his constituency office looking for support and advice. That is not good enough. Mr Newton said that there is no point in setting up a one-stop shop because the advice that would be given could be only general. Are you telling me that the advice that you can give in your constituency office is better than that that trained professional staff could give over a government-approved helpline?

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

Mr Frew: Thank you very much.

I thank the Member for his contribution. The point is that we should be asking where people go to get reliable advice that they can trust and that you can see does not represent a body here or a body there. If we look at the groups from which we can get advice, we will see that there are the government groups, including the DSDs of this world, the Housing Executive and Advice NI. There is also Citizens Advice, the Northern Ireland Energy Agency, National Energy Action, Bryson House and Age Sector Platform. All those groups and many more provide advice on this issue. I am not saying that it is bad advice; in fact, in most cases, it is all good advice. However, there is so much out there already that I do not know whether government should centre all the focus, and a lot of resources and time, on creating something that would only be a duplication. As a Government and an Executive, we should target things that get to the root of the problem. It is OK giving advice when things are hard and bad, but let us try to resolve the issues in the first place so that people do not have to come into our offices asking for advice.

What about incentivising renewable energy? What about delivering gas to the west so that people have a choice? What about a North/South interconnector to make sure that we have a grid that is fit for purpose and that will lead to cheaper electricity prices? That is what the businesses that come into my constituency office and those that I go to visit ask for. They tell me that they need cheaper energy prices because high energy prices hurt them the most. Government should set their face to target the root causes, help with choice and incentivise other options for people so that they have that choice.

One of the reasons why fuel poverty has hit us in Northern Ireland so hard is the reliance on oil. There is no doubt that the price of heating oil is a disproportionate driver of Northern Ireland's fuel poverty. I could be wrong, but I think that 70% of our households rely on oil. If they

had a choice, it would go some way towards helping the situation.

2.15 pm

There are other practical things that we can do. I do not think that we should always ask the Executive for help with all the ills in society when they should be focusing on something else. Recently, constituents in the community that I represent got together, along with colleagues of the Member opposite on Ballymena Borough Council, to organise the Glenravel Oil Club, and I have had some input into that. They set up a community base and people can apply to join the group, which means that they can buy oil in bulk. It seems to be a very good and worthwhile idea, which leads to cheaper oil prices.

Mr Speaker: The Member's time is almost gone.

Mr Frew: The oil companies have a better opportunity to deliver once only, instead of having to make three or four trips. Those are things that we can do in our community to assist those who are in fuel poverty.

Mr Dunne: I, too, welcome the opportunity to speak on the motion. It is a very important issue right across Northern Ireland. We all recognise that the ever-increasing cost of energy has left Northern Ireland an extremely expensive place for householders to heat their homes. It has been said that 70% of householders are dependent on oil to heat their homes. As we have been told, there has been a 60% increase in the cost of that form of heating over the past three years, which is very concerning indeed.

Consumers are struggling to heat their homes and often have to rely on ordering smaller quantities of oil from suppliers. Tankers are delivering small quantities of 200 and 300 litres a time at excessive prices. Housing Executive tenants who have oil-fired heating systems cannot afford to buy oil at today's price of around £550 for 900 litres. Therefore, many are slipping into fuel poverty and spending well in excess of 10% of their income just to heat their homes. I believe that DSD, through the Housing Executive, could do more to convert oil heating systems to gas, particularly where the gas network is already in place. That is especially important in the greater Belfast area.

The uptake of gas generally is as low as 25% in some areas of the Province, and, in others, it is up to 50% within the current network. That is important, and it could be significant for many householders, because savings of up to 35% could be made compared with the cost of oil.

Energy efficiency is, of course, an ever-increasing priority for businesses in Northern Ireland. It has become the second-biggest overhead next to human resources. It is important that we support businesses to become as efficient as possible as they look at alternative sources of energy, with the introduction of energy-management strategies in their organisations. Support from Invest NI, with interest-free loans to buy energy-saving equipment, is essential.

There is evidence that getting energy advice in Northern Ireland can be confusing because a number of agencies are involved. Bryson Energy is heavily involved in giving advice in the greater Belfast area and plays a key role through the warm homes scheme. The Energy Saving Trust and the Consumer Council also have key roles to play in providing energy advice for householders and small

businesses, along with Invest NI, which seeks to give advice to large manufacturing and processing units in our Province.

Renewable energy also has a key role to play as an alternative source, and its uptake must be encouraged as we continue to progress and develop. Not only is a strong, sustainable energy sector vital to the economy, job creation and security of supply, but it is in the best interests of consumers. Supporting further growth in the sustainable energy sector will mean that Northern Ireland is less reliant on the importation of fossil fuels, and thus much less exposed to volatile international prices.

I believe that there is room for improvement, ensuring that householders have clarity when seeking energy advice. We need a simple, straightforward system in place with a strong customer focus. We can learn lessons from Scotland, which has introduced a one-stop shop on energy advice.

Much positive work has already been done through the Executive in tackling fuel poverty and improving energy efficiency for householders as well as businesses, through the work of the Enterprise, Trade and Investment Minister, Arlene Foster, and the Social Development Minister, Nelson McCausland. The Executive are committed to the strategic energy framework. Its aim is for a more sustainable energy system with greater efficiency and greater use of renewable resources.

Mr Agnew: As we know well enough in this House, energy costs are a key issue for householders and businesses alike, and we have had a number of debates in the past on the issue of fuel poverty. I support the motion. There has been a lot of focus on the one-stop shop for advice, but the free, independent, impartial advice is a significant element of the proposal, especially when we look at the recent findings of Ofgem in respect of mis-selling by SSE. We need to ensure that consumers have an advice service that is independent and impartial and that they trust. It has been pointed out that there are a number of different advice-givers, but the information often comes from the same places. We need an organisation with that expertise, and I am not saying that there are not organisations out there with expertise, but we need one place for the different advice-givers to source their information and to ensure that accurate advice is being given to consumers.

I agree with Mr Newton and others who said that a one-stop shop is not, in itself, a panacea to our energy issues. We need a one-stop shop combined with a one-track policy. Sometimes different signals come from government in Northern Ireland as to what road we should go down in terms of energy, and we have seen that with the tensions that exist between the policy to promote gas and the policy to drive forward with renewables and other sustainable forms of energy. On that point, in a previous debate, the Minister informed me that the Department of Energy and Climate Change (DECC) included gas and sustainable energy. I have yet to find evidence of that, and I would be happy if the Minister could furnish me with information on where DECC defines that, but I have searched and there does not seem to be anything publicly available.

In Northern Ireland, as well as a twin-track approach on energy, we have a piecemeal approach on energy efficiency. We have the warm homes scheme, which is an excellent scheme, but we need to build on it and look

at how we go beyond simply tackling energy efficiency in social housing, because a lot of our private housing is made up of families on low incomes as well. We have the NISEP scheme, but it is separate, and people do not know so much about it. I do not know whether it is so well known about among private householders, and now we have the boiler replacement scheme, which, as has been mentioned, has had mixed success.

Energy efficiency is key, and we had the opportunity in the green new deal to take a more strategic look. If we look at our housing infrastructure, it is just that — infrastructure — and rather than being seen as a private issue for householders, it is actually a government issue. In Northern Ireland, more people die from winter-related diseases per capita than in somewhere like Finland where they have much lower temperatures, but they have much better housing stock because they have seen the energy efficiency of homes as an infrastructure issue rather than a private issue.

Mr Frew mentioned that millions of pounds would need to be spent, and he is absolutely right, but do we see this as a key priority or not? Do we see fuel poverty and energy efficiency as a key priority for this Government? If we do, we need to spend those millions. We need a strategic government public spending programme to deliver on that key infrastructure project.

When we talk about infrastructure, we talk about roads, schools and hospitals — in a lot of cases, rightly so. However, we do not think of our housing stock as public infrastructure, and that needs to change. We have an opportunity to change direction. We had the Prime Minister make a deferral, if not a decision, on the devolution of corporation tax. Clearly, behind the scenes, knowing that it would cost us at least £200 million a year to reduce corporation tax, maybe we need to think again about how to invest the money, which would be lost in tax receipts, in public infrastructure programmes such as the green new deal —

Mr Speaker: The Member's time is almost gone.

Mr Agnew: — and deliver something with tangible benefits that will tackle issues of fuel poverty, energy efficiency and sustainability.

Mr Speaker: As Question Time begins at 2.30 pm, I suggest that the House takes its ease until then. After Question Time, I have given leave for a Matter of the Day on the death of Baroness Thatcher. This debate will continue after that item has been concluded.

The debate stood suspended.

2.30 pm

Oral Answers to Questions

Office of the First Minister and deputy First Minister

Minority Ethnic Development Fund

1. **Mr D McIlveen** asked the First Minister and deputy First Minister for an update on the processing of applications for tiers 2 and 3 of the minority ethnic development fund. (AQO 3701/11-15)

Mr M McGuinness (The deputy First Minister): Mr Speaker, with your permission, I will ask junior Minister McCann to answer the question.

Ms J McCann (Junior Minister, Office of the First Minister and deputy First Minister): We are pleased to say that, even in this time of austerity, the budget for the minority ethnic development fund for the next two years remains at £1.1 million per annum. The fund plays a significant role in supporting minority ethnic communities and in fostering integration. In line with the review of the fund, it is now more flexible and focused on the needs of groups applying and those from the ethnic minority communities.

Funding under tiers 2 and 3 is for two years. That extended funding has been welcomed by the sector. There were 49 applications under tier 2 for funding of up to £45,000 per annum and, under tier 3, for funding for up to £75,000 per annum. A selection panel comprising individuals drawn from the Office of the First Minister and deputy First Minister (OFMDFM), the Community Relations Council, the PSNI, the Department for Social Development, the Equality Commission and Newry and Mourne District Council, with the knowledge of the sector and funding process, met on 26 March to consider those applications, as well as applications for funding under tier 1.

In line with our commitment made in the response to an Assembly question for written answer from Ms Anna Lo on 20 February, all applicants to tiers 2 and 3 were informed by 29 March of the outcome of the selection process. Letters of offer are being prepared. The quality of applications was very high. Unfortunately, not all applications could be funded. Tier 1 applications for funding for up to £15,000 are welcome up until December 2014. That will allow groups to apply for funds in a more timely fashion for projects that will enhance race relations.

Mr D McIlveen: I thank the Minister for her answer. Can the Minister give some indication about how the fund is being advertised? Does she feel that it is being advertised effectively enough? Are there any plans to ensure that there is greater coverage or a greater degree of advertising to encourage groups to come forward?

Ms J McCann: I am very conscious that a lot of consultation has gone on with various groups that are representative of the minority ethnic communities. I know that you chair the all-party group on ethnic minorities. There have been advertisements in the local papers, so I think that it is out there. A lot of people know about

it already, will avail themselves of it and have put in applications.

Ms McGahan: Go raibh maith agat. Will there be a provision for crisis funding in the minority ethnic development fund?

Ms J McCann: I thank the Member for her question. The Member will know that, sometimes, there is very great need for crisis funding for people in the minority ethnic communities. In line with the recommendations from an evaluation of the fund that is ongoing, we have agreed, in principle, that there should be a crisis fund element to it. That will be in addition to the £1.1 million budget for 2013-14. The size of the crisis fund element, which could, potentially, be up to £200,000 per annum, is to be decided, and the spend will depend on the scale of the calls and the need for it.

A crisis fund element will give the minority ethnic development fund a greater degree of flexibility and allow it to deal with emergency situations, through small one-off payments, for example. Those moneys are a vital and welcome tool in helping those who are at their lowest ebb. We will continue to encourage Executive colleagues to act with greater cohesion and awareness of the difficult position that some migrant workers, for instance, find themselves in. That will include processing eligible claims for benefits in a timely manner, recognising the eligibility of foreign nationals for services and ensuring that the Department for Employment and Learning's migrant workers strategy, as agreed by the Executive, is implemented. The crisis fund will also allow statutory authorities to work with their colleagues in the voluntary and community sectors to intervene in a co-ordinated way, within a time line, that will help those who are most vulnerable at a very critical moment of their lives.

Ms Lo: In the past year and a half, the administration of the fund has been disgraceful. Each time, the funding is applied for and granted on a six-monthly basis. Today is 8 April 2013. The funding for those organisations ended on 31 March 2013. They still do not know how much money they will get.

Mr Speaker: I encourage the Member to come to her question.

Ms Lo: Given that the funding should have started on 1 April, when will organisations that have been granted funding know how much they will get and when they will get the money?

Ms J McCann: All that I can say to the Member is that we have discussed the matter. We have received strong representations, like that which she has just made. We will endeavour to deal with the matter as soon as possible.

Mr Eastwood: Further to Ms Lo's question: NICEM told us in Committee that groups have had to close due to delays in processing that funding. Can the junior Minister assure the House that that will no longer happen and that this is a new system, which will be more effective and will ensure that groups can stay on their feet and keep doing their good work?

Ms J McCann: I say to the Member what I said to Ms Lo; we will be taking this forward with urgency, and because those groups do essential work, we will certainly seek to ensure that they do not have to close. Sometimes, there

is particular need for crisis funding when people are in greatest need. We will take that on board.

FM/DFM: Americas Visit

2. **Mr McDevitt** asked the First Minister and deputy First Minister for an outline of their schedule and the costs of their recent official visits to the Americas. (AQO 3702/11-15)

11. **Ms McCorley** asked the First Minister and deputy First Minister for an update on their recent visit to Brazil and the USA. (AQO 3711/11-15)

Mr M McGuinness: With your permission, Mr Speaker, I will answer questions 2 and 11 together.

As part of our work to build relationships with the world's leading economies, the First Minister and I made our first official visit to Brazil last month. We then travelled on Executive business to Los Angeles and, finally, to Washington DC. Recently, Brazil became the world's sixth largest economy. While we were in Brazil, we undertook more than 12 separate meetings in three cities. We met the Brazilian Foreign Minister and deputy Trade Minister in Brasília. In São Paulo, we had a meeting with the owners of Marfrig, a company that employs more than 5,500 people at its plants at Moy Park and O'Kane Poultry. We used that meeting to underscore the importance of that investment and to encourage the company to expand its operation here. Through its operations here, Marfrig is the single largest employer in the North.

We also met and briefed the vice president and board of Federação das Indústrias do Estado de São Paulo (FIESP), the Brazilian industrial employers' body, to promote investment and trade opportunities. In Rio de Janeiro, our visit included meetings with the governor of the state and the city's mayor. We also visited a five-million-square-metre redevelopment project that has the potential to offer business opportunities for local companies. Along with the archbishop of Rio de Janeiro, I took part in a Tourism Ireland initiative at the statue of Christ the Redeemer, which was turned green to celebrate St Patrick's Day. That iconic event was part of a global Tourism Ireland initiative to attract more tourism to Ireland. The First Minister travelled to Los Angeles for a number of engagements.

Our visit to the USA had two key objectives. First, we were invited to the White House by President Obama to meet him to discuss progress here. Secondly, we accepted an invitation from Michael Lombardo, president of HBO programming, to meet him in Los Angeles at the premiere of the third series of 'Game of Thrones'. With regard to the HBO invitation, we wanted to take time to talk one to one with Michael Lombardo to help to persuade HBO to film the fourth series of 'Game of Thrones' here. The HBO relationship is vital to the local creative industry sector. The past three series of 'Game of Thrones' have brought an estimated £65 million into the local economy. When it is in full employment, some 800 people are working on the set. We are delighted that our invitation has paid dividends. Just last week, HBO announced that series 4 will be filmed here. Therefore, the time that we spent with Michael Lombardo and his senior team was worth it. We will continue to do all that we can to promote the creative industry sector.

Finally, we travelled to Washington DC, where we met President Obama in the White House. We brought him up to date on developments here. We spoke about the G8 summit. We explored opportunities to have the president do something specifically for us to promote the local economy. We also attended the Speaker of the House of Representatives' Friends of Ireland lunch with the president, the Taoiseach and leading congressional figures. Our last engagement was the Executive Bureau's annual St Patrick's Day breakfast, where we promoted the G8, the Derry/Londonderry City of Culture and the World Police and Fire Games. That event attracted an audience of 250 senior influencers from industry, politics and the Obama Administration.

Throughout our visit to Brazil and the USA, the Executive information service issued a series of press releases and photographs. Those releases demonstrated very clearly the range of meetings and events that we attended.

Final costs for the entire visit are being collated and will be published in due course.

Mr Speaker: Before I call Mr Conall McDevitt for a supplementary question, I remind the deputy First Minister of the time limit. I can understand, given the nature of some questions, that there are occasions when Ministers need more time.

Mr McDevitt: Thank you, Mr Speaker. In the deputy First Minister's defence, I did ask him.

I acknowledge the efforts that the First Minister and deputy First Minister and, indeed, all Executive Ministers make on our behalf to try to promote this region abroad. Given that Deputy Gerry Adams said in the Dáil only last month that confidence in Government is built on the transparency and accountability of that Government, and given that that is a commitment of the First Minister in the DUP manifesto, will the deputy First Minister, if he is not in a position as yet to provide me with the costs for the United States trip, provide me with the costs for the trip to China last year?

Mr M McGuinness: The reality is that it was decided that announcements about the cost of visits will be made on the website twice yearly, so that is where you will find, within a very short period in the not-too-distant future, the full costs of the trip to China and India last year and the costs of the trip to Brazil and the United States.

I think that it would have been much more productive if Members of the SDLP who commented on this had prefaced their remarks with the remarks that you made initially in praising my efforts and those of the First Minister in attracting foreign direct investment to the North. In spite of what 'The Irish News' says, prior to us successfully attracting the New York Stock Exchange, Chicago Mercantile and, indeed, many other businesses to the North, quite clearly, we have, against all the predictions and a world economic recession, been hugely successful in building personal relationships not just in the United States but now in Brazil.

It is very important to make a comment about some of the ridiculous headlines in the paper about the costs of the rooms that we stayed in. Those headlines bore no relationship whatsoever to the costs paid through discounted government rates for those rooms. We stayed in those hotels, of course, on the advice of Irish Government and British Government diplomatic services

who ensured our security while we were there. Quite simply, the First Minister and I would not know the safest hotel to stay in while in São Paulo or Rio de Janeiro, so we depend on advice from diplomatic services, and that advice and assistance was given to us. Some of the reporting was absolutely scandalous. There was a focus almost on what you ate for breakfast as opposed to the huge amount of work being done to try to attract foreign direct investment, much of which has been absolutely and totally successful thus far.

Ms McCorley: Go raibh maith agat, a Cheann Comhairle. Gabhaim buíochas leis an Aire as a fhreagraí go dtí seo. Will the Minister outline the particular benefits of the successful meeting with HBO in regard to 'Game of Thrones'?

Mr M McGuinness: 'The Irish News', through one of its business correspondents, remarked that a lot of these things would have happened anyway and that it was absolutely not down to the efforts of the First Minister and deputy First Minister or the Minister of Enterprise, Trade and Investment that these businesses came to the North of Ireland.

The reality is that we built up important relationships with senior executives at HBO. In fact, our first meeting with them was way back in March 2009, which, as many people here will remember, was a difficult time in the politics of this place. Of course, the relationship with HBO convinced it that it should come to the Paint Hall in Belfast and begin filming 'Game of Thrones', which has turned out to be a worldwide hit. Three series have been filmed on location in the North of Ireland, and a commitment has now been given to film a fourth series here. That would not have happened without the relationship-building efforts that we made to get to know senior executives and to outline what we had on offer.

The same goes for the New York Stock Exchange and the Chicago Mercantile Exchange. Those politicians in the House who lined up alongside some of the media on the outside by making cheap shots and by trying to undermine the efforts to attract foreign direct investment should be ashamed of themselves.

2.45 pm

Mr Nesbitt: I thank the Minister for his answers to date and for his vigorous defence. I am sure that he would agree that the majority of Members, perhaps even the entire House, would acknowledge the importance of political leaders leading trade delegations. I just wonder why you allowed the media to create the conditions in which they brought this unwanted and negative focus on you for alleged secrecy about some details of your trips.

Mr M McGuinness: It is interesting that McDevitt and Mr Nesbitt prefaced their remarks by saying that they support our efforts. It would have been great if that had been said when people spoke to the media. *[Interruption.]* It was not said when people spoke to the media. *[Interruption.]*

Mr Speaker: Order.

Mr M McGuinness: People tried to score cheap political points at the expense of what were very strenuous efforts in Brazil and the United States of America to attract further foreign direct investment.

In all the visits that we have participated in — for example, those to India and China — we have been accompanied by senior representatives of very important companies in the North. They have built up relationships with those countries and have seen their manufacturing exports to those countries increase. All the representatives of those companies who have spoken have said that having the First Minister and the deputy First Minister with them was a huge boost to their efforts to attract further business.

That is the work that we are engaged in, and I am not going to take any nonsense from anybody who is trying to score cheap political points and to undermine the work that is continuing to attract foreign direct investment and to provide jobs and further manufacturing opportunities for our companies.

Mr Weir: Will the deputy First Minister expand on the discussions that he and the First Minister had with President Obama on the forthcoming G8 conference?

Mr M McGuinness: Obviously, it is absolutely incredible that a small place such as this has an opportunity that is the envy of many western governments. Given President Obama's full attention to what has been happening on the island of Ireland and specifically with the peace process in the North, every year we get to spend almost a full day with him in the White House.

This is the fifth occasion that the First Minister and I have been in the White House with President Obama. His interest has not flagged. He is hugely interested in what has been happening here recently and in assisting us as we continue to move forward. That is absolutely consistent with previous Administrations.

Of course, as the G8 is in Fermanagh, and as the President is involved in that trip and that very important meeting, we explored the possibility that, outside that engagement, something could be done to assist our efforts to attract foreign direct investment. Our Administration and the US Administration are exploring that.

These are hugely important relationships, and they are far too important for people to take the opportunity to undermine the work that we have been involved in by trying to score cheap political points. We need to build on those relationships, whether they are with India, China, Brazil or the United States of America. The evidence has clearly shown that building such relationships bears fruit and allows us to capitalise on the opportunities that are out there for our businesses as they struggle against the backdrop of a very difficult world recession.

So, I am very hopeful that, during President Obama's visit to Fermanagh, we will see him involve himself in a further initiative outside that arrangement to assist our drive for further foreign direct investment.

Delivering Social Change: Literacy and Numeracy

3. **Mr Kinahan** asked the First Minister and deputy First Minister for an update on their work with the Department of Education on the signature programme to improve literacy and numeracy levels under the Delivering Social Change framework. (AQO 3703/11-15)

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

Ms J McCann: You will be aware that, on 10 October last year, the First Minister and deputy First Minister announced six significant signature programmes to the value of £26 million under the Delivering Social Change framework. This initial phase of programmes is designed to tackle multigenerational poverty and improve children's health and well-being and their educational and lifetime opportunities. Work on the implementation of all programmes is ongoing, and discussions between officials and lead Departments continue in order to ensure effective delivery at the earliest opportunity.

The Department of Education is taking forward the implementation of the Delivering Social Change literacy and numeracy signature programme, which will support improvements in literacy and numeracy attainment in our schools. Some 230 recently graduated teachers will be appointed to ensure additional support for children: 80 teachers in primary schools will assist in achieving the expected levels in reading and maths at Key Stage 2, and the programme will provide tuition by 150 teachers to pupils in post-primary schools not predicted to get at least a grade C in GCSE English and maths.

The Western Education and Library Board, which has been appointed as the lead board to help to deliver the programme, set up a strategic oversight group that has undertaken considerable work to develop the final scheme and ensure that it is practical and compatible with legal requirements.

The criteria for the identification of eligible teachers have been developed taking into account advice received from the Equality Commission. That advice is under discussion, with the aim to commence recruitment this month. The programme is on target to ensure that the additional teachers will be appointed prior to the beginning of the 2013-14 academic year.

Mr Kinahan: I very much welcome this initiative, but I feel that progress is very slow given that we are now six months into it. What is the Minister doing to ensure that we target not just pupils but families and communities so that we get to everyone who needs this help?

Ms J McCann: The Member will be aware that a further five signature programmes are being undertaken at the same time: direct family support; support for parents; pathways to employment for young people; accelerating social enterprise; and early intervention for vulnerable children, which involves putting nurture units into schools. So there is a package, but I totally agree that we have to look at this in the round when it comes to helping families, particularly those who are struggling to help to support children through their school years. We look at this is a holistic package, all of which should be taken forward at the same time.

Mr Rogers: Do all Departments involved in Delivering Social Change have their modules in place? At what stage will the modules be in operation and then assessed?

Ms J McCann: The early work of the Delivering Social Change programme board and ministerial subcommittees has focused, as I said earlier, on the identification of the needs of children and families to ensure that the most

urgent priorities affecting them are addressed first. In line with that, we have already agreed the 'Children and Young Persons Early Action Document', which identifies the key priorities.

As well as the development of early actions, the Executive decided that it was critical that all Departments came together to deliver the programmes, and even more immediate actions to address the priorities that we have already identified. So this is not just about the six signature projects being taken forward; it is about getting Departments to work together and to see that they must work in a collaborative and holistic way. We cannot single out each programme; we must, as I said to another Member, deliver a package of programmes to help those children, young people and, particularly, families.

Corporation Tax

4. **Mr Mitchel McLaughlin** asked the First Minister and deputy First Minister for an update on their discussions with the British Government on devolving corporation tax powers. (AQO 3704/11-15)

Mr M McGuinness: We met the British Prime Minister, David Cameron, on 26 March to discuss the devolution of corporation tax powers to the Executive. He said that he would take no decision until after the Scottish referendum in September 2014. Obviously, given that it was his Government that ran at this issue through Owen Paterson, we find that delay disappointing.

Mr Mitchel McLaughlin: Go raibh maith agat. I thank the Minister for his answer and share his frustration and anger at the British Government's response. Does the Minister agree that the decision taken by David Cameron bears no relationship to the nature of the problems in the local economy that the Executive are attempting to address and that are, in fact, dictated by Westminster's selfish concerns?

Mr M McGuinness: All of us have been very focused over the course of recent years — not just ourselves, but the business community as well — on the prospect of successfully negotiating the devolution of corporation tax powers to our Administration. We have to deal with the political realities that we face. We had a Secretary of State, Owen Paterson, who majored on the issue for quite some time and built up the hopes, not just of the business community, but of those in the political institutions. We have now seen that there will be no decision until after the Scottish referendum.

Of course, in the immediate aftermath of the appointment of Teresa Villiers as Secretary of State, in a meeting that the First Minister and I had with her and members of the Treasury in London, the first signals were clearly given that constitutional issues were going to impact on this decision, particularly in relation to the Scottish referendum. The situation is now quite clear: there will not be a decision. It was made clear to us during the course of the meeting that the Prime Minister wishes to put a package of measures together to assist. Our officials and his will meet over the next couple of weeks, and we await the outcome of those deliberations to see whether they will make any significant contribution towards helping us to challenge the very difficult state of our economy at the moment.

As to the issue of a decision in the aftermath of the Scottish referendum; we just have to wait and see. There

has been a lot of commentary in the media, and some of us have commented also, that the decision to put legislation before Westminster would be taken in the aftermath of the referendum. We will continue to argue for that, and our hope has to be that that will come to pass, but I think many people are sceptical as to whether such legislation would pass before the British House of Commons prior to the next Westminster election.

Mr Campbell: The deputy First Minister has indicated that the delay is as we all know it to be. Has he, along with the First Minister, given any thought to pressure that can be applied, between now and the summer, to the Prime Minister and the Cabinet to try to ensure that this issue becomes a top-of-agenda item?

Mr M McGuinness: Yes. The First Minister and I have had many important discussions, and we are totally at one in trying to achieve the devolution of corporation tax powers to our Administration. That would be absolutely vital for us. It is not a panacea for all our problems, but we believe, in foreign direct investment, that we could attract tens of thousands of new jobs. We will continue to work and apply pressure to the British Government to recognise that they need to stand by the commitments that they made.

In the course of the Downing Street meeting, I reminded David Cameron that we were effectively being hit with a triple whammy in relation to the failure of his Administration to stand by the commitment of the previous Government on a peace dividend, effectively cutting our capital budget by 40%; the delay in the devolution of corporation tax powers that means we do not have immediate assistance in getting that up and running, and we have to wait for the outcome of a Scottish referendum; and the whole issue of the welfare cuts that are under discussion both in London and here, which mean that we have a very difficult economic environment in the time ahead, with very large sums of money effectively being sucked out of our economy. We will continue to work and pressurise for a better deal from an Administration that, thus far, has not shown itself to be up for that.

3.00 pm

Justice

Mr Speaker: Question 3 has been withdrawn.

G8 Summit: Policing

1. **Mr Flanagan** asked the Minister of Justice for an update on discussions he has had with the PSNI in regard to the policing arrangements for the forthcoming G8 summit. (AQO 3715/11-15)

2. **Mr Hussey** asked the Minister of Justice to outline the discussions he has had with the PSNI with regard to facilitating effective policing of the G8 summit. (AQO 3716/11-15)

Mr Ford (The Minister of Justice): With permission, I will answer questions 1 and 2 together.

My officials and I are having regular discussions with the police regarding the planning for the G8 summit. Policing of the summit is an operational matter, but I know that planning is well advanced. There can be no doubt that this is a major task and that police are seized of its importance.

Planning for the G8, of course, is not just about policing. There is clearly an Executive interest in this being an occasion that showcases Fermanagh and, indeed, Northern Ireland as a whole. An Executive subgroup has, therefore, been meeting regularly to bring together the many strands that will make the G8 summit a success and maximise the opportunities it presents for Northern Ireland.

Mr Flanagan: Go raibh maith agat, a Cheann Comhairle, and I thank the Minister for his answer. Will he confirm whether representations were made to his Department last December by the Office of the Police Ombudsman about the lack of accountability for English police officers who may come here to assist our own officers with policing arrangements for the G8, and will he explain how that accountability vacuum will be resolved before the G8 takes place?

Mr Ford: I thank Mr Flanagan for that question. I cannot confirm the date on which the issues might have been raised, but the issue of oversight arrangements for police officers moving between Northern Ireland and Great Britain appeared before the G8 issue came under discussion and included, for example, questions around policing the Olympics. However, the Police Ombudsman, the PSNI, the Home Office and my Department are having ongoing discussions on exactly how to ensure the proper compliance with the oversight arrangements that we have under section 60 of the Police Act. Officials are working to ensure that that can be done. There is a slight complication in that, although Scotland has simplified matters, now having a single police force, and agreement in principle has been reached with the Scottish authorities, each of the 43 police and crime commissioners in England and Wales has to be consulted. However, I have no doubt that the matters will be in hand before the G8 summit takes place.

Mr Hussey: I thank the Minister for his response so far. Given the experience of previous years, does he believe that there is sufficient police cell capacity in Fermanagh to cope with the inevitable criminal activity from protesters who will travel to the G8 summit?

Mr Ford: Although I thank Mr Hussey for that question, I am not sure that I could agree that "inevitable" is the appropriate word to apply. Preparations based on predictability include arrangements to deal with issues such as cell accommodation and court service — I suspect not necessarily in County Fermanagh alone but in Northern Ireland as a whole — to ensure that, if there is any difficulty and crime is committed, the people arrested will be dealt with expeditiously.

Mr McCarthy: I thank the Minister for his responses so far. We all agree with him and hope that this will be an excellent opportunity to showcase the best of Northern Ireland. In addition to the policing plans, may we assume that the justice system as a whole will be prepared for any eventuality that may occur and that policing alone will not be at the forefront?

Mr Ford: Yes, I assure Mr McCarthy that it is not simply a matter of policing. Work is going ahead in the Prison Service and in the Courts and Tribunal Service and with the Youth Justice Agency to plan to deal with anything that may occur as a result of the G8. We will then have the opportunity to show that, if needed, our justice system

works well alongside what I hope will be a positive opportunity to showcase Northern Ireland.

Mr Allister: Welcome as the G8 is to Northern Ireland, will the Minister update the House on whether the target is still to second 3,000 officers from GB and how that is progressing? Also, what will be the likely ultimate outcome for the Northern Ireland Budget of hosting the G8?

Mr Ford: I notice that Mr Allister carefully gets in two questions. I cannot give him the exact number of police officers who have been sought under mutual aid, but it is in the region of 3,000. I understand that a number police services in GB have found that more people than required are willing to come to police the G8. So, there has been an element of local competition, which I think is a sign of positive arrangements.

The overall cost is currently under discussion, as is so much related to G8 planning. However, there are arrangements for the Home Office to pay a significant proportion of mutual aid costs. In some cases, police expenditure is being expedited to deal with G8 requirements and, in other cases, to meet individual special requirements. Those details have still to be worked out, but work is ongoing to ensure that it is not a charge to the Northern Ireland Budget when it should be a charge to the UK Budget.

Mr A Maginness: I note with interest what the Minister said about costs. Can he quantify the potential cost of security and give an outline of who will bear the cost? What proportion will be borne by the Home Office and what proportion may be borne by Northern Ireland?

Mr Ford: I congratulate Mr Maginness on an extremely good question. The answer is that it is not possible to give the detail that he requests. I know that very significant sums of money were expended when the G8 was last in the UK, at Gleneagles, and the current estimate is that it will cost somewhat less than that to stage the G8 in County Fermanagh. Clearly, there is work to be done between my Department, the police and the NIO to review the overall resource requirements. There is an issue about the overall cost, which falls to the Foreign and Commonwealth Office because it is an international event at that stage, and the costs of mutual aid, which fall in part to the Home Office as part of the process. So, although I am happy to provide figures when we have them, at this stage, I fear, it would be erroneous to suggest that I can give too much detail.

Mr Speaker: Question 2 has been answered. As I indicated, question 3 has been withdrawn.

Limavady Courthouse

4. **Mr G Robinson** asked the Minister of Justice for an update on the future of Limavady courthouse. (AQO 3718/11-15)

Mr Ford: Limavady courthouse is not scheduled to close until after the reform of court boundaries and the creation of a single jurisdiction for County Court and Magistrates' Court business. The reform of court boundaries is planned within the forthcoming faster, fairer justice Bill, which will be introduced in the Assembly later this year.

Mr G Robinson: Can the Minister give an estimated cost of maintaining the building after closure, taking into

consideration that it would be a viable asset if there was a security alert at the Londonderry courthouse?

Mr Ford: I am afraid that I cannot give the current estimate of what it will cost to maintain the building after closure. It will certainly be significantly less than the running costs of the building, and it will mitigate what would have been a very significant requirement for capital investment under the Disability Discrimination Act.

Mr Swann: Will the Minister outline why the 2009 PricewaterhouseCoopers (PwC) report on the strategic outline case for an estate management strategy for the then Northern Ireland Court Service was not made public at the time and what consideration, if any, the Minister gave to that report before he made the decision on Limavady?

Mr Ford: In answer to what happened in a report from 2009, a year before the devolution of justice powers, I refer the Member to the Ministers who were responsible for that report. What is now being looked at is an overarching Department of Justice estate strategy to ensure that the estate is fit for purpose and meets the needs of users, with decent accommodation meeting the needs of all of the services that are provided by the DOJ. It is my commitment to ensure that now, under devolution, we do what is right.

PSNI: Recruitment Agencies

5. **Mr McCartney** asked the Minister of Justice whether the director of human resources for the PSNI sitting on the internal audit committee of the PSNI conflicts with his role in negotiating and approving contracts to recruitment agencies that have rehired retired police officers for the PSNI. (AQO 3719/11-15)

Mr Ford: The director of human resources for the PSNI is not a member of the PSNI's audit and risk committee. Although he has a standing invitation to attend the committee in his capacity as an executive officer in the PSNI, he is currently not a member of that committee. Therefore, I do not consider there to be a conflict of interest. In the past, the director was a member of the PSNI's audit and risk committee, from its inaugural meeting in March 2004 until October 2012. What changed was that, in July 2012, the committee undertook a self-effectiveness review. In line with best practice guidance, the committee decided that its membership should consist only of non-executive members. As a result, the director of human resources' membership of the committee ceased on 26 October last year.

Mr McCartney: I thank the Minister for his answer. Does he agree that, during the period when the director was in both organisations, it was a conflict of interest? It should have been spotted at the time and corrected. It is a perfect example of the situation that we are trying to avoid, where someone is a gamekeeper during the day and a poacher by night.

Mr Ford: I am not sure that I agree with Mr McCartney's supplementary question about poachers and gamekeepers in that respect. It is not for me to judge whether there is a conflict of interest. It is for the board of the Police Rehabilitation and Retraining Trust (PRRT) and its members to consider whether there is a conflict of interest that would affect the performance of duties. There has been no suggestion of improper conduct or relationships

between anyone on the board and the police and any of the private sector companies that provide services to the PSNI.

Mr McDevitt: Does the Minister share my concern that there appears to be a consistent concern around the potential for conflicts of interest among a very small number of senior civilian staff in the Northern Ireland Police Service? Does he believe that the Police Service, as a whole, needs to be very attentive to the potential impact that such potential or perceived conflicts of interest can have on police confidence?

Mr Ford: I certainly agree with Mr McDevitt about the need for there not to be perceived conflicts of interest. That is why I believe that the action that was taken last year by the audit and risk committee under its own self-effectiveness review dealt with that issue. Clearly, however, these are issues that, when it comes to potential perceptions, can occur in different parts of the public sector at different times. What is important is that there is no reason why there should any concern about the behaviour of senior officers and that that should be as transparent as possible.

Mr Beggs: Former police officers will have gained particularly relevant experience when serving that can be advantageous to the PSNI and the public in bringing criminals to account. Is the Minister surprised that some elected representatives seem to be determined to try to restrict opportunities for those who have previous relevant experience yet, at the same time, want to open up opportunities for those who have been convicted of criminal offences?

Mr Speaker: Order. We are going well outside the question that is on the Order Paper. I will allow the Minister to answer if he wants to, but I am concerned that, generally, we are going outside the question.

Mr Ford: I will simply say that it is not for me to comment on whether I am surprised by much of what is said by Members of the House from different sides at different times. It is absolutely the case, however, that we must ensure that when employment law is applied it is upheld by all public agencies.

Mr Clarke: Following on from the previous question, which was about retired and rehired police officers, does the Minister accept, given that many of the parties, except my party, voted for the Good Friday Agreement and the Patten reforms, that the Patten reforms allowed for the rehiring of retired police officers?

Mr Ford: It is not so much a matter of the Patten reforms as highlighted by Mr Clarke but the simple issue that employment law allows people to be hired by private sector organisations.

Mr Speaker: Members know very well that their supplementary question must relate to the question that is on the Order Paper. There have been occasions when that has not been the case.

Newtownards Courthouse

6. **Mr Dunne** asked the Minister of Justice what plans are in place to make Newtownards courthouse fit for purpose following the planned closure of Bangor courthouse. (AQO 3720/11-15)

Mr Ford: Newtownards courthouse is currently fit for purpose and able to facilitate the transfer of court business from Bangor. An additional consultation room is being made available.

Mr Dunne: I thank the Minister for his answer, although I do not agree with it totally. I am very aware of the concerns, especially in the legal profession, about the existing lack of facilities at Newtownards courthouse. Therefore, does the Minister have any plans to invest capital expenditure at Newtownards to provide adequate facilities given the overload from Bangor?

Mr Ford: If Mr Dunne has particular points that he wishes to raise, I will happily listen to them. My understanding from the staff of the Courts and Tribunals Service is that Newtownards courthouse is fit for purpose, but, of course, as part of the wider DOJ estates strategy, which I referred to earlier, we will examine all our buildings.

Mr Agnew: I will be more specific. Concerns have been raised with me about disability access to Newtownards courthouse and spaces for privacy between solicitors and their clients. Will the Minister look at those issues?

Mr Ford: I take Mr Agnew's point about disability access. I do not have a specific answer, but I will look into that issue. I thought that I had addressed the issue of private consultations when I told Mr Dunne that we had provided an additional consultation room, although it is my understanding that it is relatively little used.

3.15 pm

Mr Kinahan: What resources is the Minister putting towards improving courthouses in the areas surrounding some of those being closed this year and next year to ensure a sufficient court service in those areas?

Mr Ford: The proposals for the closure of the four small hearing centres were all put through on the basis that adjacent courthouses had appropriate times and space available to accommodate the sittings that previously happened in the smaller centres. However, as I have said, there is the ongoing issue of the review of the DOJ estate, and all these issues will be taken into consideration.

Community Safety College, Desertcreat

7. **Mr Givan** asked the Minister of Justice for his assessment of the Desertcreat training college capital project. (AQO 3721/11-15)

Mr Ford: The Northern Ireland Community Safety College is important to both the DOJ and DHSSPS in that it will provide an efficient and fit-for-purpose training centre for the Police Service, the Prison Service and the Fire and Rescue Service.

The business case for the project estimated the capital costs at £139m, of which construction costs were forecast at £103m. That estimate was revised upwards by £30m in December 2012 following feedback from the bidders during the tender process. The project board has been seeking measures that will reduce costs without affecting the operational functionality of the college to ensure that the project remains affordable and provides value for money. A cost reduction of £14.5m has already been identified by the project team, and work is continuing.

DOJ and DHSSPS officials are working to expedite the development of a business case addendum. It will be submitted to the two Departments for support prior to submission to DFP for approval. The approach of carrying out a cost reduction exercise and revising the business case maintains the integrity of the procurement process, which was handled by the health estate's centre of procurement expertise.

Mr Givan: I thank the Minister for that response. Obviously, Members are concerned that the figures had to be revised, with a £30 million deficit having been found. Is the Minister confident that the project board has the capabilities to manage this project properly in light of the £30 million shortfall that has been identified? Secondly, is he confident that the process that the board has outlined to deal with the matter by trying to reduce the costs will not compromise the tendering process and then be subject to a judicial review, which could protract the project for a very long period?

Mr Ford: I thank Mr Givan for those supplementaries. I believe that the programme board has performed well and is not responsible for the cost overrun. The design team has admitted that mistakes were made on the part of cost consultants. The design team's lead has resigned and been replaced by a senior executive with significant global experience. The cost consultants have been replaced, and other changes to the senior management of the design team have been made. I believe that we have shown that work is being done to deal with those issues. However, it is clear that some additional funding is likely to be required.

On the wider point about how the issue is being managed, the cost reduction exercise is based on the premise of using rates that have already been set for parts of the work to reduce the cost where necessary. It is not a renegotiation; it is a matter of seeing whether elements can be taken out of the contract without affecting the viability of the college. That work is now under way, with a significant effort already achieved.

Mr Elliott: Given the £30 million overspend projection, is the Minister still confident that the project commands the support of the entire Executive?

Mr Ford: I can tell Mr Elliott that the entire Executive have not had the opportunity to look either at the current state of play or the situation that will be arrived at when the cost reduction exercise has been gone through. Clearly, at that stage, there may be issues that need to be referred to DFP. If they need to be referred to DFP, they will be referred to DFP, but, as far as I am concerned, it is a key commitment of the Department of Justice and part of the Programme for Government that the Desertcreat college should go ahead.

Prisons: Job Opportunities

8. **Miss M McIlveen** asked the Minister of Justice, given the number of positions in the Northern Ireland Prison Service which have been offered to and accepted by people previously employed in HM Prison Service in England, what discussions have taken place with his counterparts there to ensure that people from the Northern Ireland Prison Service have the same opportunities afforded to them by prisons in England. (AQO 3722/11-15)

Mr Ford: All appointments to the Northern Ireland Prison Service on either a temporary or permanent basis are made in accordance with the 'Northern Ireland Civil Service: Recruitment Policy and Procedures Manual'. The former members of the National Offender Management Service employed by NIPS were recruited following public advertisement. I am not aware of any restriction preventing NIPS employees applying for positions advertised in Great Britain, and no discussions have taken place with ministerial counterparts.

Miss M McIlveen: I thank the Minister for his response. Is there any evidence, anecdotal or otherwise, to suggest that the short-term contracts being offered for positions here are a disincentive to local applicants and suit those who may have taken early retirement from similar positions on the mainland? Does the Minister have any plans to look at any CPD or secondment options that might upskill our serving Northern Ireland prison officers?

Mr Ford: Miss McIlveen certainly raises an interesting question about the effect of the limited number of short-term secondment contracts. It may be that those are more attractive to people at a particular stage of employment than they are to others. However, certainly, all such posts are open completely, as are posts in Great Britain for people who wish to move from Northern Ireland. So, I think that the evidence, if there is any, is fairly unclear and that we are talking about a very small number of people. As I understand it, one employee of the Northern Ireland Prison Service is a former employee of the National Offender Management Service in England and Wales, and three members of staff will shortly be seconded from NOMS, two of whom will be on a short-term contract and the other on a permanent contract.

Mr Boylan: Go raibh maith agat, a Cheann Comhairle, agus gabhaim buíochas leis an Aire as ucht a fhreagra. I thank the Minister for his answers. Will he ensure that all the posts are based on the principles enshrined in equality legislation?

Mr Ford: That is certainly the case, and I assure Mr Boylan of that. All posts are filled by open advertisement in full compliance with all employment legislation, including equality legislation.

Criminal Justice: Inspire Women's Project

9. **Mr Lynch** asked the Minister of Justice how many women have been diverted from custody as a result of the Inspire model. (AQO 3723/11-15)

Mr Ford: Inspire aims to reduce offending among women through community-based interventions that address the complex needs and issues that contribute to their offending behaviour. I should explain that, through Inspire, probation, working with NIACRO and the Women's Support Network, supervises and supports women serving community sentences and women who are subject to supervision upon their release from custody.

The number of women serving community sentences under supervision through Inspire was 133 in 2010, 171 in 2011 and 188 in 2012. In addition, supervision and support were provided to 12 women in 2010, seven in 2011 and nine in 2012, upon their release from custody.

Inspire achieves very good outcomes and is highly regarded for its work, winning a Justice in the Community

award in 2011 and a Butler Trust commendation in 2012. That is why I am committed to rolling the Inspire model out across Northern Ireland as the norm for dealing with women offenders.

Mr Lynch: Go raibh maith agat, a Cheann Comhairle, agus gabhaim buíochas leis an Aire as an fhreagra sin. I thank the Minister for his answer. Have there been any incidents of offending by women after they have been involved in the programme?

Mr Ford: I fear that Mr Lynch has asked one of those impossible questions. The question of offending, as opposed to detecting offending, is even more difficult. I cannot give him any hard statistics on that. However, I can say that those who run the project — probation and its partners in the voluntary sector — are entirely convinced that it is beneficial and helps to meet what are frequently complex and difficult needs for women offenders and does so in a way that is gender-specific and extremely beneficial. Although I hesitate to suggest that there has been no further reoffending, the evidence is that it makes a very positive contribution to the life of women as they leave custody.

Mr McCarthy: Will the Minister tell us whether the Inspire model will also play a part in the development plans for the replacement women's prison that the Minister announced before Easter?

Mr Ford: In simple terms, the Inspire model will effectively be the basis on which much of the services for women will be provided. As Members know, one of the virtues of being a small jurisdiction is that we can think in slightly different ways. Although we have relatively few women in custody and perhaps an even smaller group that requires custody, the opportunities are there to combine custodial and community facilities for offenders in a way that gives a lead from the Inspire model. I hope, as I have reported in the estate strategy, that that will see us engaging in a further building programme to provide a small custodial facility alongside community facilities for women, potentially in the grounds of the Hydebank Wood estate.

PSNI: Personal Security Funding

10. **Mr Cree** asked the Minister of Justice for an update on negotiations with the Treasury on additional funding for security for members of the PSNI. (AQO 3724/11-15)

Mr Ford: My Department does not liaise directly with the Treasury. The Department of Justice is fully briefed on the PSNI's emerging financial estimates. My officials will continue to work closely with the Police Service and with DFP, which is responsible for liaising with the Treasury, to ensure that sufficient resources are made available for the Police Service to continue to carry out effective policing in the coming years.

Mr Cree: Will the Minister advise on the current security threat to PSNI officers?

Mr Ford: We are all aware that the current level of security threat is severe in Northern Ireland. We have seen recent examples where extremely good policing has stopped attacks being carried out and has disrupted and deterred them, and I have no doubt that that work will continue. That work is there in part because of the additional security funding that was provided for this CSR period, and

discussions will have to continue as we examine the needs for the future.

Mr McMullan: Has the Minister asked the British Treasury to allow extra funding to make up the £25 million that, in essence, has been wasted on public order events in Belfast?

Mr Speaker: Order. Once again, that is not relevant to the original question. Let us move on.

Policing and Community Safety Partnerships

11. **Mr F McCann** asked the Minister of Justice whether he intends to review the remuneration of policing and community safety partnerships with a view to introducing a payment for each meeting attended. (AQO 3725/11-15)

Mr Ford: The Justice Act (Northern Ireland) 2011 makes provision for the payment of expenses. Members of policing and community safety partnerships (PCSPs) are able to claim a meeting expense payment that is linked to attendance. The PCSP joint committee is committed to carrying out a review of expenses that will take place over the coming months. I do not wish to pre-empt the outcome of that review.

Mr F McCann: Does the Minister not agree that, in the past, when an attendance allowance has been paid, it has guaranteed a good turnout? Not to pay attendance allowance almost guarantees that there will not be a good turnout at the meetings.

Mr Ford: That may or may not be the case, but I have never judged the success of meetings by attendance, more by the quality of engagement.

Magherafelt Courthouse

12. **Mr I McCrea** asked the Minister of Justice to outline the efficiency savings which will be made as a result of the closure of Magherafelt courthouse. (AQO 3726/11-15)

Mr Ford: It is estimated that closing Magherafelt courthouse will save £58,100 in annual operating costs. Those savings will be achieved mainly through a reduction in service charges and utility costs. In addition, it has been estimated that the capital spend to maintain Magherafelt courthouse and meet Disability Discrimination Act requirements would be £455,600. That would be an unfunded capital pressure on a reducing Courts and Tribunals Service budget. However, as I indicated in a previous answer to the Member, my decision to close Magherafelt courthouse was predicated on the need to deliver efficiencies within a challenging economic environment. We need to respond effectively to the CJINI report on the courts estate and the Justice Committee report on victims and witnesses, both of which emphasised the importance of providing better services and facilities for victims and witnesses.

Mr I McCrea: The Minister will not be surprised at my disappointment at the decision. However, the decision has been taken. Can the Minister update the House on the estimated value of the courthouse? Does he think that it will take some time for it to sell in the current climate?

Mr Ford: Clearly, I cannot give the Member the detail of the estimated value. Now that the courthouse is surplus

to requirements, it will be offered, as is the case with Larne and Bangor courthouses, to other public sector organisations to establish whether there is a public sector requirement. If not, it will be put on the open market.

Matter of the Day

Baroness Thatcher

Mr Speaker: The Rt Hon Peter Robinson has been given leave to make a statement on the death of former Prime Minister Baroness Thatcher, which fulfils the criteria set out in Standing Order 24.

If other Members wish to be called, they should rise in their places and continue to do so. All Members will have up to three minutes to speak on the subject matter.

3.30 pm

Mr P Robinson: Thank you, Mr Speaker, for the opportunity to use this procedure to express the sadness of my colleagues at the passing of Baroness Thatcher and to send our condolences to her family and close friends. Unquestionably, Margaret Thatcher, as she is best known to us all, was probably the most significant Prime Minister of the United Kingdom since Winston Churchill, and, along with Ronald Reagan, she played a key role in ending the Cold War and defeating communism.

Perhaps unfairly, I often look at politicians on the basis of whether they are time-servers or whether they are politicians of conviction who want to transform society, and I do not think that anyone looking at the life of Baroness Thatcher could reach any conclusion other than that this was somebody who entered politics to make a difference. Of course, there will be people who will have their own views as to whether that difference was good or ill. In my view, in the scenario that she was born into and the situation that pertained in 1979 when she became Prime Minister — indeed, the United Kingdom's first woman Prime Minister — she was faced with circumstances where, had they not been tackled economically, the United Kingdom was heading for broke. Therefore, I think that she played a positive role in transforming society in the United Kingdom.

In Northern Ireland terms, it might seem peculiar that I am standing at the Dispatch Box making positive comments about Margaret Thatcher, given that some of the harshest comments in the House of Commons about Margaret Thatcher came from me. Indeed, I think that I was twice thrown out of the House of Commons for making comments that were regarded as being unparliamentary. However, I was glad to see that, in later life, she regretted the role that she had played in the Anglo-Irish Agreement. Indeed, in more recent years, a mutual friend arranged for me, along with some of my colleagues, to have lunch with her, and we talked about old times, in less conflicting circumstances. Along with a lot of people who are ageing, she obviously was much more in tune with the detail of events many decades ago than more recent events.

Anyone who looks at the life of Margaret Thatcher will see someone who showed a single-minded determination and fortitude. She was unwilling to move to the left or to the right because of the pressures that she faced. I believe that the United Kingdom is a better place for the tenure of Margaret Thatcher, and I send my condolences to the family and wish them every success in maintaining the memory of what was perhaps one of the greatest United Kingdom leaders that we have ever had.

Mr Speaker: I remind Members to rise in their place if they want to be called.

Dr McDonnell: I rise to pay tribute to the late Baroness Thatcher. Margaret Thatcher was a controversial and, in many ways, divisive figure in the political landscape on our shores in Ireland, and particularly Northern Ireland. Her politics and approach left her a somewhat hostile figure as far as nationalism was concerned, but although events here dominated and, in many ways, defined much of her time as Prime Minister, her hard line, belligerent and uncompromising approach during the hunger strikes won her few friends among nationalism. There is no doubt that her actions caused great hurt and difficulty and added to the difficulties. As a result, I and many others perceived her as an extremely divisive figure. Indeed, my party colleagues clashed politically with her on many occasions over our differing views on how to achieve a peaceful solution to the situation in Northern Ireland. However, with the help of significant American influence, she had the strength in the mid-1980s to stand up to unionist intransigence and sign up to the Anglo-Irish Agreement. That was a very significant move and a foundation stone in beginning the peace process, which culminated in the signing of the Good Friday Agreement, without which none of us would be here today.

I pay tribute to Mrs Thatcher in that she was a woman. Indeed, she was a formidable woman and a formidable opponent for the many who crossed her. She was a woman who broke through into the highest level of politics, despite the various barriers and glass ceilings. So, although I might not have agreed with her on much of the detail, I admired her courage and drive in making that breakthrough and the success generally that she achieved. I extend my sympathies to her family as they are bereaved and grieve.

Mr McCartney: Go raibh maith agat, a Cheann Comhairle, Labhair Gerry Adams, uachtarán Shinn Féin, ar maidin faoi bhás iar-Phríomh Aire na Breataine, Margaret Thatcher. Earlier today, the Sinn Féin president, Gerry Adams, spoke on behalf of republicans and nationalists when he commented on the death of the former British Prime Minister Margaret Thatcher. I wish to reaffirm that position this afternoon:

“Margaret Thatcher did great hurt to the Irish and British people during her time as British Prime Minister. Working class communities were devastated in Britain because of her policies. Her role in international affairs was equally belligerent whether in support of the Chilean dictator Pinochet, her opposition to sanctions against apartheid South Africa; and her support for the Khmer Rouge.

Here in Ireland her espousal of old draconian militaristic policies prolonged the war and caused great suffering. She embraced censorship, collusion and the killing of citizens by covert operations, including the targeting of solicitors like Pat Finucane —”

[Interruption.]

Mr Speaker: Order.

Mr McCartney:

“— alongside more open military operations and refused to recognise the rights of citizens to vote for parties of their choice.

Her ... efforts to criminalise the republican struggle and the political prisoners is part of her legacy.”

[Interruption.]

Mr Speaker: Order.

Mr McCartney:

“It should be noted that in complete contradiction of her public posturing, she authorised a back channel of communications with the Sinn Féin leadership but failed to act on the logic of this.

Unfortunately she was faced with weak Irish governments who failed to oppose her securocrat agenda or to enlist international support in defence of citizens in the north.

Margaret Thatcher will be especially remembered for her shameful role during the ... hunger strikes of 1980 and '81.”

[Interruption.]

Mr Speaker: Order.

Mr McCartney:

“Her Irish policy failed miserably.”

[Interruption.]

Mr Speaker: Order.

Mr Nesbitt: I thank the First Minister for bringing the matter to the House.

Baroness Thatcher was a colossus, not just of politics but of conviction politics. Of course, the Ulster Unionist Party would not have agreed with everything, particularly the signing of the Anglo-Irish Agreement, which gave undue control over our affairs to a foreign nation. It is a matter of record that she was Prime Minister for well over a quarter of the time that we call our Troubles. During her years as Prime Minister, over 1,000 people lost their life as a direct result of the Troubles; 1,062, according to ‘Lost Lives’. No doubt it would have been many, many, many more had it not been for her very unbending stance against terrorism. Northern Ireland has reason to be eternally grateful for that stance, not least during the hunger strikes, when Northern Ireland was taken to the brink of something catastrophic.

I had already noted with regret the statement of absolute bitterness from the Sinn Féin president, Gerry Adams, who said — and I will repeat the Member’s quote:

“Margaret Thatcher did great hurt to the Irish and British people during her time as British Prime Minister. Working class communities were devastated”.

Republicans did great hurt to working-class communities. You are responsible for the lion’s share of the 1,062 murders during Mrs Thatcher’s time as Prime Minister. Your statement also conveniently forgets how much Mrs Thatcher did for political freedom and human rights, not least for the people of eastern Europe. Yes, Mr McCartney, for the people of eastern Europe, and for those of the

Falklands where she enforced the principle of consent, a matter —

Mr Speaker: Order. Address your remarks through the Chair.

Mr Nesbitt: I beg your pardon, Mr Speaker.

She was rigid in enforcing the principle of consent in the Falklands, no matter how few were affected, how far away it was or the cost to the country.

Whatever you thought of her as a politician, she was a remarkable public servant who stood by her beliefs and courageously fought against the odds on the national, European and world stages. Her list of achievements is mighty. She was the UK's first female Prime Minister, and she led her party to three successive election successes, transforming the economy and changing the British political system.

The Ulster Unionist Party expresses its condolences to her children, family and friends, and joins with so many in acknowledging her massive impact — her positive impact — not only in Northern Ireland or the UK but on global politics.

Mr Ford: I will add a few words on behalf of my colleagues. There is absolutely no doubt that the legacy of Baroness Thatcher, Margaret Thatcher, has had a lasting impact on all parties in this region, as elsewhere in these islands, for the past 30 years. She was such a dominant force in British politics for such a long time, including during that 11-year period as Prime Minister.

To slightly adapt the words of the First Minister: Prime Ministers seem to be either transformational or managerial. There is not the slightest doubt that Margaret Thatcher was transformational. She was a conviction politician who knew what she wanted and set about getting it, and there is no doubt that that led to her being a very divisive figure in domestic politics and, indeed, we have just had that played out by the two Members who spoke previously. She had significant numbers of supporters, and also of detractors; yet, we have also to look at her in different contexts. For example, she stood up for the people of the Falklands and their rights to self-determination, and she played a very significant part in bringing down the Iron Curtain and transforming the whole of central and eastern Europe. Those achievements will be remembered for a very long time.

I and many of my colleagues would certainly have disagreed with the work that Baroness Thatcher did in many areas. We would probably have disagreed with her over different things from those which Peter Robinson disagreed with her over. However, I want to add our commendation for the work that she did when she reached the Anglo-Irish Agreement of 1985, not necessarily because it was a particularly successful agreement, but because it was a key stepping stone of working together between the British and Irish Governments, in a way which led us, through the various other agreements, to where we are now. We should recognise that. Whatever we think of the failings at that particular point, there was a commitment to establish peace in this region, and that should be commended.

We should also recognise that she was very significant as the UK's first, and so far only, female Prime Minister. In that sense, she shattered the glass ceiling, and that will have an effect for generations to come.

On behalf of the Alliance Party, I offer our sympathy to her family and friends.

Mrs Foster: I just want to mark the passing today of our first great female Prime Minister. She was that, but she was also a wife and mother, and I pass my sympathy on to her children and the wider family.

As the First Minister said, she was single-minded and determined. She often had to move ahead with what she believed, despite the fact that she was being attacked not only from without her own political party but from within it. However, she stayed firm to the course that she believed in, and I think that there is much to admire in that.

Republicans, of course, saw her as a target right from the beginning of her premiership, and she found the callous murder of her political ally Airey Neave a very hard and difficult issue to deal with. However, she kept firm in her resolve, and republicans tried to murder her, too, at her party conference back in 1985.

Despite the Anglo-Irish Agreement, which of course she later said that she regretted and that she had been misled into signing, she was a unionist and, as the Prime Minister said today, a great Briton. She stood with the people of Enniskillen after the murders in 1987 of 11 people at the poppy day massacre. That was just 25 years ago last November, and it is something that this House should remember well.

I found her to be a tremendous advocate, a tremendous thinker and an unashamed free marketeer — something that I greatly admired in her. Her passing marks the end of an era for British politics. She was always there when I was growing up, and she was part of my generation. She was a towering figure. Her place in history is assured, and it will be a positive history for all of that.

3.45 pm

Before I sit down, I want to reference the fact that she showed the world and, in particular, the British establishment that politics was not just the reserve of the male of the species. She broke through that and showed what a great Prime Minister she was. I thank her for that, and I certainly mourn her passing today.

Mr Allister: I join those who have expressed condolences to the wider Thatcher family and to her friends on the passing of Baroness Thatcher. Undoubtedly, Margaret Thatcher was one of the political giants of our time, and that is demonstrated no more pointedly than by comparing her with those who have succeeded her in the office of Prime Minister of this nation. This nation is the poorer for her passing, and I salute many of her achievements. Of course, no one agreed with everything that she did — I certainly did not. Indeed, it is an unfortunate blot on her relationship with Northern Ireland that she ever signed the Anglo-Irish Agreement. The extent to which she came to regret that is to be welcomed. However, she led a nation where others would have trembled. I think particularly of how she led this nation in the Falklands crisis and how, with the stoic determination that bore out her title “the Iron Lady”, she faced down aggression. It was the same determination that caused her, initially, to face down the hunger strike demands in Northern Ireland. The bitterness, the churlishness and the vindictiveness with which some of that ilk have spoken on this day of all days about Margaret Thatcher says more about them than it does about Mrs

Thatcher, and they should hang their head in shame for the scurrilous things that they have said about the lady.

This House is a devolved institution of the United Kingdom. Given the nature of the funeral of a former Prime Minister, I trust, Mr Speaker, that you will see to it that the flag of our nation flies at half mast from the Building, just as it will from the other devolved institutions, and that the proceedings of the House will acknowledge the event should they fall on the day of her funeral. Many of us are looking to you to ensure that that happens.

Mr Agnew: I pass on condolences on behalf of the Green Party in Northern Ireland to the family and friends of Baroness Thatcher. The Green Party did not share many of Baroness Thatcher's views when she was Prime Minister of this country. In fact, we would have opposed many of the policies that she implemented during her term as Prime Minister. I personally believe that the effect that many of her policies had on our society was devastating, particularly on the working-class communities and the vulnerable in our society. However, it is important that we separate out the political from the personal on a day like this, and we should always pass on our condolences and be respectful on the day of someone's passing. Therefore, our thoughts are with Baroness Thatcher's family and friends on this day.

Mr McNarry: The nation will mourn the departure of the Iron Lady in a suitably fitting manner.

I understand that that, in part, will be through a state funeral, and the nation will give due respect and recognition. Many of us in the House remember Baroness Thatcher, and I hope that some time will be taken to tell our children and our grandchildren about this great, courageous former leader of our nation.

As has been said, Northern Ireland may have mixed feelings over her Government's role in the Anglo-Irish Agreement. However, her contribution to the United Kingdom as a whole makes her time in office unique, and for me it was a time very well served. UKIP expresses its sadness over today's news, and our thoughts are with her family and circle of friends.

I thank Peter Robinson for bringing the matter to the House. As far as I am concerned, at the outset of the debate, he expressed the relevant opinion of the House, which I readily concur with. Regrettably, on such a day, Raymond McCartney's comments served only to expose the bitterness that he and his party are unable to leave behind. Peter Robinson spoke for the House today; Raymond McCartney did not.

Mr McCallister: Thank you for the opportunity to participate in the debate. I agree with many of the sentiments expressed. As Arlene Foster said, people of our age group grew up with Mrs Thatcher as Prime Minister. We were used to seeing her all the time. For many of us, she was the first Prime Minister whom we ever knew or could remember in our lifetime, so the 11 and a half years in which she was Prime Minister was a truly transformational period. When she became Prime Minister, phrases such as "managed decline" were used about the state of the UK, but there was a change in that outlook by the time she left office in November 1990. Clearly, there was a transformational process during those 11 and a half years.

I note that the First Minister commented that he did not always agree with her on every issue. It is interesting that he entered the House of Commons at the time when she was elected as Prime Minister, so she cast a long shadow, no doubt, over his political life as well. Few people in politics have a legacy that not only changes a generation but leaves a legacy for a generation and will be talked about and remembered. Liked or loathed, she will leave that legacy with us some 22 and a half years after leaving office.

It is sad and unfortunate that certain parties have chosen, on a day such as this, not to set some of the politics aside and express condolences to the family. To Baroness Thatcher's children and close family friends, I join the majority of colleagues in the House in sending my condolences and my thoughts and prayers for the family at this very sad time.

Mr Speaker: That concludes the matter of the day. I ask the House to take its ease as we move into the business that we left before Question Time.

Private Members' Business

Energy: Consumer Advice

Debate resumed on motion:

That this Assembly calls on the Minister of Enterprise, Trade and Investment, in conjunction with her Executive colleagues, to introduce a one-stop shop to provide free, independent and impartial advice to consumers and small businesses about their energy needs, to focus on saving consumers money and to encourage consumers to move away from fossil fuels and maximise energy efficiency. — [Mr Flanagan.]

Mrs Foster (The Minister of Enterprise, Trade and Investment): I welcome the debate and the opportunity to respond to the motion. I wholeheartedly agree that, in these challenging economic times, consumers and small businesses need to be able to maximise their energy efficiency, thereby minimising their energy costs.

Many Members made much about our rising energy costs. It is crucial that our consumers and businesses have access to free, independent and impartial advice. Members will be aware that there are a range of providers of such advice. It may not always be obvious who businesses and consumers should turn to for such advice, but I want to touch on some of them.

The motion suggests that a one-stop shop should be introduced. That may appear to be a simple solution. However, the provision of advice for energy needs and energy efficiency is complex and cross-cutting. It involves not only several Departments but several organisations, including Bryson Energy, the Energy Saving Trust and the Carbon Trust, which Mr Newton mentioned. I think that Mr Frew made the point that it is a complicated matter, and he also pointed out that we needed to avoid duplication. That is a key element of what we are trying to achieve, because we do not want to confuse people with what is out there.

A range of information and advice is available in my Department. Members should already be aware that there is a government-funded advice line that is provided by the Northern Ireland Housing Executive and operated by Bryson Energy. A number of speakers said that they would like to see an advice line, so I can tell them that one is already up and running.

We have been a key driving force behind the move towards the cross-departmental approach to the delivery of sustainable energy messages. The development of the overarching branding of Energy Wise, which I hope colleagues noticed over the past year, as well as the delivery of a co-ordinated media campaign have proved successful in increasing the impact of sustainable energy messages.

The Department of Enterprise, Trade and Investment (DETI) has also been involved in delivering recent media campaigns that focus on increasing understanding among consumers on issues such as energy efficiency, reducing energy costs and the support that is available for renewables. That campaign has included a presence on television, billboards and bus advertising, and I think that it has proved to be very good.

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

Invest Northern Ireland also provides tailored advice and training on resource efficiency issues by running workshops across Northern Ireland on energy and waste issues, by providing advice and information and by signposting to online advice to help businesses to implement resource efficiency savings. Likewise, the Consumer Council provides free and independent advice that assists consumers with enquiries and complaints about electricity, natural gas and coal. To help consumers to reduce their energy costs, including those for electricity, gas and home heating oil, the council provides information on energy tariffs and supplier switching that is supported by up-to-date data on oil prices and electricity tariffs.

Members will be aware that the Department for Social Development (DSD) is responsible for energy efficiency in the domestic sector and for tackling fuel poverty. However, we are a committed member of DSD's fuel poverty action groups. Officials from DETI and DSD have been working closely with NI Direct, which is the official government website for Northern Ireland, to provide information on a range of energy efficiency schemes. It is important that consumers and businesses know where to seek assistance about their energy needs. As NI Direct is already in place to respond to customer needs across a range of other government services, it would be sensible to make full use of that service to meet consumers' energy needs. I think that Mr Lunn made the point that there was no necessity to create a new facility, but that maybe we should use the facilities that we have. We are looking to see how we can use NI Direct in that fashion.

4.00 pm

Mr McGlone said that he felt that an independent EPA would be a good way of ensuring independent and impartial advice. We have had the debate about an independent environmental protection agency, and the House decided not to proceed with that. Let me put on record why my party believes that that was right. We are elected here to do a job; we do not hand away powers once we are elected to this place. An independent environmental protection agency would have huge consequences for planning in Northern Ireland. I am sorry that the Member is not here because I would like to hear his views on that. What impact would an independent environmental protection agency have on planning issues, particularly in respect of rural dwellings in the countryside?

Mr McCarthy: Will the Minister give way?

Mrs Foster: I will give way.

Mr McCarthy: I am interested in your approach to this, Minister. Surely, as we stand, it is inconceivable that the Department can arrive at a fair and impartial decision, when one Department takes another to court. I am thinking about pollution, for instance. The Water Service's sewerage facilities, up and down the country, are regularly before the courts and are guilty of polluting. Is it not in those instances that an independent environmental agency could put a stop to such activity? We want to see a clean environment.

Mr Deputy Speaker: I ask Members to return to the subject matter, which is not planning; it is energy.

Mrs Foster: Perhaps the Deputy Speaker will allow me the latitude to answer that point. The judiciary decides on the penalties that are given out to people who break the laws in our countryside. As I understand it and, certainly, when I was in the Department of the Environment, a very clear demarcation was being put in place in relation to the very effective crime team in the Department of the Environment. I know the lady and others who are involved in that, and I think they do a tremendous job. In any event, Mr Deputy Speaker, I will move on, because, as I said, the Member who raised the point is not present. Unfortunately, Mr Flanagan is not here either, but he made a point in relation to the supply chain and people profiteering in relation to oil.

Mr Lunn made the point that we are at the end of a very long supply chain. That is absolutely right. It is one of the reasons why we need to look at other sources of energy; why we are looking at those renewable targets and making sure that we drive those ahead; and why we should not shy away from looking at other sources, such as shale gas. I know that that is a controversial issue, but that does not stop us looking at the issue and making sure that all the environmental controls are there, because we are at the end of a very long supply chain.

In his speech, Mr Moutray made reference to the very poor weather conditions that we have had. I think we all realised the importance of our energy supplies during that period, when a lot of the country was cut off and we could see what would happen if we had problems with our security of supply in the future. I am in correspondence with the Utility Regulator in relation to the competitiveness of our single energy market. Mr Agnew and others raised the point about the cost of energy in Northern Ireland. We have to try to push down the cost of energy in Northern Ireland for our consumers and businesses. That is certainly what I am focused on, and I will continue to be so.

In closing, I welcome the opportunity to debate the idea of a one-stop shop. As has been said, we have many players involved in relation to energy-related advice and information. More research and consideration would need to be given to looking at the existing provision and utilising fully what we already have. As I have said, I am looking at the NI Direct website to see if that is something that we can utilise. As I have indicated, DETI and DSD's work with NI Direct is, perhaps, a more realistic and cost-effective means of meeting the need that is raised in the motion.

I am happy to debate all these issues. Energy supply and security of supply will be key issues for the House in the next number of years, as they are in the rest of the United Kingdom. We need to grapple with the issues in front of us. I hope that the House is up for the task.

Ms Maeve McLaughlin: Go raibh maith agat, a LeasCheann Comhairle. I speak as a member of the Committee for Enterprise, Trade and Investment. I welcome the opportunity to make the winding-up speech on the motion.

There is consensus across all the Benches in the House that people at home and in businesses struggle daily with the rising costs of energy. It is, therefore, important to reflect on the statistics, some of which have been mentioned previously. In 2008, electricity customers in the North of Ireland endured a 53% increase in the price of electricity. Recently, the Consumer Council highlighted

how oil prices had increased by 50% over the past three years. What was clear from the debate is that there is a need to do more. In proposing the motion, Phil Flanagan referred to the ways in which consumers can save on electricity but said that much more needs to be done. He referred to the often disjointed approach on advice. He referred to the absence of information on issues like microgeneration and the need to sustain the move towards renewable energies. He also referred to the need for the service to be independent and impartial — a theme that recurred throughout the debate.

Robin Newton referred to information from a one-stop shop as being very general and, often, not involving specialisms. He questioned whether a one-stop shop would deliver. He pointed out how the SME sector needs more than just general advice.

Patsy McGlone supported the motion's plans to bring forward independent and impartial advice. He referred to how agencies being independent is key and how a properly funded green new deal could help to regenerate the economy. Sandra Overend, quite rightly, referred to the recent labour force survey and the rise in unemployment. She highlighted the role of the Executive. She stated that the motion is not new.

Trevor Lunn, in supporting the motion, suggested that the one-stop shop sounded like an extended Consumer Council. Stephen Moutray thanked Ministers Foster and McCausland for bringing forward initiatives to assist consumers and households. He talked about the need for householders to be more vigilant. He also referred to the INI support packages for business in this regard. He stressed the point that we do not need another talking shop.

Paul Frew welcomed the debate. He focused on what the Executive can do best to resolve the key issue of fuel poverty. He stressed the point that the issue, quite often, is where to go for advice. Again, I suggest that the need for independent, impartial advice was referred to by a number of Members. I suggest that one initiative that could be explored is to examine the European consumer directive.

Gordon Dunne referred to the 70% of householders who depend on home heating oil. He referred to renewable energy as having a key role and said that uptake must be encouraged. He referred to room for improvement and the need for a simple streamlined system.

Steven Agnew supported the motion. Again, he referred to the concept of free, independent advice as being central. He referred to the need for a one-track policy and talked about the different messages that come from government. The Member also referred to the fact that, if fuel poverty is a key priority, money needs to be invested.

I thank the Minister for her comments and the reference to the range of advice services that are currently available. She indicated that it was a complicated matter. She referred to cross-departmental approaches, which, again, if they are practical in translation, are very welcome. She referred in particular to the media campaign, which, again, is most welcome. Clearly, there is commitment to driving down costs for consumers. Energy supply is a key issue for the House and for people from all of our communities.

I suggest that this has been an important debate at a time when fuel costs are at record levels in the North of Ireland and disproportionately affect the most vulnerable. Any

energy policy should examine the European consumer directive model and others, and it must seek to provide for and protect consumers in such a situation. The protection of consumers, current and future, should be the primary objective of DETI and the Utility Regulator. We must begin to place consumer rights at the heart of this agenda. I support the motion.

Question put and agreed to.

Resolved:

That this Assembly calls on the Minister of Enterprise, Trade and Investment, in conjunction with her Executive colleagues, to introduce a one-stop shop to provide free, independent and impartial advice to consumers and small businesses about their energy needs, to focus on saving consumers money and to encourage consumers to move away from fossil fuels and maximise energy efficiency.

Adjourned at 4.11 pm.

Northern Ireland Assembly

Tuesday 9 April 2013

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

Members observed two minutes' silence.

Ministerial Statements

Economic Inactivity: Baseline Study

Dr Farry (The Minister for Employment and Learning):

Thank you, Mr Speaker. With your permission, I wish to make a statement about the outcomes of the baseline analysis of economic inactivity undertaken by my Department and the Department of Enterprise, Trade and Investment (DETI).

The Executive's Programme for Government included a commitment for both Departments to address the issue of inactivity through the development of a strategy to help those most in need to re-engage with the labour market through skills and training programmes, targeted incentives and job creation. The baseline study is the first step in the development of that strategy. It provides a detailed analysis of inactivity in Northern Ireland that will underpin the draft strategy that will be presented to the Executive for agreement later this year. This statement is, therefore, an opportunity to provide the Assembly with an analysis of our starting point, to give an initial indication of potential actions and to receive feedback from MLAs.

I wish to begin by outlining what we mean by "economic inactivity". It is a labour market classification referring to those who are neither in work nor unemployed. Employment encompasses many forms of work, including self-employment and work undertaken in a family business, while to be unemployed, an individual must be actively seeking work and be available to start immediately.

Unemployment has traditionally dominated the labour market debate. Although the current unemployment rate of 8.5% in Northern Ireland is higher than the UK average of 7.8%, the current disparity in the employment rate, which stands at 66.3% compared with the UK average of 71.5%, can be explained only by Northern Ireland's higher rate of economic inactivity, which currently stands at 27.4% of the working-age population. That rate compares with a figure of 23% in Scotland, 24.6% in Wales, 25.4% in the north-east of England and 23.8% in the north-west of England. The overall UK average is 22.3% and is at the lower end of the spectrum for inactivity across Europe, while Northern Ireland's rate is similar to many southern and eastern European countries and the Republic of Ireland, whose rate currently stands at 31.1%.

Unlike the trend for unemployment, which was gradually decreasing before 2008, the level of economic inactivity in Northern Ireland has remained within a stable range between 26% and 32% since the mid-1980s. A

higher inactivity rate reflects lower levels of economic participation, which in turn can hinder growth. A healthy economy should have a participation rate above 70%, as has been recognised in the European Commission's Europe 2020 targets, which seek to increase the proportion of 20- to 64-year-olds in employment to 75% by the end of the decade. In the Northern Ireland context, maximising labour participation is crucial to increasing the productivity of the region. In addition to helping people find work, my Department's role in increasing the skills of the working-age population is also key to achieving this outcome. However, in seeking to reduce inactivity, there is a risk that inactive individuals may simply be recategorised as unemployed, without progressing into employment. In order to prevent that outcome, the key measurement of success for the strategy will be increased economic participation.

The first step of the analysis was to recognise the variety of reasons for disengagement from the labour market. Given the criteria for unemployment, there is a proportion of the economically inactive who are able to work but are either discouraged from active jobseeking or are unable to look for work due to a short-term injury or illness. These groups are not a critical factor, however, together accounting for only 8% of the total inactive figure. The four other major classifications of inactivity are students, those with family commitments, the long-term sick and disabled, and early retirees.

Students, the largest single group, account for approximately 31% of the inactive, a higher proportion than the UK average and the highest of any UK region. This is a benign form of economic inactivity, as students are investing in their education and training and contributing to the upskilling of the current workforce. Therefore, there is a significant productivity gain to the economy from the investment in skills. This finding also helps to account for the higher rate in Northern Ireland but not completely. Northern Ireland also has a higher proportion classified as inactive due to long-term sickness and disability.

In contrast to students, early retirees account for only 12% of the total inactive figure — the lowest of any UK region. The inactive with family commitments or a long-term illness or disability each account for 24% of the total figure. Unlike students or early retirees, individuals in those categories are more likely to be dependent on out-of-work benefits. They are also the categories in which disengagement from work is less likely to be voluntary or beneficial, and, therefore, they are the groups who would benefit most from additional support. For those reasons, these categories will be the focus of the strategy.

The baseline study analysed several key characteristics of the economically inactive: gender, age, location and level of education. The stable inactivity rate concealed different trends for men and women. Female inactivity rates are higher but have been falling, while male rates have been rising. In the target categories, there are more men than women in the long-term sickness and disability category, but women account for the vast majority of those with family commitments. Any intervention will, therefore, have to take account of gender issues. The analysis of age found that students account for most of the 16 to 24 age group. However, sickness and disability dominate older age groups, highlighting the need to consider attitudes towards older workers. In terms of location, inactivity is neither limited to one region nor evenly distributed across Northern Ireland. In general, western and rural areas have higher rates than eastern and urban regions. However, some of the highest rates occur in urban centres. For example, the Belfast City Council area recorded one of the highest rates, at 31.3% of the city's working-age population. That means that factors other than job availability drive inactivity. In urban communities with high deprivation levels and a poor skills base, an individual's circumstances and employability come into play. Currently, only 18% of those classified as inactive want to work. The findings are reinforced by the education levels evidenced in the economically inactive. Over one third of inactive people of working age have no qualifications. Focusing solely on the target groups, that figure rises to 42%. Action is therefore required to address the skills gap.

The analysis included an assessment of previous interventions designed to tackle inactivity. To date, the main initiative targeted at the inactive is Pathways to Work, a programme of incentives and support designed to help people with health conditions return to employment. Other interventions include the Local Employment Intermediary Service (LEMIS) and Step Ahead. My Department has also utilised the European social fund mechanism to finance projects focused on inactive groups. Those initiatives have delivered some positive outcomes.

Some recent reforms to social security and aspects of the current Welfare Reform Bill before the Assembly will also provide a context to promote re-engagement with the labour market. It is important that we fully incentivise work for those for whom work is appropriate and ensure that government support can assist people in recognising that employment works for them. Equally, we must be mindful of the scale of the challenge. For instance, as of February of this year, over 23,000 incapacity benefit claimants migrated to ESA or jobseeker's allowance. However, of that group, only 139 have left benefits and moved into work.

Nevertheless, there is more that we can do. As I have indicated, the central recommendation of the baseline analysis is to focus the strategy on those who are inactive due to family commitments or a long-term illness or disability. Regarding the latter group, I recognise that there are some who will never be able to work due to the severity of their health conditions. However, there are many people with work-limiting conditions who, with the right support, may be able to participate. The results have suggested that interventions should focus on those individuals, and, given their age profile, the analysis recommended developing initiatives to help older workers improve their skills and overcome barriers.

Within the family commitments category, the analysis recommended focusing on lone parents, as they account for approximately 10% of the overall inactive figure. They are also among those most in need of support, as, in addition to employability barriers, they often face difficulties in accessing transport and childcare. The childcare strategy will play a key role in assisting this group. That strategy is currently being developed by the Office of the First Minister and deputy First Minister, following the conclusion of a consultation period.

In developing measures to help these groups, the analysis also recommended more extensive research and a widening of the scope of the strategy to involve stakeholders such as other Departments and health professionals. The first stage of the research — a literature review — is complete and will help to inform the strategy and further projects. The strategy is being developed in line with these recommendations, with the overall aim of tackling inactivity by increasing economic participation. I look forward to updating the Assembly on the development of the strategy over the coming months.

Mr Swann (The Chairperson of the Committee for Employment and Learning): I thank the Minister for his statement and for providing the pre-briefing for the Deputy Chair and me before this. He made it clear in the briefing and the statement that this is a starting point. He definitely laboured that point, so we can be under no illusion that it is a beginning. Given the categories that the Minister has targeted for his focused attention, has he considered how the changes to DLA and other proposed welfare reforms will impact on the economically inactive? Also, figures in the report show economic activity to have been almost stagnant in Northern Ireland since the 1980s. Will the Minister enlighten the House as to what he believes will work in tackling the problem?

10.45 am

Dr Farry: I thank the Chair for his comments and formally welcome him to his post. I know that he has been in office for the best part of a month, but I think this is the first time he has been before the Assembly in that role. I look forward to working with him alongside the rest of the Committee in the future.

First, the Member is right to highlight the fact that this problem has been with us for a considerable period. Economic inactivity in Northern Ireland has stood at between 26% and 30% for the best part of 30 years, irrespective of the ups and downs of other factors in the economy. That points to the fact that there are much more fundamental problems at play here.

We should have no doubt that this is a fundamental structural problem in our economy. What is new is that there is a clear focus from the Executive on the issue. It is in the Programme for Government, and I know that the First Minister and the deputy First Minister have been keen to ensure that we tackle the issue and bring forward a strategy.

The Member is also right to say that welfare reform will create a particular context around all this, and there are different aspects to that which are of relevance. We are moving to a situation in which we are trying increasingly to incentivise people to work. It is not about forcing people into work, but where people want to work — at times, the welfare system has acted as a barrier to that — that will

hopefully be one of the positive aspects of the reforms that will be taken forward.

New categories will emerge in light of the full move to universal credit. Different modes of conditionality will replace the old distinctions between those who are unemployed and those who are inactive, with people being on full conditionality through to those on low conditionality. That will take a lot of effort to change. It will not happen overnight, but, for sure, we have to close the gap between us and the rest of the UK and, indeed, with what is happening in other parts of the European Union. Today is a starting point, and we need to have a real engagement around the programmes that will really make a difference in incentivising people to move forward and make that leap.

Mr Buchanan: I thank the Minister for his statement. It is worrying that economic activity in Northern Ireland stands out from the rest of the UK, with 27·2% of the working-age population between 16 and 64 economically inactive compared with the UK average of 22·3%. I note from the Minister's statement that —

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

Mr Buchanan: — his targeted approach to the problem seems to be focused on older, disabled men in urban areas with low skills and on single mothers. In targeting those sectors, I ask him not to forget the others who may well benefit from a focused approach. What is the timeline for the strategy, and when are we likely to learn of its success?

Dr Farry: I thank the Deputy Chair for his comments. Officials in my Department and in DETI are working on the strategy, and we are in discussions with other relevant Departments. We hope to bring a draft strategy to the Executive within a matter of months, which, I imagine, will then go out for public consultation. I hope that a final strategy will be agreed by the Executive before the end of this year.

The Member is also right to highlight the fact that Northern Ireland stands out from the rest of the UK. We have to accept that and face up to it but also use that fact to spur us on to greater action. It is important that we seek to target our interventions where they can make the biggest difference.

First, we have to recognise that we have a higher number of students in Northern Ireland than in other parts of the UK. Students are counted as economically inactive because they are not immediately available for work. That is a good thing, of course, because they are investing in their skills. We know that the Northern Ireland economy will have a greater demand for higher-level skills in the future, so we are making ourselves more competitive and those students, in turn, will be much more adaptable workers in the modern economy.

Nevertheless, there are areas of economic inactivity where there are problems. For some people, their family commitments are a lifestyle choice, and we do not want to interfere with that. Equally, however, some are trapped in a situation where they have been discouraged from entering the world of work or where work is not viewed as being of benefit to them.

Those who are long-term sick or are disabled comprise a major category, within which there are some people

whose health conditions mean that they are simply not able to work, and, of course, we accept that as well. However, within that, there are also those who are capable of working but have not been properly supported by the system up until now. The welfare reform changes that are under way may actually make it easier for them to receive some benefits and to be in employment. The overall thrust must be that we target the strategy on where the greatest problem lies and where we can make the biggest difference and get results. We will not change this overnight, but, for sure, we have to join the journey rapidly.

Ms McGahan: Go raibh maith agat. I thank the Minister for his statement. I have a question on economic inactivity that concerns rural areas and lone parents. Minister, what measures are you taking to redress the imbalance for lone parents living in rural areas?

Dr Farry: I thank the Member for her question. She is right to identify that there is a geographical nature to economic inactivity. It is not universal or uniform across Northern Ireland. There is undoubtedly an issue of rural disadvantage, and we will be very mindful of that when we take forward the strategy. She asks about lone parents, and, of course, the two will overlap in some cases. She will be aware that, under the auspices of OFMDFM, the Executive are moving ahead with a childcare strategy. Members right across the House have rightly identified that as a key enabler to empower people, particularly women, who have been excluded from the labour market to return.

We are aware of the issues regarding lack of capacity in Northern Ireland relative to other parts of these islands. So, in parallel to the strategy, work will be conducted to address that. Equally, there are things that we can do with employers to encourage employers to adopt more family-friendly hours and practices that take into account some of the particular circumstances and challenges being faced, particularly by women returners.

Mr P Ramsey: I welcome the Minister's statement. This is a very challenging period for the Minister and his Department. It is also the most distressing and worrying period for all those who are on disability benefits. As chair of the all-party group on learning disability, I ask the Minister to outline to the House how much additional funding the Department has to help the many tens of thousands of people who are expected to come off disability benefits? How many more specialised disability advisers are in place to look at the range of complicated disabilities that people have?

Dr Farry: I thank Mr Ramsey for his questions and comments. He touches on a particularly important area. Delivering on the strategy will involve resources. That is still to be scoped out, and I stress that we are at the first stage of the process. There is a clear interface between what we do to address economic inactivity and what is happening with welfare reform. That is a much wider debate. The Assembly has had that discussion on many occasions, and it will have it again in the very near future.

Where my interest and responsibilities flow is in assisting those who have a degree of disability to engage with the labour market. It is important that we stress the message on every occasion that there are people with some degree of either mental health or physical health issue who are capable of engaging in the workplace. There are people with learning disabilities who are capable of engaging

with work. It is important that we recognise their particular and specific circumstances and put in place support mechanisms for them. The Member will be aware that we have the disability employment service, which is a subsection of the wider employment service. We have a range of programmes that are designed to help people to return to work, whether it is Access to Work, Workable or Work Connect. We keep those programmes under constant review. I anticipate that we will look to review them again in light of the wider economic inactivity strategy to see how we can support people in those circumstances even better than we have up until now.

Mr McCarthy: Like others, I welcome the Minister's statement. Isn't the Assembly grateful that we still have a very active and dedicated Department for Employment and Learning headed up by a very active Minister? We want to get as many people as possible off the dole and into employment, and we have the right people in the right place to do that job. What is the relationship between economic inactivity and a skills deficit in Northern Ireland?

Dr Farry: I thank the Member for his question. He points to an important issue. There is a clear relationship between economic inactivity and skills deficits, levels of deprivation and a lack of labour mobility in sections of the population. The geographical spread of inactivity is not linked to the availability of jobs. There are areas of Northern Ireland where jobs are available and people are trying to recruit, yet, in parallel, those areas have some of the highest levels of economic inactivity. That clearly points to much deeper problems and other dynamics in our economy that have to be addressed.

We have a skills strategy in place for Northern Ireland, and we know that there is a strong requirement to upskill the workforce across a very broad front. The profile of skills that we will require over the next 10 years will have a much higher requirement for higher-level skills. At the same time, the opportunities for those with low or no qualifications will diminish, perhaps to 10% of available jobs by 2020. So, in parallel to the strategy, we have to continue to do what we are doing on skills to ensure that, as we empower people to engage with the labour market, they have the skills to take advantage of opportunities that will be there for them in due course.

Mr Ross: The Minister has the lead on skills and training, but he also has a role to play in job creation. Obviously, the Assembly has identified the devolution of corporation tax powers as a key tool in job creation. In the absence of a decision on that until after the Scottish referendum, what is the Minister doing to make it easier for employers to take on new jobs and, in particular, to ensure that employment law in Northern Ireland is not seen as being less attractive than that elsewhere in the United Kingdom?

Dr Farry: The Member asked a number of far-reaching questions. He mentioned corporation tax, and virtually everyone in the House — there are a few exceptions — supports and understands the real opportunity that would arise from a lower level of corporation tax and is frustrated by the failure of the UK Government to enable that to be taken forward at this stage.

Nevertheless, we can do things that are relevant to preparing the ground for a lower level of corporation tax and, in parallel, will make our economy more efficient in any event, irrespective of whether we have a lower level

of corporation tax. It is important that we continue to do those things because they are important for our economy, irrespective of our future with corporation tax. They include changes to employment law, as the Member specifically referenced, and it is important that we take that forward. I am preparing a draft consultation paper on some of the legislative changes that will go to the Executive in the near future. Work is under way in the Labour Relations Agency to better promote alternative dispute resolution mechanisms. We also want to review the tribunal rules to make them better for respondents and claimants in the small minority of cases — hopefully — that make their way to tribunals.

Beyond that, to make our economy more efficient, we must continue to invest in skills, promote more STEM subjects, identify the priority growth sectors for the economy and make sure that there are no skills shortages and mismatches in those areas. Those actions are well under way in my Department, and I intend to intensify efforts in that respect over the coming months.

Mr Ó hOisín: Go raibh maith agat, a Cheann Comhairle. Gabhaim buíochas leis an Aire as a ráiteas. I thank the Minister for his statement. Will he agree that these figures are terrible and that there is a distinct geographical disparity? Will he agree that we should go back to the effective methods of getting people back to work and encouraging the decentralisation of jobs?

Dr Farry: The Member is right to highlight the fact that there is a geographical disparity with the figures.

That is the reason for the baseline study; it is important that we drill down beneath a very simplistic headline figure and gain a proper understanding of what is going on. Job creation is absolutely critical, and I certainly recognise that my Department has a role to play in that. However, the entire Executive — every Minister and Department — have a role to play. I stress that the Executive should continue to place the economy as their top priority. Major efforts are under way to assist local companies to create additional jobs and to attract investment into Northern Ireland. The decentralisation of jobs is a much wider debate, and one for other Ministers and the Executive as a whole to consider.

11.00 am

Mr Hilditch: The Minister highlighted the use of the European social fund mechanism by the Department. He has indicated some positive outcomes, but will he give the House some more detail on that and how the fund could be used to work with the target groups?

Dr Farry: The European social fund has been of major benefit to Northern Ireland. As a supporter of the European Union, I should take this opportunity to stress that the UK's continued membership of the EU is very much in the interests of Northern Ireland, particularly in assisting people who are unemployed or economically inactive. The social fund provides us with additional resources beyond those that we have through the block grant and allows us to delve in and create different types of projects. A whole range of organisations currently benefit from the European social fund.

The Member will be aware that the future European Union budget is being negotiated. It is important that the next phase of the European social fund is sufficiently flexible

to ensure that it works for the particular circumstances in Northern Ireland, whether that is through supporting apprenticeships or putting in place measures to work with people who are economically inactive. My officials are taking forward those points in the planning of programmes. We recognise that the fund can make a huge difference. We continue to make our case as strongly as possible to ensure that we have that money available. Certainly, we welcome the fact that the UK Government have backed away from very significant potential cuts in the structural funds available to Northern Ireland.

Mr F McCann: Go raibh maith agat, a Cheann Comhairle. I welcome the Minister's statement. As he knows, I have raised the issue of the migration of people on incapacity benefit a number of times. Does the Minister agree that the migration of 23,000 people in receipt of incapacity benefit to ESA and jobseeker's allowance has more to do with forcing people off benefits rather than a serious attempt to get them into work? The fact that only 0.6% of people have left benefits points in that direction.

Dr Farry: I will pick up on the final point that the Member made. To be quite blunt and open about where we currently stand, we are not placing huge numbers of people who have gone through that migration into employment. There is clearly a whole host of dynamics at work that we have to drill down into and understand. We need to significantly improve that situation, perhaps through taking a different approach as part of the strategy.

I do not want to see a situation where people are being forced off benefits or perceive that they are being forced off benefits. However, it is important that we understand that people being in work should be viewed as beneficial. It is beneficial for the individuals themselves and their ability and opportunities to develop and support themselves and their families. It is also important for wider society.

The statement mentions the percentage of our participation rate as being in the mid-60s. In the European Union, a healthy participation rate is above 70%. At present, in our economy, we are not properly mobilising all the talent available to us or the human capital in our potential labour market. That is a major structural problem for the Northern Ireland economy. We have to confront that, one way or another. Where people do want to engage in work, but perhaps have been held back by a range of barriers, which can, at times, include the particular nature of the benefits system, we should try to enable and facilitate them to re-engage with the labour market. At the same time, for those for whom work is not suitable, we should continue to provide a proper safety net.

Mr Douglas: I thank the Minister for his statement. Will he outline what his Department is doing to ensure that we are educating our young people in the skills that the workforce needs?

Dr Farry: I thank the Member for his question. The issue starts with careers advice on what are the most relevant and high-growth sectors in our economy. The Member will be aware that we are planning a joint review of careers policy with the Department of Education early next year. This is a joint responsibility between the two Departments.

In the meantime, I very much welcome the inquiry that the Committee is undertaking, and I look forward to taking on board the results in future work in due course. We are significantly investing in science, technology engineering

and mathematics (STEM) subjects, and there is an expansion of those subjects at undergraduate level. We have also extended by 60% through to 2015 the number of PhD places that are publicly funded in Northern Ireland. We are also undertaking a major review of apprenticeships in Northern Ireland, and we want to ensure that apprenticeships are viable and have parity of esteem as an alternative pathway to higher education. In doing so, we want to ensure that we are training young people in skills that are highly relevant to employers' needs. That is good for employers in the sense that they get people with the right skills for their organisations. It is also good for the people concerned, because they know that they have skills that are marketable in our economy and that will give them a much greater chance of having sustainable employment.

Mr Flanagan: Go raibh maith agat, a Cheann Comhairle. Gabhaim buíochas leis an Aire as a ráiteas. Most people agree that these are shocking statistics that demonstrate the need for a radical change in how we do things in creating jobs here. We heard that 34% of people are not in employment and that, of the 66% people who have a job, many are underemployed and do not have enough money to live on. However, taking into account the high rate of economic inactivity here compared with the rate in Britain and the recent announcement —

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

Mr Flanagan: — on the failure to devolve corporation tax powers to the Executive, does the Minister agree that there is a need for us to have the necessary tools to grow our own economy through the transfer of a full range of fiscal powers to the Executive?

Dr Farry: I thank the Member for his questions. In some respects, we could be having a much wider economic discussion. Let me first endorse some of the Member's comments: yes, it is a fairly shocking picture that I set out to the Assembly this morning. We have had that for the best part of 30 years, and it has been a fairly persistent problem. It is not something that we will change overnight, but, for sure, we have to begin the process of tackling it and to be creative in how we address it. He is also right to point to underemployment among those who are in the labour market. So, we need to maximise productivity across the board in Northern Ireland.

Where his wider point is concerned, my party certainly believes in tax-varying powers for the Assembly, and we have pushed that on a number of occasions. Of those powers, a lower level of corporation tax is by far the most significant and central lever that the Executive and Assembly will want to obtain in the immediate future. In saying that, however, I stress that we are talking about modifications to a much wider fiscal situation in the UK as a whole and that we obviously do not have the resources to be financially independent, given the huge scale of the current subvention. So, we support tax-varying powers for sure, but they have to be limited in the context of a much wider picture.

Lord Morrow: There is a lack of provision in the Dungannon and south Tyrone area for young adults with disabilities who leave special needs facilities at the age of 19-plus. What will the Minister do to change that and to ensure that those people are valued, as, indeed, they are?

Dr Farry: I thank Lord Morrow for his question and concur with his last comment that those people are very much valued. I certainly believe, and I know that everyone else does, that they have the potential to make a contribution to the world of work and that it is important that we provide them with support.

In answers to previous questions, I have mentioned the current work of the disability employment service and the various programmes that are on offer. However, I am aware of some wider unease and the fact that the Employment and Learning Committee, the Health Committee and the Education Committee have all raised issues around that point of transfer from school into what happens thereafter. It is something that we will have to pick up as part of this strategy as well as part of other efforts and considerations that other Departments are making. There is not an immediate answer available to Lord Morrow in that respect, but I recognise that it is an issue that we will have to get to grips with.

Mr Allister: The historic and continuing levels of economic inactivity are clearly quite shocking, but, in this statement, I see no reference to the black economy. Why is that? Does the Minister think that nobody who officially is economically inactive is in fact involved in the black economy? In this analysis, will there be any study of that, or are we just going to close our eyes to that?

Dr Farry: I concur with Mr Allister at the beginning, in terms of the acknowledgement that this is a major challenge facing society as a whole. If we have problems with the black economy, it is important that enforcement is taken through the various mechanisms that are available for that, whether that is through HMRC or through people losing their benefits. We are happy to have those discussions with the Department for Social Development (DSD) to get an idea of the scale of that.

I am sure that there is a degree of a black economy in Northern Ireland, but it is important that we do not over-egg that. We certainly do not have a black economy of anywhere near the scale of some other European Union countries and, indeed, of some other parts of the world. That is not to diminish it as an issue, but it is important that we place it in proper perspective but, in doing so, acknowledge it and see what further steps can be taken. On the back of the question, I am happy for my officials to discuss that issue with DSD and other relevant agencies such as HMRC.

Mrs Overend: I thank the Minister for his statement. The Minister said that changes cannot be made overnight, but he also said that the childcare strategy will play a key role in assisting those who are inactive due to family commitments. The childcare strategy has been in the making for quite a considerable amount of time. Can the Minister outline how detrimental it has been that a childcare strategy is not yet in place, and can he outline any actions that he might be taking to urge that process along?

Dr Farry: The Member is right to say that this will not be changed overnight. We certainly can rise to the challenge of putting in place new policies and programmes fairly swiftly on the back of the strategy itself, but, on the figures, this has been 30 years in the making. I will not suggest that it will take 30 years to unpick it, but we will not be able to unpick it in a major way overnight.

In terms of the scale of what we are trying to achieve, there will not be any immediate targets for how we will bring it down, but I have very clearly stressed that we need to have a participation level in excess of 70% in Northern Ireland before we can say that this is a healthy economy and that we are addressing the major structural problems that exist.

The issue of the childcare strategy has been a source of frustration for Members, but it is a high priority for the Office of the First Minister and Deputy First Minister (OFMDFM). In particular, the junior Ministers are keen to take it forward. The consultation has just closed, and, no doubt, officials in that Department will be closely analysing the responses that have come in to that. I and my officials are very happy to work closely with OFMDFM on the finalisation of that strategy and to see what more we can do as a Department and, indeed, what synergies can be created between the childcare strategy and the forthcoming economic inactivity strategy.

11.15 am

Department for Regional Development: Response to Severe Weather

Mr Kennedy (The Minister for Regional Development):

With your permission, Mr Speaker, I wish to make a statement on the handling of the winter weather incident.

The purpose of the statement is to present to the Assembly details of my Department's handling of the recent severe weather incident. Members will be fully aware of the significant snow event that affected Northern Ireland on 21 and 22 March 2013 and the subsequent period of very cold weather that continued until last weekend.

Heavy snow and strong winds disrupted the lives of thousands of people and caused significant hardship to many, particularly those in many rural areas, including the farming community. The scale of the problems encountered by some isolated communities is something which we have not experienced for decades and, I hope, we will not see repeated in the foreseeable future.

In many areas, the wind, coupled to the weight of the snow and ice, brought down power lines, and that, at one stage, affected thousands of homes. In addition, over 1,000 homes lost their water supply for a short period. Many roads, particularly minor roads in upland areas, were blocked by large snowdrifts. Areas of the Sperrins, the glens of Antrim, the Mournes, the Dromara hills, the Castlereagh hills, upland areas around Lisburn, Craigantlet, and high ground stretching from the north of Belfast to Antrim were particularly badly affected. I witnessed snowdrifts almost 20 feet high in the Mournes and the glens of Antrim — something that I have never seen before.

I would now like to turn to the response by the staff of my Department. On Thursday 21 March 2013, after a multi-agency conference call organised by the local government emergency management group, all agencies including Roads Service, NI Water and Translink were put on standby to deal with any issues arising from the anticipated severe weather. Regular conference calls were held throughout the height of the emergency. Those were particularly effective in ensuring that relief efforts were directed quickly to the point of need.

My Department was represented at meetings of the Civil Contingencies Group (Northern Ireland), which was convened by OFMDFM and chaired by the head of the Northern Ireland Civil Service. That group met daily from Sunday 24 March until Good Friday to ensure strong leadership in co-ordinating relief efforts. I visited the operations centre to lend my personal support to the operations.

The permanent secretary subsequently decided to convene a meeting of my Department's emergency management group. The major emergency response plan was activated in support of the Civil Contingencies Group (Northern Ireland) to ensure that the resources of the Department and its arm's-length bodies were being deployed to deal with the impact of the severe weather. The Department's emergency management group met regularly to discuss and review our response to the very challenging conditions.

My Department also maintained a full-time presence at the PSNI's gold command centre, which allowed the various

agencies to prioritise and co-ordinate our efforts with the other responder organisations. I will say more about that later.

I want to commend front line staff in Roads Service, NI Water and Translink who, despite very challenging circumstances, worked tirelessly to improve conditions for those affected by the snow. I also want to pay tribute to the contractors, farmers and plant-hire companies who assisted the clearance operations.

Roads Service teams worked round the clock, initially to clear the main traffic routes and then the minor roads in upland areas. It is fair to say that the scale of that task was huge, and, even with the help of contractors, farmers and hired plant, it took nearly a week to get all areas back to near-normality. In some areas, snow is still lying at the sides of roads. Once main roads were cleared, Roads Service teams continued to work throughout the Easter weekend and over the last week on the minor roads to ensure that the high snow banks, left as a result of the initial clearance operations, were made safe and windblown snow was cleared to keep roads open.

I visited Roads Service staff in the worst-affected areas during that period. I pay tribute to front line staff, having seen on the ground and at first hand the work they did. They worked through the night in the most atrocious and dangerous conditions to clear roads that were impassable.

Staff worked long shifts, went home briefly and came straight back out again. They gave up time with their family in order to help those living in the worst affected areas, and that included the additional staff who were called in over the weekend to provide the public with information on road conditions and to handle incoming calls for assistance.

I heard many stories about how individual workers and the emergency services made a difference to some of our most vulnerable neighbours; how a side road off the gritting route was cleared to allow the delivery of oxygen to a housebound patient; how they helped to clear roads to enable NIE staff gain access to damaged power lines; and how farmers also volunteered to help assist stranded motorists. Mr Speaker, we have many unsung heroes. Their dedication and commitment to their work should be commended by all of us.

Let me give you a flavour of the work involved. Roads Service used almost 10,000 tons of salt from 21 March to lunchtime on Wednesday 27 March, whereas the five-year average for salt usage, which includes the severe winter of 2010, is 60,000 tons for an entire winter from the start of October until mid-April. So, in virtually a week, we used 10,000 tons against 60,000 tons for a winter. The entire network was treated almost 12 times during the period, and that equates to approximately 1,100 runs by gritters and 84,000 kilometres of salting in a week. Early estimates put the cost of my Department's response to this incident in the region of £3 million.

It is also important to recognise the major recovery work of NI Water. Severe weather conditions caused disruption to water supplies from Friday 22 March to Tuesday 26 March 2013. The impact on water services was mainly as a consequence of lost electricity to water and sewage pumping stations. However, snow drifts in many areas prevented access to pumping stations and water treatment works and delayed the restoration of water supplies to customers in affected areas.

NI Water staff and contractors were placed on alert in response to an amber severe weather warning on Thursday 21 March. The company's major incident plan was activated and incident teams were in place from early Friday morning to manage the situation as it unfolded over the days that followed. Those arrangements remained in place over the weekend until all affected customers were returned to supply on Tuesday 26 March 2013.

The majority of NI Water's water-production facilities are equipped with on-site standby generators that automatically activate when mains power supplies fail. Those standby generators maintained water supplies to approximately 427,000 properties where the power supply had been interrupted. NI Water also maintains a contingency stock of mobile generators that can be deployed to sites where on-site backup generators do not already exist. In some cases where access was impossible due to road conditions, restoration became dependent on the recovery of NIE mains electricity or snow clearance by Roads Service to allow mobile generators to be connected on site. Where power supplies had been interrupted for even brief periods, NI Water technicians had to attend the affected sites to reset tripped switches as NI Water power supplies came back on line.

NI Water received over 2,500 mains-failure alarms through the company's monitoring centres, which affected approximately 680 NI Water installations between 22 March and 26 March. By Sunday 24 March 2013, the majority of sites had been returned to service, but several significant areas remained problematical, primarily due to the continued loss of mains power and inaccessibility for mobile generators. The main areas affected were in counties Down and Antrim. A 16,000 litre tanker was deployed to Straid village to provide a local source of alternative water supply for customers in the area affected in the Larne, Ballyclare and Carrickfergus triangle.

Bottled water was made directly available to an estimated 250 customers who remained without a water main supply for more than 24 hours. The Red Cross was also extremely helpful in providing assistance with delivery of bottled water to customers in remote areas. In total, NI Water estimates that 10,000 litres of bottled water were distributed to customers.

Over the course of the event, it is estimated that under 1,500 customers were without water supplies due to electricity failure at water installations. On Saturday 23 March 2013, NI Water received its highest number of customer calls, with 1,161 operational calls answered. Some 34 call centre staff — four times the normal weekend staffing levels — were available to answer calls. During the incident, the call centre was also actively contacting approximately 150 customers on its critical care register in affected areas. On Monday, the call centre reverted back to normal staffing levels.

The primary objective was to restore interrupted water supplies by maintaining water production from water treatment works, restoring water pumping stations to operation and to recover levels in service reservoirs where interruptions to power supplies had caused depleted storage.

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

NI Water staff and contractors worked continuously through extreme and dangerous conditions to access remote sites, reset tripped switches, connect mobile

generators and supply bottled water to customers. Over 230 staff and contractors were engaged over the main five-day period of the incident. Costs for the incident are estimated to be in the region of £120,000.

By Tuesday 26 March 2013, normal operational status had been restored in all areas, albeit with some installations continuing to run on emergency generators, and incident management teams were stood down.

Turning to Translink, despite the extreme weather, Northern Ireland Railways maintained its service throughout the period, and no weather-related delays occurred. In addition, the vast majority of Metro and Ulsterbus services operated to timetable. Some bus services were impacted locally due to the prevailing road conditions at the time. However, nearly all bus services were soon operating to timetable.

I want to put on record my thanks for the hard work and dedication of all those involved in what was a relief effort. While it was a collective effort on behalf of a large number of individuals, it is worth highlighting, for example, the joint effort of Northern Ireland Water and NIE to transport a generator to Boghill service reservoir in the mountains north of Belfast. That took 18 hours of continuous working to 3.00 am, digging through 12-foot snowdrifts to ensure that upwards of 3,000 customers in north and west Belfast experienced little or no interruptions of supply. Two staff members in the south Down area drove for two hours in hostile and dangerous conditions but could go no further by road, so they continued for another hour on foot to restore a remote water pumping station to full operation. Water treatment plant managers in the Antrim hills and in the Mourne mountains remained on site without a break from Friday to Monday to maintain water production throughout this difficult period. That was well beyond the call of duty.

I have mentioned the efforts of staff from my Department, but it would be remiss of me not to make reference to others who provided vital leadership and assistance. As I alluded to earlier, the efforts to clear roads, provide help to vulnerable people and reconnect electricity and water supplies were co-ordinated from the gold command centre at PSNI headquarters. Senior officials from Roads Service, NI Water, NIE, the Department of Health, Social Services and Public Safety (DHSSPS), the Department of Agriculture and Rural Development (DARD), Land and Property Services (LPS), PSNI and councils worked together to co-ordinate the relief efforts. Vulnerable people were identified, and search and rescue teams were deployed to provide urgent medicine or to evacuate those in need of assistance to hospital, some by helicopter.

I want to pay tribute to the PSNI, which skilfully co-ordinated the exercise, and Mourne and North West mountain rescue teams and the Ambulance Service, which battled their way to those in need of help. In some cases, they walked for many miles in snowshoes, as that was the only feasible way to travel.

11.30 am

On Monday 25 and Tuesday 26 March, it was clear that a humanitarian relief effort was required to provide basic provisions to many families trapped in the glens of Antrim. That, too, was co-ordinated through PSNI gold command. Also co-ordinated by the PSNI, and with the

help of mountain rescue teams, helicopter support and the Red Cross, much-needed supplies were delivered to those stranded. Red Cross volunteers worked quietly and efficiently in the background to assist with that effort and were vital to its success — a truly excellent effort.

As I am sure that my Executive colleague Minister O'Neill will reflect on, staff in my Department worked closely with DARD officials to ensure that roads were cleared to allow access to farms. I also pay tribute to the local government emergency management group, which co-ordinated numerous multiagency conference calls during the period to identify local issues and instigate action. That was important and ensured that the response was effective and co-ordinated.

In the face of that relief effort, there was, however, criticism in the media about snow not being cleared from footways in cities and towns. A small number of elected representatives were also critical of my Department, particularly in relation to clearing snow from footways and estate roads.

In a prolonged period of severe weather, Roads Service has agreements with 23 out of the 26 councils, enabling councils to clear snow on a number of designated town centre footways to aid the retail sector. Councils in the affected areas, and others, helped to clear snow from town centre footways and assisted Roads Service in other ways during the snow clearance operations. I want to acknowledge their work.

However, it is simply not possible to clear every footway in every housing development in Northern Ireland. Roads Service resources were concentrated on clearing main roads and minor roads, with efforts on the latter concentrated on areas where humanitarian aid was required or where there were animal welfare issues. I fully accept that footway conditions can be difficult, especially for elderly and vulnerable people. In situations such as this, it is the spirit of good neighbourliness that can come to the assistance of those in need. There were many examples of people helping themselves and others, and I commend all who did so.

The Department's major emergency response plan was stood down on Friday 29 March 2013. The civil contingencies group was stood down on Wednesday 3 April 2013. Both groups will review the response to this weather event to ensure that lessons can be learned. The collective response to this weather emergency was a good example of how Departments and agencies can work together effectively.

Mr Spratt (The Chairperson of the Committee for Regional Development): I thank the Minister for his statement. I also place on record the Committee's thanks to departmental officials, Northern Ireland Water, Translink, other government officials, the emergency services and the scores of volunteers for their immediate and selfless actions in ensuring that the core networks and the worst-affected areas were opened as quickly as possible, often at great risk to themselves. It was a supreme effort in exceptional circumstances. I saw many Roads Service staff working alongside contractors and, indeed, farmers who volunteered to help. I also thank the Minister for briefing the Deputy Chair of the Committee and me during the period.

Although the operation was extremely well co-ordinated, will the Minister tell the House whether there were any failures or lessons to be learned, and whether he believes that there may be a need for investment in specialist equipment that may be needed in the future, given the scale of this incident?

Mr Kennedy: I am grateful to the Chair of the Committee for his comments, particularly those in relation to all the efforts by Roads Service, NI Water, Translink and the many other agencies that were involved. I pay tribute to the collective team effort of other agencies, such as the Rivers Agency from DARD, and, indeed, NIE. Although NIE is a privately operated company, its staff performed sterling work, and it is right that we recognise that.

Of course, we will be reviewing the operation, as we would normally expect to review an operation of that nature. Although I believe that the overall operation was effective, there will, undoubtedly, be lessons that we can learn and which we can apply for future reference.

With regard to additional equipment or plant hire, I can inform the Chair of the Committee that I have already begun to make the argument to Executive colleagues for the need to invest further in our winter preparation plant, such as snowploughs, etc. Hopefully, I will have his support in that. To modernise that plant would not only be useful, but necessary, as we approach winter conditions later this year. I very much hope that the Executive will recognise the need for that, and I know that he and the members of the Committee will give their support to that.

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

It was indeed a very intense storm. Even those of us in the Sperrins area of County Derry, who are used to snow, had not seen anything like it in a long time, if ever. Along with the Chair, I pay tribute to Roads Service for the work that it did. I lost count of the number of times I contacted it over the period and received a prompt and efficient service. I also pay tribute to the local contractors, who, even when they were out on a contract, went in and cleared private lanes and the like. I also mark the self-reliance that was shown and the preparatory work that was carried out by local communities. In the long term, such actions probably reduced the losses that they suffered during that period.

However, Minister, I do have one issue, and it is a year-on-year one, particularly along such routes as the A6 Glenshane Road. It concerns the practice of ploughing snow into the sides of roads, thus blocking off many private driveways and lane-ways, which, perhaps, would not be cleared for quite some time.

Mr Deputy Speaker: Can we have a question?

Mr Ó hOisín: Will the Minister address that? Will he also look at the criteria for the clearing of private lane-ways, particularly in humanitarian cases?

Mr Kennedy: I am grateful to the Member for his positive comments, particularly in relation to staff involved in the snow clearance operations. It is important that I restate that, initially, the priority is to keep the main routes open, and then to address the secondary routes. That was possible only through what became almost superhuman efforts, not only by Roads Service, but by private contractors, who were brought in especially, and local

farmers. They all played their part in assisting during the operation.

I have not witnessed the likes of it before. I think I was four in 1963, so I can scarcely contend to seriously remember the conditions then, and I was not even heard of in 1947. I think that the conditions that existed over this period were almost unparalleled. In many cases, it was akin to driving through a wedding cake. It was astonishing that huge banks of ice and snow had to be cleared by the snowploughs.

Inevitably, that caused ditches and hedges to become banked up. Undoubtedly, it added to problems with fencing and hedges for local farmers. Of course, we will seek to address those issues. Processes are in place to do that.

I hear what the Member says on addressing the issue of private lanes. However, I have outlined the considerable resources that this particular episode has cost already and the mammoth task that was before us to keep main routes open and, then, address secondary routes. Other issues come into play; not least resources, but insurance issues and other aspects, to which I am unable to respond in the way in which, perhaps, the Member would like and other elected Members have indicated. I think that the logic of the operation was good. In those circumstances, should be continued.

Dr McDonnell: I thank the Minister for his statement and, indeed, all the officials and staff who performed above and beyond the call of duty. Has the Minister considered, or will he consider, how the DRD response could have been improved? Although it worked well in most cases, I know there were still gaps and a need for improvement. I have been horrified by local stories of vulnerable, mainly elderly, people, living alone, who were trapped in their homes without food for days. I am thinking of places such as Glenarm or those above Glenarm that face down the Braid, the glens generally and, indeed, many other areas across Northern Ireland that received heavy snow. In many cases, health and social services staff were unable to gain access.

Mr Clarke: Is there a question?

Mr Deputy Speaker: Sorry. Is there an interruption over here? Could we have a question, please?

Dr McDonnell: Could the Minister not create a better or more efficient network of local emergency-response people, like farmers and others, who might be triggered to cope with emergencies such as those that we had with the snow? I observe how countries in middle Europe respond rapidly to snow and keep roads open.

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

Dr McDonnell: Is there anything that we can learn from them?

Mr Kennedy: I am grateful to the Member for his initial positive comments that reflected on the work of staff. He raised a number of additional points. I am not sure how practical he would find them if he, perhaps, looked at the situation more objectively. I have explained to the House that the system is to prioritise keeping main routes open and, then, address secondary routes. That, in turn, assists other agencies, such as NIE and NI Water, to gain access to address some of the faults that have occurred in their systems.

The emergency hotlines were an important aspect. I think that issues of humanitarian aid or health emergencies were quite well addressed. Many emergency situations were identified at the earliest possible time so that help and relief could be given. That is how the system should work properly. I have said that we will, of course, review the operation extensively. We will look at areas, perhaps, where improvements can be made. I am happy to give that undertaking.

There was a huge self-help response in local communities that gave help to neighbours and friends, particularly in rural areas. I know how important that became. It is right that we acknowledge that and that we continue to encourage it. There are limitations to what Government and their agencies can do. By working together collaboratively and collectively, and involving self-help from local communities, we can, in large part, address many ongoing issues.

Mr Deputy Speaker: Order. Although it is very important that Members have an opportunity to pay tribute to those who were involved in the crisis, I encourage them to, please, come to their questions a little bit more quickly so that more Members can be heard.

11.45 am

Mr Hussey: I, too, would like to pay tribute to all those involved in this exercise, particularly the volunteers who did it for no financial reward.

The Minister, in his statement, for which I thank him, referred to the handling of future winter conditions. Given the fact that the Finance Minister denies that climate change actually exists, does the Minister believe that that will make it difficult for him to secure additional funding to counter extreme weather conditions in the future?

Mr Kennedy: I am grateful to the Member for his helpful and warm comments to all the staff and agencies involved. I outlined that I have already indicated to Executive colleagues, not least the Finance Minister, how additional resources, through the upgrade of plant and machinery, would certainly give assistance and perhaps even comfort as we approach winter conditions later this year. I will not engage in a debate today on climate change or, indeed, Members' or Ministers' attitudes to it, except to say that it is inevitable that winter conditions will prevail again in parts of Northern Ireland.

Mr Lunn: Unlike the youthful Minister, I vividly remember 1963. In my opinion, it was a lot worse this year than in 1963.

Mr Kennedy: What about 1947?

Mr Lunn: No. *[Laughter.]* I join the Minister in congratulating everybody in the statutory sector and voluntary sector who were involved in the response effort. Everybody performed magnificently, and we owe them thanks and praise, so I would not want to say anything remotely critical. I would, however, like to comment on the last section of the Minister's statement about the relationship between the Department and councils. Is he satisfied that that relationship is now secure and clear in respect of funding and liability? If not, does he think that, down the line, we may need legislation similar to that which was enacted in England, Wales and Scotland for emergency planning in the past few years?

Mr Kennedy: I am grateful to the Member for his comments about the staff and the work of agencies. I accept his point about further co-operation with local government. As Minister, I have made — I think that the Member and the House know this — strenuous efforts to improve that relationship and to put in place memorandums of understanding with the councils in Northern Ireland, to which 23 out of the 26 have signed up. I think that that represents progress. I do not discount the fact that we can make further efforts to improve that. Whether that involves or need involve legislation, I remind the Member that, strictly speaking, neither local councils nor, indeed, Roads Service in the Department for Regional Development have a statutory obligation, as it stands, to clear footpaths.

Clearly, it is in the public interest and in the interest of the health of our citizens to do that, and there is an expectation that it should happen. However, that has resource implications and perhaps legal implications, too, and we have tried to address those through the memorandums of understanding. I was very pleased with the co-operation that we received during this period, but I am happy to engage further with NILGA as well as other local government bodies and agencies to see whether we can improve that further.

Mr I McCrea: I, too, join the Minister and other Members in commending everyone who helped, in any way, the people affected by this. I was not born in either of the years that the Minister mentioned, but I have no doubt that it was bad then. However, from the pictures and footage that I saw, it certainly was not good at all on this occasion.

The Minister referred to the work of the local government emergency management group. Is the Minister content that the local government emergency plans that are in place worked effectively in this case? Is he content that those councils affected by the snow put plans in place for the clearing of footpaths?

Mr Kennedy: I am grateful to the Member for his question and for indicating his youthfulness. He asks largely the same question as Mr Lunn did previously about whether things can be improved further among local government, DRD and Roads Service. The answer to that is probably yes, and we will try to do that. However, I was very satisfied with the reports that I received through local government on the work that was happening in local estates and on local footways and pathways, but it is simply not practical or possible that every single footway and area on every estate can be cleared immediately of snow and ice. It is unrealistic to raise that expectation.

I also want to pay particular tribute to the many voluntary organisations and individuals who used their resources to help clear estates, footways or, indeed, church car parks. I was aware of church car parks that were snowbound in areas around north Belfast. I know that the minister of Ballyhenry Presbyterian Church, Rev Niall Lockhart, was very grateful for the efforts of local people and local contractors who carried out that public service on a voluntary basis, and I am encouraged by that. Of course, we will continue to work with local government and other agencies in a positive manner.

Mr McAleer: Go raibh maith agat, a LeasCheann Comhairle. Minister, I want to draw attention to page 2 of your statement, which refers to the excellent work that

was provided by contractors. Will you provide some clarity on the small number of cases of liability where fences were damaged as a result of snow being cleared from the network? Also, will you clarify how the invoicing of this work will be processed for the contractors, what the timescales will be and matters such as that?

Mr Kennedy: I am grateful to the Member for his comments. There may well be an issue around damage to fences or whatever, and there is a process whereby compensation can be claimed. I have had some preliminary discussions with representatives from the farmers' union on the issue. We are still in the slow thaw and huge banks of ice and snow are still melting before our very eyes. Once that situation clears, literally, we will be in a better position to assess how that can be addressed.

There has been an impact on fences and hedges because of the sheer volume of snow that fell and the drifting that occurred as a result of the wind patterns. There was also an impact on fences and hedges in the snow-clearing operations, so distinguishing the differences there will be a task for officials and others involved. However, we will certainly attempt to resolve all issues as amicably and quickly as we can.

Mr Easton: I thank the Minister for his statement and offer my praise to him and his Department for the efforts made in the rural community. Did DRD help to clear any farm lanes at all because of the severity of the conditions? How many cars and people had to be rescued from the roads?

Mr Kennedy: I am grateful to the Member for that. Obviously, emergency situations evolved and had to be dealt with on the ground. It was not necessary for me to give approval to certain actions, except to know that people who found themselves in an emergency situation would be assisted, and I am content with that. So I do not have the detail on either aspect of the situation that the Member seeks. If such detail is quantifiable and available, we will provide it to him.

Mr Lynch: Go raibh maith agat a LeasCheann Comhairle. Gabhaim buíochas leis an Aire as a ráiteas. I thank the Minister for his detailed statement to the House this morning. Fortunately, where I come from, there was absolutely no snow, so it was like looking at a different continent.

Many lessons were learned from two years ago. From talking to colleagues, I know that there was a fairly effective response, but the Minister will know that the call centre was one of the big difficulties two years ago. Did the call centre pass the litmus test on this occasion?

Mr Kennedy: I am grateful to the Member for his question and comment, which derived, I think, from comments of colleagues. He may have thought that he was in a different continent, but let me assure him that he was in the same jurisdiction — snow or no snow.

On NI Water's operation and responses, my statement indicated that quite a considerable number of staff were deployed over and above the normal number. It is clear to me that the responses were adequate and dealt with the volume of calls that came in. That represents significant progress from previous episodes.

Mr Rogers: I join the Minister and other Members in congratulating all who made a difference at that time.

I want to ask the Minister about the emergency response unit, particularly in rural areas. We know that primary roads are the main responsibility, but might there have been a case for bringing in contractors and farmers more quickly to work on secondary roads? When 30 centimetres of snow has already fallen and, as happened in my area, more snow falls and quickly becomes 2 metres, that is hard to deal with.

Mr Kennedy: I thank the Member for his question. I am satisfied that additional resources, comprising something like 135 pieces of equipment, either snowploughs or additional machinery, were pulled in at the earliest point. I want to place on record that we had considerable help from the Rivers Agency, which provided not only resources but plant. All things being equal, through responding to the weather warnings in place and having the agencies on high alert, there were significant benefits this time in our being able to get out on the front foot, starting the snow-clearing operations to keep main roads open and then addressing secondary roads as soon as possible.

Mr Beggs: I, too, would like to pay tribute to Roads Service staff and contractors for working long hours and taking risks on behalf of the community. Indeed, I also pay tribute to Northern Ireland Water and NIE staff for renewing power and water supplies, along with the actions of councils, the police and volunteers.

The Minister said that Roads Service was reviewing the winter equipment available to it. Does the Minister agree that it would also be appropriate for Northern Ireland Water to review its emergency backup systems, particularly in isolated pumping areas, where, as a result of loss of power and even difficulty placing emergency generators, water supplies were lost for a considerable period?

Mr Kennedy: I am grateful for the Member's preliminary remarks, which paid tribute to the staff in all the agencies. As part of the review, we will task NI Water to look at how successful its operations and backup operations were and whether improvements can be made.

12.00 noon

Mr Dunne: I thank the Minister for his timely statement. I also want to place on record our thanks to the Minister for coming to the North Down constituency. He came to Craigantlet and was active with his shovel. Obviously, every little helps. The Minister will have seen an example there of real community spirit. Roads Service — we have paid tribute to the north Down section — local farmers and local contractors worked together to deal with the snow.

Does the Minister have any plans to utilise readily available modern farm machinery, in conjunction with local framers and contractors, in a more structured manner for future periods of heavy snow? Will the Minister consider that for the future?

Mr Kennedy: I am grateful to the Member for his question and his very positive comments about my work. My shovelling technique was, I felt unfairly, criticised by a local broadcaster. Nevertheless, although it was important for me to see the operations at first hand, it was more important that that work was ongoing. I pay tribute not only to Roads Service staff who were involved in that work but to the private contractors and the local farmers whom I met on that day in the Craigantlet hills. They played their part and used their own machinery.

The Member raised an interesting proposal. As part of the overall response, we will look at that and see how contractors and local farmers can continue to assist Roads Service. I am not a prophet nor the son of a prophet, but I am pretty sure that there will be further wintry conditions later this year. We need to prepare for those.

Mr Clarke: I join with others in thanking the Minister for his statement. Like others, I also pay tribute to the performance of the services during the bad weather.

Minister, weather forecasts and reports may not always be accurate, but, in your statement, you said that you had received a warning about the bad weather. From conversations that I had with Road Service staff, I learned that, in some cases, contractors were brought in only belatedly. Will you assure the House that if there is another event such as this, you will do whatever you can to ensure that Roads Service does not hold off in calling the contractors in and that it will bring them in at their earliest convenience. I see that the Minister of Agriculture and Rural Development is now in the Chamber. She belatedly brought in the army. Perhaps if we have the services of the army in Northern Ireland, they could be used to clear roads if we have another such event in the future.

Mr Kennedy: I am grateful to the Member for his question. Let me say that the weather warnings that were given in advance were absolutely heeded, and preparations were made and put in place at the earliest point. However, it was only after we got into the incident and assessed the almost unparalleled volumes of snow in some areas and the resultant winds that caused the drifting that we saw that it was so necessary to call in additional help at the earliest point. It was a proper response. I said that we will review the incident and the operations. If lessons are to be learned, we will continue to apply those.

Mr Byrne: I welcome the Minister's statement and recognise the sterling work by DRD staff over the period of the incident.

What consideration will be given to the future use of snowploughs or snowblowers in those areas where roads are not on the gritting routes? Certain inaccessible roads were closed for a number of days, and McKelvey Bros contractors did excellent work on behalf of DRD. What about those farmers who contracted privately with plant hire people to try to relieve access to their properties?

Mr Kennedy: I am grateful to the Member for his question. I hope that I have paid adequate tribute to the independent operators and the people who assisted. Their deployment in any emergency situation obviously remains an ongoing issue, and we will continue to look at that to see how we can further improve things.

Farming: Severe Weather

Mrs O'Neill (The Minister of Agriculture and Rural Development): Go raibh maith agat, a LeasCheann Comhairle. I am grateful for the opportunity to make a statement outlining the consequences for the farming sector of the severe weather event that took place over the weekend of 22 to 24 March.

Members will be aware that this was an extreme weather event, with the worst conditions experienced in many decades, particularly in the glens of Antrim, County Down and the Sperrins. I emphasise that it was not exclusively in Antrim and Down but also in the Sperrins area. The Rivers Agency had been on high alert in the days leading up to the adverse weather, and heavy rainfall had occurred, which led to flooding, primarily in south Down throughout Friday, Friday night and Saturday morning, when the agency's operational resources were fully deployed on flood response.

At noon on Saturday 23 March, the Rivers Agency received a call for assistance from Roads Service, and within two hours, it had personnel, machinery and equipment en route to Larne to assist with the snow crisis. Rivers Agency participated daily in frequent conference calls with Roads Service and other responders, and stepped up levels of support as guided by Roads Service colleagues. Throughout the remainder of the weekend and into the early days of the following week, it continued to provide a significant level of support.

I take this opportunity to pay tribute to my Rivers Agency staff, who had to deal with the aftermath of the flooding on 22 March, and to those who were engaged in snow clearance and putting in place preparations for a possible thaw, which, had it materialised, could have caused significant flooding. That preparation included engagement with the Met Office and others through a series of conference calls, as well as making practical arrangements, such as assessing catchment areas, setting up temporary sandbag stores and monitoring watercourses.

Members will also be aware that, as a result of the extreme weather, the Executive's central contingency group convened, and co-ordinated a multiagency response to what presented as a humanitarian crisis. Quite properly, the initial focus was on people needing urgent food, water and medical supplies. It is important to remember that NIE estimated that over 35,000 homes were off supply at some stage over that weekend. As I said, our role at that point was to support Roads Service in improving access to affected areas.

It became clear only on Sunday 24 March that there was an emerging animal welfare issue. I was alerted on Sunday morning and my permanent secretary attended the central civil contingency group that afternoon. Very difficult humanitarian issues were clearly being faced by those in rural areas. However, there was also developing intelligence to suggest that farmers were experiencing significant difficulty in accessing stock and getting feed to them on the hills. The priority was, rightly, to ensure roads to the most affected areas were cleared as quickly as possible. Minister Kennedy and I spoke about the problems that were being experienced by rural dwellers, particularly those off the gridded network. I emphasise that, at that juncture, it was difficult to obtain intelligence on what was happening. Members will fully appreciate the

difficulty that farmers faced under these extreme weather conditions in communicating with the outside world.

Officials were present at events attended by farming industry representatives on the evenings of Friday 22 March and Saturday 23 March, and at neither event was there a sense of the scale of the developing crisis. The Department of Agriculture and Rural Development (DARD) helpline was available throughout the weekend. It was checked on the Sunday evening for any communication, but the only recorded call related to flooding that had been experienced on the Friday. However, throughout Sunday, a picture of the severity of the crisis being faced by farmers emerged. I spoke with the head of the Civil Service to seek assurance that all necessary resources available to the Executive were being mobilised and I then requested to speak to the Regional Development Minister.

On Monday 25 March, an early analysis of the situation on the ground was made through College of Agriculture, Food and Rural Enterprise (CAFRE) development advisers contacting farmers; farmers contacting DARD; and contact with other stakeholder organisations. That indicated the scale of the problem and particularly the fact that accessing stock was the major difficulty.

Accessibility by road was impossible in the areas worst affected in the early stages of this crisis, which compounded issues of access to livestock in more isolated areas. At that point, I requested that the British Secretary of State make helicopter assistance available. After speaking to Justice Minister Alan Shatter TD, I also obtained airborne resources from the Irish Air Corps. I also ensured that Forest Service soft-track vehicles were available to provide ground support to assist farmers in moving fodder to stock that had become isolated and inaccessible due to the adverse weather. The complementary air and ground support programme that I deployed benefited numerous farmers in the most affected areas. That first phase of our response concentrated on access to fodder, farmers running out of fodder, access to livestock and the consequences of blocked roads and lanes. As I said, the first assistance to farmers using Forest Service soft-track vehicles began on Monday 25 March. Those vehicles continued to be deployed throughout the period. In total, 90 farms were assisted by soft-track vehicles — 33 in Down, 54 in Antrim, and three elsewhere in the North of Ireland.

During that period, the DARD helpline was manned 24 hours a day. In total, from Monday 25 March to Sunday 7 April, we received 350 calls about the severe weather; although from Sunday 31 March, fewer calls were received in connection with the weather and most calls were in connection with the fallen stock scheme. An incident room was operational in Dundonald House. Using the information gathered from the helpline, my staff at Greenmount contacted farmers, and using air reconnaissance in the glens of Antrim area on Tuesday 26 March and in the Slieve Croob area on Wednesday 27 March, DARD prioritised and planned its distribution of feed. Informed by the information we gathered, fodder was airdropped to the worst affected areas over the three-day period Tuesday 26, Wednesday 27 and Thursday 28 March. In total, 46 airdrops were made, of which 21 were in Down and 25 in Antrim.

I welcome the fact that the Ulster Farmers' Union (UFU) has stated that it was supportive of the actions taken by

DARD. I would also like to use this opportunity to thank the UFU for its assistance and efforts to ensure that much-needed fodder was located and made available.

Based on the analysis of the information gathered from the helpline calls and local intelligence, the improved road access situation and the success to date of the use of the Forest Service soft-track vehicles, by close on Thursday 28 March, the assessment was made that the immediate priority needs in relation to access to fodder had been addressed by the airdrops, meaning that further helicopter support was not required at that time. The Forest Service soft-track vehicles continued to be deployed to assist with delivery of fodder to livestock in hard-to-reach farms. I have kept under review the option for further aerial drops, but they have not been found necessary at this stage. The focus of calls to the helpline over the Easter weekend shifted to issues around fallen stock.

On 28 March, I sought and secured the agreement of the Executive to hardship funding to assist farmers in the areas worst affected by the snow storm in the North of Ireland. The first element of that is that DARD will pay for the costs of collection and disposal of fallen stock that has died as a direct result of the snow storm. That relieves those farmers of a potential cost to their business and will protect the environment and animal health by encouraging the proper disposal of fallen stock.

The primary criteria for eligibility for the hardship funding is that farmers must have been severely affected by livestock losses arising from the recent snow storm and have fallen livestock collected by approved renderers between 2 and 15 April. From my contact with farmers out on the ground, it is obvious already that the thaw is taking longer and the farmers' losses are greater than anticipated. I can, therefore, announce that the collection and disposal arrangements will remain in place until at least 19 April.

All those farmers severely affected by the recent snow storm event are potentially eligible for that hardship scheme. So that those who were potentially hardest hit would have immediate help, a list of postcodes was identified from those calls for urgent assistance to the DARD helpline, and all farmers in those areas will have their fallen stock collected and disposed of by those arrangements. However, whether part of the published postcode list or not, any farmer who considers that they have suffered livestock losses as a result of the snow storm may be eligible for the scheme. I appreciate that there are smaller discrete areas in other locations in the North of Ireland where farmers have been equally affected by the snow storm and I have made arrangements in my Department to confirm the eligibility of any farmer calling the DARD helpline and requesting that fallen stock is collected under those arrangements.

The collection and disposal scheme opened on 2 April and collection of fallen stock has commenced to those farmers considered eligible, whether part of the published postcodes or otherwise. As of 4.00 pm yesterday, carcasses had been collected from 440 farms. A total of 8,153 sheep had been collected, of which 6,246 were lambs. Additionally, 240 cattle were collected. The vast majority of calls received from farmers to date, including a number from around the Sperrins and other affected areas in the west, have been confirmed into the scheme on the basis of the information provided. In fact, 140 applications

have been approved to date and only 10 have not been accepted.

In due course, I will bring to the Executive proposals for the second element of the hardship measures, which will seek to mitigate the costs of livestock losses that have been sustained by farmers arising from the snow storm. The hardship payment will be specifically for livestock losses. The hardship scheme will be linked to the collection and disposal scheme and will be framed in light of the information gathered on the extent and nature of losses, which we will build as farmers have stock removed and disposed of by the approved renderers.

The details of the scheme and how to apply to it will be made public as soon as possible.

12.15 pm

The overall hardship funding will be up to the maximum that is allowed under the EU state aid de minimis rules of €7,500 per farmer, including the costs of collection and disposal of the fallen animals. It is envisaged that the hardship payment will be based on a proportion of loss at individual farm level.

The scheme will require subordinate legislation. Before making my statement, I had intended to ask the Chairperson and the Deputy Chairperson of the Committee for Agriculture and Rural Development — I will do it in due course — for the support of the Committee to enact the legislation as quickly as possible. My officials plan to discuss scheme proposals with the Ulster Farmers' Union (UFU) and NIAPA later this week.

I will now turn to the processing of single farm payments and other subsidy payments to affected farmers. I am pleased to report that, because payments were made more quickly this year than last year, most farmers in the affected areas will already have had their payments, whether single farm payments (SFP) or less favoured areas compensatory allowance (LFACA) payments.

As of the end of March, 95.1% and 94.5% of SFP and LFACA payments had been processed with forecast outturns of 96% and 96.5% respectively by mid-April. In addition, the countryside management scheme payments are expected to commence this month, as opposed to October last year. A small number of farmers in the affected postcode areas remain to be paid, and we will process those payments as quickly as possible.

One critical issue arises with regard to LFACA payments and claims for the 2014 scheme year. Those claims are made on the 2013 single application form and require the farmer to have the appropriate stocking density between 1 April and 31 October 2013. Farmers who cannot meet the required stocking density between those dates as a result of force majeure associated with snow conditions need to write and tell the Department at the earliest opportunity that that is the case. The Department will accept letters up to but not beyond the single application form submission deadline of 15 May. If farmers neglect that and, as a result, do not obtain an LFACA payment in 2014, it will then, in all probability, be too late to claim under force majeure provisions. Therefore, it is vital that farmers take action on this matter now and write to the Department to explain why the stocking density has fallen below the required level.

I am concerned about the problems ahead for the sector. The poor growing conditions of last year, a prolonged winter, poor grass growth because of low temperatures and difficult conditions could compound the practical difficulties for some farmers. I am also conscious of the cash-flow demands arising from this crisis and restocking. I will be inviting representatives of the National Sheep Association, the UFU and NIAPA to a meeting to discuss the way forward.

In the past two weeks, I have visited farms in the glens of Antrim, south Down and the Sperrins and have witnessed first-hand the problems that have been faced by farmers. I acknowledge the true community spirit that has been demonstrated in those areas, as farmers and the wider agrifood industry, including the banking sector, worked together to procure and deliver much-needed fodder to affected farms.

The hay and concentrates that were donated in the glens and south Down were very much appreciated by the local farmers. I commend the work of local farmers and volunteers who have battled the worst of the elements to assist their neighbours. I know that people will continue to do what they can to be good neighbours and to assist the vulnerable and elderly in their area.

In conclusion, I commend the work of my staff, many of whom worked long hours alongside farmers and the voluntary sector in very difficult conditions.

Mr Frew (The Chairperson of the Committee for Agriculture and Rural Development): I thank the Minister for her statement on this tragic crisis in the farming community.

Will she agree that it is fair comment to suggest that she was too slow in dealing with this crisis — some 24 hours too slow — and that she was too quick to withdraw the Royal Air Force's Chinook air support — at least 24 hours too soon — at a time when it was needed the most in my constituency of North Antrim and the neighbouring constituency of East Antrim? Although the roads were cleared, the snow was still on the hills, lane-ways and farmyard drives. Will she assure the House that, because stock is still buried on the hills of North Antrim and East Antrim, she will extend the carcass collection scheme beyond 19 April if it is needed?

Mrs O'Neill: I do not agree that we were too slow to respond. As I said in my statement, the initial issue was a humanitarian one, and that is how it had to be dealt with. The priority over the Saturday and Sunday was to get food, water and medical supplies to people, and that had to be the initial response.

Over the weekend, it became more apparent that there was also an animal welfare issue that needed to be dealt with, and we put plans in place quickly.

Let us be very clear: Rivers Agency staff were out dealing with flooding issues in County Down on Wednesday, Thursday, Friday and right into Saturday morning. As soon as the call came from Roads Service to say that it needed some assistance to clear roads, staff were completely deployed to take on that challenge, and they did so happily. They worked very well over those days and continue to do so after the crisis. Were we slow to respond? No, I do not agree with that claim. We acted promptly and took the measures that were appropriate at that time.

I was very grateful to be able to secure the helicopters. They were necessary. Anybody who saw the conditions from the media coverage or when they visited any of the affected areas could see how difficult it was to get any sort of land access, particularly to livestock on high ground. The helicopter assistance was fantastic and played a very key role over the next number of days. I am grateful to the British MoD and the Irish Air Corps for providing that service when we needed it. Over 90 drops were made, and, from speaking to farmers, I know that they were very grateful for that approach.

Were the helicopters taken away too early? No, I do not agree with that assertion. The information that we had was that the calls to the helpline requesting feed had basically been dealt with. We had approached all the people who had requested our assistance. At that stage, we were very confident that the rest of the people who needed to be reached could be got to using the soft-track vehicles that we had on the ground. That was the assessment that we made.

I also remind the Member that we still had that air assistance on standby. Right over the Easter break, they were sitting ready to come again if needed. They were not dismissed; they were kept on standby to help if needed. We made a fair assessment at the end of the week that we had met the needs of the farming community that we needed to meet and that the rest could be reached by ground. I am content about that.

I have extended the date for collecting the animals because, even as late as last Friday when I was in the Sperrins, I could see how deep the snow still is on the hills. Unless that situation changes, we will have to come back to that date. I have extended it to 19 April to reflect the current situation. We will make another call on that closer to 19 April.

Mr McAleer: Thank you, a LeasCheann Comhairle. I thank the Minister for her efforts in resolving this and acting decisively. I also thank her for coming down to visit the Sperrins on Friday to meet some of the affected farmers. One of the concerns that farmers raised during that visit, which my colleague Oliver McMullan will also have found in the glens, is the impact of the reduced stocking densities on their LFA payments. Will the Minister be specific and tell us what we should advise the farmers who think that they might be affected by that?

Mrs O'Neill: I thank the Member for the question. I was delighted to visit the Sperrins and talk to the farmers, because there was a bit of misinformation or confusion on the postcode issue. I was delighted to be able to reassure the farmers in person on Friday that they are, in fact, included in the scheme. It is fair to say that the situation in the Sperrins was different from that in Antrim and Down. We witnessed pockets of sporadic snow in the Sperrins whereas there was more of a blanket coverage in Down and Antrim.

You are right: one issue that was raised by the group of farmers that I met was around stocking density and their concerns about losing LFA payments. I really want to encourage all Members to assure farmers that there is provision within the LFACA scheme to be able to waive the required stocking density under the force majeure criteria. Under that regulation, that can be applied only if farmers request it themselves. I encourage all Members to talk to

farmers to make sure that they get that request in before 15 May, which is the single farm payment application deadline. We need to get that message out very strongly. I also intend to contact farmers to encourage them to do that. I will also use other avenues, such as the UFU and NIAPA, to get that message out. We can deal with the stocking density issue under the force majeure, but the onus is on the farmer to come forward and ask for that provision; I cannot just apply it.

Mr Byrne: I welcome the Minister's statement. Does the Minister accept that DARD officials were very slow to get out to visit farms? I appeal to the Minister to make sure that the Department has field officers who go out and liaise directly with farmers. In those areas where there is great concern, how likely are we to have some sort of local clinics where affected farmers can go to have their queries addressed? There was great confusion because the helpline did not deal directly with farmers' requests. Lastly, I commend the work of the Forest Service, particularly in those areas of north Antrim where many farms were cut off.

Mrs O'Neill: I thank the Member for his question. I assure him that field officers are on the ground and that staff are liaising with the farming community. It is unfortunate that some farmers felt that there were confusing messages on the helpline. We sought to address that very quickly, and I made the public statement on Friday to make sure that farmers in the Sperrins did not feel that they were being treated any differently, because they were not. It is very important that that message is very clear to all of the farming community.

As I said, it has been a very difficult period. The crisis has been unique and extreme due to the weather. Over the past number of weeks, not just staff from the Departments but people from voluntary organisations and the farming community themselves have worked particularly hard and really have helped each other out. I commend them all for that work. We have shown that when Departments work together there can be positive differences on the ground. That was very evident in the approach to this crisis. We will continue to do that.

As regards clinics, I am regularly out and about meeting farmers through different forums. I have received a request from Declan McAleer to come into the Sperrins area to meet the farming community, and I would be happy to honour that. We will continue to do more of that in the time ahead, because it is important that we engage with all of the farming community and that they all feel that they have a voice and are being listened to.

Mr Elliott: I thank the Minister for her statement. I also praise the staff on the ground and the resilience of the farmers.

On page 2 of your statement, Minister, you indicate that:

"94 farms were assisted by soft track vehicles".

You also state that 46 were assisted by airdrops, which comes to a total of 140. There were 350 calls to the DARD helpline in one week alone, so I am assuming that, overall, it only assisted 30% or 40% of the farms that made requests. Is that accurate? What has become of the farms that did not get that assistance?

Mrs O'Neill: I assure the Member that the calls to the helpline were for varying reasons, such as the weather, people being stranded and enquiries about the fallen stock

scheme. So, there was a variety of issues. I assure the Member that 440 farms have been visited as part of the fallen stock scheme. As I said, the queries were varied and were all responded to. I am confident that people have all been replied to and that their issues have been dealt with.

As I said, there were farmers ringing about a lack of access to fodder and requesting our assistance and requesting the soft-track vehicles. People called the helpline for a variety of reasons, but we made sure that we responded to them all.

Mr McCarthy: Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for her statement.

I have to support our Agriculture Committee Chairman's comments that it looked like there was a slow start by the Department. On the day we had the special meeting with the officials, I asked why it was not until the Monday that full effort was put into operation. It seemed strange because we were warned on the Monday that the severe weather was coming. It seems strange that it took so long for the Department to respond. The Minister will defend what has been done, but are there lessons to be learned? If there is a warning of severe weather, will action be taken there and then rather than waiting for almost three or four days?

In the last paragraph of her statement, she mentioned the wider agrifood industry. I heard the Ulster Farmers' Union guy this morning —

Mr Deputy Speaker: Will the Member please come to a question?

Mr McCarthy: Yes, Mr Deputy Speaker. I heard him say how satisfied they were. However, the agrifood industry includes horticultural people who have lost produce. Is there any compensation or hardship fund for those people who lost produce in the tragedy that unfolded last week?

Mrs O'Neill: Again, as I have said in previous answers, and the Member would not expect me to say anything different, I do not agree with the assertion that there was a slow start. I do not know how many other ways you would like me to put it. There was a humanitarian issue that needed to be dealt with. Surely you are not saying that people should not be dealt with first? Surely you are not saying that the priority should not have been to get water, medical supplies and food to people?

I am quite sure that that is not what you are indicating, but you can clarify that for yourself.

12.30 pm

Over the initial days of the crisis — on the Wednesday and Thursday, before the snow came — the Rivers Agency was on the ground because of the weather and flooding in the Down area. As soon as the agency was required on the ground because of the snow, which came over the Friday and Saturday, all the resources were deployed by lunchtime on Saturday. We had over 50 Rivers Agency staff on the ground clearing snow. Unless you clear the roads, you are not getting to anybody. So, that was the approach at the start, and I am content that the Rivers Agency and DARD were on the ground carrying out the role that they needed to carry out.

When the humanitarian issue was being dealt with over the Saturday and Sunday, as the figures started to emerge and

as we started to get more contact, we could clearly see that an animal welfare issue was emerging. That is when DARD again stepped up and started the discussions. We got involved in the civil contingency group, and we made sure that we started to work towards securing helicopter assistance — all the things that needed to be done. So, I am very confident that DARD responded to the crisis in an appropriate manner, when it should have and how it should have. Are there lessons to be learned? In any crisis, you will always learn a lesson. We are not at the end of this; it is still ongoing. There is still a lot of hardship out there, and we have still not collected all the dead animals. However, when we get to the end of this, we will of course sit back and take a look at whether there is anything that we need to learn. If that is the case, we will learn lessons from it.

Mr Clarke: I thank the Minister for her statement. The weather was unprecedented, and hard work was done. We have to recognise that. I appreciate what the Minister has said about the lessons that we could learn.

The statement identifies postcode areas and states that those who are not included in the postcode areas “may be eligible” for assistance. Is the Minister aware that, on the day that the Department came to the Committee, I asked about the Department’s own stock on the Glenwhirry hills, where, of 350 sheep, it had accounted for only 80? That postcode is not included on the list. What assurance would that give a farmer on similar hills? If the Department cannot account for 270 of its sheep and is not included on the list, how on earth do farmers on similar hills have a chance?

Mrs O’Neill: I do not think that you should get hung up on postcodes. It is a difficult enough situation for the farming community without trying to mix and cause an issue that is not there. The postcodes were issued for one reason: to enable the scheme to move quickly. People could call up, say that they were in a certain postcode area and get things moving and get stock lifted. That was the purpose. I also said that, if you are not in those postcode areas, you may also be included. For example —

Mr Clarke: May.

Mrs O’Neill: Would the Member suggest that any farmer should just be able to ring up and say that they can claim? If you are dealing with a hardship scheme, you need some way to verify the data. The postcodes used were based on Met Office statistics and information from staff on the ground. The Member should stop mixing. I have made it very, very clear to farmers who are outside a postcode area that, if they can verify that they experienced loss and the weather was bad in their area, they are in the scheme. Quite a number of people came forward and have been put into the scheme as a result; I think that the figure for people outside the postcode areas is around 140. Let us not make this any more confusing or difficult for the farming community. It is a hard enough time.

Mr Ó hOisín: Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire as an ráiteas agus fosta as an chuairt a thug sí orainn i lár na Speiríní an Aoine seo caite. I thank the Minister for her statement and the visit that she paid to us in the heart of the Sperrins last Friday. That gave great succour and reassurance to the farmers of the East Derry and West Tyrone constituencies. On the back of that, Minister, how many farmers in the

Sperrins have applied for and been included in the scheme?

Mrs O’Neill: As I said, the Sperrins were slightly different in that there was not a blanket coverage of snow. Even within some postcode areas in the Sperrins, some areas were severely affected and some to a lesser extent or not at all. So, it was definitely sporadic and patchy. When I was up there on Friday, I could see for myself that the hardship those farmers experienced was no different to that of any other farmer in Down or Antrim. I can confirm that 69 farmers have applied to the scheme and all have been accepted at this stage. Other applications are being processed. I am confident that those farmers are more content now that they are being included in the scheme and being treated no differently.

Mr Campbell: The Minister has been at pains to point out the issue with the postcode scheme. If similar issues pertain on future occasions when we have extreme weather conditions, will she ensure that, in the midst of the crisis, some farmers in areas of East Londonderry, whom she did not visit on her recent visits, will not be made to feel as if they are an appendix to the main scheme? Will she dispense with the postcode scheme and ensure that farmers who are affected, wherever they are, can understand that they are being treated equally by the Department and can be assured of emergency assistance from the Department, irrespective of where they live?

Mrs O’Neill: I assure the Member that equality is at the core of everything that I do. There is never an intention to leave anybody out or to make any farmer feel that they are being treated less equally. If they do feel like that, I will always set out to rectify it. I was in Antrim, the Sperrins and Down, and maybe the Member should have asked me to come along to visit some of the affected farmers in his constituency. I would have been happy to do that. I spent a number of days on the ground, meeting farmers and witnessing their experience at first hand. I informed all MLAs when I was going into their area, and I was happy to meet Members. The experience of farmers was very difficult, and, in quite a lot of areas, MLAs were on the ground providing practical and physical support. I am content that I got out and about and met as many people as possible, but, if the Member felt that I should have visited some people in his constituency, he should have requested a visit.

Mr Hazzard: Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire as a ráiteas. I thank the Minister for her proactive, flexible and balanced approach to the crisis that unfolded last week. Indeed, as has been outlined, the Minister joined me and my colleague from South Down John McCallister in the Kilcoo and Mourne area, listened to the farmers who were affected and acted upon those concerns. When the emergency meeting was called last week, I was delighted to hear that the Minister had directed officials to engage with insurance companies that were perhaps coming across as more rigid than they should have been. We have heard about the great flexibility of the Rivers Agency, which dealt with flooding in Rostrevor one minute and was quickly into action again to address the snow problem. I am coming to the question now.

Mr Deputy Speaker: A very good idea.

Mr Hazzard: It is very important to praise the air support from both the British MoD's RAF Chinook and —

Mr Deputy Speaker: The Member really must do as he promised and come to a question.

Mr Hazzard: — the Irish Air Corps. Could the Minister give her assessment of the significance and value of such support?

Mrs O'Neill: The air support was vital in getting to hard-to-reach people, particularly on Tuesday, Wednesday and Thursday, when it was nearly impossible to get to people by road. I very much welcome their input and thank them for it. When the Irish Air Corps was called to an emergency, it had to rescue two mountain climbers. It did not just deal with the crisis in the farming community but ended up, because of the snow, having to rescue two people who decided to climb a mountain. The 90 drops were very effective, and I know that the farming community welcomed that input. That sets a precedent that if we ever find ourselves in such a situation again — hopefully, we will not — we will have that assistance to call on.

Mr Rogers: Thanks to the Minister for her statement. Like other Members, I acknowledge the help that has been given by the various agencies. The snow might have gone away, but the problem has not. If you are a sheep farmer, the highlight of your year is the lambing period. At the moment, we have breeding flocks decimated, sheds demolished and insurance policies proven to be useless. Too many farmers can see the back wall of the silo; in other words, they have no feed. I ask the Minister to do two things: take the onus off the farmers and get DARD officials out to visit those who have been severely affected and work with her colleagues in the Executive to bring forward a comprehensive compensation scheme.

Mrs O'Neill: I have already done that. I was delighted that I secured Executive agreement for a hardship package. It was twofold: first, lifting the fallen stock and, secondly, looking towards hardship. It is not compensation, and it will not compensate for all people's losses, but it will work towards some sort of hardship payment. We are talking upwards of £5 million under the de minimis rule.

I know that the farming community has called for that, and, when I was out on the ground meeting people, the key issues were about how they would get the stock lifted and how they would pay for that and that their insurance may not cover their sheds being down. All those issues were really difficult, and I know that some farmers' heads are totally down. So, I am committed to making sure that we work with them in the time ahead. The hardship package will go some way to helping them, providing practical advice. As I said, I will enter into discussions with the farming unions and all those key people on the approach in the year ahead. It has been such a difficult 18 months for the farming community, so we need to plan for the period ahead. I will continue to do that over the next number of months.

Mr Beggs: I too express concern about the proposed deadline of 19 April for the fallen animals scheme. My daughter was in the Antrim hills at the weekend and reported walking through 3-foot snowdrifts. The dykes above Larne and Carrick still show sizeable drifts of snow in many places, and, from them, many fallen animals are likely to emerge. Therefore, will the Minister ensure that undue pressures are not put on farmers who have already

suffered extensive losses and that that scheme will be extended? It is physically impossible for many of them to recover their stock at this time.

Mrs O'Neill: For the very reasons that the Member has outlined, I have extended it to 19 April. I will keep that under review, because I saw for myself as late as Friday the depth of the snow and the difficulties that are still being faced. I do not want farmers to put themselves in any danger or difficulty by going up and trying to take the livestock down until it is safe to do so. I will keep that position under review. 19 April is the date for now. Let us work towards that, and we will just watch how the thaw happens.

Mr G Robinson: Can the Minister explain why postcodes BT47 and BT49, which include the farming communities in the Limavady and Dungiven areas, were excluded from her Department's compensation scheme in 2010, despite the loss of approximately 1,200 animals? Thankfully, those areas have been included in the current carcass-lifting scheme and compensation scheme, which I welcome.

Mrs O'Neill: I cannot speak to the 2010 scheme, but I assure the Member that, regardless of whether or not you are listed on the postcode scheme that was initially set out, if you have been affected by snow and you have lost livestock, you can be included in the scheme. I give the Member that assurance. I cannot compare the two, because, in 2010, I was not in the Ministry.

Mr Allister: Is it a correct understanding of paragraph 25 that the Minister intends to cap the assistance under the hardship scheme to any farmer, no matter how extensive his losses are, at €7,500 and that the cost of the recovery of the fallen animals will be deducted from that? There will be no assistance for restocking and no assistance for restoring infrastructure in farms. She seems to have closed down the possibility of considering what she should be considering: a proper scheme approved by Europe under state aid approval that would actually meet the need, not simply make a token contribution that might come nowhere near meeting the need. Will she put in place a proper compensation scheme?

Mrs O'Neill: As I said in previous answers, I have secured Executive agreement for a hardship scheme. That had two elements: first, lifting the fallen stock and, secondly, a hardship payment. Farmers are telling me that they do not want this put on the long finger. They need support, and they need it as quickly as possible. So, I looked at a number of options, and the hardship scheme under the EU de minimis rules seemed to be the most appropriate scheme. It allows us to get money out to farmers in a speedier manner.

I looked at three areas for possibilities that we could look at. The first was the European Union solidarity fund, and the second was the Commission regulation under the state aid block exemption. Those take a long time, and, after going through the process, we might not necessarily meet all the requirements. The EU state aid de minimis provision allowed me to introduce a scheme as quickly as possible. Farmers need to be able to restock come autumn. This allows me to get the money out as quickly as possible.

12.45 pm

The limits are set down by Europe under EU state aid de minimis rules. The Member will be aware of that. It is a €7,500 limit. You cannot look at blanket compensation.

You have to look at the scheme that we can take forward on an individual farm basis up to the de minimis level per farm business. We cannot compensate for the full value of the loss: this is a hardship scheme, not a compensation scheme. As to the farm businesses that have lost buildings and sheds, in many instances people are arguing with insurance companies. I know that that is an ongoing issue with insurance companies because they are not covering those losses. That is a particular issue that needs to be addressed, and I have asked officials to take that up. I intend to meet the NFU in the time ahead to discuss that, because it is an issue. Farmers are feeling cheated because their insurance is not covering them for what, they feel, they were paying a premium for. That is another issue.

I will look towards the hardship payment. I am delighted that we have Executive agreement on it. It is the best scheme that we could bring forward speedily. I know that it is welcomed by farmers. There has been a mixture of losses. Some have lost a few stock, some quite a large number. The hardship payment will be based on the level of loss, but, as I said, it is a hardship payment, not compensation.

Mr McCallister: I welcome the Minister's statement. Indeed, I was grateful that she visited the South Down constituency, accompanied by Mr Hazzard and me, to see at first hand the damage that had been done.

Like my colleagues, I am concerned about the lack of information in the statement about the structural damage on farms. That is one of the key elements that we have to address. I know that the farms that the Minister visited in South Down had suffered extensive structural damage. We must find a way of bringing forward some sort of package, possibly in conjunction with insurance providers. More farmers will be put out of business simply because the cost of restoring farm buildings is too high.

Mrs O'Neill: The scheme that I am bringing forward allows me to look at hardship as a result of losses to livestock, not losses to farm buildings. However, that is a particular issue. As the Member said, when we visited a number of farms, we could see the sheds that had been brought down. We could see the frustration of the farmers, who asked why they had been paying a premium if they were not going to be covered in the event of something like this. That is an issue for insurance companies, and I am happy to challenge them on their role on behalf of the farming community. That is a key area that we need to address in the time ahead. I agree: if you insure your house and you are not covered, you have right to challenge the insurance company. The farmers who have lost their sheds as a result of this weather deserve to be compensated where they have been paying insurance. That is an issue. However, the scheme that I am bringing forward is for the loss of livestock, not the loss of buildings.

Mr Irwin: I thank the Minister for her statement. In relation to the hardship scheme, there are de minimis rules, whereby €7,500, which is in the region of £6,500, is the maximum amount payable. As has been touched on by Mr Allister, a farmer who has lost a large number of animals will need almost the whole of that de minimis sum to remove the fallen stock from his farm. I ask the Minister and her Department to look at ways in which the costs of fallen stock might be covered under a scheme outside the de minimis rules, thereby giving the farmers some room for manoeuvre.

Mrs O'Neill: You cannot calculate it at this stage. I can give you a rough cost. What we are talking about for lifting fallen stock, particularly lambs, is £1.54 for a lamb of up to two months old. The number of sheep lifted to date is 8,153, of which 6,246 were lambs. We are talking about early lambs. So we are talking roughly about £1.56 as the cost. So, if someone has lost 200 lambs, calculate that. We are not talking about a massive amount of money up to the limit of the de minimis rules. Do not scaremonger; let us work it out. Let us get the fallen stock lifted. Let us work towards getting that done first, and then I will bring back a scheme to the Executive. You are very welcome to talk to Ministers about their response to that in the Executive when I bring back the scheme. The scheme that I will bring forward seeks to give some sort of hardship payment as quickly as I can to the farming community, which is asking for some money to help it to restock. This is a way to do it. Therefore, I am content that we take that forward. Do not scaremonger. The scheme that we brought forward is the most appropriate at this time.

Mr Wells: The Minister hides behind the issue of insurance. The reality is that in South Down there are at least seven farmers who have lost sheds and either could not get storm damage insurance or did not have it. Therefore, the consequences of what happened are extremely serious — even more serious, perhaps, than losing stock. Can she devise some way of assisting those farmers to enable them to rebuild their outbuildings in order to keep whatever livestock they can afford to have in the future? Without doing that, it could be the end of the road for some farmers.

Mrs O'Neill: I know that it is a devastating time for farmers. I have met them, and I can see it. Their heads are down, and it is very difficult. However, the scheme that I am bringing forward has to be around verifiable loss and, in this instance, it has to be around verifiable loss of livestock. That is the scheme that I am bringing forward. I will bring it to the Executive table, and it will be up for discussion. As I said to the Member who spoke previously, talk to your own Ministers about the discussion that we will have in the Executive. I believe that the scheme is the most appropriate one at this moment, and it allows us to get some money out to farmers. It will not fully compensate their loss, but it will be some sort of hardship payment.

Why should we run away from insurance companies? Insurance companies are there to do a job, and people pay a premium for a reason. They should be covered if they pay insurance. If insurance companies are not paying out, I am happy to challenge them on that. That is the issue as I see it at this minute.

Mr Deputy Speaker: Order. That concludes questions on the statement.

Mr Campbell: On a point of order, Mr Deputy Speaker. I wonder if you could draw to the Speaker's attention the fact that there is a well-established protocol when ministerial visits take place to constituencies that MLAs and Members of Parliament are notified in advance of the visit, so that the Speaker might send a reminder to Ministers to avoid any accusation of a sectarian visit from a Minister. Having made a check at each of my constituency offices in the course of the present statement I have established that no such notification was given to either my office or my colleague's office.

Mr Deputy Speaker: Order. That is really a matter for the Minister.

The Business Committee has arranged to meet immediately after 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 12.52 pm.

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

2.00 pm

Oral Answers to Questions

Regional Development

A6: Dungiven Park-and-ride Scheme

1. **Mr Ó hOisín** asked the Minister for Regional Development why a site for a park-and-ride scheme on the A6 at Dungiven has not yet been identified. (AQO 3730/11-15)

Mr Kennedy (The Minister for Regional Development):

In response to a supplementary question that he asked in the House on 12 February, I wrote to the Member on 24 February 2013 regarding this issue. In 2009-2010, my Department's Roads Service explored the possibility of acquiring part of the former controlled secondary school site to provide a dedicated park-and-ride site. However, it became clear in initial consultations with local residents that there was strong opposition to the proposal, and it was not developed any further. As part of the development, including the public inquiry on the dualling of the A6 between Londonderry and Dungiven, opportunities to provide a number of park-and-ride sites have been considered. One of those is located on the eastern side of Dungiven in the Magheraboy townland and would provide approximately 100 park-and-ride spaces. That facility would be developed along with the construction of the Dungiven bypass element of the scheme.

My Department has already provided formal park-and-ride and park-and-share sites along the A6 at Drumahoe, Maghera, Magherafelt and Toome. In addition, informal park-and-ride facilities using existing on-street and off-street parking have been developed at Dungiven and Claudy. In February, I opened a major extension to the park-and-ride site at Drumahoe, and plans are being developed for a significant extension to the existing site at the Castledawson roundabout, Magherafelt.

Over 1,000 additional park-and-ride and park-and-share spaces have been provided in the past two years, which is an increase of over a quarter in the total number that are available. At the end of 2012, there were 5,863 park-and-ride/park-and-share spaces throughout Northern Ireland, and my Department's park-and-ride programme aims to deliver a further 1,000 spaces between 2013 and 2015.

Mr Ó hOisín: Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire as an fhreagra sin. I thank the Minister for his answer. The Minister will know that I asked a number of questions on this matter in the past, which he alluded to. Dungiven is one of the last areas on the A6 that is not served by a formal park-and-ride system. That has resulted in on-street parking and parking at health centres and on private properties, which is far from satisfactory. You mentioned the Magheraboy site, which I drive past every day and which I think is unsuitable. A number of sites have been identified, but has any effort been made to acquire a site that is perhaps within the town curtilage, given the amount of dereliction

that exists there and the size of some sites that might be suitable there?

Mr Kennedy: I am grateful to the Member for his supplementary question and, indeed, for his interest in this issue. He will know that various sites that I outlined in response to his question have been identified but that no action has been taken on them. We are, of course, open to further suggestions, and if the Member has any that he wishes to make, we will have them assessed and I will ask Translink to carry forward that work.

Mr Campbell: The Minister outlined the success of the park-and-ride schemes, and he included the Drumahoe site, which had to be expanded very shortly after it opened. In the preparatory work for any future schemes, such as that at Dungiven and others along the A6, given the sooner than expected construction of the road scheme there, will he ensure that sufficient space is acquired to ensure that a proper, adequate site is prepared that does not require expansion within two years of provision?

Mr Kennedy: I am grateful to the Member for his question and for his welcome for the additional facilities that we have provided, particularly at Drumahoe. One of the costs of success of park and ride is that we have seen an expansion in various sites. As you plan and prepare for these things, every attempt is made to identify an area of ground and proper space for the most available number of spaces. Obviously, we will continue to do that as we develop other sites.

Mr Dallat: I thank the Minister for his answers so far, and I encourage him to continue to invest in park-and-ride schemes. Does the Minister agree with me that, given that Dungiven lost its rail link many years ago and is totally dependent on bus transport, this really should be a priority for his Department?

Mr Kennedy: I am grateful to the Member for his supplementary question. Of course, he is his usual coaxing self in an attempt to persuade me to spend money in his area. There is no harm in that, of course; all politics is local. We continue to seek to identify opportunities for park-and-ride schemes. I am pleased with the progress that we have had over recent years and hope that we can continue to develop sites, including sites in and around Dungiven. *[Interruption.]*

Mr Hussey: I thank the Minister for his responses so far. Will the Minister provide figures for how much his Department has spent on park-and-ride schemes over the past two years?

Mr Kennedy: I am grateful to the Member for his supplementary question. I am happy to confirm that the Department spent some £2.1 million on the provision of park-and-ride facilities in the past two years. That has delivered over 1,000 additional spaces throughout Northern Ireland and represents an increase of over a quarter in the number of available spaces.

A draft delivery programme for 2013-15 is being prepared by my Department's park-and-ride programme board. The programme is a prioritised schedule of the park-and-ride projects to be delivered within this Budget period, with clearly defined responsibilities for funding, implementation, maintenance and operation. The programme, which is based on the report of the strategic review of park-and-ride, will propose to develop park-and-ride and park-

and-share sites at several locations, including Lisburn, Bangor, Portadown, Newry, Omagh — which the Member will be interested in — Cullybackey, Dundonald and Templepatrick.

Roads: Gritting

2. **Mr Hazzard** asked the Minister for Regional Development whether there is any evidence that the increase in the number of road accidents in recent months has been due to the type of grit or salt applied to the roads. (AQO 3731/11-15)

Mr Kennedy: Roads Service sources its rock salt from mines in Carrickfergus, County Antrim. That remains the primary material used for de-icing roads, and Roads Service did not acquire or use any new types of rock salt for that purpose during the recent winter period.

With regard to any increase in road traffic accidents being caused by the type of salt being used, I can advise the Member that investigations into the cause of road traffic accidents are carried out by the PSNI. However, Roads Service has no evidence that there has been an increase in the number of road accidents in recent months or that the type of salt being applied to the roads is contributing to road traffic accidents.

Mr Hazzard: Go raibh maith agat. Question answered, thanks.

Lord Morrow: Mr Deputy Speaker, when I am on my feet, may I apologise for my indiscretion with my phone?

I just draw the Minister's attention to the A4, and the gritting programme there. It seems that we have that problem almost resolved, and I have no doubt that that is due in great degree to the part that he has played in it all. However, I draw his attention to another matter on the A4, which is the lack of compensation or completion of —

Mr Deputy Speaker: I remind the Member that the question is about the type of grit.

Lord Morrow: Yes, that is right, but I already spoke about that. *[Laughter.]* I said that it was working, and I was going to ask him whether he could speed up the compensation for those whose land was taken in relation to the A4, which is now open for nearly three years.

Mr Deputy Speaker: That is clearly not relevant to the original question, no matter the ingenuity attempted by the Member. We will, therefore, move on.

Mr Kennedy: I thank the Member for his question and for his apology for his mobile phone going off. I did not take that personally at all. I am aware of the issue that he raised in relation to the A4. I will look at it and see whether I can improve time factors involved in it, and I will write directly to the Member about it.

Car Parking: Residential Areas

3. **Mr Newton** asked the Minister for Regional Development what plans he has to alleviate car parking and traffic problems in housing estates which were designed when there were fewer cars. (AQO 3732/11-15)

Mr Kennedy: The Member has raised this issue with me in the past. As I stated in my response previously, many social housing estates were designed and built when the level of private car ownership was much lower. As such,

roads were primarily intended to provide access rather than parking. Given the level of parking provision in those areas, some residents may be unable to park immediately outside their property. I am aware of the difficulties that that can cause, especially for those with mobility issues.

Regrettably, Roads Service does not have the remit or, indeed, the resources to provide parking at private residences for social or amenity reasons. However, I can advise that Roads Service policy recognises that the level of car parking may, in certain circumstances, significantly affect road safety or traffic progression on through routes. In such instances, Roads Service may take appropriate action. Under that policy, Roads Service has introduced a range of schemes to provide additional parking spaces or to introduce parking and waiting restrictions to ensure the safe movement of vehicles along main through routes in a number of social housing estates. Further requests for the introduction of additional parking measures will continue to be assessed in accordance with that policy. The policy was reviewed recently to take account of the emergence of housing associations and the fact that many houses have been purchased by tenants.

Mr Newton: I thank the Minister for his response and the fact that he recognises that there is a problem. The problem leads to neighbour-to-neighbour disputes, a plethora of accidents, albeit relatively small, but which turn out to be expensive, and to high levels of frustration.

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

Mr Newton: Will the Minister consider a relaxation, perhaps in areas in which there are parking problems for the disabled, to accommodate them and allow them to park closer to their home?

Mr Kennedy: I am grateful to the Member for his supplementary question. I understand fully and sympathise with his point. Part of any solution, perhaps, would be better neighbourliness. Relationships can sometimes be very strained in housing estates, and I have had that experience in my constituency. However, we will continue to work at the issue, which was never intentional. It is an unintended consequence of building those housing estates, many years ago in some cases. They have caused subsequent parking problems, particularly for those with a lack of mobility. Greater consideration by neighbours and people living in such places would go a long way towards assisting with the problem.

Mr McDevitt: The Minister will know that many streets in the south Belfast area are from an age when the number of cars that are parked in them today was never expected, and he is well aware of the requirement for residential parking schemes in areas of the Holylands, Stranmillis and the Windsor area of the Lisburn Road. Has he any update on such schemes since his visit to some of those areas last year?

Mr Kennedy: I am grateful to the Member for his supplementary question. I know that he is aware that there is a slight difference between those who experience parking problems in settled housing estates and residents' parking schemes, which are primarily designed to take account of the parking difficulties of extra commuter traffic, not population traffic, coming into an area. The Member is right; I was in areas of south Belfast seeing at first hand some of the problems being experienced there. Unfortunately, progress has been slow and continues

to be slow, not only in that area but in a range of areas. However, I very much hope that, at an early date, we can get a scheme under way that will prove to people who live in that general area, and in other areas, that such residents' parking schemes can work if they are given a proper chance.

2.15 pm

Mr Deputy Speaker: Question 4 has been withdrawn and requires a written answer.

Roads Service: Budget 2012-13

5. Mr Clarke asked the Minister for Regional Development what additional funding has been made available to Roads Service in this financial year. (AQO 3734/11-15)

Mr Kennedy: Roads Service has submitted bids for additional resources in each of the three monitoring rounds in the financial year. As a result, Roads Service was successful in securing an additional £57.7 million in total: £15.7 million in resource funding and £42 million in capital funding. However, although I very much welcome those additional allocations, this issue highlights my view that spending performance should be a more significant factor in Budget processes. Recently, not for the first time, my Department responded positively to a request to absorb resources — some £1.3 million of capital — very late in the year. Indeed, had the request come sooner, I would have been able to absorb more, with a consequent positive impact for both the construction sector and the wider economy. We need to move away from continually allocating funding to Departments that then fail to spend it, thus relying on late adjustments such as this. In that context, I hope that DRD's strong performance in delivering planned spend is given appropriate weight when the Executive next consider Budget allocations.

Mr Clarke: I thank the Minister for his answer. Perhaps it proves the underinvestment that DRD has had. That is not a direct criticism. I am sure that you appreciate that you are bidding for particular resources to carry out programmes of work. However, given the state of roads — in particular, to be parochial, I suppose, in South Antrim — the maintenance programme over the past couple of years and the safety programmes that have had their budgets cut, how confident are you that additional money will be found to tackle safety in particular and the lack of maintenance spending on roads?

Mr Kennedy: I thank the Member for his supplementary question. Although I am pleased about the additional resources that we have been allocated over the past couple of years, involving record levels of spend for maintenance, I want to take that uncertainty out of the equation and put maintenance on a proper basis. I have to say, following the recent wintry weather, that my expectation is that, as with any freeze-and-thaw cycle, it will have a damaging effect on the road network, causing, perhaps, carriageways to split and potholes to form, particularly on minor roads. I am happy to serve notice of that. I hope that the Member and his colleagues will support the provision of additional resources to the Department for Regional Development so that roads can be maintained properly and safety remains the predominant concern at all times.

Mr McAleer: Minister, £330 million of your budget has been set aside for the A5 project. Can that scheme or parts of it progress at this stage?

Mr Kennedy: Are we still on supplementaries to question 5, which is on the budget? That is a very good try.

The Member will know that the A5 situation is still reasonably fluid in a legal sense. I am still considering the outcome of the judge's decision yesterday. I hope to consider further the legal advice that is open to me and, indeed, engage in conversations with Executive colleagues over coming days.

Mr D Bradley: Go raibh maith agat, a LeasCheann Comhairle. Will yesterday's judgement on the A5 have any further impact on the Department's budget?

Mr Kennedy: Again, I am grateful to the Member. It is a valiant effort to introduce that topic when we are talking about structural road maintenance. Nevertheless, I need to be cautious in my responses to the House today, not out of any discourtesy to any Members. I will simply say that we are looking closely at the judgment, its implications for the A5 scheme and the legal ramifications that will flow from it. I want to take the time to carefully consider it before coming to a considered view.

Railways: Waterside Station

6. **Ms Maeve McLaughlin** asked the Minister for Regional Development whether any progress has been made on the provision of a suitable train station at the Waterside terminus. (AQO 3735/11-15)

Mr Kennedy: This is an operational matter for Translink, and it has completed an initial feasibility study that has identified four options for further consideration. The options are as follows: to refurbish the existing station; to provide a new Ebrington station; to relocate to the original Waterside station; or to provide a new Waterside link station. Translink has commenced a public consultation regarding the location for the renewed or redeveloped station, and it is due to conclude on 24 May 2013. Translink plans to develop an economic appraisal to finalise the decision.

I am aware of the local interest in the matter. Indeed, in May 2012, I met a cross-community/cross-political group to hear its views. I must emphasise to the Member that there is no funding in the current capital programme to 2014-15 for a station to be built or refurbished. We will need to consider all relevant costs for each option.

It is also worth pointing out that plans are being progressed for phase 2 of the Coleraine to Londonderry track relay, which is due to start during the Budget period. It will be important to ensure that funding is in place to take that and other rail projects forward. It will, therefore, be important to consider any potential funding streams once the final decision is taken on the preferred option.

Finally, the Member will be aware that I officially reopened the Coleraine to Londonderry line on 22 March. That was a very successful event, and it clearly demonstrates my commitment to improve train services to the north-west.

Ms Maeve McLaughlin: Go raibh maith agat. I thank the Minister for his response. Is it not the case that the preferred option is the former terminus? Will he outline

whether any or all of the options have been costed at this point?

Mr Kennedy: I am grateful to the Member for her supplementary question, which is another very good attempt to tease an answer from me. However, it would be very unwise for me to give an answer at this stage because of the public consultation; it would be wrong for me to predetermine or pre-empt the outcome of that in any way. I have no doubt that, when representations and assessments are made, the financial aspects will also be looked at.

Mr Durkan: I congratulate the Minister on the vital role that he played in the refurbishment and reopening of the Derry to Belfast railway line. I was delighted to greet him upon his arrival on the first train.

The Minister said that there was no funding available in the current budget. I know that the Minister was in Europe recently enough, and I wonder whether there was any indication that funding may be available under the Trans-European Network scheme.

Mr Kennedy: I am grateful to the Member for his supplementary question and for the warmth of his welcome in Londonderry that day. I was in Londonderry, I am not sure where he was. *[Laughter.]* It was a very enjoyable day, and there was a great atmosphere. I was very pleased to be at the opening in Londonderry that day because it represented such a significant landmark day for public transport and rail travel between Belfast and Londonderry and, indeed, Coleraine and Londonderry. I will now move on to your real question.

A Member: The rail question.

Mr Kennedy: Very good.

I have no difficulty with continuing to encourage my officials to seek every opportunity for European funding under TEN-T or any other appropriate measure. The Member may know that we had some success in relation to the works that are being carried out to Portadown railway station. I certainly believe that my officials have a very good record in chasing grant aid from Europe, and that will continue to be the case if there are opportunities there.

Northern Ireland Water: Non-domestic Charges

7. **Mr Cree** asked the Minister for Regional Development for an update on non-domestic charging rates for NI Water. (AQO 3736/11-15)

Mr Kennedy: Northern Ireland Water has advised me that, with effect from 1 April 2013, all water and sewerage charges will decrease by an average of 2.7% and, as a result, all non-domestic customers will see a reduction in the amount they pay for water and sewerage services. This is particularly welcome news given the difficult economic climate, as it will benefit all sectors of our economy. The reductions are possible in part due to the significant sustainable cost efficiencies that have been delivered by Northern Ireland Water over the price control 2010-13 period (PC10) and the further savings that NI Water have committed to making best endeavours to deliver in 2013-14.

Mr Cree: I thank the Minister for that statement; it is certainly good news for business. Will he press his

colleagues on the Executive to follow this lead to soften the financial burden on local businesses generally?

Mr Kennedy: I am grateful to the Member for his supplementary and his warm welcome for the news, and I am happy to lead the way in providing benefits to all sectors of our economy as we move forward. That is the challenge for the Executive and, on behalf of the Ulster Unionist Party, I am happy to be playing an important role in that.

Mr Spratt: I thank the Minister for his answer. Does he agree that those savings are partly down to the very efficient management structure that there has been in Northern Ireland Water over the past number of years? Does he think that that should be encouraged in other areas as well?

Mr Kennedy: I am grateful to the Member for his supplementary question, and I agree entirely: we have seen significant progress in management structures and streamlining efficiencies. I pay tribute to the chief executive and the senior executives involved in that process, which can be difficult and challenging. Nevertheless, I think it is very welcome and will be welcomed by the wider population, particularly the business community.

A5: Environmental Safeguards

8. **Mr Boylan** asked the Minister for Regional Development whether environmental safeguards will be put in place to allow the A5 project to proceed. (AQO 3737/11-15)

Mr Kennedy: I want to assure the Member that my Department continues to pursue this scheme — we are now talking about the A5 scheme — and I remain focused on achieving the important benefits that will flow from it, including the important cash flow to the hard-pressed construction sector and the much needed improvements to the road network in the west of the Province.

It is right to say that my Department successfully defended 11 of the 12 grounds on which the legal challenge was brought, and we are proactively working with our legal team to navigate through the issues flowing from Mr Justice Stephens's judgement. Revisiting the form of assessment under the habitats directive will inevitably result in delay to the construction phase, which is difficult to quantify at this time. I should add that the judge provided a one-week stay to the decision to quash, and this will permit full consideration to be given to the merits of an appeal.

Mr Boylan: Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire as ucht an fhreagra sin. Two Members have asked questions about whether the A5 will go ahead: if it does not, are there other projects that could absorb the moneys that you have already bid for in the budget?

Mr Kennedy: I thank the Member for his supplementary question. In the same way as I approached the earlier questions, I am afraid that I have to show some caution as we continue to consider the legal advice and seek to chart a way forward on all these issues. You are aware that the judge has provided a one-week stay to the decision to quash and that, during that week, we have to give full consideration to the merits of an appeal and the implications that would flow from that.

2.30 pm

Social Development

Deprivation: Strabane

1. **Ms Boyle** asked the Minister for Social Development what discussions are taking place to ensure that there is a proper strategy to deal with deprivation in the Strabane District Council area. (AQO 3745/11-15)

Mr McCausland (The Minister for Social Development):

In terms of a strategy to deal with deprivation, my Department provides a wide range of support to individuals, families, households and communities. Support for individuals and families includes the provision of decent and affordable housing; action to address fuel poverty; the delivery of child maintenance arrangements; and comprehensive social security provisions, including the delivery of a major welfare reform agenda. Support for communities includes the neighbourhood renewal strategy, support for the community and voluntary sector and a range of measures that are aimed at improving town centres. Those are all key to addressing poverty and social disadvantage and will help individuals and families in the Strabane district, as they will help those throughout Northern Ireland.

I recognise that my Department must work with others to tackle deprivation effectively. To that end, my officials are in constant contact with officials in other Departments and public bodies, district councils, community and voluntary groups and the business community. I will also point out that my Department's remit for tackling spatial deprivation is limited to urban areas. In the Strabane District Council area, that means that my Department's funding is limited to Strabane town. The responsibility for tackling spatial deprivation in village and rural areas rests with the Minister of Agriculture and Rural Development.

Ms Boyle: Go raibh maith agat. I thank the Minister for his answer. He will be aware that, as he stated, Strabane is among the most socially deprived communities in the North. Just today, the oil stamp saving scheme funded by the Public Health Agency was launched in Strabane. Do the Minister and his Department have any intention of supporting or funding such projects to further help to address fuel poverty in the Strabane district?

Mr McCausland: The Member will be aware of the work that we already undertake to tackle fuel poverty, whether through the warm homes scheme or the boiler replacement scheme, both of which have been extremely successful. We also seek to tackle fuel poverty through our benefit uptake campaigns, which put people in a better position to meet the cost of fuel bills. Our primary way of funding areas of high deprivation is through neighbourhood renewal, and there is already significant investment in the Strabane area through that strategy.

Mr Byrne: I thank the Minister for his answers thus far. Will he indicate whether his Department is having discussions with any other Department about having some sort of joined-up approach so that there could be infrastructure improvements for Strabane? I welcome some of the correspondence that I have had from the Minister in the past.

Mr McCausland: The word “infrastructure” is quite expansive and can cover many different things. Of course, any major infrastructure work would be the responsibility of the Department for Regional Development (DRD), and other Departments would contribute to other aspects of infrastructure. The Member will be aware, I am sure, of the work that is ongoing in town centres across the Province to improve their general appearance — I am just looking through my notes for examples. Certainly, in the case of Strabane, I am happy to come back to him with more details of the full programme of works, although all that information is available on our website.

Mr Hussey: Ms Boyle referred to the fact that Strabane is one of the most deprived areas — I believe that the council ranks second in Northern Ireland. So, will the Minister detail how the total resource that his Department invests in Strabane’s regeneration compares with the average that is invested in other Northern Ireland council areas?

Mr McCausland: Over the past four years, my Department has delivered 27 projects with a total value of over £3 million in the Strabane neighbourhood renewal area. As I said, details of the projects that are funded in Strabane and elsewhere are available on the Department’s website.

Boiler Replacement Scheme

2. **Mr McGlone** asked the Minister for Social Development for an update on the success of the boiler replacement scheme. (AQO 3746/11-15)

15. **Mr Wells** asked the Minister for Social Development for an update on the boiler replacement scheme. (AQO 3759/11-15)

Mr McCausland: With the Deputy Speaker’s permission, I will answer questions 2 and 15 together, as they are about the same issue.

There has been unprecedented interest in the boiler replacement scheme, which I launched last September. As Members will be aware, £12 million has been allocated to the scheme over three years, and it is open to owner-occupiers who earn less than £40,000 and have an inefficient boiler that is at least 15 years old.

There have been 30,000 inquiries to date. Some 12,800 applications have been received, 12,500 boiler installer forms have been issued to applicants and 7,200 forms have been received and processed. A total of 6,500 formal approvals to proceed with the installation of a new boiler have been issued by the Housing Executive. Of those, 2,500 applicants have confirmed that they have completed the installation, and some are waiting on the building control certificate to send to the Housing Executive to receive payment. It is estimated that some 6,000 boiler installations were completed by the end of the March. So, we are very much on target.

That has all been achieved within the first seven months of the scheme, which has an objective of assisting 16,000 households over three years. By replacing their old non-condensing boiler with a new condensing boiler, householders in an average three-bedroom semi-detached house will save in excess of £2,700 over 10 years. That figure increases the older the boiler is that is being replaced. The thermal efficiency of the homes that have replaced their boilers under the scheme will also significantly increase, with some delivering a 30% increase

in fuel efficiency. The money saved will make a real difference to the most vulnerable in our community. The scheme has also helped 600 boiler installers throughout Northern Ireland to find work. At a time of economic crisis, the scheme has been of great benefit to local businesses and the local economy.

Along with the warm homes scheme and recent work with local councils on the affordable warmth pilot, the scheme further underlines my commitment to addressing fuel poverty. Overall, it is apparent that the boiler replacement scheme has been a great success. The overall objective —

Mr Deputy Speaker: The Minister’s time is up.

Mr McCausland: — of replacing 16,000 boilers will be surpassed.

Mr McGlone: Gabhaim buíochas leis an Aire as an freagra sin. I thank the Minister for his comprehensive answer. Is it anticipated that there will be any change to the criteria for the boiler scheme? Will the age of the boilers to be replaced be reduced at any stage in the future?

Mr McCausland: We are in a situation where so many people are interested in the scheme that it is virtually oversubscribed. Therefore, it would be unwise to alter the criteria in any way. I think that the criteria are right. The older the boiler the greater the saving, and we want to target our resources at those homes where the savings will be greatest.

Mr Wells: Many Members will be delighted to hear of the success of the scheme and the high degree of uptake. Given that there is clearly a latent demand in the country for boiler replacement, has the Minister’s Department given any consideration to perhaps extending the scheme at the end of the three-year period? Clearly, by the time it closes, there will still be many people in Northern Ireland who wish to replace their boiler, but who cannot do so because of the limited time and funding.

Mr McCausland: We have had significant interest, as I have already indicated. I also indicated the amount of money that we have: £12 million for the scheme over the three-year period. We have also managed to secure £5 million in additional funding from the European regional development fund, and I am exploring the possibility of securing even more funding before the scheme ends. That is clearly because of the success that we have had with it.

Mrs Overend: Is the Minister aware of the approximate proportion of those who have been successful in the scheme and who have transferred to gas as a more efficient method of heating their homes?

Mr McCausland: I do not have those figures to hand. I will endeavour to gain that information, but I do not have it at hand today.

Co-ownership Schemes

3. **Dr McDonnell** asked the Minister for Social Development to outline where co-ownership schemes have been established since the allocation of the £7.5 million from the last monitoring round. (AQO 3747/11-15)

8. **Ms Maeve McLaughlin** asked the Minister for Social Development how many houses have been bought through the co-ownership scheme in the Foyle constituency in each of the last three years. (AQO 3752/11-15)

Mr McCausland: With permission, I will answer questions 3 and 8 together, as they raise similar issues.

The Member for South Belfast is incorrect and should be aware that it was not £7.5 million but £8 million that was allocated in the October monitoring round. Affordable homes delivered through co-ownership are demand-led. Therefore, the location of homes supported by the scheme is dictated by applicants to the scheme. As I outlined in a recent reply to a question for written answer, a breakdown of property purchases to date is available by district council area. I will furnish the Member with a written copy. Although co-ownership statistics are available only on a district council basis, I can report that for 2010-11, in the city council area of Londonderry, a total of 12 properties were purchased using the housing association grant. In 2011-12, the total was eight properties, and to date in 2012-13, a total of 36 properties have been purchased.

Dr McDonnell: I thank the Minister for his answer. It has always struck me that the co-ownership scheme is very useful. Does the Minister have any plans to further expand, encourage or promote co-ownership schemes in either size or number?

Mr McCausland: The Member talks about “schemes”, but this is a scheme. It is incumbent on people to come forward, and it responds to demand. I am always keen to put more resources into co-ownership. I did so recently, but some members of his party were rather critical of that.

Ms Maeve McLaughlin: Go raibh maith agat. I thank the Minister for that detail and particularly for the constituency breakdown, but I ask him directly whether there has been — *[Interruption.]*

Mr Deputy Speaker: Order.

Ms Maeve McLaughlin: Are there downsides or negatives to the co-ownership scheme, and, if so, will the Minister outline them?

Mr McCausland: In all honesty, I would be hard-pressed to find negatives to a scheme that I think is extremely good, is delivering on the ground, meeting a need and helping people to get onto the property ladder. I would have great difficulty in finding anything negative about it.

Mr Campbell: On the day after Lady Thatcher’s passing, home ownership in deprived areas is a topical issue. Will the Minister outline some of the significant advantages of providing affordable homes through the co-ownership scheme?

Mr McCausland: I thank the Member for the question because that gets to the heart of the matter. There are real benefits from providing affordable homes through co-ownership. First, they cost the Government nothing in maintenance because, unlike social homes, maintenance costs fall to the applicant who purchases a home under the scheme. Secondly, it allows my Department to utilise its budget better to support more households. Thirdly, in assisting people to buy their own home, the scheme prevents those who wish to purchase their own home but cannot do so outright from having to apply to the social housing waiting list to have their housing needs met. It therefore helps to shorten the housing waiting list.

Mr Copeland: Is the Minister considering any changes to the quota system of applications for the co-ownership scheme in the immediate, short and long-term future?

Mr McCausland: A lack of money to meet demand caused difficulties in some cases in the past. That is why I have been so keen to put additional resources into co-ownership. At the moment, I am quite confident that we are meeting the need, so the issue should not arise.

Shop Closures: West Tyrone

4. **Mr McElduff** asked the Minister for Social Development what steps he is taking to deal with shop closures in towns and villages in the west Tyrone area. (AQO 3748/11-15)

Mr McCausland: You may be aware that the official definition of an urban settlement in Northern Ireland is one having a population of 4,500 or more. As such, in west Tyrone, my Department is responsible for supporting urban regeneration initiatives in the towns of Omagh and Strabane. The Department of Agriculture and Rural Development (DARD) has responsibility for the regeneration of other settlements.

2.45 pm

In Omagh, a revitalisation project for the town centre, with funding from my Department, is under way. It is a promotion and marketing initiative, and also involves targeted improvements to unsightly areas of the town centre. Departmental officials are also working closely with the local council to deliver a second-phase revitalisation scheme specifically tackling vacant and unsightly properties in John Street. We are also keen to work with the council on plans for a public realm scheme in the Castle Street area and the Kevlin Avenue car parks area of the town.

In Strabane, we are delivering a public realm scheme at Castle Place and part of lower Main Street, and developing a public realm scheme for the Abercorn Square, Market Street and Railway Street areas of the town centre. Work is also under way on a revitalisation scheme to improve the external appearance of shopfronts, signage and building facades in the town centre.

Through the urban development grant scheme to bring vacant, underused and derelict properties back into productive use, the Department for Social Development (DSD) has committed just over £1 million over recent years towards the total project cost of £3.6 million to fund eight commercial development schemes in Omagh and Strabane. It is hoped that those interventions, representing an investment of £1.6 million by the Department, and potential further funding of up to £3 million, will add vibrancy and vitality to those town centres, thereby increasing the numbers of shoppers and visitors, and reducing the potential for shop closures.

Mr McElduff: Go raibh maith agat, a LeasCheann Comhairle. I appreciate the differing remits of DARD and DSD in this matter, but, particularly in relation to provincial or county towns the size of Omagh and Strabane, does the Minister have any intention of addressing the issue of rates within the Executive, alongside the Minister of Finance and Personnel? If the issue of high business rates were addressed in those towns, it would assist their overall revitalisation. Many shop and business owners cite the burden of rates as a reason for closure.

Mr McCausland: There are many factors that will have contributed to decline in town centres right across the

Province. We have to face the fact that many of those areas were badly hit during the Troubles. There has been an economic downturn and a whole series of factors that will have contributed to that. I cannot make any commitments with regard to rates. That is the responsibility of another Minister, and I am quite content to leave that with him. However, I am sure that the views of all Members, including the Member who raised the issue, will be passed on to the Minister concerned in due course.

Mr Clarke: In relation to the impact on towns, what does the Minister reckon of the overall cost of the Troubles, the destruction of towns and small villages by bombs and the destruction of businesses in the small towns of west Tyrone?

Mr McCausland: I would find it very difficult to put a figure on that. It would obviously be an extremely large figure, but that is reflected not just in that part of the Province but right across Northern Ireland over so many years.

Welfare Reform Bill: Ministerial Correspondence

5. **Mr Gardiner** asked the Minister for Social Development whether he will publish all the letters that he has sent to the Secretary of State for Work and Pensions in relation to the Welfare Reform Bill. (AQO 3749/11-15)

Mr McCausland: I have responded on this issue twice before, and reiterate that it is not normal practice to publish correspondence between Ministers. I can confirm that I wrote to the Rt Hon Iain Duncan Smith, Secretary of State for Work and Pensions, on 9 May 2012, following a meeting held on 13 March 2012 at which I discussed specific aspects of welfare reform, including the timeline for the Welfare Reform Bill and its potential impact in Northern Ireland.

The Rt Hon Iain Duncan Smith replied on 24 May 2012, expressing his concerns over any potential delay in passing legislation by the Assembly and highlighting that any delays in the passing of the Welfare Reform Bill could lead to increased costs to the Exchequer above planned expenditure. Those letters have been shared with Executive colleagues on a confidential basis.

Mr Gardiner: I thank the Minister for his straightforward explanation. I was not one of those who had asked previous questions, but I accept and appreciate his answer.

Ms P Bradley: How would any increased costs to the Exchequer be calculated?

Mr McCausland: That is very much a matter for Her Majesty's Treasury to calculate. Any adjustment to the Northern Ireland block grant to compensate for the extra costs would be made under the statement of funding policy. The fact is that, if we depart from the principle of parity and if costs are involved and there is a financial implication, we have to pay for that in Northern Ireland from our block grant. Ultimately, the Treasury will have the big say in that.

Mr Durkan: Obviously, there were concerns about the costs that might be incurred as a result of the delay in passing the legislation. The Bill was due for its Consideration Stage next week, but, as far as I am aware, that has been pushed further back. Will there be any cost implications as a result of that further delay?

Mr McCausland: As I indicated, the financial implications of all this lie with the Treasury. We had a clear indication from Iain Duncan Smith that that was the case. We knew it to be the case anyway that this was a matter for the Treasury.

Folk are concerned about delays, but the fact is that in recent days in the press members of the Member's party — one member, at least — said that a petition of concern would be used to block the legislation. We do not want to get ourselves into that position. The worst of all would be to end up with the legislation completely stymied. We need to get the legislation through the Assembly in some form, in an amended form that is suitable, fitted and appropriate for Northern Ireland. It is important that we get that right, and we will only get one chance at it. The sort of brinkmanship in which some people have engaged is not particularly helpful in so doing.

Mr Deputy Speaker: Seán Lynch is not in his place to ask question 6.

Social Housing: Monkstown

7. **Mr Ross** asked the Minister for Social Development to outline the level of social housing that is available in the Monkstown area. (AQO 3751/11-15)

Mr McCausland: At March 2012, the Housing Executive owned 509 properties in Monkstown, which included 66 bungalows, 250 houses, 184 flats and nine maisonettes. In the 12 months to December, 33 social housing allocations were made, 15 of which were made to singles and 12 to small families. Allocations are made to housing stress applicants, and there is a good turnover of stock in the area for single people and small families.

Connswater Homes has recently completed a scheme for six units at Monkstown Gardens, and it has an additional 12 units on site at Ards Drive. I look forward to visiting those in the near future.

Mr Ross: The Minister mentioned the new housing, and he will know that the local community has been very supportive of the provision of additional social housing in Monkstown. He will also be aware that there is some concern about the measures being brought in to tackle underoccupancy. Will he share any information that he has on current levels of underoccupancy in the Monkstown estate?

Mr McCausland: The preliminary analysis indicates that approximately 578 households in the Newtownabbey 2 district office area, which includes Monkstown, may be affected. However, detailed information cannot be provided beyond that at this stage.

Mr Kinahan: Given the 578 households that the Minister has just spoken about, as well as 557 in Carrickfergus, 387 in Larne and many more elsewhere, is there not a significant argument in favour of delaying the bedroom tax?

Mr McCausland: It is a very significant argument in favour of mitigating the worst effects of the so-called bedroom tax or underoccupancy. There are two important things to bear in mind: first, what is the best and most appropriate mitigation for Northern Ireland, and, secondly, what are the cost implications of that? Those are the two things that need to be weighed up. I have said on a number of occasions that I recognise the significance and the

seriousness of the issue. I have concerns, and that is why those two things are very much on my mind.

Mr Deputy Speaker: Question 8 has already been answered.

Kitchen Replacements: Limavady

9. **Mr G Robinson** asked the Minister for Social Development what kitchen replacement schemes are planned in Limavady until April 2014. (AQO 3753/11-15)

Mr McCausland: The Housing Executive has programmed a kitchen replacement scheme for 64 properties in the Greystone and Anderson Crescent area of Limavady in the 2013-14 financial year.

Mr G Robinson: I thank the Minister for his answer. Can the Minister give us any indication of what other schemes or work the Housing Executive has carried out in the Limavady area?

Mr McCausland: The Housing Executive commenced a number of schemes in the Limavady area in 2012-13. There was double glazing for 100 properties at an estimated cost of £200,000; external cyclical maintenance for 309 properties at an estimated cost of £779,000; heating schemes for 128 properties at an estimated cost of £577,000; and kitchen schemes for 140 properties at an estimated cost of £642,000. There has been significant investment in the maintenance of the Housing Executive stock in the Limavady area.

Mr Dallat: The Minister may be aware that, in previous schemes, individual tenants declined the offer of upgrades for whatever reason. Has the Minister any plans to carry out what I think was called pepper potting, whereby houses that were missed out for double glazing or other maintenance in the past are now addressed?

Mr McCausland: I have given some thought to the issue of individuals deciding not to avail themselves of schemes for whatever reasons. That creates a longer-term problem because, when that tenant moves or ceases to occupy the house, the next tenant suffers a disadvantage. Work is done to address that from time to time, but we need to look at the issue in a more coherent way to see what is the best way of addressing it. I have asked the Housing Executive to do that. Is it that some tenants are a bit nervous when they see a scheme starting and wonder whether they could be bothered with the upset of it? Is it that, later on, when they see how well the scheme is working, they want to change their mind and have the work done? I have raised the issue with the Housing Executive, but it really is a matter that needs to be taken forward.

DRD: Energy Efficiency Schemes

10. **Mr Hilditch** asked the Minister for Social Development whether he will consider reassessing the existing energy efficiency schemes delivered by his Department in conjunction with the Northern Ireland Housing Executive in relation to the apparent excessive management and ancillary costs of some of these schemes. (AQO 3754/11-15)

Mr McCausland: The warm homes scheme improves the energy efficiency of over 9,000 low-income households each year. The scheme is delivered by Bryson Energy and H&A Mechanical Services and is managed by the Housing

Executive on behalf of my Department. The current warm homes scheme contract was awarded in June 2009 and will run until June 2014. The management and ancillary costs of the scheme were agreed as part of a competitive tendering process when the contract was awarded in 2009.

The boiler replacement scheme offers a grant of up to £1,000 to help householders improve the energy efficiency of their home. The scheme is managed by the Housing Executive on behalf of my Department. The aim is to replace 16,000 inefficient boilers by March 2015. The Housing Executive also improves the energy efficiency of its stock through the delivery of a heating replacement programme. The costs of delivering the schemes are always under review to ensure that the Department receives value for money.

More recently, we have also been looking at the thousands of Housing Executive properties that are around 50 years of age and have no cavity wall insulation because of the way that they were constructed back in the 1950s and early 1960s. Those homes are extremely cold and extremely energy-inefficient. I have tasked the Housing Executive with taking forward some work on those. There are at least 5,000 homes like that in one category, and I think that the number is more than that. If you have homes of various types that have no cavity wall insulation, that is also an issue that needs to be addressed.

Mr Deputy Speaker: That is the end of questions to the Minister for Social Development.

3.00 pm

Private Members' Business

EU Regional Aid

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 a further 10 minutes to make a winding-up speech. All other Members who wish to speak will have five minutes.

Mr Newton: I beg to move

That this Assembly recognises the positive effect that Northern Ireland's 100% coverage for EU regional aid has had on the economy; believes that it has been significant in aiding economic growth and inward investment; is concerned that removing this automatic coverage would have a detrimental impact on the economy, jobs and growth; and calls on the Minister of Enterprise, Trade and Investment to continue to lobby the Government at Westminster and the European Commission to ensure that EU regional aid is retained for all of Northern Ireland.

It is a great honour to propose the motion, which is on a rather important issue as far as the Assembly is concerned. It is certainly significant for the Northern Ireland economy overall. If the Government go ahead with the removal of Northern Ireland's automatic 100% coverage as an assisted area, addressing the needs of the Northern Ireland economy and its importance as part of the Government's strategy to address regional disparities will be made all the more difficult.

There are a number of critical factors that combine to set the scene for Northern Ireland's economic strategy. They include the difficulties in the world and UK economies and the immediate throwback that they have for the Northern Ireland economy; the current difficulties, which have been well rehearsed in this Chamber, that local companies have in trying to access suitable finance for their business plans; the impact on the local market of the UK-wide welfare reform agenda; the scope for the Northern Ireland Executive to support company development under revised EU regional aid guidelines; and the long-standing structural issues, which we are all very well aware of, that continue to hamper economic growth in Northern Ireland.

The economy is inevitably influenced by the downturn in the global economy, with external trade and foreign-direct investment in particular remaining a vital source of employment and wealth. We can only but appreciate the work that the Minister and the Office of the First Minister and deputy First Minister (OFMDFM) have done in that area. The slowdown in the private sector has had a significant impact on the local labour market, with the number of private sector employees in Northern Ireland falling. Particularly hard hit has been the construction and manufacturing industries, where overall falls have been dramatic. Indeed, along with other sectors, retail has faced its difficulties.

Alongside the impact of the recession, Northern Ireland continues to face long-term challenges that hamper our economic growth. Living standards have persistently lagged behind those in GB, with the main factors being

lower levels of employment and lower levels of productivity. Growth in output and jobs has tended to be in relatively low value-added areas, although significant work has been done in that area in the past few years. Indeed, average wages in Northern Ireland tend to remain significantly below others in the UK. As we all know, we have an over-reliance on the public sector as a driver for economic growth. The comparatively small private sector here also contributes to a very large fiscal deficit.

The economy has, historically, been under-represented in the higher added-value sectors. A large proportion of our popular —

Mr A Maginness: Will the Member give way?

Mr Newton: I am happy to.

Mr A Maginness: I thank the Member for giving way, and I accept his argument on maximising coverage in regional aid. Is the need for that not further emphasised by the disappointing response that we got from Westminster on the extension to Northern Ireland of the power to levy corporation tax? That issue is probably on the long finger, which means that we should put even greater effort into trying to retain the maximum coverage of regional aid.

Mr Newton: I agree with the Member. In fact, he anticipated the next couple of pages of my speech, which deal with the importance of that area.

Regional aid plays a key role in attracting new foreign direct investment (FDI), as well as in encouraging local investment, and the foreign aid companies already here, to expand and invest from the base on which Invest NI attracted them in. As the Independent Review of Economic Policy highlighted, the changes in regional aid from January 2011 have necessitated a new approach to supporting company investment. Those changes have placed an added emphasis on our determination to secure the powers that vary corporation tax in Northern Ireland. However, in securing those powers, if we are able to, that just becomes just another tool, along with regional aid, to grow and improve the economic competitiveness of the Northern Ireland base and to ensure a competitive Northern Ireland, particularly in the subregions. Competitiveness overall is going to be a significant feature for the future.

Everyone in Northern Ireland will be well aware of the economic challenges that we face and our dependence on the public sector. Those structural difficulties are not faced by other regions of the UK. Therefore, the retention of regional aid for Northern Ireland is of more significant importance than it is for other areas.

Over recent years, regional aid has been key to attracting many thousands of jobs to Northern Ireland, with many major companies locating in Northern Ireland because of the support that Northern Ireland and the job creation agencies have been able to offer through regional aid. There are a number of examples of that, including Allstate Corporation's presence in Northern Ireland, which has dramatically increased with support from regional aid, bringing many jobs to the Province. That has also been the case for many other inward investment companies. Indeed, my party colleague Diane Dodds recently met the EU Commissioner for competition to press the Commission to rethink the current proposals that would restrict the ability to offer foreign companies those incentives

to invest in Northern Ireland. It is vital to Northern Ireland's economic well-being and this community that the campaign continues, and involves not just our EU representatives or contact with the commissioners but, indeed, the Government at Westminster pressing home the importance of this aid for Northern Ireland.

The proposals would prohibit regional aid support for large enterprises in areas such as Northern Ireland on the basis that there is no clear incentive to justify a continuation of this type of aid. I just simply do not accept that argument. It is not an argument that stacks up. It is not an argument that I believe any industrialist with the potential for investing in Northern Ireland would accept. It is not an argument that would be accepted by any company wishing to expand in Northern Ireland.

I hope that the very least this motion will do is highlight the vital role that regional aid plays in the economy of Northern Ireland. Issues of corporation tax are extremely important, and we should press that as much as we can between now and the date, as is, I think, recognised by the Minister and her team. However, although that is an important issue and a key driver for change, it is also important that we press the issue of regional aid as another vital tool in the toolbox that will aid the Minister and the job creation agencies as they attract foreign direct investment and allow local companies to expand, grow, thrive and prosper.

Mr McGlone (The Chairperson of the Committee for Enterprise, Trade and Investment): Go raibh maith agat, a LeasCheann Comhairle. I thank Mr Newton for bringing this motion before the Assembly. I speak as Chair of the Committee for Enterprise, Trade and Investment.

The Committee is fully aware of the impact that regional aid has had on economic growth and inward investment. Regional aid has been an essential tool in the past in attracting jobs, supporting business and growing the economy. It will remain an essential tool in rebuilding and rebalancing the economy in the future. The Committee provided a robust case for the retention of our automatic 100% assisted area status during the Department for Business, Innovation and Skills (BIS) consultation on the Westminster Industrial Development Act. Although automatic 100% status has been removed, it is still within the gift of the Westminster Government to grant Northern Ireland that 100% coverage.

On 28 February, the Committee heard from officials about the difficulties that would arise from an economic perspective and a political perspective if we were to lose 100% assisted area coverage. The Committee also heard about the extensive work being done by the Minister and her officials in the EU and at Westminster to try to secure that 100% coverage.

The economic arguments are well rehearsed and stand up to scrutiny in any context. We are an offshore peripheral region in the EU. We have no land border with Britain, resulting in higher costs to businesses to access GB and mainland European markets. We have a land border with another EU member state with low corporation tax, and living standards here are 20% below the UK average. That gap is not closing, and the unemployment rates here continue to rise.

The political arguments need to be put robustly to BIS. The importance of the political context must not be underestimated, and neither can the political impact

of any decision to remove assisted area status from a geographical area. Put simply: if the Executive are put in a position in which they have to choose one or more areas and deny those areas the ability to provide assistance, it would create very serious and significant practical difficulties. Such a decision could prove highly controversial regardless of which geographical area is selected.

The Committee has been told that the case with the EU Commission has effectively been made. Competition Commissioner Almunia has much sympathy with the arguments for retention of 100% coverage, but he recognises that any decision will be made at Westminster. Continued efforts need to be concentrated on convincing the Westminster Government and the Department for Business, Innovation and Skills in particular of the case for that 100% coverage.

The original proposal from the EU was for the UK to be provided with 23.9% population coverage overall, which means that that percentage of the population could be included in the assisted area map as eligible for regional aid. The Westminster position is that the UK does not have sufficient population coverage to justify retention of the 100% area assisted status at the expense of other eligible GB regions on the basis of economic aid. It now seems that the UK will be provided with a significantly larger population coverage of 28.9%, which relates to an increase in population coverage of about three million people. Department of Enterprise, Trade and Investment (DETI) officials have informed the Committee that, in Commissioner Almunia's view, that would allow BIS to provide Northern Ireland with 100% coverage without disadvantaging any other region.

Following the briefing from the Department, the Committee wrote to the Secretary of State for Business, Innovation and Skills to highlight the economic and political reasons for 100% coverage to be retained. Regional aid guidelines allow for any region that is disadvantaged compared with the national average to be allowed special treatment by being predefined by the member state as a C region. The Committee is satisfied that such designation is appropriate. It is the responsibility of the member state — in this case, the Westminster Government — to put forward such a proposal to the EU Commission, and that can be done without any further justification to the EU. The Committee has also asked the Secretary of State for Business, Innovation and Skills to put forward such a proposal so that we can be allocated C region status.

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

Mr McGlone: Certainly.

The Committee urges the Minister and the Executive to continue to press for that designation in the regional aid guidelines for 2014-2020, and we commend the Minister in doing so.

Ms Maeve McLaughlin: Go raibh maith agat, a LeasCheann Comhairle. I welcome the opportunity to speak in support of the motion as a member of the Committee for Enterprise, Trade and Investment.

As the Chairperson said, the Committee received an oral briefing on 28 February from the Department of Enterprise, Trade and Investment and was informed that, although it

has been decided to amend the Industrial Development Act to remove the North's automatic entitlement to 100% assisted area status, the Westminster Government are still in a position to grant the North 100% assisted area coverage.

3.15 pm

The recommendation to amend the Industrial Development Act to remove the North's automatic entitlement to 100% assisted area status is quite simply wrong. It is short-sighted and does not reflect the fact that we have a land border, that we have issues of peripherality and that we are a society coming out of conflict. Since June 2010, there has been significant lobbying at Westminster and at European level to explore the best possible outcome and how that might be reached.

The draft regional aid guidelines have key proposals that will have a direct impact for the North of Ireland. First is the removal of large companies with 250 employees from regional aid if they are located in what is known as a 3(c) area, which the North is now classified as. Secondly, aid intensity rates will be reduced by 20% for medium companies and 30% for small enterprises. Thirdly, and importantly, there is no mention in the draft guidelines of the North being given specific treatment as a predefined C region.

Predefined C regions are areas that fulfil certain pre-established conditions, and, as has been alluded to, a member state may therefore designate a region as a C area without the need for any further justification. As stated previously, there has been continuous lobbying involving the North's MPs in Europe and in Westminster, and there is a sense of emerging support from the European Commission. The key issue for us is to ensure focus on the Westminster decision.

An assisted area map is to be published later this month, so, if coverage is to be less than 100%, can a formula be applied in the North to target aid for objective need? I support the motion.

Mrs Overend: I very much welcome the motion and the opportunity to speak today. It is my desire to see Northern Ireland's economy recover fully from the downturn in recent years to support investment and job creation across the Province, which is sorely needed, as recent reports have shown. We still lag behind the rest of the United Kingdom in many areas of economic activity.

There was 100% coverage for EU regional aid with special recognition to Northern Ireland by the European Commission from 2007 to 2013. That was due to the special economic and social circumstances that we have here, including the fact that Northern Ireland's economic inactivity rate remains much higher than elsewhere in the UK. We lag behind many other EU member states in private sector employment and economic growth. In fact, as has already been alluded to, Northern Ireland living standards are around 20% below the UK average, and the gap is widening, in addition to the Province having the lowest rate of employment in the UK.

With this bleak overview of our economic situation, it is imperative that Northern Ireland retains its 100% assisted area status with regard to regional aid. It has undoubtedly had many positive impacts on our economy and encouraged job creation that otherwise might have

been lost had we not had the power to use this incentive. Regional aid helps the private sector to grow and reduces our reliance on the public sector by simultaneously supporting indigenous businesses and attracting inward investment. It assists foreign direct investment, particularly through selective financial assistance (SFA) from Invest NI. Selective financial assistance is essential to trap this foreign direct investment as SFA itself accounted for 42% of Invest Northern Ireland's total budget outturn in 2010-11 and 35% of its total budget outturn in 2011-12.

To lose our 100% automatic assisted area status will have a number of severe detrimental impacts upon our economy, jobs and growth. If we are moved to the currently proposed guidelines, only a percentage of Northern Ireland would be covered for regional aid and, importantly, companies of over 250 employees would be barred from gaining any regional aid at all.

Belfast would be excluded, due to its above-average GDP, and, as future guidelines on where aid can be given will be based on areas of low economic development and high unemployment, urban areas will be favoured. That would leave most agricultural and rural areas no longer able to be assisted through regional aid.

Northern Ireland still suffers, at times, from the negative views of outside investors, particularly given recent troubles. Regional aid acts as an incentive for them to come here. It also allows us to compete with the Republic of Ireland, which has lower corporation tax, as has already been described.

In addition, Northern Ireland still has an over-reliance on the public sector, and that means that any future public sector cuts will disproportionately impact upon us. Regional aid is a way of increasing the private sector by attracting new businesses and foreign direct investment into the Province.

Recently, the Westminster Government, in the consultation on the issue held by the Department for Business, Innovation and Skills, have said that they are minded not to press for 100% regional aid coverage for Northern Ireland and are minded to remove it. That is why I welcome the moves by the Executive and other key economic stakeholders who have strongly opposed this proposed course of action, as it fails to recognise the ongoing economic, structural and political difficulties in Northern Ireland. It is essential that the Minister, along with our MEPs, continues to press for the European Commission to allow 100% coverage for Northern Ireland, in addition to the UK's regional aid coverage allowance. Through that means, the Westminster Government would be more likely to support our calls for 100% automatic assisted area status.

I am pleased that the Ulster Unionist MEP, Jim Nicholson, has met the European Commissioner responsible for this area, Commissioner Almunia, alongside the Minister of Enterprise, Trade and Investment and our own Minister, Danny Kennedy, to lobby on behalf of Northern Ireland.

This is a motion that I am pleased to support, as I fully believe that Northern Ireland has a strong case for remaining as an assisted area post 2013.

Mr Lunn: The Alliance Party obviously supports the motion, and I am sure that the whole House will do so. My party colleague at Westminster, Naomi Long, and

other MPs have worked hard on the issue. I agree with others who have spoken that the main target for lobbying needs to be the UK Government, given the inevitable announcement, 10 days ago, referenced by a couple of Members, that a reduction in corporation tax specific to Northern Ireland will not be forthcoming. I gather from Naomi that she is, perhaps, more hopeful about this issue. We should be under no illusions that it is an extremely hard case to make in present circumstances.

Before I continue, I would love to have clarification from some DUP Member of that party's attitude to long-term continued membership of the UK in the European Union. I would be happy to take an intervention if anybody wants to stand up. If nobody wants to —

Mrs Foster (The Minister of Enterprise, Trade and Investment): Our membership of the UK is pretty clear, I would have thought.

Mr Deputy Speaker: Order. If someone wants to take up the opportunity to make an intervention, he or she may do so, but Mr Lunn has the Floor.

Mr Lunn: Nobody is offering. Let me just quote the DUP's Member of the European Parliament, when she spoke in January, following the debate in Westminster on the referendum on Europe. These are her words:

"It is clear that, for we in the UK, membership of the EU of 2013 is no longer in our national interest."

Those are the words of Diane Dodds. She also said:

"Our position is clear — Less Europe is good for the UK, good for the governance and democracy of this country and good for Northern Ireland's businesses and householders."

That is why I anticipated some reaction, but I am not getting it, so I will carry on.

Mr Newton: Will the Member give away?

Mr Lunn: Yes, with relief.

Mr Newton: I must say that Northern Ireland is not alone in Europe. It is a member of the UK Government, and the UK is a member of the EU. When the campaign for European membership came around, the DUP made no secret of its position with regard to our position within the UK and in Europe. Indeed, if I remember well, the expression that was used by Dr Paisley at that time was that it was our intention to milk that cow as far as we could. We make no apology for it. We do not believe overall, and Diane Dodds is accurately —

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

Mr Newton: I am being concise, Mr Deputy Speaker. He asked me for an intervention. He then went on, and I am addressing a number of issues that he raised.

Mr Deputy Speaker: I hope that you will be concise, or I will move on.

Mr Newton: Thank you, Mr Deputy Speaker.

Mr Lunn: I got an intervention, Mr Deputy Speaker; I did not get any clarification whatsoever. I am fully prepared to accept that the DUP values continued membership

of the UK; that is hardly an issue. I am talking about the European Union.

Mr Deputy Speaker: The Member has an extra minute.

Mr Lunn: I will move on. There can be little doubt that regional aid has been significantly beneficial to our economy, particularly to the specific things that we need to do — notably, to encourage business start-ups. We have long held the view that 100% coverage is desirable precisely because those start-ups can then happen anywhere in Northern Ireland. In a relatively small place, it is less important to worry about where precisely a business starts up than to ensure that it actually does. Jobs so created are widely available to the population and have a positive knock-on effect on the existing service industry. That is the specific case for arguing that Northern Ireland should continue to enjoy 100% coverage even though officially poorer regions, such as Wales, do not.

The days when Northern Ireland could make special pleading on purely economic grounds should have ended in 1998 when we agreed how to govern this place. They effectively did end in 2004 when the EU enlarged to the greatest extent that it ever had and brought in new countries, all of which have much greater economic needs than any region of the UK or Ireland. The case for ongoing regional aid needs to be made in a much more positive way on the basis that we are in the midst of reforms that will make our public services more efficient — education, health and local government — and that, therefore, such aid will be put to particularly good use here and can be put to best use if it is retained to the very maximum geographical extent possible.

I suggest, therefore, that we also offer something in return for the aid. We should specifically prioritise job creation, given that our unemployment is among the fastest rising in the UK. My colleague the Minister for Employment and Learning could soon put forward a raft of proposals and changes that he has made for more efficient investment in skills, for example, that could form part of a persuasive case that Northern Ireland provides good value for the aid in future, perhaps even better than in the past.

We should note also, not least given the recent announcements on corporation tax, that the UK Government should fight our corner, both in ensuring that the aid is retained and, perhaps, making a particular case to the European Commission. Finally, I suggest that it might be worthwhile to involve the Irish Government in this. It may be worth an approach, not least during its presidency, as 100% regional aid on its doorstep —

Mr Deputy Speaker: Will the Member draw his remarks to a close, please?

Mr Lunn: On balance, it does no harm to the potential for cross-border trade. I look forward to hearing what the Minister has to say about this.

Mr Moutray: I rise as a member of the Committee for Enterprise, Trade and Investment and speak in support of the motion that stands in the name of my colleagues. I say at the outset, especially for the benefit of Mr Lunn, that, like many on this side of the Chamber and across the nation, I feel that we would be much better out of Europe, but we are members of the EU and are entitled to our share of the benefits. Despite the fact that the UK is a net contributor, there is —

Mr McGlone: Will the Member give way?

Mr Moutray: No, not on this occasion. You will have your turn.

Despite the fact that the UK is a net contributor, there is no doubt that Northern Ireland businesses and communities have certainly benefited well from a range of important grants and other forms of EU aid. EU regional aid is a state aid directed at areas that are disadvantaged compared with the European or national average. In the past, it has been abused by some of those who have made fraudulent claims. That is one of the problems now being addressed, but, as with other types of grants and help, it is crucial that the limited funds are targeted on areas of greatest need. Northern Ireland is one such area.

Northern Ireland is still emerging slowly but surely from its dark and tragic past. We continue to bear the scars of the decades of the Troubles when some in the House appeared happy to see our economy on its knees as it was battered by ruthless terrorists. Then, just as we began to move forward into a more peaceful and normal society and as we sought under devolution to put the economy at the heart of government, reduce the public sector and grow the private sector and develop a coherent economic strategy, we were hit by the tsunami of a world financial crisis. In such circumstances, we have come to rely heavily and justifiably on EU regional aid. It also helps us to cope with the differential in rates of corporation tax in Northern Ireland and the Republic.

3.30 pm

My colleague David Simpson, the MP for Upper Bann, raised concerns about changes to regional aid recently in the House of Commons. He asked the Prime Minister for an update, and the Prime Minister's response is worth quoting:

"The outcome of the budget leaves the amount of overall regional aid that Britain will receive broadly similar to the last period of around €11 billion. There are changes in the definitions of regions, partly because of the new concept of transition regions. What we now need to do is to sit down, as a United Kingdom, and work out how best to make sure that the money is fairly divided between Wales, Northern Ireland, Scotland and England. There are transition regions in England that are looking to benefit, but I am sure that we can have fruitful discussions and come to a good conclusion."

It is important, therefore, to remember that regional aid is not disappearing. The issue for us now is to ensure that we secure as big a share of regional aid as we can. The importance of regional aid becomes all the greater when we bear it in mind that, in the past five years, the amount of SFA available to local businesses has been halved. I know that Invest NI has been actively pursuing other channels of assistance that might help to reduce the impact of the fall, but I want to commend Invest for the proactive and focused way that it is going about its work.

The motion urges the Minister to continue to lobby at Westminster and in Europe, and I have no doubt that she and her officials will continue to do so. Just a few weeks ago, she informed the House that she was in discussions with the Department for Business, Innovation and Skills in

London and with the European Commission. I look forward to hearing what she has to say by way of a progress report.

I know, too, that the First Minister and deputy First Minister have been lobbying the European Commission. There are concerns that certain parts of Northern Ireland could find themselves worse off than others under new EU guidelines for regional aid. I would be interested to hear the Minister's views on that.

I will conclude by quoting some words of the First Minister:

"If they take away our ability to apply regional aid to encourage investors to come into Northern Ireland, we would be at a distinct disadvantage." — [Official Report, Bound Volume 82, p23, col 2].

We must do all that we can to ensure that we prevent such a situation.

Mr Flanagan: Go raibh maith agat, a LeasCheann Comhairle. Cuirim fáilte roimh an díospóireacht thábhachtach seo. I welcome the motion and thank those who tabled it for bringing it forward in such a timely fashion. It is an issue that was first brought to the Committee for Enterprise, Trade and Investment nearly two years ago, so it has been rumbling on in the background. At this stage, I thank all those who have been involved in efforts to retain 100% assisted area status here, especially the Minister, who is here to respond to the debate, all her staff and other elected representatives who have been involved in the campaign. I will try not to rehash too much of what others have said. It is a fairly narrow debate, and I do not think that there is any need for me to talk for five minutes on it.

It is clear that the problem that we are dealing with here arises from the unwillingness of the British Government to allow our economy to properly prosper. Any notion of taking away 100% assisted area status now while we are trying to get our economy back into a state of growth would be a disastrous mistake, and it is clearly an example of how economic policies that are centred in London have a very negative impact on us at times and why we need to continue to seek additional fiscal levers to give us more influence and control over our economic destiny.

Mr Ross: Will the Member give way?

Mr Flanagan: Happily.

Mr Ross: I thank the Member for giving way. In his view, what was a greater problem for growing the economy in Northern Ireland? Was it the fact that fiscal levers remain at Westminster, or was it the 30-year terrorist campaign that bombed businesses right across this Province?

Mr Deputy Speaker: The Member has an extra minute.

Mr Flanagan: I thank the Member for that intervention. The Deputy Speaker may wish to intervene to say that that is not exactly relevant, but all those factors —

Mr Ross: How is it not relevant?

Mr Flanagan: How is the second part of your question relevant to a motion on EU regional aid? If you want to sit here and look at the past, look at the past. This is a very sensible motion that you have taken forward, but now you want to throw out comments looking back over the past 40 years.

Mr Deputy Speaker: Order. Can all remarks be made through the Chair, please?

Mr Flanagan: All the positive work that the DUP did by tabling this motion and trying to seek consensus was just undone by the remarks that Mr Ross made. They were completely unnecessary. Prior to the period he was talking about, there was epic discrimination in nationalist areas, where there was no economic growth, people were not allowed access to education and there was no opportunity to create employment. Were those things bad for the economy? Of course they were. You cannot simply highlight one aspect of our history and say that that was the worst part. It is good to see that the DUP has now moved —

Mr Deputy Speaker: I ask all Members to come back to the motion about EU regional aid, please.

Mr Flanagan: It is good to see that the DUP now has another argument to try to oppose the further devolution of fiscal powers here. David Cameron has enough arguments without the DUP giving him any help.

The recent decision to resist the devolution of corporation tax here was regrettable and makes me ask how genuine and sincere the British Government are when they talk about rebalancing our economy. Do they want to grow the private sector in a sustainable manner in which jobs and prosperity are created, or do they simply want to do it by taking things out of the public service and handing them over to the private sector? That is the Tory way of doing things, and that is the way that people such as David Cameron want to grow our economy. He does not want to give us the tools and the means to do it ourselves so that we can create jobs here. He wants just to move services from one sector to the other.

Returning to the debate, it is clear that continued pressure needs to be exerted on the British Government. All the evidence that we, as a Committee, have seen shows that the fault does not lie within the European Commission. Our three MEPs have done a good job at a European level trying to resolve this matter. It is clear that the Minister and all those joining her in this campaign need to put the pressure where it needs to go: onto the British Government. She has my full support in those efforts.

Mr A Maginness: It is time that the DUP made up its mind on Europe. On the one hand, it is calling for regional aid and, on the other, saying that it rejects Europe. You cannot have such a contradictory position. The same applies to Sinn Féin. It is not quite as overt as the DUP in being anti-European and Euro-sceptic, but the same attitude applies.

Mr Flanagan: Will the Member give way?

Mr A Maginness: I will certainly.

Mr Flanagan: I thank the Member for giving way. He drew a parallel between the position of Sinn Féin and the DUP on Europe. If the Member could contrast the position of the DUP on Europe with his own party's position on the link with Britain, does he not think the two are comparable? While we have a link with Britain and with Europe, does the Member expect parties such as the DUP simply to sit back and say that we should not try to get as much benefit out of Europe as we can or that we as a region should not try to get as much benefit out of Britain as we can in our own economic interests?

Mr Deputy Speaker: The Member has an extra minute.

Mr A Maginness: I hear what the Member says, and it really is a very good defence of the DUP position. It reflects very much, I believe, the covert position of Sinn Féin. Previously, of course, Sinn Féin was very anti-European Union, and it has consistently opposed any serious, substantive change in relation to the Treaty of Rome and other agreements relating to the European Union. Not least, it opposed the introduction of the euro and wanted to retain sterling here in Northern Ireland. I thought that that was a huge contradiction for a so-called republican party.

If you were in the European Commission listening to this debate, you would wonder what state of politics we have here when people say, "Give us the money, let's milk the cow, but we are not going to be supportive of Europe". That is not the way to win friends and influence people in the European Union. That is such a mercenary —

Mr Ross: Will the Member give way?

Mr A Maginness: No, I am running out of time.

That is such a mercenary and cynical position. It is not even Euro-sceptic. At least a Euro-sceptic has some principles, but this is purely on the basis of "Give us the money". That is the only basis that I have heard in this argument. Indeed, Mr Allister accused the DUP of neglect in Europe and of not developing any policies or serious interest in Europe. That is true, and you really have to look at it.

The point here is that the European Commission and Commissioner Almunia are certainly supportive of Northern Ireland's position and want to help us. The indicated increase from 23.9% to 28.9% allows us to argue very convincingly with BIS in Britain and to say to it, "There is enough wriggle room here. There is enough flexibility to extend full coverage to Northern Ireland. We need it, because you, as government, have rejected the idea, at least in the short term, of giving us a power over corporation tax because of all the issues that have been rightly raised by other Members about the land border etc, etc". So, there is a very strong argument that the Assembly should put the pressure on. I know that the Minister has put pressure on the BIS Minister, and I know that that argument will continue from officials in her Department. The Minister is to be congratulated on her approach to that.

We need the continuance of regional aid. This region is far too small to be broken up into subregions. It has a population of 1.8 million, and, geographically, it is too small to break up. You could not do that effectively without compromising yourself politically, due to the regional and, indeed, parochial interests that exist throughout Northern Ireland.

So, there is an irresistible argument for total coverage of regional aid for Northern Ireland. We must be strong and united on that point. However, I will come back to the DUP and, indeed, to Sinn Féin: you have got to get your act together on the European Union. It is here to stay, and a venal, mercenary approach to it will not win us friends. The message from here should be one of commitment to the European Union and to the European ideal.

Mr Deputy Speaker: Will the Member draw his remarks to a close, please?

Mr A Maginness: We should use the institutions and what is available in Europe to develop our economy in a constructive way.

Mrs Foster: I welcome the opportunity to support this important motion. Regional aid remains a key area of concern for us in the Northern Ireland Executive, particularly at this time, when we have had the decision from the Prime Minister to delay a decision on devolving corporation tax powers to the Executive until 2014. That is a major disappointment, and I do not hide that. However, we will continue with the policy, and we will look at corporation tax-plus and at what we can do in the private sector moving forward.

A number of Members made the point that we had difficulties in the Northern Ireland economy. Of course, that is from our recent past, however much Mr Flanagan may want to deny it. We have one of the weakest economies in the UK, and low prosperity has been a long-term problem. I think that Ms Overend made the point that living standards have been around 20% below the UK average since the 1990s, with the gap widening further in recent years. In fact, living standards are the lowest in all the UK regions, except for Wales. Our economic inactivity rate remains well above the UK average, and I understand that my colleague the Minister for Employment and Learning made a statement on that earlier today. We are significantly dependent on public sector jobs as a driver of output and for jobs in the local economy, more so than any other UK region. Our private sector wages are the lowest of all UK regions and are some 17% below the United Kingdom average.

3.45 pm

Even in the boom years prior to the onset of the global economic downturn, we did not make significant inroads into many of those structural issues. In addition to the long-standing difficulties, the Northern Ireland economy has been significantly impacted by the economic downturn, more so than other UK regions. We have experienced a greater rise in unemployment. We have economic difficulties that are exacerbated by the peripheral nature of the economy from the rest of the United Kingdom as well as from mainland Europe and, of course, our land border with the Republic of Ireland, where we are competing to attract inward investment with a neighbour that offers a 12.5% corporation tax rate. It is because of all of those long-standing economic and structural difficulties and challenges, which, frankly, are not faced by the rest of the kingdom, that it is vital that we retain regional aid as a tool for economic growth across Northern Ireland.

We use regional aid particularly in two areas. The first, of course, falls under Invest Northern Ireland's selective financial assistance scheme and the second in the Department for Social Development (DSD) under the urban development grant programme. Regional aid is a key mechanism by which to attract inward investment and support business growth for both indigenous and foreign-owned companies. *[Interruption.]*

Mr Deputy Speaker: Order. The Minister is replying to the debate. I ask anyone who does not want to listen to her and wants to have a conversation of their own to, perhaps, go elsewhere.

Mrs Foster: In the past 10 years, Invest NI has offered over £564 million of regional aid support through SFA to over 1,700 large companies and SMEs, promoting nearly 50,000 jobs and safeguarding almost 20,000 jobs through more than 2,300 business investment projects. Examples of foreign direct investment support include Citigroup and the New York Stock Exchange Euronext, both of which are based in Belfast; B/E Aerospace in Kilkeel; Seagate Technology in Londonderry; Terex in Dungannon; Teleperformance in Newry and Bangor; and Liberty in Belfast and Enniskillen.

I think that it was Mr Newton who mentioned the Allstate Corporation from the United States; it provides an excellent example of how regional aid has worked to benefit the Northern Ireland economy. From an initial investment in 1998 that created 250 jobs in Belfast, the company has developed significantly with regional aid support for several expansion projects since that time. It has now grown to have a workforce of 1,950. It has extended its footprint in Northern Ireland to the addition of facilities in Londonderry and, indeed, in Strabane as well. Obviously, therefore, regional aid has been very important in supporting foreign direct investment.

It is also important for our local business base. Companies such as First Derivatives in Newry; Wrightbus in Ballymena; Almac Group in Craigavon; Dunbia and EDGE Innovate in Dungannon; Fleming Agri Products in Londonderry; and Mackle Snacks in Moy are just some of the many local examples which clearly demonstrate the positive impact that regional aid has had on many business sectors right across Northern Ireland. I picked those examples to show you the breadth right across Northern Ireland.

A loss of the 100% population coverage would prevent Invest Northern Ireland from offering regional aid in certain areas. That would have a detrimental impact on business growth and employment in those excluded areas. I certainly do not want to see us having to make those sorts of decisions.

Given the importance of regional aid in job creation and driving economic growth, it is vital that, post 2013, our ongoing unique circumstances continue to be reflected in the revised regional aid guidelines. The Commission is currently consulting member states to agree the state aid rules for the revised guidelines from 2014 onwards. Many members have made the point that that is a reserved matter and lies with the Department for Business, Innovation and Skills. Our officials from Northern Ireland, along with their counterparts in Scotland and Wales, currently work very closely with BIS officials to ensure that our interests are fully and appropriately reflected in the UK's interaction with the Commission.

Of particular concern for Northern Ireland and, indeed, the whole of the UK was the Commission's proposal to prohibit regional aid support for large enterprises in C areas such as Northern Ireland on the basis that there was no clear incentive effect to justify a continuation of that type of aid. I have been very encouraged that the Commission has recently signalled that it will not proceed with that proposal in the face of very strong opposition, not just from the UK, but other member states. That is a very welcome development.

However, a potential reduction in our population coverage still exists. Members pointed out that the pressure point is at the Department for Business, Innovation and Skills. My departmental officials and I have spent a considerable time on this, together with our Members of the European Parliament, to whom I pay tribute and with whom I have worked closely, and, indeed, our Members of Parliament, who have been able to obtain cross-party support at Westminster.

Over the past 18 months, there has been and continues to be intensive engagement with the UK Government and the European Commission. In January, the First Minister and deputy First Minister raised the issue with the Commission. Meanwhile, a cross-party delegation of our MPs at Westminster met Michael Fallon, the Minister of State for Business and Enterprise. We will continue to push on the issue.

I welcome the fact that the Northern Ireland Secretary of State recently signalled that our Government have recognised the importance of the 100% assisted area status for Northern Ireland as part of their proposed economic package in the absence of a decision on corporation tax. I will obviously press to ensure that that proposal is realised. The need for special treatment for Northern Ireland is not new. Indeed, that has been recognised in the previous two rounds of regional aid, and it very much remains a key tool for the Northern Ireland Executive. It is vital that we retain every tool in our armoury to help to rebuild and rebalance our economy and the private sector.

I welcome most of today's contributions. Everybody recognises the need for us to retain 100% regional aid status. I obviously have to comment on some of the statements about the DUP and the fact that we are anti-European.

I say to Members across the way that we welcome the debate on which powers should remain with our national Parliament and which ones should go elsewhere. We very much believe that interference from Europe needs to be lessened. I say that having met many companies around Northern Ireland. Members opposite should be aware that most of our regulation comes from Europe. Our business members feel very strongly about that and want a reduction in red tape and interference.

The fact that the UK is a net contributor means that we are looking for what the people of Northern Ireland are entitled to. I say to Members across the way that our anti-European stance does not in any way stop us from fighting for what is a right for our farmers, fishermen and businessmen, and we will continue to do that. That is why we are fighting and will continue to fight to get the best deal for the 100% assisted area status.

Mr Allister: Will the Minister point out to the House, given some of the muddled contributions during the debate, that we are talking about the right of the UK to distribute its own money in regional aid? This is not money that has been given to us by Brussels. Brussels is trying to restrict how we spend our own money. That in itself is an example of the unbearable restrictions that come from EU membership, when they tell you how much state and regional aid you can give. Indeed, this very motion is premised on the existence of that unbearable restraint. Will the Minister underscore that?

Mrs Foster: I thank the Member for his very helpful contribution. Of course, that is absolutely right. During my time in office, regional aid has been restricted even more. What we are arguing for is the ability to redistribute that money across Northern Ireland to help UK businesses to grow here. I will certainly continue to lobby very hard for that. As I said, it is a positive step that that formed part of the paper that came to the First Minister and deputy First Minister very recently. However, the fact that we are continuing this battle on regional aid should not take away from the fact that we will continue to battle on corporation tax.

I note that some Members who were initially in favour of corporation tax powers being devolved to the House have wavered. I say to them, in the words of possibly our greatest Briton:

"You turn if you want to; the lady's not for turning."

Mr Dunne: I welcome the opportunity to conclude the debate, which has, in the main, been very useful and unified. I am pleased by the strong messages of support for the importance of regional aid for Northern Ireland that were emphasised in the House today.

Northern Ireland faced many challenges in the past and continues to face challenges today. Unfortunately, the global recession continues to hit our Province economically, and the downturn has, sadly, left many here out of work. The difference in the level of corporation tax between here and the Republic, combined with high energy and export costs, continue to make growing the private sector a challenge in the current economic climate.

However, despite the challenges, Northern Ireland seeks to be a competitive place that is open for business. I know that our Executive have been leading the way in working to attract inward investment from around the globe. The First Minister and deputy First Minister, along with the ETI Minister and others, have been showcasing Northern Ireland to the world. A lot of good, constructive work has gone into various trade missions and the very recent showcase event at the European Parliament.

The need, from an economic perspective alone, for us to retain 100% assisted area coverage cannot be overemphasised. Regional aid has played a vital role in many business-related projects in Northern Ireland, many of which go unrecognised as being funded from this source. Many business support programmes operated by local councils at council level are vital to improving SME capabilities and reaching new sales. Given the current weaknesses in our economy, threatening these programmes would be extremely damaging. It is imperative that regional aid be maintained as a key tool in attracting inward investment and sustaining foreign direct investment from large overseas companies.

Regional aid, in the form of funding through DSD, has also played a vital role in improving many of our town centres across Northern Ireland. Again, this must be continued; we must not allow it to be lost. The retention of 100% assisted area status is vital to ensuring equality of application throughout Northern Ireland.

I welcome the Minister's comments today, and I commend her on all her work to date on this very important subject. I thank her for her positive comments and commitment

to continuing to lobby for the retention of regional aid for Northern Ireland.

I will now summarise the points raised by a number of Members. First, my colleague Robin Newton, in proposing the motion, emphasised the important role that EU funding has played in Northern Ireland. He spoke of how this has been an ongoing issue for some time. Continued funding is important in addressing regional disparities, and the risk to other Northern Ireland companies of not being able to get such funding is difficult to assess. The risk of not having the support of regional aid is more significant here than anywhere else in the UK.

Patsy McGlone, the Chairperson of the ETI Committee — most competent Chair that he is — mentioned how essential a tool regional aid was to support jobs and attract new jobs to Northern Ireland. I believe that he said that it was within the gift and remit of our Government to retain the 100% status. He recognised the work of the Minister and officials and said that it was important to continue to lobby for that status.

Stephen Moutray spoke of the difficult path that we have come along and the negative role that the Troubles have had on our local economy and on our reputation around the world.

4.00 pm

Maeve McLaughlin at least said that she recognised that the UK Government have the power to retain 100% status for Northern Ireland, and she registered her concern that Northern Ireland is not predefined as a C region in the draft guidelines. She also said that it was important to keep the focus on the Westminster decision.

Sandra Overend registered her concern about Northern Ireland's incapacity in relation to the rest of the UK. She recognised that regional aid has helped to grow the private sector and encourage foreign direct investment. She also made the point that Belfast could be excluded, and I know that many of the Members who represent constituencies in Belfast could not tolerate that in any way. That would obviously be totally intolerable. She also made the point that large rural areas would not be eligible. It is vital that we continue to lobby for the full recognition of Northern Ireland for EU regional aid.

Trevor Lunn made various points. It seemed that his main concern was about the DUP's attitude to membership of the EU. However, that was very much clarified by the Minister and various other Members who spoke.

Stephen Moutray also said that Northern Ireland, as a part of the United Kingdom, is a net contributor to the EU. He emphasised how we are moving out of our difficult past and how much regional aid has boosted our local economy.

Phil Flanagan thanked the Members who tabled the motion. He went as far as thanking the DUP and recognised its positive work. He had some concerns about the UK Government's commitment to rebalancing our economy, and, unusually, he registered his full support for our Minister in continuing to argue for regional aid.

Alban Maginness had many concerns. His main concern seemed to be about the DUP and Sinn Féin's attitude to the European Union. Disappointingly, he made it into a party political issue and argument. That was most

disappointing. We were fighting for unity, and the SDLP obviously does not want it. I think that it is —

Mr McGlone: European unity?

Mr Dunne: Definitely not. It is most important that we continue to lobby for EU regional aid and for Northern Ireland to retain its full status. I thank all those Members who contributed to the debate. In the main, we have had a positive debate and have been very supportive of the Minister, the First Minister and the deputy First Minister in their campaign to try to get this.

Question put and agreed to.

Resolved:

That this Assembly recognises the positive effect that Northern Ireland's 100% coverage for EU regional aid has had on the economy; believes that it has been significant in aiding economic growth and inward investment; is concerned that removing this automatic coverage would have a detrimental impact on the economy, jobs and growth; and calls on the Minister of Enterprise, Trade and Investment to continue to lobby the Government at Westminster and the European Commission to ensure that EU regional aid is retained for all of Northern Ireland.

Mr Deputy Speaker: I ask Members to take their ease for a few moments while we change the top Table.

(Mr Speaker in the Chair)

Civic Forum on Participative Democracy

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 to propose the motion and 10 minutes to make a winding-up speech. All other Members who are called to speak will have five minutes.

Mr McDevitt: I beg to move

That this Assembly calls on the First Minister and deputy First Minister to reconvene the Civic Forum to fulfil the commitments of the Belfast Agreement to participative democracy and to facilitate an all-inclusive consultative forum to help address the social, economic and cultural issues facing this region.

Fifteen years ago tomorrow, quite a few of us who are currently elected to the House had the great privilege of being witness to arguably the finest moment in Irish and British history in recent times. The Good Friday Agreement changed everything: it changed relations between the people of Britain and of Ireland; it changed the relationship between the Republic of Ireland and Northern Ireland; and it changed, fundamentally, relationships within Northern Ireland. It is the reason we are here today.

Mr Campbell: Will the Member give way?

Mr McDevitt: I will in a second.

It is the reason every last one of us has the opportunity to represent the great diversity of political opinion that exists in this part of this island. Without it, there would have been no beginning of a new beginning. Whether or not we feel wedded to every last word of the agreement, as we mark its fifteenth anniversary, I think it important that we are mature and big enough to acknowledge that it is what we owe our very existence to.

Mr Campbell: I thank the Member for giving way. He is starting his speech, and I do not want to delay him unduly, in what might be regarded as predictable style. Although we on this side of the House would not want to diminish the importance that he attaches to the Belfast Agreement and how significant he thinks it was, does he understand and appreciate that, in the same way, many people in Northern Ireland from our community do not share that outlook about that document, the rationale behind it and the bringing of terror into the heart of democracy at the same time?

Mr McDevitt: I am a democrat. I consider myself to be a true republican: someone who believes that power and sovereignty rests with the people. The Good Friday Agreement is a sovereign document. It is owned by the people. It has a mandate only because the people of Northern Ireland gave it that mandate. It is the will of the majority of this region. It also happens to be the will of the overwhelming majority of this island, and I respect the will of the majority of this region as exercised democratically in referendum in May 1998.

It may be worth reading into the record of the House the declaration of support that was signed up to by those who concluded the negotiations. They said 15 years ago:

"We, the participants in the multi-party negotiations, believe that the agreement we have negotiated offers a truly historic opportunity for a new beginning.

The tragedies of the past have left a deep and profoundly regrettable legacy of suffering. We must never forget those who have died or been injured, and their families. But we can best honour them through a fresh start, in which we firmly dedicate ourselves to the achievement of reconciliation, tolerance, and mutual trust, and to the protection and vindication of the human rights of all.

We are committed to partnership, equality and mutual respect as the basis of relationships within Northern Ireland, between North and South, and between these islands.

We reaffirm our total and absolute commitment to exclusively democratic and peaceful means of resolving differences on political issues, and our opposition to any use or threat of force by others for any political purpose, whether in regard to this agreement or otherwise.

We acknowledge the substantial differences between our continuing, and equally legitimate, political aspirations. However, we will endeavour to strive in every practical way towards reconciliation and rapprochement within the framework of democratic and agreed arrangements. We pledge that we will, in good faith, work to ensure the success of each and every one of the arrangements to be established under this agreement. It is accepted that all of the institutional and constitutional arrangements - an Assembly in Northern Ireland, a North/South Ministerial Council, implementation bodies, a British-Irish Council and a British-Irish Intergovernmental Conference and any amendments to British Acts of Parliament and the Constitution of Ireland - are interlocking and interdependent and that in particular the functioning of the Assembly and the North/South Council are so closely inter-related that the success of each depends on that of the other.

Accordingly, in a spirit of concord, we strongly commend this agreement to the people, North and South, for their approval."

As I said, I respect the right of anyone to dissent, but I want to note that, 15 years ago tomorrow, the die was cast, the people spoke soon after, and it is their decision that gives us the right to be where we are in this place today. I do not ask that everyone revise their position, but I ask that they respect the legitimacy of the institutions that they are such an important part of.

An important part of that institution was the creation of a Civic Forum. Over the past months, we have seen a breakdown in good relations in many parts of our community. We have been challenged to step up to the mark of reconciliation, of respect for the parity of esteem of all our traditions and of respect and tolerance for difference.

I think that many in the House remain concerned that we have failed and this institution has failed to live up to a better hope, to stretch beyond the differences that are so evident on our streets and to lead by placing reconciliation

at the heart of everything we do. However, that this place may have failed does not mean that institutions rightly created under the Good Friday Agreement to give voice to those who do not wish to be political actors — civic society, non-governmental organisations, sporting organisations, the Churches, trade unionists, business leaders, ethnic minorities, the disabled — should not be given the opportunity to go where we have been unable to go.

The point of a Civic Forum was to create a voice that it was never possible to have in here — a voice that would go beyond narrow party politics and that would speak for people who often, if we are honest, do not feel properly represented by the politics of this place or who have issues that, for whatever reason, are not always able to be properly aired in a Parliament. It is to widen democracy and deepen participation. It is to create a new society that is participative not just in name but in fact.

If there was ever a need for that body, I suggest to colleagues that it is today, at a time when our confidence in ourselves and in the promise and hope of Good Friday has been fundamentally challenged. Rather than sectional forums, we need a forum for all — a forum that will provide those with a legitimate stake in the future of this part of these lovely islands with a place to make their opinions felt.

We are a diverse place, and our diversity is our great strength, but we will only ever unlock the prosperity, hope and opportunity in that diversity when we give it voice and when we are able and not afraid to give diverse views, opinions, outlooks and aspirations a voice.

Mr Ross: I thank the Member for giving way. I am listening to him wax lyrical about how important the Civic Forum is and how great it is, but can he give us one example from when the Civic Forum was meeting of one piece of advice or report that it produced that was taken up by the Executive of the time, which, of course, his party was one of the main contributors of?

4.15 pm

Mr McDevitt: In the brief period that it operated, it produced a very important report on literacy and numeracy. That report informed education policy. I am quite certain that, had it not been killed off in 2002 and had it the opportunity to continue to work through in recent years, it would have informed many of the most difficult debates that we have faced.

The great tragedy of it is that people are refusing it its opportunity to exist. They are killing something off at birth, and they are denying such a large section of our people a voice.

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

Mr McDevitt: I will sum up by saying that those people are undermining not just those of us who supported the agreement but, in fact, the democratic will of the majority who supported that agreement.

Mr Moutray: To me, this debate feels a bit like déjà vu all over again. On 3 February 2009, I moved a motion in the House on the Civic Forum. It noted that the Civic Forum had not met since 2002, that it had given nothing of value and that the public had a total lack of interest in it. The motion also urged the First Minister and deputy First Minister not to establish a new forum but to consider other ways of interacting and engaging with the public.

The motion was passed by 44 votes to 41 but was defeated on a cross-community vote as a result of a petition of concern. I rehearse that simply because the arguments that we put four years ago against any attempt to revive the Civic Forum, which are in the public record in Hansard and elsewhere, are as pertinent today as they were then. Indeed, I was reading over my speech from 3 February 2009 just yesterday, and I could easily make the same one here today. Nothing whatsoever has changed.

Mr A Maginness: Will the Member give way on that point?

Mr Moutray: No. The Member will have his own opportunity. I will resist the temptation. *[Interruption.]* Why on earth we are wasting time discussing this matter is beyond me. We continue to face the impact of the financial and economic difficulties, and budgets across all the Departments are under pressure. We are doing our best to preserve front line services, and people across our communities are struggling to make ends meet. However, here we have the SDLP bringing a motion to the Assembly that urges us to revive something that is not even worthy of revival. Indeed, it is completely beyond revival.

We can see from the motion that the Civic Forum is just being used as an excuse to promote the Belfast Agreement. Let us remind ourselves of the Civic Forum's background. It was set up in 2000, when the Northern Ireland Office viewed it as something that might bolster the Belfast Agreement.

Far from being a representative body, it was slanted heavily towards pro-agreement elements. It met over a two-year period, during which it expended little other than hot air. Not one of its recommendations was subsequently taken up by the Executive — not one. It was an utter and complete waste of time and resources, which cost about £500,000 per annum. That amount of money could be spent much better for the benefit of civic society.

The forum's role was reviewed in a public consultation in 2008. It was clear from that exercise that there was no widespread desire for a return to a structure of the size and expense of the Civic Forum as it had been previously operating.

Today's motion speaks of "participative democracy" and an "all-inclusive consultative forum", but we have that. We have it here in the institutions of the Assembly. The people of Northern Ireland already have better overall representation than other regions in the UK. Another layer is simply not needed.

I want to take the liberty of quoting Lord Kilclooney, who, in April 2007, said that the Civic Forum was:

"a luxury the people of Northern Ireland cannot afford".

If that was the case six years ago, it is all the more so today.

Let me make it clear that I am very keen to ensure that we connect and engage with all sectors of civic society. I am completely in favour of that. Indeed, that was reflected in the motion that I moved in February 2009. However, we do not need expensive, additional formal structures. We must make greater use of existing democratic structures including not only the Executive, the Assembly and its Committees and so on but structures at local council level, at Westminster and in Europe.

There must be ongoing and meaningful two-way communication between elected representatives and the electorate. We must constantly review our effectiveness, and we must always be looking at how we do things. By way of example, we could use better social media and online interactive forums via the internet. Whatever we do, the Civic Forum has no part to play. There can be no going back to the white elephant, whether the SDLP wants us to or not. I oppose the motion.

Ms Fearon: Go raibh maith agat, a Cheann Comhairle. I very much welcome the opportunity to speak on this motion. I pledge my support, and that of my party, for the motion and congratulate its proposers.

Sinn Féin has always been supportive of the Civic Forum. The re-establishment of the Civic Forum would only enhance our decision-making process and promote inclusion. There appears to be — and I do not think that anyone can argue with this — a growing sense of apathy in our communities. Anything that encourages engagement must be viewed as a positive step. That is particularly true given the recent events witnessed across the North.

Being on the ground and engaging with people should be one of the most important aspects of politics. However, sometimes it is not enough. The Civic Forum would give a collective voice to civic society, namely the business sector, the unions and the voluntary and community sector, in order for them to discuss, as the motion puts it, the various social, cultural and economic issues facing the North. I very much welcome the use of the phrase “all-inclusive” in the motion. I sincerely hope that it actually means all-inclusive.

I will just, for a moment, take for granted that the re-establishment of the Civic Forum will go ahead. There would need to be room for people to voice the opinions of children and young people and the older people's sector. It would also be highly important for the views of rural communities to be represented. The Civic Forum would be useful in tackling some of the more difficult issues — if I can gently phrase it that way — that seem to spiral out of control in this Chamber and result in little more than finger-pointing. Furthermore, any forum must have the ability to have measured debate on important issues. That would only be enhanced by the absence of party politicking.

For democracy to work effectively, we need to encourage proper participation with all sections of society. As I stated, there is a growing sense of disillusionment out there. It would be remiss of me if I did not take this opportunity to say that, in certain respects, I do not blame people for having that opinion. The very make-up of this Chamber may be reason enough for that opinion. We need to make serious commitments to tackling the gender, age and ethnic profile of the Assembly.

This morning, I met a local school. The first comment came from a 16-year-old, who said that he does not think that devolution is working. While I disagreed with his opinions, however well-articulated they were and which he is quite entitled to have, it saddened me to hear such negativity. It only strengthened my support for the concept of an all-inclusive Civic Forum to give a young person like that a structured outlet to voice his opinion and engage. All of that having been said, I must say that I am wary of the cost and bureaucracy and of placing another financial burden on taxpayers. However, perhaps research could be

done into how we could do it in a more cost-effective and innovative way.

The Civic Forum is a Good Friday Agreement commitment, so we need to ensure that it is not divorced from other commitments that were made. It is clear that the British and Irish Governments have reneged on many of the promises that were made in the Good Friday Agreement, and we must be mindful of those. I want to take this opportunity to continue to push for the introduction of a bill of rights. That is an absolutely essential piece of work that needs to be carried forward. We must also encourage the establishment of a North/South consultative forum, which, as yet, has not been delivered.

At the end of the day, every person in the Chamber is here to take note of public opinion, listen to it and act on it in their interest. The Civic Forum would play an important role in that. It would give voice to those sections of society that currently feel muted and shut out from the daily business of the Assembly, while at the same time allowing for greater transparency and understanding. To that end, I will conclude by pledging both my own support and my party's.

Mr Nesbitt: I am conscious that I am in danger of prolonging Mr Moutray's experience as the lead star of 'Groundhog Day'. To try to maintain his interest and that of other Members, I ask that they reflect on this: which Department of this Executive, since the restoration of devolution in 2007, has spent £62,475 on 44 public consultations? Which other Department, which has also consulted the public on 44 occasions since 2007, has done so at a cost to the taxpayer of £280,574.62? Have a think.

I raise the issue of consultation, of course, because paragraph 34 of the Belfast Agreement states that:

“A consultative Civic Forum will be established.”

As we approach the 15th anniversary of the agreement, I thank the SDLP for bringing the agreement to the public attention. However, the question is this: do we focus on the line-by-line detail of this document, or do we focus on the spirit of the agreement? For me, we should focus on the spirit.

The detail was always going to be imperfect. How could it be otherwise when you are trying to reach agreement with no fewer than 10 local parties and two sovereign Governments? The spirit is perfect: the spirit of consent that Northern Ireland remains part of the United Kingdom as long as the majority of people so wish; consensual politics as the way forward; mutual respect for our identity and culture; an economic peace dividend; and better politics than direct rule. In reviewing those five categories, I feel that there has been a failure — arguably, a huge failure — in delivery, and those responsible owe the public an acknowledgement and a renewed commitment, such as the one that the Ulster Unionist Party will offer the people of Northern Ireland tomorrow.

When it comes to the Civic Forum and the public consultation, we need a broader debate on consultation. I have asked all the local Departments how many consultations they have engaged in since 2007 and at what cost. The Department that spent £62,475 on those 44 consultations was the Department of Finance and Personnel. However, it so happens that the Department of Education has also consulted 44 times with the public

in the same period, and its costs were £280,574.62. Is that money well spent? Is it money equitably spent? The most expensive single consultation it undertook was a review of Irish-medium education at a cost of £46,447.65. That is more than double the amount spent by the same Department on a review of literacy and numeracy. How many people are affected by Irish-medium education, and how many are affected by literacy and numeracy? The £46,447.65 spent on Irish-medium education was around 30 times the amount the same Department spent in total on consulting on the draft Programme for Government, the draft investment strategy and the draft Budget. So, it seems that there is an imbalance that we need to look at.

The Department of Agriculture and Rural Development has engaged in no fewer than 324 consultations in the same period, with the most expensive coming in at £17,300. However, 77 of those consultations, around 24%, were done at no cost whatsoever.

Mr Campbell: I thank the Member for giving way. I am listening to him carefully, and he is outlining at some considerable length the degree to which various Departments go on consulting. However, I am not quite clear whether he is saying that all that money could be saved if we brought back the Civic Forum, which would presumably carry out all these consultations for less money, or whether he is saying that part of the spend is a total waste — I agree with him — in which case I am trying to understand what relevance that has to the reintroduction or otherwise of the Civic Forum.

Mr Speaker: The Member has an extra minute.

Mr Nesbitt: Thank you, Mr Speaker. I will not delay the House and Mr Moutray by taking up the extra 60 seconds.

I am coming to my conclusion, which will answer the Member's point.

Lord Morrow: We knew that it was somewhere.

Mr Nesbitt: Well, normally when I speak, I start at the beginning and finish at the end. That is the way I like to do things.

Consultation can be done better and more cheaply, deliver value for money and inform the Assembly and the Executive better. We should look at a better way to do it, but the better way to do it is not to recall the Civic Forum.

Mr Lyttle: On behalf of the Alliance Party, I support the motion. I thank those who tabled the motion for giving us an opportunity to discuss some of these extremely important issues on the eve of the 15-year anniversary of the Good Friday Agreement. I reaffirm our commitment to participative democracy in Northern Ireland, a commitment that I expected every party in the Assembly to give in a slightly clearer manner today.

Mr A Maginness: In view of Mr Nesbitt's final remark on behalf of the Ulster Unionist Party, do you accept that, once again, the Ulster Unionist Party has departed not just from the spirit of the Good Friday Agreement but from its detail, particularly in relation to the forum?

4.30 pm

Mr Speaker: The Member has an extra minute.

Mr Lyttle: I thank the Member for his intervention. He touched on a concern that is apparent even in the wider

community beyond the Assembly that the Ulster Unionist Party is less than clear, at this stage, about its ongoing support for that foundational document. Perhaps the Member would like to clarify that. I would be glad to give way if that is the case.

Mr Nesbitt: I thank the Member for giving way. As I said, I am wedded to the spirit of the agreement, and I defined the five areas. The Ulster Unionist Party has not, for some time, been in favour of the Civic Forum. I am surprised that Mr Maginness is not aware of that fact.

Mr Lyttle: I will move on. The establishment of the Civic Forum is an explicit requirement of the agreement, so perhaps we need to re-examine the agreement on this side of the House. The Northern Ireland Act 1998 also sets out the requirement for the Civic Forum. Those are two foundational documents on which this institution and, indeed, our society as we know it today are founded. It would present an opportunity to enhance the —

Mr Beggs: Will the Member give way?

Mr Lyttle: I am trying to move on. If you are quick, go ahead.

Mr Beggs: Does the Member agree that we are in very challenging economic circumstances? Where would he take the £500,000 a year to sustain this further level of consultation?

Mr Lyttle: You could start with the £17 million that it cost to police the anarchy that we saw on our streets as a result of a completely folly decision at Belfast City Council recently.

Mr Beggs: That was an Alliance decision.

Mr Speaker: Order.

Mr Lyttle: Thank you, Mr Speaker. I hope to develop a response to that as I go on, if I have time.

I accept that the Civic Forum must be established in a more constructive and effective format. I doubt that even the Members who tabled the motion would dispute that. We should acknowledge that the previous Civic Forum was required to operate in a period of political uncertainty and instability. Devolution today, hopefully, presents a more stable context in which the forum could operate.

I have seen MLAs and Ministers work very hard to engage constituents and organisations in the political process. That work includes Assembly Committees, the Assembly and Business Trust, of which I am proud to be chair, Assembly Community Connect and a wide range of events that take place in the community and at Parliament Buildings on a regular basis. However, despite those efforts, there is clearly a demand from civic society for improved inclusion in the political process and an argument that many of our elected representatives and political parties fail to represent the aspirations and ideas of the community. The Civic Forum would be one way to include the creativity and expertise of civic society in the political process and improve democratic participation in Northern Ireland.

Executive Ministers establish advisory groups and frequently extol the virtues of collaboration to say that government alone will not be able to solve problems. Yet, on some of the most important challenges facing Northern Ireland today, they continue to obfuscate and delay. That is perhaps nowhere more applicable than on the most

important issue of tackling the cost of division and building a shared society in Northern Ireland — *[Interruption.]*

Mr Speaker: Order.

Mr Lyttle: This is becoming a bit of a habit, folks. You could learn a few manners, maybe.

Six years on from an OFMDFM review, there is still no Civic Forum; 15 years after the agreement, there is still no shared future strategy to tackle division and build a united community.

The Alliance Party made a constructive proposal in January this year that the First Minister and deputy First Minister establish an open and transparent shared future forum comprising elected representatives from the main political parties and representatives of civic society that would make recommendations on a shared future strategy by June this year. That would represent an opportunity to find imaginative and meaningful proposals that the behind-closed-doors OFMDFM working group has, in over 18 months, failed to achieve. The DUP in particular, perhaps unsurprisingly, arrogantly dismissed and misrepresented that proposal as just another working group and an abdication of responsibility. A shared future forum would involve elected representatives and civic society experts working in partnership to find solutions in an open and inclusive way. As far as I am aware, even those who tabled the motion have yet to respond to that proposal. Perhaps they would be willing to do so today as evidence of their commitment to civic participation in one of the most important social and economic challenges that we face in Northern Ireland, if not the most important.

The shared future forum proposed by my party in the For Everyone strategy is in the spirit of the Civic Forum recommended by the motion today and would increase participation in building —

Mr Speaker: The Member's time is almost gone.

Mr Lyttle: — the shared society for everyone that I believe a majority of people in this community want to see.

Mr Ross: First, of course, it is vital that we, as an elected legislative Chamber, listen to and pay attention to the views of civic society. We should always listen to those views. However, we ask whether a Civic Forum is the best way to engage with civic society. It is not surprising that this is a motion from the SDLP, because this is something of a hobby horse for it. Every few years, it brings up the idea again. However, it is doing so at a time of increased pressure on public finances, when the pressure is on all of us to find savings for the public purse and not additional spending. The SDLP, as a party, is about spend, spend, spend. It supports the reconstitution of a Civic Forum at a cost of up to £500,000 a year. It supported corporation tax and the spending that would come from that. It wants to block welfare reform — where do we get the money to do that? — at the same time as supporting increased spending on health, education and roads. Given the events of the past 24 hours, I am reminded that Margaret Thatcher said that the problem with socialism is that they soon enough run out of other people's money to spend. The SDLP is playing right into that mantra.

There are two fundamental questions that Members must ask themselves when looking at the motion. The first is whether a Civic Forum, whether in its past incarnation or a future one, would deliver value for money for the taxpayer.

The second is whether it would provide a valuable input into policy development. In examining the first question, we would not just be measuring crude cost but value for money, and, by doing that, we would have to look into the second question about the outputs. I asked the Member, during his opening contribution, whether a single report or suggestion put forward by the Civic Forum in its initial state was taken up by the Executive, an Executive led by his party and the Ulster Unionist Party at the time. He talked around the issue and about numeracy and literacy, but the truth is that not one suggestion was taken up by the Executive at that time.

Mr A Maginness: I thank the Member for giving way. How does the Member square his rejection of the Civic Forum with the establishment by the DUP, together with the Ulster Unionists and other unionist people, of an exclusive forum for unionist people to deal with a number of issues outside the Assembly?

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

Mr Ross: We are not asking the taxpayer to put a single penny towards the creation of a Unionist Forum. The other hypocritical part of the Member's statement is that he opposed that forum. It is remarkable stuff.

I return to the motion. Do we really need another chamber for talking, discussing and debating in Northern Ireland?

Mr Lyttle: Will the Member give way?

Mr Ross: I will not give way, because I want to make some progress. I have given way once.

We are already overgoverned — *[Interruption.]*

Mr Speaker: Order.

Mr Ross: — in Northern Ireland, and the public recognise that. We have 26 councils and are hoping to bring that down. We have 108 MLAs, 18 MPs, Members of the House of Lords, MEPs and everything else. We are overgoverned, and we do not need an additional chamber to give us views or decisions to be taken. I do not know where the SDLP will take the money from to create a Civic Forum, and it has not outlined that.

As Mr Nesbitt said, we already consult quite extensively with civic society. The Executive consult on every piece of legislation that goes through the House, and every member of civic society has the opportunity to comment on that legislation. Indeed, they can even write to Committees that are scrutinising that legislation and come to give evidence. The business community, unions and individuals are all afforded the opportunity to come to Committees to give their views and ask questions on any legislation that proceeds through the House. That is often time-consuming and can often be quite frustrating, but any Committee that I have been on has always found the time to make sure that it listens to those who wish to give their views.

As an Assembly corporate body, we have gone out to civic society through the Assembly roadshows. Whether they are value for money is perhaps a discussion for another time. However, they afford the opportunity for us, as a corporate body, to engage with civil society. Indeed, even within the structures, the all-party groups are a mechanism for particular lobby groups or particular interests in society to come and create an all-party group and forward their ideas. There are many examples of where that is done

very successfully today without substantial additional cost to the Assembly and the public purse.

As individuals, we engage with civil society every day in constituency surgeries and through e-mails, phone calls and letters. All of that stuff goes on every day. I am particularly surprised at the Member who proposed the motion. He engages in social media and looks at modern ways of engaging with the public, but he is looking backwards to a civic forum rather than looking forward into new ways.

The Assembly hosted the TEDx event recently, and, during his speech, my colleague Simon Hamilton, who has just walked into the Chamber, talked about how Governments can find better ways of engaging with civic society. He talked about the Street Bump application in the United States of America, through which there can be a real time —

Mr Speaker: The Member's time is almost gone.

Mr Ross: — engagement between civic society and government. Let us look at new, modern ways of engaging with civil society that will not cost the public purse something, rather than looking backwards to a body that did nothing for Northern Ireland and cost the taxpayer money.

Ms McGahan: Go raibh maith agat. I support the motion. The Good Friday Agreement is about local representatives making decisions that affect us and the people we represent, as we understand the needs of our community here in the North of Ireland. The Civic Forum was set up under the Good Friday Agreement to engage wider civic society, and its mission statement was:

"The Civic Forum will exercise effective community leadership and directly influence the building of a peaceful, prosperous, just, cohesive, healthy and plural society."

This is an important method of active participation. It could bring about change where people from the voluntary, business and community sectors feel that they are making a contribution to improving the quality of life of others. This can be a very rewarding experience. Active participation opens up the process. The Civic Forum was accepted in the Good Friday Agreement as a means of ensuring transparency in the political process. It is my understanding that, while the forum existed, some good work was done, and it provided a structured approach for people to come together.

Mr Weir: Will the Member give way?

Ms McGahan: Sorry, no. *[Interruption.]*

Mr Speaker: Order.

Ms McGahan: It provided a structured approach for people to come together. However, more was to be done, that was for sure.

Democracy means the strength of the power of the people. A democratic state is one where ordinary people have a say in how it is run, and we have the key characteristics for a democracy. We have equality and fairness for all our citizens, regardless of race, religion, gender, political opinion etc. Human rights are enjoyed by all our citizens, and Sinn Féin is committed to efficient government that is cost-effective. However, equality and representative safeguards cannot be diluted in any fashion.

The setting up of the Civic Forum is an important action that we can take to make our society more inclusive. It is important that we are socially aware, that we are of the people and that we understand the problems and issues that are faced by community groups, NGOs and other groups that we are not part of. That is crucial. Different cultures and opinions exist beyond our own, and tolerance is a necessity if we are to work together.

Mr Givan: I welcome the opportunity to make a few comments and not to repeat everything that colleagues have brought to Chamber. I will pick up on some of the points and elaborate a bit further.

Obviously, there is a role for those in civic society. I recognise that, and, indeed, I pay tribute to those right across civic society who engage on matters that concern them and engage with politicians to try to influence change. That is a very important role, and I seek to encourage that further for those who are organised and operate in different professions to come forward more often publicly and to articulate their views and try to influence politicians. We should all welcome and seek to encourage that.

As a party, we in the DUP engage extensively with civic society right across the community, because we want to ensure that, whenever we take decisions, we represent as broad a view as possible. But, ultimately, we are the elected representatives of the public, and this Chamber represents the views of the broadest sectors of our society.

4.45 pm

Mr Campbell: I thank the Member for giving way. I am glad to hear him outline some of the ways in which all political parties, including our own, engage with civic society. Does he agree with me that, if you try an experiment, be it through the Belfast Agreement or by any other route, and it is a total, utter, unmitigated disaster — no one attends, it does not produce anything, it does not do anything, and it is widely derided — the last thing you do is reintroduce it?

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

Mr Givan: I could not put it better than what my colleague from East Londonderry has intimated in respect of the track record that existed for the Civic Forum. Members who want to resurrect the Civic Forum do not seem to recognise that it was a creature of the Belfast Agreement. This party opposed the Belfast Agreement, and, as broader society changed its views on the Belfast Agreement, the electorate, particularly from the unionist community, democratically elected people who consistently opposed the Belfast Agreement. The public, despite the vote within this House, whatever it will be, can rest assured that there will be no Civic Forum re-established.

Mr McDevitt: Will the Member give way?

Mr Givan: I am happy to give way.

Mr McDevitt: This is an important point of fact: the Belfast Agreement enjoys the support of the majority of the people in this region. The DUP does not enjoy the support of the majority of people in this region. In fact, the DUP's vote is nowhere near being equivalent to the majority of people. *[Interruption.]*

Mr Speaker: Order.

Mr McDevitt: So it is just untrue, I am afraid to say, that the majority of people in this region do not support parties that support the agreement. They do. You are still in the minority. You would not be here without the agreement. The least you can do is just acknowledge that.

Mr Givan: The Member is in the same denial, in that he obviously seems to believe that the SDLP is still the largest nationalist party and does not seem to recognise that Sinn Féin has obliterated many of the SDLP's constituencies. That is sad, and I would much rather have a stronger SDLP than have Sinn Féin. However, we have to deal with the political reality of today, and, in 2013, it is not what it was in 1998. *[Interruption.]*

Mr Speaker: Order.

Mr Givan: This party has increased its representatives by a considerable number, to the extent that, as a result of the mechanisms established by the party opposite, the SDLP and the Ulster Unionists, we can now exercise our veto, and we will certainly do that when it comes to a Civic Forum.

It is important that we listen to civic society, and I could not give a better example than the most recent example of when we heard a united position from civic society across our churches. That was on the amendment that I supported with Alban Maginness and other Members on the issue of abortion. We united civic society. We had the Presbyterian Church, the Church of Ireland and other evangelical Protestant denominations come out in favour of it, and we had the Roman Catholic Church, with which I engaged personally. I spoke to those within the Roman Catholic Church about it. *[Interruption.]*

Mr Speaker: Order.

Mr Givan: So, this party and I created a position and a consensus that was broadly reflective of our civic society. Chris Lyttle of the Alliance Party lectures this party about ignoring civic society. It was his party, which stands and boasts about being the party of the shared society that can unite society, that ignored and thumbed its position to civic society on the amendment that was brought to this Floor. They should go and engage with civic leaders in the churches that they attend, ask what their views are and then come back to the Chamber. Maybe then, with some principle, they can lecture other people in the Chamber about listening to civic society.

Mr Dallat: I am grateful for the opportunity to voice a few words, as someone who has been here since 1998 and who left a comfortable job in another element of society — the teaching profession. One of the reasons why I was attracted to this was the fact that the wider community would have a voice in it. I am old enough, much older than many of those who find this perhaps a little bit funny, to know that, for the previous 30 years, this country was in turmoil. The greatest weapon that any democracy can have is the widest possible participation of the people. The Civic Forum mentioned in paragraph 34 recognised that. For the short time that it was here, the forum produced important reports. The report on literacy and numeracy has been mentioned. Even today, we are producing 9,000 young people a year with the lowest levels of education. Given recent events, is anyone here seriously suggesting that this democracy is now so sound and stable that we do not need the widest possible participation of the wider community?

Mr Ross: Will the Member give way?

Mr Dallat: In recent times, agriculture —

Mr Ross: Will the Member give way?

Mr Speaker: Order. The Member should not persist.

Mr Dallat: I will give way when I get into my speech a little bit. I am mindful that the opportunities to give voice to those in the wider community who are denied it do not happen very often, so spare me the five minutes that I have, please.

Does anyone seriously suggest that agriculture, which was recently in turmoil because of the storm, does not need some kind of voice in what the Assembly does? The budgets for the arts and sport were seriously cut, and there are health problems and all those things. Are we saying that those people should not have had their three representatives on the Civic Forum to advise the Assembly on what it might do to encourage the arts and to encourage more people to participate in sport? Unemployment is at its highest level for many years, particularly among the 16- to 24-year-olds. Is anyone suggesting that small and medium-sized businesses should not have a voice in how things might be resolved?

Mr Campbell: Will the Member give way?

Mr Ross: Will the Member give way?

Mr Dallat: Let me move on. I am really sorry that Mr Campbell —

Mr Speaker: Order.

Mr Dallat: — did not put his name down to speak on this, because he keeps interrupting other people. Mr Campbell, would you not go and put your name down to speak, for goodness' sake?

Mr Speaker: Order. The Member must be heard.

[Interruption.] Order. It is quite obvious that the Member has indicated that he has no intention of giving way, and Members should not persist. *[Interruption.]* Order. Allow the Member to continue.

Mr Dallat: The Members have managed to leave me with just two minutes.

Nevertheless, the churches and those who are involved in community relations would have had four places on the forum. There have been difficulties recently, with £18 million being spent on policing. However, we have heard about nothing except the half a million pounds that might be spent on the Civic Forum. Does that make sense? I do not think so. Does anyone seriously believe that the Assembly, on its own, can really deliver what the people want? I do not think so.

Victims have not been mentioned so far, but they would have had a voice in the forum. God knows that we have not handled that too well.

Mr Nesbitt: The victims forum.

Mr Speaker: Order.

Mr Dallat: Well — *[Interruption.]* The voluntary and community sector would have had 18 places on the Civic Forum. Does anyone suggest that that sector should not have a real voice in what the Assembly does? Is that not what we promised to deliver on? No.

In my very young days, I attended debates in the Chamber when my brother was in the Civil Service, and I saw people on the unionist Benches who I think did not fully realise the trouble that they were heading into because they did not involve people in the wider community. Please do not repeat history. For God's sake, do not do it. There is an opportunity to embrace the wider community. There are people who have the expertise, the qualifications, the experience and the life to add to the Assembly at a time when confidence in it is not very high. Let us face it. I am not being party political. The Assembly has not convinced the wider community that it is performing in the way that it should. Today's motion is an opportunity to say —

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

Mr Dallat: It is an opportunity to say, "Look, join us; let us make a success of this as one team instead of sneering and laughing across the Floor".

Mr Speaker: The Member's time is up.

Mr Cree: I oppose the motion before us today. The Civic Forum produced very little — we have heard a lot about it from all sides this afternoon — but it was worth a try. It was the brainchild of the Women's Coalition. It is vital that we embrace the need to engage with civic society. Lots of Members have highlighted that today. So, the question is this: is the forum the way to do it, or is there a better way to tackle the problem? How do we go about that?

We do not want another unelected quasi-parliamentary organisation. Our existing Assembly Committees already perform a similar function in taking evidence from the public, groups and society in general. Someone on my left has already made the point about the Committee system. More could be done to develop that system. That would avoid the costs that the forum incurred — some £700,000 — in the two years in which it operated.

The Ulster Unionist Party values the views of civic society, and we must continue to engage with it. It is now over four years since the House debated a similar motion. Little new material has surfaced here this afternoon, but, in 2009, a review was commissioned by the First Minister and deputy First Minister to examine the structure, membership and role of the forum. That review replaced an earlier review in 2002 that was never finalised. I do not think that that review has been completed either, and no report has been issued. Perhaps the Ministers could clarify the current situation with respect to the last review.

The St Andrews Agreement was referred to. Paragraph 22 provided:

"The Northern Ireland Executive would support the establishment of an independent North/South consultative forum appointed by the two Administrations and representative of civil society."

Following our experience with the Civic Forum here, it is difficult to understand the rationale for continuing with a North/South forum. Again, it would be helpful to know what the situation is on that proposed body and its likely operating costs. It is clear from reading the records of the Dáil Éireann debates that it is a live issue in Leinster House.

Mr G Robinson: The call for the reconvening of the Civic Forum is nothing but a call to waste precious financial resources for purely party political point scoring by the

supporters of the motion. No doubt, they will insist on a well-funded forum, so we have to ask how that will be paid for from a budget that is already under severe pressure. I believe that the proposal not only is a huge waste of money but would duplicate work already being done by the Committees overseeing each Department. The Committees are regularly in formal and informal contact with all the groups covered for membership of the Civic Forum, such as businesses, trade unions and the voluntary sector.

The Assembly needs to continue with the workload that it has and not duplicate that workload. Every week, I receive letters, e-mails and literature from all sectors about their wishes for the future direction of Assembly policy. Why then do I or, indeed, any of us in the House need to hear the same thing a second time for no other reason than to assist the SDLP? The truth is that we do not even have the time for this debate today. Instead, the time could have been used for a debate addressing the numerous problems that currently exist in Northern Ireland. The Civic Forum is not going to achieve anything that the Assembly Committees do not. That is why I will not support the SDLP motion.

I also wish to remind the proposer of the statutory duty of consultation in Northern Ireland. The statutory consultation process opens out the consultation to every member of Northern Ireland society, not just the groups of the Civic Forum. The supporters of the motion must get a grip on reality and realise that the work that they say needs to be done by a Civic Forum is already being done to a very high standard by public consultation and our departmental Committees.

I cannot support a motion that does not make practical or financial sense. I see a responsibility on every Member of the Assembly to be careful when it comes to proposing additional expenditure from the public purse, and I see the motion as failing to meet any practical criteria of benefit for Northern Ireland.

5.00 pm

Mr Maskey: Go raibh maith agat, a Cheann Comhairle. Like my party colleagues, I support the establishment of a Civic Forum and, indeed, the facilitation of the establishment of an all-Ireland consultative forum. I support those for a number of very good reasons.

The Civic Forum came out of the Good Friday Agreement, and I heard people in the Chamber say that it did not achieve anything. You could say that about the first couple of Assemblies, which did not achieve very much either because they never lasted very long, and we were up and down through suspension. You cannot benchmark the Civic Forum at that period because if you benchmark it against the success or otherwise of the Assembly, you may have to take a slightly different perspective.

I accept entirely that the DUP never accepted the Civic Forum. However, it is a bit "rich" for people such as Gregory Campbell to say that they opposed the Good Friday Agreement from day one. They have made a very good living out of it because they have not left this Chamber since 1998, including their double-jobbing. We need to bear in mind that if they do not accept the Good Friday Agreement, they should not be here. *[Interruption.]*

Mr Speaker: Order.

Mr Maskey: When we talk about the Civic Forum, my colleague made the point — [*Interruption.*]

Mr Speaker: Order.

Mr Maskey: My colleague made the point that we do not need a forum that is too costly or overly bureaucratic. I stress, on behalf of all Members in the House this afternoon, that the Assembly engages with a lot of stakeholders. This Thursday, the Committee for Social Development, which I chair, will host an engagement on housing with over 60 stakeholder organisations. So, we engage with a lot of people, which is as it should be. However, that engagement with those organisations and long-established stakeholder groups are always on a one-off and one-issue basis. It is obvious that a lot of those people would have an awful lot to offer in giving a wider view. For some, it may even be a challenge.

Groups come up here every day of the week lobbying the Assembly, as is their right and entitlement. Indeed, I would argue that it is their obligation. However, they often come up on a single issue, perhaps from a vested interest point of view. If such people were party to a Civic Forum, they would have to take a responsible view on a wider range of issues in the way that we do. Therefore, a Civic Forum is not only an opportunity to engage with people but also a challenge to some of those who may want to have only the luxury of challenging the Assembly for doing nothing. Let us give them an opportunity to contribute.

I think it is fair to say that, fifteen years on from the Good Friday Agreement, the full potential of many of its elements has not yet been realised, which is regrettable. The unionist parties recently created a Unionist Forum, which is fair enough. Sinn Féin's position on that has always been that if you need to have a discussion with your own community and constituency, that is fine; do that. However, let us not be fooled into thinking that you can solve the problems by having a monocultural conversation. You need to have that conversation with the rest of us, and that is the Sinn Féin position.

We have never said that we are against the Unionist Forum. We are simply saying that more people have to be involved in dialogue. We have all repeatedly made the point that dialogue and engagement are the ways in which we will solve most of our difficulties. When we had successes in recent years, they have always been on the basis of engagement, including engagement between parties that are diametrically opposed on a range of matters. Dialogue and engagement have worked for all of us.

In the past day or two, I listened to a series of interviews with young people reflecting on their age group 15 years after the Good Friday Agreement. Some of them were born at the time or just afterwards. They said that they did not really understand it but were told by their parents and peers that we are in a better place. Would it not be timely to start to re-engage with a lot of those people? It is 15 years on, but we still have unfinished business, which, unfortunately, spilled out onto the streets in recent weeks and months. Clearly, we have a job of work to do finally to realise the potential of the Good Friday Agreement.

Whether one agrees with the Good Friday Agreement or the bits of the St Andrews Agreement that they may like better — if that sounds better, fair enough — the core element in the way that the Assembly and these institutions work is that they are inclusivity-based. That

is the reality here. We all have to work together whether we like people or not, and that is a good thing. Why does it not logically follow that we engage people in wider civic society who have important opinions and views, and have a major, positive contribution to make? When they may not have a positive contribution, let us challenge them, but let us not be afraid of engagement.

We are political representatives and, yes, we are the people who have to make the legislation. We have to make the calls, but let us not be afraid of working with people. If we are afraid of working with those in broader society, it spells only one thing for me — conservatism. This place should not be conservative.

Mr Weir: Thank you, Mr Speaker, and may I particularly thank the Member who has just spoken for making a strong case against the motion? He may not have realised that at the time. I listened to him, and I completely agree that we should be engaging with people. Indeed, we are engaging with people. However, why do we have the narrow vision that is being proposed in the motion of engaging, effectively, with 60 quango people who have been selected by various routes. Our engagement should be, and is, with 1.7 million people.

I think that it was Mr Dallat who said that there should be a voice for the business community, the Churches, the voluntary and community sector and the victims. I completely agree with him. That voice is here, day in, day out; week in, week out. There is not a day or a week that goes by when a raft of Committees are not dealing with specific topics with a range of organisations. Every week, we are receiving evidence from organisations, and we are getting letters and other correspondence. That is just the formal process. There is also the more informal process in which MLAs have a range of meetings. We are the people who are engaging. Why restrict that from 1.7 million and the wide range of groups to simply 60 named individuals, which is what the Civic Forum would put in place?

He also said that there are important issues around getting people involved in sports and the arts, and he referred to the problems in agriculture and to unemployment. I could not agree with him more. However, again, that is the work of the Assembly; that is what we are elected to do, and we cannot abrogate that.

Mr A Maginness: Will the Member give way?

Mr Weir: I will give way briefly.

Mr A Maginness: I thank the Member for giving way. He is very generous, as usual. There is a sense of alienation, particularly among working-class unionists and loyalists. If this institution is working as well as you have suggested, why is there that sense of alienation? If you had a Civic Forum, would you not have allowed that voice to have been reflected within it and, perhaps, avoided the demonstrations and problems that we have seen of late?

Mr Speaker: The Member has an extra minute.

Mr Weir: I bow to the Member's superior knowledge of the working-class unionist and loyalist community. It shows, at least, that the Member is not afraid of injecting a degree of irony into the debate. If it is the case that they want to hear the voice of working-class loyalists and unionists, they should be welcoming the Unionist Forum instead of deriding it.

The idea of the Civic Forum as some sort of panacea to all these problems seems quite strange to me. The Member who has just spoken acknowledged that, given the amount of time that it had, the Civic Forum did not achieve anything. To be fair, I think there is one example of a report, but, frankly, if you tied me up in a chair and tortured me, I would not be able to write the successes of the Civic Forum on the back of a postage stamp.

There is, undoubtedly, a detachment between people and politics, not only in Northern Ireland, but across other parts of the world, but the Civic Forum is not the answer. Mention was made of Mr Dallat being here since 1998. I share in that. The Civic Forum went into suspended animation, or was abolished — whatever its fate — in 2002, but I have not received a single letter asking for it to be restored in the intervening 11 or 12 years. Is that the voice of the alienated and those who feel detached from society? Indeed, the packed Gallery that I am speaking to today shows the priority of the issue.

Mr Campbell: It is a burning issue.

Mr Speaker: Order. The Member must be heard.

Mr Weir: The reality is that this would be the creation of an unnecessary quango for the sake of it, when we already have much better mechanisms. If there is an argument that we are detached, it is the job of the Assembly to be out there gathering the evidence and information directly from groups, not further devolving something to some other side group that can meet in the shadows.

Mr McDevitt was very keen to highlight the level of support for the Belfast Agreement, never mind that that was 15 years ago. I suspect that it would be difficult to find, on either side, more than five people who actually voted for or against the Agreement because of the Civic Forum. Let us be honest: the Civic Forum was thrown in because one party, which is not represented in the Chamber, put it forward. It was put forward as, if you like, a sop to that party. The purpose behind the motion is not engagement with the Civic Forum. It is the fact that, from the SDLP's point of view, everything in the Belfast Agreement must be holy writ and scripture, without one single word of deviation.

There are specific groups to deal with a range of specific issues. For example, victims have been mentioned. We have a distinguished former victims' commissioner in the House, who can indicate that, indeed, there is a victims' forum. Economics have been mentioned. There is an economic advisory group that deals with the Department of Enterprise, Trade and Investment. There is a range of organisations.

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

Mr Weir: The fact is that the motion is simply an attempt to have slavish observance of the Belfast Agreement. It is time that people realised that it is not 1998; it is 2013.

Mr Allister: If I needed further reason to vote against the motion, I was supplied with it in the opening sentences from the proposer, Mr McDevitt. He reminded us that the Civic Forum, of course, is a child of the Belfast Agreement. Despite his following four or five minutes of misty-eyed reflection —

Mr McDevitt: It was 10 minutes.

Mr Allister: Despite his 10 minutes of misty-eyed reflection on the Belfast Agreement, I am afraid that, with each minute that passed, he confirmed my initial view that voting against the motion would be as right as it was to vote against — as I did — the Belfast Agreement.

A Member: Are you sure that you did?

Mr Allister: I am absolutely sure that I did. More than that: I am sure that I am still against it. Some people in the House today strain at the gnat of a Civic Forum but swallowed the camel of the Belfast Agreement. They are the people who, today, try to make a virtue out of opposing the Civic Forum because it is some tangential part of Belfast Agreement.

However, as for the Belfast Agreement itself, they are, today, its chief proponents, chief implementers and chief sustainers. All of its infrastructure, of course, remains, utterly unaltered. Its mandatory coalition, which denies people the right to change their Government; the lack of an Opposition; the terrorists in Government — all of those structures, the very things that, 15 years ago, we were told were anathema, had to be rejected and would, for ever, be resisted — are the very things, the very camel, that they swallowed. *[Interruption.]*

Mr Speaker: Order.

Mr Allister: Yet, today, they strain at the gnat. If ever there were any doubt that they had swallowed the camel of the Belfast Agreement, we had it in the recent publication from the Assembly and Executive Review Committee, which is chaired by Mr Moutray — yes, the man who once said that he would sooner go back to his shop than agree to Sinn Féin's being in Government. What does the Committee that he chairs say now about the question of an Opposition?

Mr Speaker: Order. I know that the Member is in full flight. I can understand that. However, it is important that, as far as possible, we get back to the motion that is before the House.

Mr Allister: I will do my best. Indeed, I thought that, as I was dwelling on the genesis of the Civic Forum, I was very much on message. I do not think that one can divorce the Civic Forum from its parentage. Its parentage is the Belfast Agreement. I was simply gently reminding Mr Moutray that he has now moved to the point where he issues a paper which states in paragraph 3.20:

"The Assembly and Executive Review Committee has agreed that any consideration of the recognition of an Opposition in the Northern Ireland Assembly must recognise the consociational framework and the principles of inclusivity and power-sharing that underpin the workings of the Assembly and the Executive."

[Interruption.]

Mr Speaker: Order. The Member must be heard.

Mr Allister: What is that but speak for, "We must sustain the Belfast Agreement"? Any consideration of an Opposition must be in the context of underpinning the Belfast Agreement — that is what the paragraph says. That comes from the man who said that he would go back to his shop before he would agree to go into government with Sinn Féin. *[Interruption.]*

Mr Speaker: Order.

5.15 pm

Mr Dallat: Will the Member give way?

Mr Allister: Yes.

Mr Dallat: Would the Member agree that the delivery we just had is a classic example of the kettle calling black-ass to the pot?

Mr Speaker: The Member has an added minute.

Mr Allister: I am grateful for the added minute at least. *[Laughter.]* The truth is that what the Belfast Agreement has delivered us, in all seriousness, is a most dire blot on the democratic landscape where the people cannot change their Government, vote a party out of Government or have an Opposition. We have had enough uselessness —

Mr Speaker: Order. I remind the Member that this is about the Civic Forum, and that is where I am trying to guide the Member. The motion is about the Civic Forum.

Mr Allister: Yes, Mr Speaker. We have had enough waste and uselessness out of the Belfast Agreement without adding to that with the Civic Forum.

Mr Agnew: Democracy has to be about more than simply turning up to vote every four years. I think that we have a democratic deficit, and the low voter turnout in the last Assembly elections should allow no party or Member to be arrogant, because, as was pointed out, even the DUP, as the largest party in the Chamber, is a minority party because it was elected by the small majority of those who chose to vote.

Mr Ross: I thank the Member for giving way. He makes a very good point about the problem of participation in elections and low voter turnout, but can he perhaps remind us of the turnout by Civic Forum members towards the end of its existence?

Mr Speaker: The Member has an added minute.

Mr Agnew: I thank the Member for the added minute and for his question. If you let me go through my speech, I will address the point. *[Interruption.]*

Mr Speaker: Order. Allow the Member to be heard.

Mr Agnew: So, we have to look at different ways. I heard the different views on the Civic Forum, but I did not hear any alternatives about what we should do and how we should engage.

Mention was made of the fact that the Civic Forum's genesis was the Good Friday Agreement and that that was 15 years ago. However, the agreement was voted for by the majority, and much larger numbers came out to vote then than at the last Assembly election. We cannot simply ignore that.

Mention was also made of the St Andrews Agreement. Members across the House may prefer it, but we have to remember that the Good Friday Agreement was agreed before an election, whereas the St Andrews Agreement was agreed after an election with no commitment in advance and no prior knowledge among the electorate that it was coming down the line. So, I think that the Good Friday Agreement has legitimacy. For the Democratic Unionist Party or, for that matter, any democratic party to

simply dismiss it is, I think, arrogant and anti-democratic in its stance.

Mr Campbell: I thank the Member for giving way. He and a number of other Members alluded to this business of the legitimacy of the Belfast Agreement, because of the democratic vote, and its contents, including the Civic Forum. Does he agree that about half the unionist community voted against the agreement, which contained the provision for the Civic Forum? Had there been a proposal that was voted against by half of nationalists, does anybody think that the British Government would have proceeded?

Mr Agnew: I accept that significant numbers of unionists voted against the agreement. What I do not accept is simply dividing Northern Ireland into two communities. The majority of people in Northern Ireland voted for it, and as far as I am concerned, I am here to represent the whole of Northern Ireland, not simply to divide up the community and say, "These are the people I represent".

Putting that aside, I repeat that we are 15 years on, and now is the time to go back and look at the agreement. Is it everything? People voted for it in 1998, and we are now in 2013. We can look at it again, but we have to engage people, and we do not do that simply by telling them to turn up to vote every four years and leave us to it.

I support the motion, and I support the Civic Forum, but I considered tabling an amendment because I think that there are other things to consider and there is, perhaps, a better way.

Let us look at what the Irish Government are doing with their Convention on the Constitution, a time-bound process by which they are reviewing their constitution — I feel that the Good Friday Agreement is akin to Northern Ireland's constitution. The Irish Government have engaged in a civic conversation between politicians and ordinary citizens, teasing out the issues and where change is needed. That is what we need to do with the Good Friday Agreement.

I am conscious that pointing to the Irish example may not appeal to some on the other side of the House. If you do not want to look at that, look at the example of British Columbia's Citizens' Assembly. So we have the examples from British Columbia and the Irish Government of better ways to engage society.

We need, 15 years on from the Good Friday Agreement, to look at what changes we need. We have heard much talk in the House about bringing in voluntary coalition, reducing the number of seats and making other major changes to the Good Friday Agreement, but remember that it was dubbed the "people's agreement". The DUP claimed to have changed the Good Friday Agreement at St Andrews. If they did, they did so without going back to the people to ask for their permission. If we are to change the Good Friday Agreement, we need to go back to the people and ask them whether they agree to our changing their agreement. It cannot simply be a political conversation, and, to date, it has been only a political conversation. We need proper engagement with the public. We need to bring them in, hear them and set up a formal process.

I support the Civic Forum. I believe that an important step would be to look at having a year-bound civic conversation, similar to the Irish Convention on the Constitution or British

Columbia's Citizens' Assembly. That would allow us to bring people in and hear in a formal, structured way what they genuinely think about different issues. Even when we come to vote, we vote on whole manifestos, not individual issues. A civic conversation would allow us to look at individual issues. We need to look at that option because there is a democratic deficit: if the riots and protests in the streets were not enough to tell us that, low voter turnout should be.

We need to better engage people. We are not doing it. The Civic Forum is one way to do that — *[Interruption.]* — so instead of shouting across the Chamber, look at it and see whether it is a good way forward.

Mr Eastwood: I am very glad to be able to speak on the motion. As already pointed out, we are in a historic period — it is now 15 years since the signing of the Good Friday Agreement. Whether Members like it or not, we are all in the House because of that agreement. A number of institutions were created because of the Good Friday Agreement. This is one, the Executive another, and North/South institutions were also created as part of the Good Friday Agreement. One of the — *[Interruption.]*

Mr Speaker: Order.

Mr Eastwood: Mr Speaker, it is no wonder that people are afraid of a Civic Forum, to which people will come to voice their concerns, when some in the House will not even listen to other Members when they are speaking, but the very — *[Interruption.]*

Mr Speaker: Order. The Member is concluding on the motion. Allow the Member to continue.

Mr Eastwood: Thank you, Mr Speaker.

The fact is that one of the institutions not created or sustained as part of the Good Friday Agreement was the Civic Forum. The idea behind the Civic Forum was to allow all sections of our society an opportunity to come in and offer us all the advice, support and consultations that we needed so that we could provide the best possible government for the people of this part of the world.

When you look at where we are and all the issues that remain unresolved by this place — the past, fiscal powers, child poverty, a shared future — you see that we have failed and are still failing. Yet we are determined to keep going, ignoring the idea of bringing in people from civic society to try to help us to resolve some of those very difficult issues that we have failed to resolve. Some 23 months after the renewal of the Assembly's mandate, about 11 pieces of legislation have passed through the House.

Many of those were pieces of legislation that came from the British Government that we just rubber-stamped. So, nobody can tell me that we are doing everything that we can to get the best type of government, to involve as many people as we can, to deliver for all the people and to hear all the broad voices of our society. What have we got to fear from listening to the business community, the trade unions, the voluntary sector —

Mr Weir: Will the Member give way?

Mr Eastwood: I am sorry, Mr Weir. I have a lot to get through, and you have already had an opportunity to speak. *[Interruption.]* If I have time, I will let you in later.

Mr Weir: You have 10 minutes.

Mr Speaker: Order.

Mr Eastwood: I know. A lot of you spoke, and I want to make sure that I have an opportunity to address all the things that you said.

Mr McDevitt spoke eloquently about the Good Friday Agreement. It has been 15 years since that agreement. No matter what anybody in the House thinks, that was a democratic agreement that was voted on by not only the people of Northern Ireland but the people of Ireland as a whole. That was the first time that that had happened since 1918. Members of the Democratic Unionist Party should finally and once and for all get that through their heads. That has never been changed. It was voted on by the people of this country, North and South. That is a fact. It is a democratic, sovereign agreement, and we are all duty-bound to do exactly what the people asked us to do. They asked us to implement that agreement and to create the most participative democracy, which, as Mr McDevitt said, the Good Friday Agreement envisaged. The Civic Forum was a key part of that.

Mr Moutray talked about the financial difficulties that we face. We do not ignore those one bit. However, when we talk about this, it would be a lot better if we were really honest about the cost of things. What was the cost of the Civic Forum? Half a million pounds? How much does the monarchy cost? Is it £200 million? How much did policing — *[Interruption.]* So, do you not want to listen?

Mr Clarke: No, I don't want to listen.

Mr Eastwood: You don't want to listen. How much — *[Interruption.]*

Mr Speaker: Order. Let us not have debate across the Chamber. Allow the Member to continue. The Member must be heard.

Mr Wells: Even if it is rubbish?

Mr Eastwood: That is the nature of democracy, Mr Wells. Even if I am talking rubbish, you still have to listen.

How much did it cost to police the recent flags dispute, which, whatever anybody in this place says, did nobody any good whatsoever? I think that it cost £18 million. The cost of policing parades is £100 million. Let us put this into context. That is the cost of dealing with all those difficulties. The previous cost of listening to civic society was half a million pounds. I do not think that that is too high a price to pay for trying to involve as many people as possible and to bring about the best possible government that we can.

Mr Moutray also talked about reviewing our effectiveness in here. I agree: we are not effective at all. I have already talked — *[Interruption.]* I am sorry, I cannot hear you.

Mr Clarke: Will you give way?

Mr Eastwood: I will give way once.

Mr Clarke: I thank the Member for giving way. You talked about the effectiveness of individuals. Maybe you could say something about your contribution to the Committees that you are on and your attendance rate at those Committees.

Mr Eastwood: Thank you very much, Mr Clarke. That issue has already been addressed, and I am not going to

go into it again. *[Interruption.]* I have already addressed it. *[Interruption.]*

Mr Speaker: Order.

Mr Eastwood: Megan Fearon talked about the growing sense of apathy in our community. That is no wonder when you watch some of the debates and hear some of the contributions that some people in this place make. There are people who are not prepared to listen to different points of view. She is right when she says that children, young people and older people need to be more involved in the type of democracy that we have here. We need to tackle the fact that there are far too many people in here who are too old, of one particular — *[Interruption.]*

Mr Speaker: Order.

Mr Wells: Ageist.

Mr Speaker: Order. I have given a number of warnings — *[Interruption.]* Order. I have given a number of warnings to a number of Members about their actions. The Member is concluding on a debate. Members may not agree with his contribution, but, as parliamentarians, they should listen. That is important. I warn Members that, should I rise again, I will take action. *[Interruption.]* Order. Allow the Member to continue.

5.30 pm

Mr Eastwood: Thank you, Mr Speaker. Someone said that age is a —

Mr Spratt: On a point of order. Is it right for a Member to cast aspersions on older people in the House? I class myself as one. It certainly would not be an equality issue in terms of other issues. *[Interruption.]*

Mr Speaker: Order. I have always warned Members to be careful and mindful about the terminology that they use in the House, and I am sure that the Member will want to clarify his position. *[Interruption.]* Order.

Mr Eastwood: Thank you, Mr Speaker. I am very aware of my responsibilities, and, had I been allowed to finish, people would have understood that age is not just a time of life but a state of mind. There are far too many people in here who live in the past and are far too old in terms of their attitude. We also have a real difficulty — *[Interruption.]*

Mr Speaker: Order.

Mr Eastwood: Ms Fearon talked about not engaging properly with young people and not understanding their needs. The Civic Forum would be one way to do that. I was disappointed to hear Mr Nesbitt talk about the need to support the spirit of the agreement; of course, but his party actually signed the Good Friday Agreement. You do not only support the spirit; you support the detail of an agreement that you sign — an agreement that you sign with the people of Northern Ireland.

Mr Nesbitt: Will the Member give way?

Mr Eastwood: I am sorry, Mr Nesbitt, but I have very little time left. *[Interruption.]*

Mr Speaker: Order. Let us not have a debate across the Chamber. It is quite obvious that the Member has no intention of giving way. *[Interruption.]* Order. Let us move

on. The Member has the Floor, and he will decide whether he wants to give way. Allow the Member to continue.

Mr Eastwood: Thank you, Mr Speaker.

It is unfortunate that the Ulster Unionist Party has again moved away from not only the spirit but the detail of the Good Friday Agreement. I believe —

Mr Beggs: Will the Member give way?

Mr Eastwood: No, I will not give way. I believe that it is in the spirit of the Good Friday Agreement to engage with civic society and to involve it in a participative democracy, which the Civic Forum would do.

Mr Lyttle obviously agreed with what we said about the need for collaboration with civic society, and he talked about reinforcing the Good Friday Agreement.

Mr Ross talked, again, about the pressures on the public finances, which I have addressed. He also quoted the late Margaret Thatcher on socialism. I hope that he also supports the good work that Margaret Thatcher did in signing the Anglo-Irish Agreement, which was the precursor — *[Interruption.]*

Mr Speaker: Order.

Mr Eastwood: — for Irish governmental involvement in Northern Irish affairs. It was the precursor to the Good Friday Agreement, of which the Civic Forum was a very important part. He also talked about the values and the good parts of the Unionist Forum and the fact that it cost nothing to the public purse. I hope, then, that Mr Ross can reassure us that it is not costing and never will cost the public purse any money and that there no special advisers involved in supporting the Unionist Forum. I will give him the opportunity to correct that and reassure the House that no public cost will be attached to that organisation.

Ms McGahan talked, again, about the need for active participation of parts of civic society in this part of the world, and I have already talked about that. I am trying to speed through here, because I have little time left.

A Member: Good.

Mr Eastwood: You are glad to hear that.

Mr Dallat talked about the greatest weapon of any democracy being the widest involvement of civic society. I do not think that anyone could have said it better. From listening to representatives across the House, it is clear though, as I have said, that not only do they have no intention of listening to me or to anyone on this side of the House, but they are not giving anybody out there any confidence that they have any intention of listening to civic society. That is a sad thing.

Mr Cree talked about the fact that we —

Mr Speaker: The Member's time is almost gone.

Mr Eastwood: I will try to quote him accurately. He said that we do not want another quasi-parliamentary —

Mr Speaker: The Member's time is gone.

Mr Eastwood: — unelected — *[Interruption.]*

Mr Speaker: Order.

Mr Eastwood: I will try to quote him correctly, Mr Speaker. Mr Cree said that we do not want another —

Mr Speaker: The Member's time is gone.

Mr Eastwood: — quasi-parliamentary, unelected chamber. I hope, then, that, if the call comes, Mr Cree will turn down any opportunity to sit in the House of Lords. *[Laughter.]* Thank you very much, Mr Speaker.

Mr Speaker: Order. The Question is that the motion standing in the Order Paper be agreed. All those in favour say "Aye"; contrary, if any, "No".

Some Members: No.

Mr Speaker: Clear the Lobbies. The Question will be put in three minutes.

Mr Weir: On a point of order, Mr Speaker. When the Question was put, there were no cries of "Aye". *[Interruption.]* There is no need to divide.

Mr Speaker: Order. Allow me to put the Question again. *[Interruption.]* Order. I hope that Members are not challenging the authority of the Chair. *[Interruption.]* Order.

Question put.

The Assembly divided:

Ayes 48; Noes 47.

AYES

Mr Agnew, Mr Attwood, Mr Boylan, Ms Boyle, Mr D Bradley, Mr Brady, Mr Byrne, Mrs Cochrane, Mr Dallat, Mr Durkan, Mr Eastwood, Dr Farry, Ms Fearon, Mr Flanagan, Mr Ford, Mr Hazzard, Mr G Kelly, Mr Lunn, Mr Lynch, Mr Lyttle, Mr McAleer, Mr McCallister, Mr F McCann, Ms J McCann, Mr McCartney, Ms McCorley, Mr B McCrea, Mr McDevitt, Dr McDonnell, Mr McElduff, Ms McGahan, Mr McGlone, Mr M McGuinness, Mr McKay, Mrs McKeivitt, Ms Maeve McLaughlin, Mr Mitchel McLaughlin, Mr McMullan, Mr A Maginness, Mr Maskey, Mr Milne, Ms Ní Chuilín, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Ms S Ramsey, Ms Ruane, Mr Sheehan.

Tellers for the Ayes: Mr McGlone and Mrs McKeivitt.

NOES

Mr Allister, Mr Anderson, Mr Beggs, Mr Bell, Ms P Bradley, Ms Brown, Mr Buchanan, Mr Campbell, Mr Clarke, Mr Copeland, Mr Craig, Mr Cree, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Easton, Mr Elliott, Mrs Foster, Mr Frew, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Irwin, Mr Kennedy, Mr Kinahan, Mr McCausland, Mr I McCrea, Mr D McIlveen, Miss M McIlveen, Mr McQuillan, Lord Morrow, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mr Poots, Mr G Robinson, Mr P Robinson, Mr Ross, Mr Spratt, Mr Storey, Mr Swann, Mr Weir, Mr Wells.

Tellers for the Noes: Mr Clarke and Mr G Robinson.

Question accordingly agreed to.

Resolved:

That this Assembly calls on the First Minister and deputy First Minister to reconvene the Civic Forum to fulfil the commitments of the Belfast Agreement to participative democracy and to facilitate an all-inclusive consultative forum to help address the social, economic and cultural issues facing this region.

Mr McDevitt: On a point of order, Mr Speaker. The motion that the House just divided on called on the First Minister and deputy First Minister to take a specific course of action. Neither the First Minister nor the deputy First Minister or the two junior Ministers was present to respond to the debate. However, all of them participated in the vote on the motion. Can you give some indication to the House of whether that is in order? If it is not in order, what action can you take?

Mr Speaker: I believe that, as the Member stood in his place to raise the point of order, he would have known the answer to that. Yes, it is in order.

Motion made:

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

Adjournment

River Lagan: Pollution

Mr Speaker: The proposer of the topic will have 15 minutes. The Minister will have 10 minutes to respond. All other Members who wish to speak will have approximately eight minutes.

Mr Lunn: For the benefit of Members who may not know about it, I want to talk about a particular pollution incident that occurred in the Lisburn area on 4 March. I will then develop the theme of pollution generally in the Lagan and its tributaries.

On 4 March this year, the Ravarnet river, which, for Members who do not know, rises just outside Ravarnet village close to Lisburn and flows into the Lagan somewhere near Sprucefield, suffered very heavy contamination from a slurry tank on a farm. The tank suffered a mechanical malfunction according to the Department, which either means it burst or was faulty in some way. Perhaps the outlet valve gave way. The effect of that was to release something in the order of 30,000 gallons of slurry into a small river, which resulted in the absolute destruction of the fish life in that river from the point of the discharge right down into the Lagan and beyond, which, I am told, is a distance of some four miles.

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

There is no suggestion that that was in any way deliberate or foreseen. It was an accident. The farmer responsible has apologised and is very upset. He reported the incident very quickly after it had happened, but the fact is that the river has been wiped out, not for the first time and probably not for the last time. I am talking about this as a particular constituency issue, but I could be talking about any area of Northern Ireland, because this happens all the time. There are not many Members present, but I am sure that the ones who are could relate to similar stories in their own constituencies.

I love the word “accident” from my insurance days, because very seldom is there a genuine accident. This incident was caused by poor maintenance of the tank, poor maintenance of the outlet valve or poor usage of the valve — maybe it suffered damage. However, how is it that a slurry tank containing that volume of potentially lethal liquid could be positioned so close to a river that, if it burst or discharged accidentally, there would be nowhere else for the slurry to go except into the watercourse? That indicates that it is a planning issue. I do not know offhand whether you need planning permission to site a slurry tank on a farm. Maybe the Minister can tell us in due course, but there should be some means by which you could guard against that sort of loss of slurry, perhaps by having a pit but preferably by siting the slurry tank far enough away from the river or any watercourse so that it could not do that amount of damage.

The Ravarnet river is a spawning ground for natural brown trout and salmon. It receives a good run of salmon, which, I remind the House, did not come up the Lagan for 150 years: salmon was not recorded in the Lagan from about 1860 until 10 or 15 years ago. Now, there is a run of salmon there, despite what man manages to do

to the river. One of the main spawning areas has been completely wiped out.

I am also told that there is no point in trying to restock the river, which would be the natural thing to do, because it is actually not the natural thing to do. The trout that you would restock the river with would not be natural to that particular area, and it is possible that it would interfere with the gene pool and natural characteristics of the trout in the river. As it stands, you are probably looking at 10 years of a wipe out. I know some local conservationists, anglers and environmentalists who have put a lot of time and trouble into that river, as their counterparts do across Northern Ireland, and their work has been wasted.

According to the Northern Ireland Environment Agency (NIEA), there was a fish kill of about 1,000. However, there is no way that it can tell how many fish have been killed. This happened at a time when spawning had started. The agency and the Department of Culture, Arts and Leisure (DCAL) could not count the fish properly. The water was so discoloured when they went to do a count, they could not see through it. There was no way that they could count the small fry in the river anyway. This was actually a mammoth kill and a real setback to the efforts of a lot of people trying, down the years, to reinvigorate the Lagan and its tributaries.

The Ravarnet river itself recently supported a family of otters. To have otters on a river in Northern Ireland is a very good sign. They might eat some of the fish, but at least it means that they know there are enough fish there to eat. It is a good, healthy sign. There were kingfishers and wading birds; dippers; you name it. A whole ecosystem was just destroyed; wiped out. It was a very sad day for the Ravarnet river.

However, it does give me the opportunity to maybe move on to one or two other aspects of pollution that certainly apply to the Lagan, and to other rivers, I am sure, as well.

The first one is industrial pollution. I will perhaps mention at this point that the number one polluter in Northern Ireland is actually the Government; it is Northern Ireland Water. It has, it seems to some people, almost *carte blanche* to discharge into watercourses with impunity, if not immunity these days. Northern Ireland Water does not have Crown immunity. What it does have is a very lenient approach by the courts when it does it and somebody tries to prosecute, particularly if the discharge is from an old sewage works rather than one of the more modern ones. We have two of those in the Lagan Valley area, which get away with that all the time. Basically, all it has to do, on 10 days in the year, is demonstrate that the discharges into the river are clean. That is it. The rest of the time, it can effectively do what it likes. I am not being in any way flippant about that. That is exactly the way that it is.

We have a system in this country of discharge consents, where any industrialist, factory or production unit close to a river can apply for permission to discharge its waste products into that river. That obviously depends on what the discharges are and on the strength and toxicity of the waste. Basically, however, not even the most avid angler would say that you would have to ban all discharges. Some discharges would be relatively harmless in the right conditions, but the right conditions are the thing.

If one company wants to discharge, and its waste is relatively harmless, and it discharges at a time when there is a good flow of water, not low water but high water,

the river would be able to take it. However, if a factory discharges when the river is low, and the stuff cannot get away, it could build up a concentration and suddenly you are killing fish and other wildlife, because other wildlife eat the fish. If you had, let us say, six factories in the course of a mile of that river all discharging, and they all discharge at the same time, you would have a major problem. That is what is happening.

Discharge consents have been given out over the years; some of them are pretty historic these days and have been there for a long time. I do not believe that they are challenged, reviewed or renewed. There is some sort of obligation — I will say this carefully, because I am not an expert in the field — to take water samples or allow water samples to be taken periodically. As long as those water samples are clean at the time that they are taken, the factory will continue to be allowed to discharge.

Some places are allowed to take their own water samples. They would actually get a call from the appropriate authority to say, “We are coming to see you next week. Would you take a water sample and have it ready for us?” Words fail me. If you wanted to bypass that sort of inspection regime, it would be so easy to do so if you were unscrupulous. Any fool could do it, and I believe that some of them are doing it.

6.00 pm

The next point concerns the judiciary’s attitude when something is proven. Mr Givan is looking at me in a peculiar way, but he knows where I am going. I am told that the maximum fine for that sort of pollution offence is £20,000. The biggest example in recent history in the Lagan area that I can find involved a fine of £7,500, and the average is maybe £200. That fine could be for a farmer who is spreading slurry at the wrong time of the year, spreading it when it is pouring with rain, which he is not supposed to do, or spreading it after the end of the period when it is supposed to be spread. The Department has given a derogation to specific farmers saying that, because the weather was so wet at the end of the season, they can take another few days and spread the slurry then when it is still wet.

The judiciary really needs to catch itself on. The fine of £7,500 was a drop in the ocean — I nearly said a drop in the river. It was a drop in the bucket compared with the actual damage that was done. Most of the fines that are imposed are not any kind of deterrent and will not stop even an individual farmer.

Let me make it absolutely clear: I do not want to get at farmers. I am absolutely certain that the vast majority of them are responsible. Farmers should be environmentalists, and I have no reason to think that most of them are anything other than that. However, if they want to get away with polluting but are caught on, they should be made an example of and the punishment should fit the crime.

There seems to be another major problem in that it is not clear who has the right to claim against a farmer for causing such pollution. Which Department is it? Is it Rivers Agency, the Environment Agency, DCAL, the Department of Agriculture and Rural Development (DARD) or the Department of the Environment (DOE)? Enormous damage is done, but very seldom is there successful recovery in respect of that damage and the cost of restocking.

I mentioned Northern Ireland Water, and along the Lagan itself, the big issue of the Maze site is coming over the horizon. At its closest point, that site runs within a couple of fields of the Lagan, and the Blaris industrial estate is also very close. There is a history of this kind of situation with those places. The Maze is now going ahead apace. I will put a marker down and say that I hope that the sub-ground infrastructure and the way of dealing with waste and so on will keep pace with the need for speedy development on that site.

Another potential problem is anaerobic digestion units, which, for some reason, seem to be continually sited close to watercourses. There is a big one planned for Lisburn. At the moment, it is in the planning process, so I will not comment on that case. However, those things have a waste product. The idea is that the material is treated in a way that means that it can be spread on land again, which is good, but there is waste, and there could be a run-off. That needs to be dealt with, and I hope that any request for a discharge consent for such a unit is very carefully scrutinised, particularly in the context of where it is sited.

It has been suggested many times that we should have an independent environment agency in this country. It needs to be independent and to be expanded. Frankly, all discharge consents need to be reviewed, recalled and looked at again to see whether they are still relevant and are not dangerous. Their history also needs to be looked at. There needs to be much closer scrutiny of what industrialists and factories are doing, and the Planning Service needs to pay much greater attention to what is going on.

I will finish with this point, but if there is a pollution incident such as that on the Ravarnet river, the only water samples that are valid are those that the Northern Ireland Environment Agency takes. There are 253 court-appointed independent and private bailiffs in this country who are perfectly capable of taking those water samples. They would get there much earlier than the agency can. By the time that the agency gets there, the damage is done. A lot of the run-off has happened, and the water is not half as toxic as it was at the time of the incident.

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

Mr Lunn: I could go on all day, Mr Deputy Speaker. This is supposed to be a green and clean island, and we sell ourselves on that basis. We are falling short.

Mr Givan: I was not quite sure what type of debate we were going to have when I read the Adjournment topic, and, as its proposer went on, I was somewhat taken aback by all of the issues that were raised. I do not intend to comment on the individual case that he referred to that resulted in slurry going into the Ravarnet river. I am not aware of the detail around it, so it would be inappropriate for me to comment on it.

I will make a general comment about the farming community. Mr Lunn went on later on in his speech to make the point that farmers are responsible people. They are very much the custodians of the countryside, and they are subject to some of the most rigorous checks, bureaucracy, testing and regulation anywhere in the world. Indeed, some would say that is often unnecessarily so. So I caution about an attempt to try to make a case for increased burdens being put on our farming community.

To me, the EU nitrates directive and the closed period is a nonsense, because there are many periods during the winter when it does not rain for weeks upon end. The season opens during the summer, and you could go for months where it is in a much worse condition for slurry to be being discharged onto the fields, yet that is the type of system that we operate.

Mr Lunn: Will the Member give way?

Mr Givan: I am happy to do so.

Mr Lunn: I agree completely with Mr Givan. Perhaps I should have mentioned that point. These days, most of our rain seems to come down in the summertime.

Mr Givan: There is a need to look at the type of effective regulation that needs to be placed upon our farming community. Having made that point, I do not want to go on around this, because I know that it is not particularly about the farming community.

The River Lagan runs through the Lagan valley, and it is valued by people in the Lagan Valley constituency. It runs across other constituencies, and some Members are here from those constituencies and obviously want to comment. It is important that we do what we can to protect the River Lagan. Many people walk along the Lagan towpath and enjoy the benefit of it. Industry is located alongside it, which is not a new phenomenon but has been there for decades, and, where that is the case, you have to work with industry.

I find, in speaking with commercial organisations, that they have no intention to cause pollution or damage to the waterways that they are located beside. Many of them go beyond the basic regulation that is placed upon them. Where there are small numbers that do not share that same kind of responsibility, of course they need to be taken to task.

I do not think that the Environment Agency requires to be formulated as an independent body to do so. The conversations that I have had with industry and the farming community tell me that the Environment Agency is incredibly robust and rigorous in carrying out its duties. Perhaps there is a different debate about the truly independent nature of what an environmental protection agency (EPA) would look like and what the governance of it would be, but I do not think that an independent environment agency is necessary for it to do its job. Indeed, the evidence that I have tells me that the Environment Agency carries out its work very effectively.

Recently, it was discussed how the water levels were low. The River Lagan had dropped quite considerably, and that revealed the amount of debris, including plastic bags, in the watercourse. Once the water dropped, you were able to establish the amount of pollution that exists. That is people as individuals who need to take responsibility for their own actions. Of course, we can ask agencies, councils and others to put teams in to try to clean it up, and it is important that that is carried out. However, we, as a society and as people, need to take responsibility for the way in which we conduct ourselves, whether as individuals or as commercial organisations. That will go a long way to ensuring that the River Lagan and all our waterways are protected and given the proper value and respect that all the people want them to have.

Mr Maskey: Go raibh maith agat, a LeasCheann Comhairle. I thank the Member for having this matter debated in the Assembly this afternoon and, like the Member who spoke previously, I am not aware of the details of the recent incidents of pollution, so I am not in a position to address them specifically. I just want to make some general points.

The River Lagan — and the other rivers and waterways and their tributaries — are important natural assets for all of us. As the last Member to speak said, the guardians of those are each and every one of us, as citizens. We may treat them properly, or abuse them by throwing rubbish into them or near them. Our rivers and waterways are increasingly bounded by the farming community, industry and, indeed, by government itself. Therefore, they are all custodians, users and protectors. It is important to say that although we do not want to place additional burdens on any of those sectors, by the same token, we have responsibilities to protect the natural environment with which, in many ways, we are blessed.

The mover of the debate made the point that this is one of the strong advertising brand points that we have internationally: that we are a green island. It is important that we not only protect what we have but enhance it. We know that those waterways are an important resource and natural habitat. They are also a part of our industry and leisure, for example, in commercial and leisure fishing. There is also a potentially growing tourist product.

I represent South Belfast, which is blessed by having the Lagan running right through the heart of it. Recently, we have been involved in discussions with government agencies and local community organisations to try to make sure that local communities can also become stakeholders in and around the Lagan.

Most people of a certain generation growing up in the city of Belfast were taught to fear the water and to keep away from it; whereas, now, if you have the River Lagan running through your district, as on the lower Ormeau Road, it is an asset that you cannot get your hands on quickly enough. We have been working to try to put people back onto the Lagan for leisure and so on. It is an important natural asset for us, and it requires the necessary protection.

Therefore, I echo what was said by the mover of the debate. We need to ensure that we prevent incidents of pollution in future to the best of our ability and maintain a rigorous regime to do so. We must hold to account those who, either by default or wilfully, damage or pollute our waterways. It is important we have a regime that will root that out and prevent it.

I thank the Member for bringing this matter to the attention of the Assembly, and I echo his comments that we need to protect this element of our natural resources. If we need to enhance the protection regime, let us do so. I am keen to know how we will continue to review and monitor that in the time ahead.

Let us ensure that all of us have a part to play. I will reaffirm that point: we all have a part to play in protecting that very important natural asset.

Mr Copeland: Many years ago, when I was a fairly small boy of eight or nine, my grandmother would take me to Belfast and we were brought home on a trolleybus. I do not know whether anyone here remembers the trolleybus,

a sort of charabanc with a platform at the back. I found myself gripping the pole on the plastic coated floor with my grandmother holding onto the hood of my duffle coat in case I fell off. As we approached the turn to come over from Belfast back into east Belfast — or Ballymacarrett, as it is more properly known — looking down over the River Lagan, in the days before the weir, I could see the silt. There were no shopping trolleys, but there were all sorts of detritus. In the middle of it was the decaying corpse of a cow, which had unfortunately fallen from the slings while it was being loaded for export the previous evening.

I remember the Lagan when it was in that condition.

6.15 pm

Incidentally, it brought to mind another instance when I had asked my grandmother where the street names came from in the locality where she lived, which was the Beersbridge Road. She told me that Lord Templemore had developed the entire area and that he had named all the poorer-quality housing around Edith Street, Constance Street and Lord Street after his daughters, and, perhaps in a comment about himself, he had named the better-quality housing on the Castlereagh Road after his racehorses — Cicero, Pommern and Trigo — which gives an indication of the way the man thought. However, it brings to mind the way things used to be and the way they are now, and they are certainly slightly different.

There is an old saying that there is nothing new under the sun. On occasioning some research to be done on the issue, I came across an 18th-century notice of contamination, when the 'Belfast News Letter' reported in 1761:

"As the river has been lately cleaned, it is requested that those who live opposite thereto, may as far as in their power prevent anything being thrown into it."

That was hundreds of years ago. I think of a trip that Reg Empey and I made not that long ago to look at the Connswater — another of Belfast's rivers — and the tide was out. I believe that I can say with some honesty that there were more shopping trolleys in it than I have seen in Sainsbury's car park, and there appeared to be a complete Morris Minor in the middle of the river. Perhaps the notion that people should prevent others from throwing things into rivers has not quite got through.

It is true to say, however, that the capital city — Belfast — is a city of rivers. There are many of them, and most are now underground. It is for that reason, as the proposer of the debate intimated, that it is vital that the maintenance of our rivers is consistently above what would be deemed an acceptable level. Of course, there are some rivers with a less-than-healthy reputation, and those have been consistently undermaintained and are therefore well below an acceptable level. As I said, an example of that is the Connswater. Certain people hold the view that if you fall into the Connswater, it is not worth fishing you out, because if you have swallowed any of the water at all, you are pretty much finished.

The River Lagan, however, is separate from the Connswater: there are no direct connections between the two apart from the mudflats that they both leach out to. The Lagan can, on occasion, be laden with foreign objects and pollution, which severely restricts any potential use

or any expanded use of the river, and the Connswater is detrimental to the development of east Belfast and the economic benefits that undoubtedly come from the development of rivers. I have been on the banks of the Seine and along the Rhine, and they have managed to maintain themselves as commercial arteries and at the same time allowed exploitation for tourism and new industries.

It is fair to say that, over recent years, and in conjunction with the promotion of brand Northern Ireland, the River Lagan has been a useful tourist hub for new economic activity in the businesses and enterprises that are being established along its banks and, indeed, the water itself. It is fundamental to the tourist industry along the course of the river that the river be clean and subject to minimal pollution. That will ensure continued economic growth, which will ensure that the river continues to grow.

The Lagan does not belong solely to the city of Belfast, although it provides a very convenient line between County Down and County Antrim that the Post Office appears to be incapable of recognising, because I continually get communications addressed to my office asserting that it is in County Antrim when it is in County Down. The truth is that we are guardians of the environment and its resources for a very short time. Management must be carried out in a way that is effective and does not prevent the exploitation of the asset. However, the repercussions for pollution must be robust and enforced. Although my own Minister is responsible for Northern Ireland Water to a degree, albeit it at arm's length, it can be found guilty of depositing poisonous and noxious substances into the River Lagan, as it was declared guilty in 2011. So the Executive need to be firm and clear not only on the impacts of pollution, but the penalties that can be expected should people be found guilty.

The plans for the River Lagan, particularly those that I am aware of through Castlereagh Borough Council, are exciting. There are locks, and there is a history of economic development. It is a resource that is too precious for us to waste.

The one thing that I will leave you with is that the Beersbridge Road is actually called after the De Beers family, who, according to my grandfather, filled their substantial coffers with additional revenue from the rights to fish salmon in the River Lagan as far as Stranmillis. Some time ago, a salmon, which was presumably lost, was found heading up the River Lagan. That was some years ago, so there is not likely to be any more.

The situation is improving, but it needs a good deal more policing and a good deal more activity to make the banks safe to use, to make the environment pleasant and to make sure that, as far as possible, we protect this asset that is in our charge on behalf of our children.

Mr B McCrea: The proposer of the motion obviously has the advantage over all of us, and I congratulate him on bringing the topic to the Chamber for discussion.

He raised three or four main points, the first being how you take the appropriate water samples to make sure that they are independent and correct. There was some discussion about whether we need to have an independent environmental agency or just some independence in the recording of the information. I would be interested to hear how the Minister would assure the independence of the

samples when they are taken. I will not labour the point, but it may be possible to do such monitoring remotely. Do we have to rely on bailiffs or other people? Surely we can take water samples electronically on a regular basis. I do not know what costs would be involved, but if the asset is worth protecting, it is worth investing in.

The second point that he raised, which I think is germane, is that when the judiciary look at this, it is on the basis of legislation, but the fines that are brought forward seem rather modest compared to the value that we are putting on this resource. Once again, that is an issue that we might be able to have a look at through legislation or through ministerial order. There is no doubt that if the value of the fine is fairly modest, it is not much of a deterrent.

The next thing that was raised was the question of how you deal with industry when it is located alongside the river. I suppose that you could include farming as an agri-industry. My own experience was fairly modest, and I will not mention names to protect those whose actions I am about to describe, but they are no longer in business. They had two sampling stations for their business, one of which was known to the inspectorate and one of which was not. I can assure you that the one that the inspectorate looked at was always perfect. It is not that I condone such actions, but when times are hard and there are stresses on people's businesses, they will probably think that they have other priorities. On that basis, maybe it is appropriate that we look to see how best we can deal with the issue.

The final thing that came to mind is the issue about 1,000 fish being killed. I do not know whether that is a big thing or a small thing or how quickly the fish stocks recover. Mr Copeland talked about the long-lost salmon that went up the river. I suspect, though I may not have got this right and Mr Lunn may wish to clarify, that if there was no salmon for some time, at some stage, we must have cleaned up the river and stocked it with spawn, and that has perhaps created —

Mr Lunn: Will the Member give way?

Mr B McCrea: Yes, I will give way.

Mr Lunn: I thank the Member. As far as the figure of 1,000 is concerned, I will say that 1,000 fish killed in a four-mile stretch is not that serious, but that the true figure is well in excess of that. The only way that that river can be restocked effectively is to allow the fish that were upstream of the discharge to repopulate the river gradually and for salmon to find the river clean enough that they will once again move up that river to spawn, but that will take a long time.

Mr B McCrea: I thank the Member for his clarification, which was extremely useful. As other Members said, he has brought to the attention of the House matters that were not known to me and bear investigation. We have to try to find a balance between the needs of industry, farming, our environment and our future generations. How we go about that is a matter of interest to all the people in Northern Ireland, and I look forward to hearing what the Minister has to say.

Mr Attwood (The Minister of the Environment): I welcome the debate, especially as it about how to protect our heritage, in this case our natural heritage, given that that is a big part of the character of our lives and the appeal of this place, especially for tourism.

I agree with Mr Copeland. I am of an age that I remember the smell of and the sludge in the Lagan. It is remarkably different now compared with what it was when I was going to St Malachy's. I never saw a dead cow, but I saw all the rest of what Mr Copeland referred to. So, we have to recognise that because of the good actions of government and its agencies, and because of the requirements of Europe, especially when it comes to water directives and environmental requirements generally, we have a river that we can be more proud of than we might have been 20, 30 and 40 years ago.

When I hear people murmur about the long reach of European institutions into our domestic law and policy, I look to the River Lagan, and say, "Well done, Europe, in making us more vigilant when it comes to our natural assets."

The debate is timely for a number of reasons, not least because Belfast for years turned its back on the River Lagan. Now, more and more, we are turning towards the River Lagan. All the waterside development littering the banks of the river, and more to come over the next 20 and 30 years, not least with the Titanic Quarter, reminds us to be more alert when it comes to the river and the management of its waters, as well as the management of rivers generally.

The debate is also timely because a number of matters were touched upon, especially by Mr Lunn, that deserve further interrogation here in my reply and subsequently from the Department. So, what were the most material issues that came out of the debate that I need to take forward? First of all, I do not intend to comment in great detail about the pollution incident on 4 March that initiated this debate, except to say that, in Environment Agency terms, a fish kill of 100 makes it a major incident. That, clearly, was more than 100 and was, therefore, an incident of some significance.

Although I do not want to talk in detail because a process is ongoing in respect of that matter, it is noteworthy to say that the farmer concerned reported the incident to the agency very promptly and agency staff were at the scene within 30 minutes. That is the pattern for the Environment Agency when it comes to incidents of fish kill: its staff respond and get on site very quickly.

It is appropriate that Mr Lunn asked whether we should refer to some of these matters as accidents just as we should not refer to car accidents in that way. They are car crashes and collisions, 95% of which come down to human error.

Mr Lunn: Will the Minister give way?

Mr Attwood: Yes.

Mr Lunn: On the question of the Environment Agency's response to these matters, I can only say, Minister, that what you are being told and what I am being told by local people, conservationists and people with a direct interest is entirely different. There have been cases in which they did not appear at all. It is not uncommon for them to appear the next day.

6.30 pm

Mr Attwood: I would welcome hearing details of that, because I can only assure you that when an incident arises and when a fish kill, in particular, is reported, I

get an e-mail within a very short space of time from the Environment Agency and people on site advising me of what has transpired. If there are cases in which the responses have not been of that character, I would like to hear of them. My experience of being contacted very quickly with updates about what has happened when incidents arise is not consistent with the narrative and evidence that Mr Lunn refers to.

I agree with one of the Members in respect of our farmers. It is the case that our farmers are very substantially responsible when it comes to the management of their assets, and of slurry in particular. It is not the case that they have carte blanche to spread slurry when they wish, as might have been indicated by some. A wise draftsman in a previous government in this place put into law the defence of reasonable excuse, when it comes to farmers spreading slurry outside the closed season. It was a very wise person who did that, because given the scale of extreme weather instances that we now have, the level of water that might be lying on land and the volume of water in watercourses, there are going to be times and places — properly monitored and properly managed — where the reasonable excuse defence will have to be deployed.

However, I would be cautious about opening up issues around the closed season, because the closed season in many other European jurisdictions is much bigger than the one that we have, and there could be people in the European Union who would be minded to reduce the size of our closed season in order to make it more consistent with the evidence in Europe.

The claim was made that NI Water has carte blanche when it comes to what it does or does not do. It is the case, even in respect of the Lagan, that the largest number of pollution incidents are caused by NI Water (NIW). Some 28.4% of pollution in the River Lagan basin catchment is caused by NI Water, 15% is caused by agriculture, 17% is caused by domestic effects, and so on and so forth.

The Department is very robust when it comes to what NIW does. Indeed, I have to acknowledge that, because of money coming from the Executive through the Department of Regional Development (DRD) to NI Water, there have been substantial investments in water infrastructure. That needs to continue. Otherwise, we are going to have further threats to our water, rivers and watercourses over the years to come, not least because a more robust water directive is to be issued by the European Union in 2016. It will have consequences in respect of the status of our water and the water quality in the North.

Standards are going to become more demanding, not less. Our beach water quality, for example, is going to be under more assessment and at risk of bad status. Consequently, the Executive need to continue rolling out significant funds, just as they rightly did to NI Water, over recent times, for infrastructure. Otherwise, we will be on the wrong side of future water directives, there will be potential infraction and, most of all, our water quality will not be of the character necessary to give confidence to our own people and to better advertise Northern Ireland as being clean and green.

Comments were made in respect of the judiciary. I will be cautious, because we have to be very careful not to cross the line between the Executive legislature and the independence of the judiciary, but I want to reassure

Members. In and around two years ago, we forwarded to the Judicial Studies Board, which is, if you like, the training organisation for the Northern Ireland judiciary, evidence of all the cases relating to environmental crime that had been taken through our courts over a number of years. Every single case was brought to the attention of the Judicial Studies Board. The reason why every case in the schedule was brought to the attention of the board was to inform the judiciary about what was happening in our courts, in real time, when it came to real prosecutions. There seemed to be diversity in the treatment of offenders.

I believe that the worst offenders should get the worst penalties and there should be better, light regulation of the least serious offenders. I want to see consistency in penalties when offenders are brought before the courts. Some people, as it has been indicated in the debate, would claim that that has not been the case.

That having been said, the Lord Chief Justice, in his opening address at the commencement of term in September 2011, made particular reference to the need for our courts to ensure that when it comes to environmental crime, there is proper and proportionate enforcement of penalties. I would like to see that.

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

Mr Attwood: I will conclude here. There are a lot of other matters that I have been unable to touch upon. Suffice it to say that, over the past 18 months, we have conducted a series of beach summits. They will now be remodelled to become good beach and good river summits. It is through that model and other mechanisms that all of the unaddressed matters that Mr Lunn has, properly, raised to me will be dealt with in an ongoing, forensic way, so that the right issues that have been raised by Members of the House will be dealt with in the right way by the Department.

Adjourned at 6.36 pm.

Written Ministerial Statements

The content of these written ministerial statements is as received at the time from the Ministers. It has not been subject to the official reporting (Hansard) process.

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Health, Social Services and Public Safety

Follow-on 2012-15 Bamford Action Plan

Published at 10.30 am on Tuesday 12 March 2013

Mr Poots (The Minister of Health, Social Services and Public Safety): Mr Speaker, I am grateful for this opportunity to make a statement to this Assembly on the important matter of the publication of the follow-on 2012-2015 Bamford Action Plan.

Government Commitment to Bamford Principles

I am pleased to lead on the publication of this Action Plan on behalf of the Northern Ireland Executive. The Action Plan reflects the Executive's continuing commitment to the principles underpinning the Bamford Review and, in particular, the further support for those individuals (and their families) living with a learning disability and/or a mental health need. They are valued as equal members of society and have the same right to public services as any other member of our community.

Background

The Bamford Review of mental health and learning disability law, policy and services was commissioned in 2002 by my Department and reported to the Executive in 2007. The Bamford Review envisaged a 10-15 year window to deliver reforms to mental health and learning disability services. The first phase of the response to the Bamford Review, a cross-Departmental 2009-2011 Bamford Action Plan, has recently come to an end.

In May 2012, following agreement by the Executive, my Department published an Evaluation of the 2009-2011 Action Plan, which established that the joint working across Government Departments and the Health and Social Care sector had achieved a great deal, and that 80% of the actions had been delivered. It also highlighted areas where services can still be improved, for example:

- Local level cross-sectoral working;
- A focus on outcomes, rather than outputs;
- The ability to effectively monitor and measure achievement; and
- Better information on the services available, in ways that are accessible to service users and carers.

Work to address these matters has been taken forward through the development of the follow on 2012-2015 Action

Plan, which has been based on the lessons learnt from the 2009-2011 Evaluation, as well as consultative workshops, new research and evidence-based practice and the views of service users and their carers.

We are grateful for the ongoing work of the Bamford Monitoring Group. This is a group of expert people whose membership has equal representation from service users, carers and Patient and Client Council members. They, together with statutory, community and voluntary organisations, have commenced specific work on improving cross-sectoral working. As part of that work, two workshops were held in March 2012. What emerged from these workshops are the key service user outcomes which are now appended to the Action Plan. In addition, a new action seeking to improve cross-sectoral working has been added to the follow-on Action Plan.

Other work being actively pursued by Bamford stakeholders is the availability and accessibility of existing information for service users, their carers and families and how this can be improved. This work will be progressed within the 2012-2015 Action Plan.

I now want to turn to the pivotal importance of leadership, cross governmental and interagency working, in the context of the new Bamford Action Plan.

Leadership and Responsibilities

This Interdepartmental Action Plan places leadership and responsibility for continuing delivery of the Bamford Vision on my Department, DEL, DE, DSD, DRD, DCAL, DETI, OFMDFM and DoJ.

It contains 76 actions. These actions represent both ongoing work carried over from the 2009-2011 Action Plan and new actions arising from stakeholder engagements. The actions within Section B of the Plan are presented under the five main Bamford delivery themes:

- Promoting positive health, wellbeing and early intervention;
- Supporting people to lead independent lives;
- Supporting carers and families;
- Providing better services to meet individual needs; and
- Developing structures and a legislative framework

I accept that it is now 10 years since the Bamford Review started its work. Services users, their families and carers and the general public priorities and expectations have changed over that period of time. So too, have services and these continue to evolve in line with changing evidence of effectiveness and new technologies. Issues

are emerging now which were not highlighted in the Bamford Review, but nonetheless these also need to be addressed. Such issues and related Actions are contained within this Plan and are set within the broader framework of reform and modernisation, as envisaged by Bamford.

For my own Department, reform and modernisation of health and social care, with a renewed focus on health promotion, early intervention and the provision of services closer to home is part of the proposed Transforming Your Care agenda. The consultation on this reform agenda has just closed but I want to assure you that, as we move forward, I will continue to strive for early intervention, a re-ablement ethos and personalised service provision to enhance the independence of those living with a mental health or learning disability.

As we progress, we need to be sure that we are achieving our aims, and doing the right things, right. Therefore, a focus on continued monitoring and evaluation remains important.

Future Evaluation

Through consultation and ongoing engagement with service users and their carers it has become apparent that the future evaluation of this Plan should be centred on the outcomes that matter to service users and families, rather than outputs.

Bamford stakeholders have ensured that the actions within this Plan are as far as possible measurable, outcome-orientated and, most importantly, in line with service user and carer needs and expectations.

The Interdepartmental Senior Officials Group, in association with the Bamford Monitoring Group, will develop a full Evaluation Model based on the themes identified by service users and their carers. It is envisaged that the future evaluation of this Action Plan based on the Model will be taken forward by an independent body.

But resources are always an issue and it would be remiss of me not to highlight these constraints.

Financial Implications

Funding across the entire health and social care system continues to be a significant challenge over the Budget 2011-15 period. Pressures associated with meeting the needs of an aging population and the increasing number of people living with disabilities and long term conditions means that all HSC organisations must look to maintain, improve and develop services within the funding envelope provided to us. Indeed, Transforming Your Care will play an important role in achieving this aim. Notwithstanding this, during this budget period, the additional funding for mental health and learning disability services amounts to £9.2m; (£2.8m for mental health and £6.4m for learning disability). This funding is earmarked to continue the resettlement programme.

This contrasts sharply with the financial outlook at the start of the 2009-2011 Action Plan, when much more significant increases in funding were anticipated. The constraints on resources call for a renewed emphasis on reform, modernisation and redesign of the commissioning and provision of existing services and working collaboratively across government and other agencies. However, delivery of specific Actions will be contingent on further financial analysis, resource availability and prioritisation within respective departments.

Conclusion

In concluding I would wish to reiterate that the Executive remains committed to the promotion of independence and social inclusion for those, in our community, who are living with a mental health or learning disability. The modernisation and improvement of learning disability and mental health services, however, will only be fully realised through the commitment not just of health and social care staff, and an inter-governmental and agency approach, but also through the drive of service users, carers and the voluntary and community sectors.

The follow-on 2012-2015 Action Plan reflects a truly cross-cutting agenda, and therefore we need real involvement across all parts of Government in Northern Ireland. Leadership from responsible Ministers will be of paramount importance in order to deliver the full Bamford Vision for these services.

I believe it is important that Government and those who commission and deliver services continue to be informed and guided by the views of those who use these services in order that we provide the right care, in the right place, at the right time.

Finally, and in closing Mr Speaker, I would like to take this opportunity to thank the many individuals and groups who contributed to the development of the Action Plan and in particular the Bamford Monitoring Group of the Patient and Client Council for their invaluable assistance.

I commend this follow-on 2012-2015 Bamford Action Plan to the House.

Justice

Status of the Compensation Agency

Published at 12:00 noon on Thursday 14 March 2013

Mr Ford (The Minister of Justice): A recent review of the Compensation Agency which I commissioned concluded that the current functions of the Compensation Agency should be integrated within the core Department of Justice. I have accepted the recommendations of the review and agreed that the Compensation Agency should cease to be an Executive Agency of the Department with effect from 1 April 2013.

This is largely an administrative change and will have no impact on the daily work of the majority of staff or the compensation services currently delivered by the Agency. Those services will be delivered by a new business unit within the Department. The new business unit, Compensation Services, will maintain a strong focus on ensuring that compensation services are delivered to victims of crime in an efficient and effective way.

Office of the First Minister and deputy First Minister

Child Poverty Act 2010 Annual Report: 'Improving Children's Life Chances – the Second Year'

Published at 2.00 pm on Friday 29 March 2013

Mr P Robinson (The First Minister) and Mr M McGuinness (The deputy First Minister): We have today laid before the Assembly our second annual report as required by section 12(7) of the Child Poverty Act 2010 on the progress made by the Executive towards eradicating child poverty.

This Report represents a collective response on behalf of all Ministers in the Executive.

We are pleased with the progress that has been made during the past year and look forward to further progress during 2013/14 in line with our commitments in the Programme for Government.

Health, Social Services and Public Safety

General Medical Services Contract 2013-14

Published at 12.00 noon on Friday 12 April 2013

Mr Poots (The Minister of Health, Social Services and Public Safety): I wish to make a Statement to the Assembly on the outcome of the consultation on proposed revisions to the General Medical Services Contract for 2013/14.

The General Medical Services (GMS) Contract is a UK-wide contract and has been in operation since April 2004. It was introduced to provide a more flexible delivery of services, improved quality, and more modern infrastructure. It aims to promote better quality and more responsive GP services and at the same time provide an adequate level of remuneration for the profession with incentives for enhanced care. Since its introduction the Contract has delivered significant increases in investment in primary care general medical services, and patients have benefited directly from this investment.

Each year there is a negotiation of revisions to the General Medical Services (GMS) Contract involving the four Health Departments in the UK, the NHS Employers and the General Practitioners Committee (GPC) of the British Medical Association (BMA). Unfortunately, an agreeable settlement was not reached through the national negotiating process last year in regard to changes to the General Medical Services Contract for 2013/14. Since October 2012 each of the four Health Departments in the UK has engaged directly with their respective GPCs on changes to the Contract.

The proposals for changes in Northern Ireland were the subject of a consultation exercise with General Practice which commenced on 29 January 2013 and concluded on 22 March. The proposals included increased levels of investment in General Practice; the delivery of equitable funding across GP Practices; and amendments to the Quality and Outcomes Framework (QOF) of the Contract, including the introduction of new National Institute for Health and Care Excellence (NICE) recommendations, and the removal of a number of indicators which were considered to reflect basic standards of good organisational practice.

Following the consultation I am informing the House that agreement was reached with the Northern Ireland General Practitioners Committee (NIGPC) on changes for 2013/14. The agreement includes increased investment in General Practice with a 1.5% uplift overall for GP pay and practice expenses, and taking account of the Executive's policy on pay increases. Additional investment will also be made available through the increase in the value of a QOF point such that GP practices have the opportunity to receive through performance achieved against the QOF indicators an additional £3.5m in 2013/14. This investment is being provided on the basis that a detailed analysis will be undertaken with NIGPC of the current and anticipated workloads in General Practice and how practices are organised and prepared to meet effectively and efficiently the challenges, and deliver best value for money from the resources available. The Department and the Health and

Social Care Board will be engaging shortly with NIGPC to take forward this review.

The majority of new or replacement clinical indicators as recommended by the NICE will be introduced for 2013/14 and the lower and upper thresholds for 13 existing QOF indicators will be increased for 2013/14 to promote improved quality of care for patients. The increases to the upper thresholds for QOF indicators will be capped next year at 90%. Indicators which related to the organisational arrangements in practices will be discontinued as these indicators basically reflect standards of good organisational practice which should already be in place.

There is a need to ensure that the finite resources available are distributed equitably across practices in line with patient needs. During the consultation exercise some concerns were raised about the potential sustainability of some practices if there was a redistribution of resources through the methodology as set out in the proposals. Following the consultation it has been agreed that work will be undertaken this year with NIGPC on a detailed assessment of the issues and potential implications for individual practices.

We need to have safe, sustainable and resilient health and social care services to meet the needs of the population and to continue to improve the quality of patient care. This is at the core of Transforming Your Care. The agreed changes to the Contract and further work as outlined in this Statement should help support improvements in patient care and services and address the main concerns that were raised by GPs during the consultation. The involvement of General Practice is essential to the successful implementation of Transforming Your Care, the shift in service provision, and the goal of ensuring that all patients and service users receive the right care, at the right time, in the right place and provided by the right person. It is essential that every part of our Health and Social Care services plays a full and active role in achieving the best possible outcomes for patients. GPs have an invaluable contribution to make to this essential reform. I am pleased to acknowledge the support that the Northern Ireland GPC has given to Transforming Your Care and I expect that GPs will play a full and active role in helping now to deliver its effective implementation.

Committee Stages

Northern Ireland Assembly

Committee for Education

19 March 2013

Education Bill [NIA 14/11-15]

Members present for all or part of the proceedings:

Mr Mervyn Storey (Chairperson)
Mr Danny Kinahan (Deputy Chairperson)
Ms Michaela Boyle
Mr Jonathan Craig
Mr Chris Hazzard
Mr Trevor Lunn
Miss Michelle McIlveen
Mr Sean Rogers
Mr Pat Sheehan

Witnesses:

Mr Chris Stewart Department of Education

The Chairperson: We commence the formal clause-by-clause scrutiny of the Education Bill. Members' meeting papers include the Committee Clerk's covering note, an issues paper and a revised clause-by-clause scrutiny table. We will be considering the Bill's clauses and schedules for the last time, and the Committee will be asked to set out its decision on every clause and schedule. If there is a consensus in favour of a clause or schedule, as drafted, I will ask the following Question:

"Is the Committee content, subject to consequential amendments, with the clause or schedule, as drafted?"

If members assent, the minutes will reflect that the Committee was content, and we will move on to the next clause or schedule.

Members who want a clause or schedule to be amended should indicate so and set out an amendment. Again, if there is a consensus on an amendment, the Committee will be asked the following Question:

"Is the Committee content in principle with the proposed amendment?"

Should members assent, the minutes will show that an amendment was adopted in principle. If there is not a consensus on an amendment, the Committee will divide.

If more than one amendment is put forward, I will marshal the amendments with advice from the Committee Clerk, and we will vote on them in the sequence that I will set out. Once we have made up our minds about the amendments,

we will vote on the clause as drafted or amended. I will put the Question:

"Is the Committee content with the clause or schedule as drafted or as amended?"

If there is a consensus that the Committee opposes a clause completely — that is to say that it is not content with the clause and is not prepared to support amendments — the minutes will reflect that the Committee opposes the clause. As before, if there is no consensus on opposition to a clause, the Committee will divide. Should the Committee oppose a clause through division or otherwise, I will ask members whether they wish to register their formal opposition to the clause for Consideration Stage. Were the Committee to do that, the opposition to the clause would be drafted at Consideration Stage. If we do not register opposition, the opposition to the clause may not be debated at Consideration Stage.

When we conclude our decision-making on all the clauses, I will ask members whether they are content with the Bill's long title. Members should note that the long title Question will be the Committee's final decision on the Education Bill. There will be no opportunity to vote on the Bill as a whole. As indicated previously, there will be no opportunity today or tomorrow for briefing from the Department, lengthy questioning or any significant debate by members. Where there is no consensus, we will not debate but simply vote. I am sure that that is as clear as the mud that was on the football and rugby pitches yesterday, when all those teams were playing.

As previously, I ask the Department to join us to answer questions as required during the formal clause-by-clause scrutiny, should anything arise. Chris has just arrived. Perhaps we should clarify one matter before we proceed: will the Committee have sight of any of the Department's amendments prior to the commencement of the formal clause-by-clause scrutiny?

Mr Chris Stewart (Department of Education): Those are with the Minister for his consideration. He has not yet come back to me.

The Chairperson: OK, members; we will commence the formal clause-by-clause scrutiny. I advise members to use a copy of the Bill and the clause-by-clause table, which is in their meeting pack. I am sure that you all know this off by heart, so let us get organised.

Clause 1 (The Education and Skills Authority)

The Chairperson: Clause 1 of the Bill applies schedule 1 and gives the name of the Education and Skills Authority (ESA). The Committee previously informally agreed that it was content with the clause as drafted.

Question, That the Committee is content with the clause, subject to the proposed amendment, put and agreed to.

Clause 1 agreed to.

Clause 2 (Functions and general duty of ESA)

The Chairperson: This clause places a duty on ESA to contribute towards the development of children, young people and the community. ESA must co-ordinate the planning and delivery of schools, educational services and youth services, with a view to promoting the achievement of high standards of educational attainment. ESA must

also encourage and facilitate the development of education in Irish-speaking schools.

We had previously obtained legal advice on clause 2(5), relating to Irish-medium education (IME). We have also received legal advice on clause 2(3), which covers ESA's duty to treat schools on the same basis, whether or not their premises are vested by ESA. The Department has responded, indicating that there will be no policy clarity on shared education for some time. The Department previously advised that the Minister is bringing forward an amendment that would replicate the provisions of clause 2(5), which currently apply to Irish-medium education schools, for integrated education.

The Committee had previously reserved its position on this clause, but formally agreed not to support an amendment that was suggested by NIPSA to remove the duty on ESA to promote the spiritual development of children and young people.

Chris, is there an update on clause 2(5) from the Department?

Mr Stewart: To clarify that point, Chairperson, the Minister is considering bringing forward an amendment similar to clause 2(5). He has not yet made a formal decision.

The Chairperson: Do members have any comments in relation to clause 2?

Mr Lunn: I am sorry, Chairperson, I missed your opening remarks. Are we going through this proposed amendment by proposed amendment?

The Chairperson: No.

The Committee Clerk: It is exactly as you said, Chairperson. The Committee has already done that in its informal clause-by-clause consideration. We are now in clause-by-clause consideration to decide whether to amend, yes or no, or whether members are content with a clause, yes or no.

The Chairperson: We should remember that this is the Committee. This is not us speaking on behalf of individual parties. Members should be aware that although we have tried to be as thorough as we possibly can be on this, whether or not the Committee has an agreed position does not in any way preclude parties or individuals from tabling amendments to the Bill.

It would be right to place on record that the DUP members — I speak as a member of that group — will not support clause 2(5).

Mr Rogers: Is it here or later that we will discuss ESA's responsibility to encourage and facilitate faith-based education? Is that later on somewhere?

The Committee Clerk: The clause deals with the general functions and duty of ESA. Therefore, if the member wished to put forward an amendment in relation to that, this is the time to do it.

The Chairperson: Do any members wish to bring forward amendments in relation to clause 2?

Mr Rogers: No.

Mr Lunn: I am sorry; I am still slightly confused about procedure. You have indicated that some members will not support clause 2 because of subsection 2(5). I will not

support clause 2 because of another subsection, which does not particularly matter at the moment. Do we take a vote on it?

The Chairperson: May I just clarify whether it is the case that if you do not support clause 2(5) or clause 2-whatever, that means that you are not in favour of the clause?

The Committee Clerk: Chair, do you wish to go into private session to talk about all this?

The Chairperson: Yes; OK.

The sitting was suspended at 9.45 am and resumed at 9.51 am.

Mr Hazzard: Am I right in thinking that, as well as deciding on clauses, we can put down a recommendation in the Bill report or seek an assurance? Shared education and its promotion are referred to throughout the Bill. In advance of the report from the Minister's advisory group, and given that we have no real and agreed definition of "shared" or "integrated", can we recommend or outline something along the lines that the Committee desires to see enhanced collaboration or sharing in the future, when the process is finalised?

The Committee Clerk: Yes, and I am grateful to the member. In addition to amending or opposing a clause or simply voting for it, members can also seek a ministerial assurance. So, you can ask the Minister to say at Consideration Stage, "Yes; this is what this clause means". In addition, the Committee can make a recommendation in its report. The report is never debated but, again, that would clearly signal the Committee's views on, say, something like shared education, if there is indeed an overall Committee view on that. I hope that that is clear.

The Chairperson: OK. So, the Committee Clerk has said that that our report can reflect issues of concern about clause 2 that were raised by Trevor; the DUP's objection to clause 2(5); concerns raised by Sean about faith-based education; and the comments made by Chris Hazzard about seeking the Minister's assurance that further work will be done regarding shared education and collaboration. Is that what we want?

Mr Hazzard: Yes, if something could be done along those lines.

The Committee Clerk: On shared education: is it the general view that the Committee would support the principle that ESA and the Department should have a responsibility to use resources efficiently by encouraging schools to collaborate for the betterment of the educational experience for pupils? Would that be the case?

The Chairperson: Yes.

Mr Kinahan: I would go with that.

The Chairperson: I think that we would agree on that.

The Committee Clerk: Jolly good.

Members indicated assent.

The Committee Clerk: I think that I am clear on Mr Lunn's concern, because he referred to amendment h, and about Mr Rogers's on faith-based education. Just to be clear on clause 2(5) —

Mr Kinahan: I have similar concerns with amendment h.

The Committee Clerk: So, if I understand correctly, is it the case that some members feel that the clause 2(5) provisions would lead to an inequality in education and an unfair advantage for what is always going to be a small sector, whereas other members would take the view that Irish-medium education is a culturally important sector and that failure to support it through the Bill would, in itself, lead to a different kind of inequality? Is that a fair summary of where we are?

The Chairperson: Yes.

The Committee Clerk: Jolly good.

Mr Hazzard: So, we do not vote on that though, do we?

The Committee Clerk: Well, I think that the Committee is deciding, Chair, if I understand correctly —

The Chairperson: I am entirely in your hands. It is whether you want to vote on that or you are content that we leave it as set out in a summary of what the Committee Clerk has said, which would be included in the report.

Mr Kinahan: I think it is too vague to vote on, Chair. I like the approach that you have gone for.

Mr Lunn: Chair, you said some time ago that the DUP would not support clause 2(5). Does that mean that your intention is to attempt to take it out completely?

The Chairperson: It is very clear, on the basis of advice that the Committee has received, that there are serious issues as regards having equality of provision across the piece. My view, and our view, is that clause 2(3) sets out clearly the parameters within which ESA should ensure that schools whose premises are not vested in ESA are treated on the same basis as schools whose premises are vested in ESA.

Mr Lunn: That is not the argument, Chair. I am not trying to get into a detailed argument here, but that is not the argument about clause 2(5). It is not the case that Irish-medium schools are not vested and all the rest are. It is a different argument, and that is why I am a wee bit confused.

The Chairperson: If you go back and read the legal advice that the Committee received, you will see that it sets the context for clause 2(5).

Mr Kinahan: We are considering adding other clauses to that, but I do not want to say what they are today. We will just leave that for the moment?

The Committee Clerk: If members wish to put down amendments in their own right, they can certainly do so at Consideration Stage. However, if they want to get the Committee's support, they need to do that now.

The Chairperson: Clause 3 is ESA to employ all staff of grant-aided schools —

Mr Lunn: Sorry, Chair. What did the Committee decide on clause 2?

The Chairperson: We decided that the report will reflect the issues and concerns expressed by the Committee Clerk. Do you want him to repeat all those again?

The Committee Clerk: The report will indicate the issues that were expressed by members: Mr Lunn, Mr Rogers, Mr Hazzard, etc. However, the Committee has decided not to

vote on the clause and to withhold its overall opinion on that clause.

Mr Lunn: It sounds suspiciously like what we did a couple of weeks ago.

The Chairperson: The difference is that that was informal scrutiny and this is formal scrutiny. We have no other opportunity to come back to this after today and tomorrow. We cannot seek any further information. We cannot delay or ask for anything else. So, in a sense, it is make-your-mind-up time. In that process, there may be individuals, parties or whoever who decide not to say anything or do anything.

The huge difficulty and problem that we have is that we have no sight of the amendments from the Department. We have only partial sight of amendments from the Department for Employment and Learning (DEL). We have seen only part of what DEL is proposing in relation to the Bill. Yet, because of the timetable for the process that was set by us and the Assembly, we have to produce a report by 8 April. I reluctantly throw this comment to members. The timetable probably does not allow us to do this, but it is about whether we make any further request for delay. After today, there are no plenaries until 8 April, which is the date that we are due to report. Is that correct, Peter?

The Committee Clerk: Yes, Chair. If you were to seek a further extension, as we did previously, you would have had to do that about two weeks ago so that it could get to the Business Committee and then into plenary. As the Chair said, it is make-your-mind-up time. If I understand correctly, in the absence of departmental amendments and certain clarifications that it sought, the Committee has decided to not make up its mind on the clause but to set down its concerns.

Mr Hazzard: I would like a clarification. I mentioned shared education. Are we requesting an assurance from the Minister about that or will that be a recommendation in the report?

The Committee Clerk: If I understood the member correctly, I thought that he wanted a recommendation in the report.

Mr Hazzard: That is what I was thinking. However, I am open to discussion on what the Committee feels. Shared education in the future is mentioned throughout everybody's submissions. I just thought that a way forward might be to tidy that up into one recommendation.

The Chairperson: Chris, what you are asking is whether we put it in the report or just seek an assurance. The shared education working subgroup is due to report at some stage. Obviously, it is an issue for the Minister and the Department as to how it responds to that. However, if I understand you correctly, you are saying that, in the report, we should ask for an assurance that shared education will be reflected. The difficulty is that it all depends on the Minister. When the Bill goes from here on 8 April, it basically goes back into the hands of the Department and the Executive, and they will decide on when to bring Consideration Stage to the Assembly.

The Committee Clerk: When to bring Consideration Stage is entirely in the hands of the Department.

The Chairperson: My understanding is that, at that stage, the Department would still be in a position to table its

amendments and would probably do so. Although we could certainly come back and look at the amendments, as we will have completed our scrutiny of the Bill, we would not be able to make any formal change to them. It would then be an issue for the House to decide whether it accepts those amendments. Isn't that correct?

The Committee Clerk: The Committee could certainly seek evidence from the Department and, if it wanted to, produce another report on the amendments that we await from the Department. The only thing is that the Department would not be obliged to wait for us to report. When we report on 8 April, we are officially out of the process. It then goes back to the Department, which is in control of when Consideration Stage happens. If you want to produce another 10 reports on the Bill, you could do that. However, the Department does not have to wait. It could go ahead with Consideration Stage. However, if you wished, you could certainly take evidence from the Department, scrutinise those amendments and produce another report.

Mr Kinahan: How long can they delay Consideration Stage?

The Committee Clerk: Until the end of the mandate, and then it falls. That has happened to the Marine Bill.

The Chairperson: I remind those who were not on the previous Education Committee that that is what happened to the previous Education Bill when it left the Committee. I do not want to fill everybody with a sense of optimism.

Members, just so that we are clear, there will be a recommendation in the Committee's report that the Minister and the Department give further consideration to shared education. Are we happy enough with that?

Mr Kinahan: Do we not want to put it more strongly than that?

The Chairperson: In what sense?

Mr Hazzard: The danger is that we all have different definitions of shared education.

The Chairperson: I think that we do.

Mr Hazzard: It is important that we reflect that, in the consultation, there was a desire —

The Chairperson: We will not do it, but I think that if we went round the table, we would hear different views and interpretations. As I have always said, shared education is interpreted by different people in different ways, at different times, in different places; that is the issue. However, there is a general view that shared education, as an aspiration, should be pursued further and elaborated on. Some will call it integrated —

Mr Lunn: No.

The Chairperson: No? There is no point in me trying to explain everybody else's views, but there are different views.

Mr Kinahan: Chair, I wonder whether you should state "especially across sectors" or something, because that adds a different level.

The Chairperson: You would not have shared education within sectors. However, knowing some of the schools, it might not be a bad idea to have shared education within sectors.

Mr Kinahan: You do in some cases.

The Chairperson: We are all big enough to know that when we talk about shared education, we mean across educational boundaries and sectors.

Mr Lunn: Chair, I agree with you. However, since you mentioned it, the word "integrated" has a particular connotation, because there is a model for that. If you use the term "integrating of schools", that is, in a way, the same as "sharing of schools". That is where there is a distinction, in my mind.

The Chairperson: A popular suggestion is that we come back tomorrow with a recommendation that we can sign up to, rather than agreeing on it today. We are taking on board Trevor's comment. OK?

Members indicated assent.

Clause 3 (ESA to employ all staff of grant-aided schools)

The Chairperson: Are we doing all right? Aye, we are doing OK.

Mr Lunn: Good old clause 3.

The Chairperson: Yes, good old clause 3. OK, I remind members that this clause makes ESA the employer of all staff in grant-aided schools. The clause defines the term "submitting authority" in the case of voluntary schools. For example, this clause makes the trustees the submitting authority instead of the board of governors, as is presently the case. The clause requires trustees to consult with the board of governors and allows the board of governors to refer a scheme to a tribunal to test its compatibility with the heads of agreement.

The Department previously advised that the clause cannot be operated owing to contradictions with the heads of agreement. We have written to the Office of the First Minister and deputy First Minister (OFMDFM) and the Department, seeking amendments to the Bill or to the heads of agreement to resolve that problem. No response has been received. From the comments that Chris made, I take it that there are no amendments or anything forthcoming on this.

Mr Stewart: Not as yet, Chair. Discussions are ongoing, as I understand it.

The Chairperson: As the Department has advised, this clause is technically not operable. As the Department has not provided sight of relevant amendments, the Committee could reasonably decline to give its opinion. That has the same knock-on effect that we had with the informal clause-by-clause scrutiny. Clauses 3 right through to 9 deal with issues that are relevant to employment, and there is no agreement on, or sight of, an amendment and there is no indication that one is imminent. I do not speak as one who has any inside or outside track on that issue; I merely reflect what I read as being the case.

I think we are in a situation where we have to offer something. There are opinions, and we have gone through all of them and they are all reflected. The other issue is that members should not be concerned that somehow if they have not said today what has been previously expressed as a concern, it will somehow be read as though you were not raising robustly enough the issues on behalf of whoever it is or whatever sector it is or whatever

organisation it is. When people look at this file and see all the evidence, they will be well aware that a huge amount of work has been done but that there remains an issue in problems emanating from and around clause 3.

The Committee Clerk: Just to be clear that I understand correctly, the Committee is not making up its mind on the clause because it has not seen the relevant amendments from the Department and is waiting for the response on this heads of agreement question. It would be helpful if members could indicate an opinion on the clause or the issue generally. Is it the case that some members view the clause as not wrong and feel that there are no contradictions with the heads of agreement, whereas others take the view that there are and that the issue of who is the sole employer is terribly important and has not been satisfactorily resolved or clarified?

The Chairperson: The other issue is that although we understand the concern that some have about the loss of what they view as autonomy, control or the flexibility to be able to do what they have always done, there are others, even in sectors that are of a similar type and nature, who would value greatly having autonomy and the degree of flexibility to be able to do what others have done. So, we find ourselves with that conundrum. Therein lies the issue and the crux of the problem. If Peter were to reflect that in the way that he outlined, it would give us some sense of direction about people interpreting what they believe the Committee considered when it was looking at these clauses.

Mr Lunn: I am not too clear about how far to go with this. Putting something on the record might even assist people in another place. I do not really care whether ESA is the sole employer of all staff or whether there is a get-out clause for grammar schools and, perhaps, some controlled schools, but it is perfectly obvious that the heads of agreement clash internally with themselves and clash with the Bill. At one point, the Minister said that they do not clash and, at another point, he said that they do. We need clarification. That is the main obstacle that is holding up all these clauses right through to clause 13, never mind clause 9. It is not the case that some of us want to see ESA as the sole employer of all staff or that some of us want all of the grammar schools, if they were already employing their own staff, to be allowed to continue to do so, or whether bigger controlled schools should be put on the same basis as grammar schools. It is not really a matter of that, it is a matter of having a proposal before us that we can look at with some clarity. Given that tomorrow is our last day for scrutiny on this, we are not going to get it, so what else can we do but, once again, reserve our position?

Mr Rogers: I was interested in what you said earlier, Chair. I thought that maybe I missed some clarification when I was not at a meeting or two. We believe that there are contradictions between clause 3 and the heads of agreement and even contradictions within the heads of agreement, and the departmental response to the commission was that the Minister will advise the Committee of his proposals in respect of this clause in due course. I do not know when we got that, but it was quite a while ago. It is very difficult. I will not know what my view is of clause 3 until I see what the Minister is going to say.

The Chairperson: Yes. Any other comments?

Mr Hazzard: The report will reflect both positions and the different interpretations. We talk about shared education

and even the word "contradiction". I do not see as big a contradiction as other people might. The delegated autonomy to schools sort of balances it up.

The Committee Clerk: I ask members to look at my issues paper. If I have captured your argument correctly, that is good. If I have not, please let me know. It is not my intention to misrepresent the argument.

The Chairperson: Members, because we cannot comment on clause 3, does that bring us to the place where we cannot make comment on clauses 4, 5, 6, 7, 8 and 9, because they all have relevance to and are interrelated with clause 3?

Mr Lunn: Yes, but I am not clear why you stopped at clause 9.

The Chairperson: I think because it may be that we had — did we not agree clause 10?

The Committee Clerk: The Committee informally agreed that it was content with clause 10 as drafted. Clauses 3 to 9 specifically reference employment schemes. Clause 3 actually references the heads of agreement itself, so it is technically inoperable, the Committee was told. Clauses 3 to 9 all reference employment schemes and are all about employment schemes. Clause 10 is not about employment schemes. It is about the transfer of staff.

Mr Lunn: It is about the transferring to ESA of staff employed by boards of governors. In the opinion of whoever wrote the heads of agreement, clause 10(c) is not going to happen. That is one of the most direct contradictions in the whole situation, and it feeds through to — I am not too sure about clause 11, but certainly clauses 12 and 13. Those clauses are on salary payments and modification of employment law, which is what we are talking about.

The Chairperson: So that we are clear, are we saying that, in our not having an opinion, the reasons that Peter has set out on clause 3 extend to clause 13? All of that relates to employment, to a lesser or greater degree.

The Committee Clerk: Perhaps the Committee might want to take the Department's view on that, particularly on clause 11. All that clause 11 does is substitute ESA for the boards in employing peripatetic teachers.

Mr Stewart: I can well understand members wishing to treat clauses 3 to 10 and 13 as a block, but I think that it would be possible to deal with clauses 11 and 12, which, I think, are clearly related to the other employment clauses, but could stand or fall as they are, without being directly affected by whatever members or Ministers might feel about the other employment clauses.

Mr Lunn: I am looking at clause 12 on that basis. The narrative at the top says that clause 12 provides that, while ESA will be the employer of all staff — that is what is under dispute.

The Chairperson: Sorry, where are you at?

Mr Lunn: Page 23 of our notes on the file. ESA will be an employer of all staff, but certain schools that currently operate their own payment schemes may continue to do so. I know that that is not quite the same thing as being their own employer, but I still think that it is confusing enough for us to try to take a view on it.

The Chairperson: That is a valid argument.

Mr Kinahan: Do we not, through this, still have vagueness on the legal interpretation of the Governing Bodies Association (GBA) amendments? We know the advice that we had from our lawyer, but, obviously, it is different from the GBA lawyer's advice. That is not clear.

The Committee Clerk: If members are waiting for lawyers to agree, they might have to wait for a long time.

The Chairperson: Therein lies part of the reason why this has gone on for the past six years.

The Committee Clerk: At this point, members will have to make a judgement. They have had the advice that the Assembly got and the advice that came from GBA, and they will have to decide accordingly.

The Chairperson: On the basis of Trevor's comments, and taking into account what Chris said, is it the Committee's view that we cannot express an opinion on clause 3 to clause 13, including clause 15 — was it clause 15 that you made reference to, Chris?

Mr Stewart: Clause 15 is a perfectly innocent clause.

The Chairperson: I could not understand why you said clause 15.

Mr Stewart: I said clause 13.

The Chairperson: My apologies; I thought it was clause 15.

Mr Stewart: Members may well wish to treat clauses 3 to 13 as a block; I can understand members wishing to do so.

The Chairperson: Even clause 11, which is in reference to peripatetic teachers?

Mr Stewart: I think that there is an argument for treating clause 11 differently, but members may feel otherwise.

The Chairperson: The Committee previously and formally agreed that it was content with the clause as drafted. At that time, members also agreed to defer consideration of the issues raised by Comhairle na Gaelscolaíochta on the separate legal status of IME schools until they looked at clause 63. I think there was a general agreement on clause 11.

Mr Lunn: I do not mind whether we agree clause 11 or not at this stage, but I am reading that the Committee informally agreed to reserve its position on that clause because it was waiting for a response from the Department on the availability of Irish-medium teachers. We seem to have got that today, but we have only just got it today.

The Chairperson: Then I think what we will do, so that we are not in any way creating an issue — sorry, Chris, did you want to come in?

Mr Hazzard: I am thinking along the same lines as Trevor. I thought that we had reserved our judgement until we got this information from the Department, and we have seen that information today. I think that that backs up some of the arguments that we made the last time.

The Chairperson: Members, are we saying that we will reserve an opinion on clauses 3 to 13 inclusive, so that we get an agreement on this?

Members indicated assent.

The Committee Clerk: Just to be clear, the Committee has got its opinion. What it is saying is that it cannot make up its mind or come to a decision because of the absence of clarifications, heads of agreement, etc.

The Chairperson: Yes.

Clause 14 (ESA to provide or secure provision of training and advisory and support services for schools)

The Chairperson: Clause 14 places a duty on ESA to provide or secure training for the boards of governors and staff of grant-aided schools. The Committee previously noted suggested amendments relating to shared education. The Department advised that there will be no policy clarity on shared education for some time. The Committee also sought a response from the Department on the policy position underpinning this clause. That response has not been received. Any comments with regard to clause 14? Are we prepared to wait until we clarify that tomorrow?

The Committee Clerk: I think that is what we are going to do. We are going to have that recommendation to come. If that covers it, I suggest that we agree or not agree the clause.

The Chairperson: Agreed?

Mr Rogers: I have two points. You would think that maximised delegated autonomy would mean that schools would have an option to buy in support and that sort of thing as well. I am a wee bit confused about the Department's response to the National Association of Head Teachers on page 28:

"The suggested change is contrary to the Minister's policy (which is for a 'mixed economy' of provision)."

My interpretation of "mixed economy of provision" would mean that if you could get better staff development or whatever outside the loop, you would go for it. There seems to be a contradiction in that response.

My other point goes back to the responsibility to develop and enhance faith-based education. If we are going to do that, there is a need for curriculum support there as well.

The Chairperson: Have you any suggestions in relation to amendments, Sean?

Mr Rogers: No. Leave it with me.

The Chairperson: That is OK. Is the Committee content, subject to consequential amendments, with clause 14 as drafted? When we say consequential amendments, we are not referring to amendments that may be drafted by individuals or parties. We are referring to consequential amendments that may come as a result of a change in some other piece of the legislation.

The Committee Clerk: That is right, Chair. If you got to clause 60, or whatever, and the Committee agreed to make an amendment that had consequences for earlier clauses, it would be silly to rescind your decision. If you do it subject to consequential amendment, you cover yourself for that but only that.

Mr Kinahan: Are you are saying that if we have a possible amendment in mind, we should signal it?

The Chairperson: Yes, that is entirely up to individuals. Is the Committee content with clause 14?

Members indicated assent.

Clause 15 (ESA to provide library services to grant-aided schools and other educational establishments)

The Chairperson: This clause requires ESA, in line with departmental arrangements, to provide library services in grant-aided schools and other educational establishments. The Committee previously informally agreed that it was content with the clause as drafted. So, no comment? Is the Committee content, subject to consequential amendment, with clause 15 as drafted?

Members indicated assent.

Clause 16 (ESA to secure provision of educational and youth services and facilities)

The Chairperson: The clause places a duty on ESA to provide adequate facilities for educational and youth services. It allows ESA to organise activities or make grants available, etc, in support of that. Additionally, the clause permits ESA to make bylaws in respect of those facilities. The Committee previously informally agreed that it was content with the clause as drafted. Is the Committee content with clause 16 as drafted, subject to consequential amendment? Trevor?

Mr Lunn: Actually, I was expecting Chris to say something about the shared education suggestion. Is this one of the clauses where you think all that would be —

Mr Hazzard: As I said earlier, I think it tidies up the whole way throughout the Bill.

The Committee Clerk: So, to clarify, the Committee has agreed to not amend the Bill in respect of shared education, but to put down a recommendation, the wording of which will appear tomorrow, encouraging the Department and ESA to facilitate efficient use of resources and betterment of educational experience for children by collaboration.

Mr Hazzard: Something that reflects the mood that has been displayed.

The Chairperson: OK. Agreed?

Members indicated assent.

Clause 17 (ESA to pay capital grants to voluntary and grant-maintained integrated schools)

The Chairperson: This clause transfers the Department's powers to pay capital grants to voluntary and grant-maintained integrated schools to ESA. The Committee previously informally agreed that it was content with the clause as drafted. Is the Committee content, subject to consequential amendment, with clause 17 as drafted?

Members indicated assent.

Clause 18 (Establishment of controlled schools)

The Chairperson: This clause gives ESA the power to establish controlled schools, nursery, primary, secondary or special schools. ESA can also establish nursery classes in controlled schools that are not nursery schools. The Committee informally agreed to support the Transferor Representative Council's (TRC) proposed amendment, which would require ESA to consult with the relevant sectoral body before establishing a new controlled school. We had reserved a position on the clause. Are we now

saying that the Committee is content to support the TRC's proposed amendment, which would require ESA to consult with the relevant sectoral body before establishing a new controlled school?

Members indicated assent.

The Chairperson: So is the Committee happy with the clause as amended? We have not seen a draft of —

The Committee Clerk: No, but you are agreeing in principle to the amendment.

The Chairperson: Is there a requirement on us to have the Bill Office look at that? Whose responsibility is it to bring that forward? Is it the Department's?

The Committee Clerk: After this meeting, I will write to the Department indicating that the Committee is going to support the amendment. Maybe the Department will be kind to us and it will support the amendment, too, and get the drafting done. Is it does not, I will go to the Bill Office and get it drafted.

Mr Lunn: I have some reservation about that in light of the Northern Ireland Council for Integrated Education's (NICIE) comment. It has quite a bit to say about it. On page 34 the departmental response sets out the process, and basically:

"If the proposal is not in conformity with the plan, then ESA must reject it. If the proposal is in conformity with the plan, then the usual development proposal process will apply, culminating in a Ministerial decision."

The trouble is that some of those ministerial decisions over the years have militated against the establishment of a new school because it was integrated. The only reason given for not allowing the school to be established was because it might upset the balance of some non-integrated schools in the same area or beyond. That is NICIE's problem here. I notice on page 35 that NICIE suggested a mechanism for the opening of new integrated schools. That is already provided for in existing legislation, but, even so, we are not satisfied — I said "we" there — that the existing legislation is strong enough, and this might be the opportunity to do something about that. I am not sure what Chris thinks.

The Chairperson: OK. Is that a slightly different argument from the issue raised by TRC, which was formally or informally agreed? TRC's issue was around the power to consult with the relevant sectoral body. Herein lies part of the difficulty, because that would — maybe not intended, but probably where it goes — determine who is the sectoral body for a controlled integrated school. At this minute in time, I assume that NICIE takes the view that it represents controlled integrated schools. I am not aware of the controlled sectoral body's view as to where it believes controlled integrated schools should sit. However, I would hazard a guess that it would be within the controlled sectoral body, the same as special schools, controlled Irish-medium schools or any school that is deemed to be under the remit of the controlled sector. I assume that it probably wants to have that under its domain. Chris, do you want to comment on that?

Mr Stewart: Yes, I will perhaps respond to a couple of points. On that last issue, we absolutely recognise that there will be schools that may have business with or an allegiance to more than one sectoral body, and you gave an example of that. We do not see that as a

particular difficulty. It was never the policy intention that sectoral bodies would each have a list of schools that they would own or have any sort of exclusive rights to. The Department will recognise sectoral bodies on the basis and quality of what they do. We think that it would be perfectly legitimate for a controlled integrated school to want to have a relationship with the controlled sectoral body and, indeed, with NICIE, and to expect both bodies to represent certain interests.

The Minister has some sympathy with the suggestion that there should be consultation with the relevant sectoral body before a proposal for a new controlled school is brought forward. Indeed, he is considering an amendment that would introduce a similar requirement for all types of schools, so that, before any development proposal came forward, there would be a requirement for consultation with the relevant sectoral body or bodies. In this case, if there were a suggestion for a new controlled integrated school, and given that there will be a sectoral body for the integrated sector and a controlled sectoral body, it would seem logical to consult both sectoral bodies and to consider carefully what both say.

The Chairperson: I appreciate that, Chris, but I suspect that what Trevor is saying is that the existing power to establish a new controlled integrated school is not robust enough, although the Department has given its view on the clause. Just let me go back to this: are we still content with the TRC amendment, which would amend the clause to require ESA to consult with the relevant sectoral body before establishing a controlled school?

Mr Kinahan: Should we make it “relevant sectoral bodies”, after what you have said?

The Chairperson: Yes. “Bodies” would cover what Chris said in that, logically, if there is an integrated body and a controlled sectoral body, both would be consulted.

Mr Rogers: There is nearly an assumption here that there could be other sectoral bodies. I think that the Minister’s position is that there will not be any other than what he has set out at the minute.

The Chairperson: Although “bodies” covers the eventuality of a change. I think that that is what we are trying to cover.

Mr Stewart: There is a way of wording that so that we do not exclude any body that is in existence and recognised but do so without tying the Minister’s hands on what bodies he might recognise in the future.

Mr Rogers: That is fine.

Mr Lunn: I go back to the departmental response to NICIE. It sets out the power to establish new controlled integrated schools. That is fair enough. The response goes on to state:

“Development proposals for other types of schools will be subject to the same test, as would proposals to transform schools to GMI status”.

Does that not fly in the face of the existing rule that a certain percentage of parents can request the process to transform to grant-maintained integrated to kick-start the process and, eventually, that a majority of parents have to vote in favour of it? This seems to say that, even then, that might fall foul of the area plan in some way. I find

that astonishing. If an existing school wants to change its status and that is the parental preference, which is referred to elsewhere, what on earth could be in the area plan to stop that?

Mr Stewart: If, for example, the area plan deemed that the school was not sustainable.

Mr Lunn: That is a different argument. That could apply to any school.

Mr Stewart: As, indeed, the area plan would. Trevor has very neatly and accurately summarised the overall effect of the provisions, which is that any — if I may use the phrase in its broadest sense — development proposal, whether for a new school, transformation to a different status or other significant change to a school, would pass through or not pass through a filter of the area plan, if one is there. That is the same for all schools in all sectors and for all types of proposals. Members may take a view on whether that is the right policy approach, but it is consistent across the Bill.

The Chairperson: The 1986 legislation is not being repealed.

Mr Stewart: The relevant article — article 14 — is being replaced and re-enacted in schedule 7 to the Bill.

The Chairperson: Article 14 of the 1986 legislation is about development proposals.

Mr Stewart: Yes. There are some amendments to the articles in the 1989 order that are referred to in the departmental response. Articles 71 and 92 will, as Trevor said, make them subject to the test against the area plan in each case. It does not stop parents or a board of governors from initiating the ballot on transformation, but it makes the taking forward of any proposal for transformation subject to consideration against the area plan.

Mr Kinahan: I go back to the idea in Crumlin of a shared maintained school. Are we, by discussing the clause in relation to controlled schools only, shutting the doors on any new form of combination of school?

Mr Stewart: No, but if we want to create new types of schools, that would require specific provision. It is not generally possible to have a hybrid between any of the management types. They are mutually exclusive in the governance provisions in particular. However, as I have said to a number of stakeholders who have been interested in exploring new options for delivery on the ground, the maintained model is extremely flexible. We tend to associate the maintained model with Catholic education simply because the greater number of maintained schools are Catholic. Irish-medium schools are maintained, and a small number of Protestant maintained schools are owned by the Church of Ireland. It is possible to have joint ownership and joint-faith schools that are owned by more than one Church using the maintained management model. It is extremely flexible.

Mr Lunn: We have probably said it all. NICIE has only sought clarification; it has not suggested an amendment. That is a valid clarification that it is looking for, because the Bill seems to introduce the situation where, on the basis of the area plan, the Minister might somehow have the power to reject a perfectly innocent proposal for a school to transform to integrated status, supported by whatever percentage of parents at the school, when the school is otherwise viable in budget, numbers, quality of education

and all the rest of it. That is not my understanding of what is intended in the present process.

The Chairperson: I will try to bring all that together. I assume, from what the Department is saying about the Minister's view, that we support the TRC amendment. However, reservation is being expressed by a member about the existing powers to establish a new controlled integrated school in the light of area planning.

Mr Stewart: If members share Trevor's concerns, you will want to look very closely at the amendments in schedule 7 to article 71 and article 92 of the 1989 order. Those amendments will give effect to the matters that Trevor has raised concerns about. If that were the Committee's position, you might wish to consider rejecting the amendments in schedule 7.

The Chairperson: We will not get to schedule 7 until tomorrow. I take it, Chris, that, in relation to article 14, there are additional requirements where an area education plan is in force.

Mr Stewart: Yes. There are a number of particular amendments. As we said, there are particular provisions for establishing integrated schools, and there are particular amendments to those provisions to bring them into line with other types of schools so that they will be dealt with under area planning. If it is the Committee's view that they should not be dealt with in that way, you will want to consider changes to those amendments or perhaps even rejecting them completely.

The Chairperson: We could accept the clause as amended but make the statement that we will look at the issues that are relevant to that when we deal with schedule 7 tomorrow. Happy enough?

Members indicated assent.

Clause 19 (Responsibilities of ESA in relation to controlled schools)

The Chairperson: Clause 19 makes ESA responsible for the maintenance of school premises, providing and replacing equipment, employing all staff, and meeting the cost of all such other things as may be necessary for carrying out the functions of a controlled school. There are suggested amendments about shared education. The Department advised that there will be no problem in that regard. However, we have covered that in what we will bring to the Committee tomorrow. Is the Committee content, subject to a consequential amendment, with clause 19 as drafted?

Mr Kinahan: Is there no way of putting a time frame on it so that decisions are made quickly? Is that outside the Bill?

The Chairperson: Correct me if I am wrong, Chris, but this is another one that transfers what is currently the responsibility of an education and library board (ELB) into the hands of ESA.

Mr Stewart: There is a wee bit more to it than that, Chair. It is creating a quite different relationship between ESA and a controlled school than the current relationship between a controlled school and an education and library board. Members may feel that there is a ring of familiarity around some of the wording. That is because it is very similar to the current provision on maintained schools. The duties that ESA will have in relation to controlled schools

are very similar to the duties that an education and library board currently has in relation to maintained schools. In that sense, it is a transfer of a function, but it is applying it to a different set of schools.

The Chairperson: It would be difficult to put a time frame on it. I assume that the Department would say that it is an operational issue that will be subject to individual schools rather than generic for the controlled sector.

Mr Stewart: It would be very unusual to try to specify a time frame for that sort of operational decision. If members were minded to consider that, I draw your attention to the fact that there will be a similar duty on ESA in relation to maintained schools. Therefore, you would perhaps be advised to think about that provision as well as this one.

Mr Lunn: Clause 19(c) puts a responsibility on ESA for:

"employing, in accordance with section 3, all teachers and other staff".

You are back to section 3 again.

The Chairperson: Should that read "clause 3" instead of "section 3"?

Mr Stewart: No. We refer to clauses in the Bill. They are clauses at present. Because the word sits in the body of what is currently a clause, it refers correctly to a "section", which is what it would be as and when the Bill is passed.

Mr Lunn: It may need to be amended in light of what is happening in other places.

The Chairperson: Controlled schools are currently employed by the boards.

Mr Lunn: Controlled schools are making a determined bid to get the same autonomy as voluntary grammar schools.

The Chairperson: Some are.

OK. Are we saying that we have to put clause 19 in the same place as clauses 3 to 13?

Mr Lunn: That was my suggestion, Chairman.

The Chairperson: Are we agreed?

Members indicated assent.

The Chairperson: The Committee Clerk says that to try to cover some of the issues that were raised about a timescale, we could put a recommendation in the report to the Assembly that a review is carried out, within a number of years, of how it has operated in meeting its provisions under that particular responsibility. We could do that. Whether it would have much clout is another thing. At the end of the day, this would be how it was passed in the legislation. I suspect that if ESA were to come into operation, we would all want to see a review of how it has functioned and performed in a very short period of time, not just with regard to controlled schools specifically, but right across the piece. Are you happy to leave it as it is, members?

Members indicated assent.

Mr Lunn: So, what do we do?

The Chairperson: We are not recommending anything other than that clause 19 is now with clauses 3 to 13. We will leave it as it is. OK?

Clause 20 (ESA to contract for certain works)

The Chairperson: Clause 20 gives ESA the power to enter into contracts for the provision or alteration of school premises. The contracts may be public-private partnerships or traditional procurement contracts. However, the contract is between ESA and the contractor or may be between ESA and the trustees or board of governors of a voluntary or grant-maintained integrated school. The Committee previously reserved its position on the clause. Are there any comments?

Mr Kinahan: It is the same as the last one.

The Chairperson: I think that I remember that the Department made the comment at that stage that it was a permissive clause, although I think that some concern was expressed about contracts. The comment by GBA states:

“Clause 20(1) should be amended to remove ESA’s blanket authority to enter into contracts relating to the provision or alteration of premises which are not vested in ESA.”

The Department’s response is:

“Any contract let by ESA would, of course, require the consent of the owner of the school. This is already the case without amendment.”

The proposed amendment is technically flawed, as some schools are not vested in boards of governors.”

Is the Committee content to agree the clause, subject to consequential amendments and on the understanding that this is a permissive role of ESA rather than one that is seen by others as allowing it to do something that it would not be able to do at this time and even after its inception? By that, I mean the owners of the school. I think that that is what is set out in the Department’s comment:

“Any contract let by ESA would, of course, require the consent of the owner of the school. This is already the case without amendment.”

Mr Stewart: That is correct. We do not feel that the clause would give ESA the power to carry out capital works against the wishes of a school. Some stakeholders may ask why, if that is the case, it does not say so in the legislation. We simply never would have conceived of such a situation arising. I have to say that I think that the concern raised by stakeholders — the notion that ESA would somehow inflict upon a school some capital work against its wishes — is bizarre. It is more often the case that we are criticised for not carrying out or not providing for capital works. The notion that we would somehow go in and build a new school with malice aforethought is not something that would have occurred to us.

The Chairperson: I know that this goes back to something that we have dealt with, but ESA would have that power in relation to a controlled school.

Mr Stewart: As the owner of the premises.

The Chairperson: As the owner, as is currently the case with ELBs. ELBs currently have that power. Do ELBs undertake the contracts on behalf of controlled schools?

Mr Stewart: They would do, yes. However, even there, I suppose that it is technically possible that ESA could let a contract to do something against the wishes of the

board of governors of a school, but that would have had to be subject to a development proposal and consideration against the area plan.

The Chairperson: The question is whether that brings us into contradiction with clause 2(3), which states:

“In exercising its duty under subsection (2) in relation to schools, ESA shall ensure that schools whose premises are not vested in ESA are treated on the same basis as schools whose premises are vested in ESA.”

Mr Stewart: I do not believe that it does.

The Chairperson: There are those who would argue that it does.

Mr Stewart: Yes, there are those who would argue that.

Mr Lunn: Is the voluntary category “B” that the Royal Belfast Academical Institution (RBAI) refers to defined somewhere?

Mr Stewart: It is in the 1986 order. It is not quite defined in those terms. Those schools are almost defined by the absence of any reference to them. Category B schools have no agreement with the Department. For the other schools that have such an agreement, the nature of it is that their boards of governors are constituted in a particular way. It gives nomination rights to the Department for a certain proportion of the board of governors in return for being eligible for capital grant aid. Those schools have decided not to enter into such an agreement; therefore, the Department has no nomination rights for their boards of governors, and they are not eligible for grant aid. They can change their mind on that at any stage and become eligible. However, the notion that any school would be subject to or have inflicted upon it either capital development or grant aid is simply not the case. That will not happen.

Mr Lunn: So, because they are not set up in a way that provides for capital grant funding —

Mr Stewart: That is because it is their choice.

Mr Lunn: Are they entitled to ask for it?

Mr Stewart: They are entitled to ask for it, but they would have to enter into an agreement with the Department and drop out of category B. This is a choice that those schools have made. It is, if you like, the purest form of the voluntary model. They wish to have a relationship with the Department, the education and library boards and, in due course, ESA that does not involve any capital funding. Of course, they receive revenue funding, as other schools do. However, they prefer to have that — I use the word advisedly — independence from educational authorities.

Mr Lunn: If the scheme of management and scheme of employment situation goes against the perceived wishes of the grammar schools, they will be drawn into the system to some extent anyway.

Mr Stewart: They will, in that sense, yes, but not in relation to capital funding. If those schools wish to continue to be solely responsible for their own capital development, it is absolutely their right to do so.

Mr Lunn: You say that it is bizarre, but I can sort of understand where GBA and RBAI are coming from. It is another one of those situations where it does not need

to be written into the Bill but what harm would it do? If everybody is content, fair enough. I note that we informally agreed to reserve our position the last time. We probably got the same advice.

The Chairperson: OK, members. We are not content that there is agreement on clause 20. Is that the view of all members?

Mr Kinahan: Would you say that again?

The Chairperson: Are we agreeing to clause 20 as set out?

Mr Lunn: Is it one of those situations where, as Chris suggested, or perhaps you did earlier on, the Minister might be asked to make a statement about it?

The Chairperson: If members wish that that should be the case, we could reflect that in our report.

The Committee Clerk: Just to be clear, Chair, what assurance would members like to have from the Minister?

Mr Lunn: It would be helpful to both bodies that clearly have a concern, even if it is unfounded, were the Minister to reiterate what is in the departmental response. That is an internal response. It would be helpful if he said it during the passage of the Bill at some stage. We have already said that there may be situations where we would like the Minister to clarify something.

The Chairperson: We are seeking ministerial assurance. On that basis, we will agree clause 20.

Members indicated assent.

The Chairperson: Thanks for that, Trevor.

Clause 21 (ESA to pay superannuation benefits of teachers)

The Chairperson: Clause 21 transfers responsibility for the payment of teachers' pensions benefits from the Department to ESA. The Committee informally agreed that it was content with the clause as drafted.

Question, That the Committee is content with the clause, subject to the proposed amendment, put and agreed to.

Clause 21 agreed to.

Clause 22 (Ancillary powers of ESA)

The Chairperson: Clause 22 allows ESA, subject to other statutory provisions, to do anything that appears to it to be conducive or incidental to the discharge of its functions. The Committee previously noted the Department's response, comparing ESA's powers with those of the Charities Commission.

The Committee previously reserved its position. I think that it was probably around the wording of clause 22(1):

"Except as otherwise provided by any statutory provision, ESA may do anything that appears".

A number of concerns were raised around the phraseology "may do anything". Some suggested an amendment with the words "with departmental approval". Others said that if we did not want ESA to do something, would we want the Department to be doing it? It is an out of the frying pan and into the fire situation.

I took a note at the time, in the margin of my well-worn copy of the Bill, which is probably a comment from Chris. It

says "cannot invent new functions". That is part of what is being alluded to here, although I think that some members are still concerned about the power of clause 22.

Do members have any comments? I remind members that we previously reserved our position on this clause. You will see that a number of comments were made by different bodies. The Irish National Teachers' Organisation said that the Bill should be amended to include clear guidelines as to the limits of the proposed increased autonomy for schools and that those limits should make it impossible for the free school, academy and chartered schools variants to come into being. NICIE said the opposite.

Mr Kinahan: Will you clarify what you were saying just now about functions?

The Chairperson: I am trying to reflect the concerns raised. Clause 22 states:

"Except as otherwise provided by any statutory provision, ESA may do anything".

Some suggested that the words "with departmental approval" should follow "may do". However, that raises the concern that we would give both organisations, the Department and ESA, too much power. The point was made by Chris, at the time, that this does not mean that ESA could create or invent new functions.

Mr Stewart: Chair, that is a core point. The Library Authority has an identically worded power. The core business of the Library Authority is to provide library services. So it can do anything "conducive or incidental" to the running of library services. ESA, if given this power, would operate under the same stricture. It could do anything incidental or conducive to its other functions, such as approving employment schemes, approving schemes of management, delivering the schools library service, providing support services to schools and carrying out area planning. However, it could not, without the approval of the Assembly, take on additional statutory functions.

The Chairperson: So it cannot take on additional functions without the consent of the Assembly.

Mr Stewart: Even "consent", or my use of the word "approval", is wrong. The Assembly would have to decide to legislate for such an occurrence. It is not that ESA could do so and then ask permission, or even seek forgiveness. The statutory functions of ESA are laid down in legislation, and only the Assembly can change those.

The Chairperson: Although the clause states:

"Except as otherwise provided by any statutory provision, ESA may do anything".

Mr Stewart: Again, Chair, that is a qualification. It means that ESA could not take unto itself functions that are assigned elsewhere in legislation.

Mr Kinahan: The Minister or the Department could do so.

Mr Stewart: The Minister could seek to legislate at any time, but that would go through the normal legislative process. I really cannot overemphasise that this is a standard provision that legislative counsel would insert, even without being asked, into any draft Bill to establish a new non-departmental public body.

Mr Kinahan: At our previous meeting, I asked for examples, and you gave those of the Charities Bill and Libraries Bill. Do any other Bills contain a similar clause but one that has had further checks and balances placed on it?

Mr Stewart: Not that I am aware of. I have never before encountered this sort of concern about that sort of clause.

The Chairperson: Let me put this as a suggestion of what we could agree, members. I take the point that Chris is making, and I reiterate that we respect the advice given to the Committee and the manner in which Chris has always, to the best of his ability, given the Department's views. The way in which we have been informed is a given. Sometimes, however, that does not dilute people's concerns. Is it possible that we could amend clause 22 to take out everything after "may do" and reiterate what is in (a), (b), (c), (d) and (e)? We could take out the part that is seen to be the most difficult for people to get their head around and not include:

"may do anything that appears to it to be conducive or incidental to the discharge of its functions."

If we just take that out, it would read:

"Except as otherwise provided by any statutory provision, ESA may

(a) enter into agreements;

(b) subject to Article 106 of the 1986 Order, acquire or dispose of property;

(c) subject to the approval of the Department, form bodies corporate or acquire or dispose of interests in bodies corporate;

(d) carry out, or commission or assist in the carrying out of, research;

(e) co-operate with, or provide advice to, other bodies established by or under a statutory provision."

Would that help to provide at least some satisfaction that we are not giving ESA a blank cheque? When people see the phrase "do anything", you can imagine the headlines about us creating an organisation that is Pol Pot for the 21st century.

Mr Lunn: OFMDFM. [Laughter.]

The Chairperson: I could not possibly comment on whether there is a comparison.

Mr Stewart: I must say, Chair, that is not one of the more flattering comparisons. [Laughter.]

The Chairperson: No, it is not.

Mr Stewart: Chair, may I make a suggestion? I understand the thrust of what you suggest, and that would certainly be technically possible as an amendment. That would then put the onus on the Department. If there is anything that we think ought to be on the list of things that ESA can specifically do, we should, of course, put that in. If you are minded to move in that direction, members may want to consider giving the Department the power to modify clause 22 by order subject to affirmative resolution. The reason for suggesting that is this: if, at some point in the future, we think of something that needs to be added to the list

and do not have such a modifying power, we would need primary legislation, perhaps to allow ESA to sign a contract for its headquarters' catering arrangements.

Miss M McIlveen: I agree with your comments, Chair. I am just concerned by what Chris said about our ending up with an amended clause that is amended just for the optics but does not really alter the original clause.

Mr Stewart: I would reassure Michelle by saying that the effect would be profound. It would mean that rather than a power to do anything, however qualified, ESA would have a power to do a specific list of things. I am suggesting that you may consider a power for the Department to add to that list. However, even that power is qualified by the requirement of the affirmative Assembly control procedure for there to be a vote in the Assembly in favour of such change before the Department could add to the list.

The Chairperson: I will just try to clarify that. Under the current power of direction — the infamous article 101 — if the Department wished to direct a board to do a, b or c, it could do so.

Mr Stewart: It could direct a board in the discharge of its functions but could not use that power to create additional functions.

The Chairperson: Right, and this would be the same. However, you are saying that if the Department wanted to create a new function, and we were minded to take this element out and put in a new paragraph (f), that new paragraph would allow the Department to give direction but subject to Assembly control.

Mr Stewart: I think that it is possible to do that without departing from the fundamental constitutional position, which is that a body such as ESA should not have any statutory functions other than those assigned to it by the Assembly.

Mr Kinahan: I like the amendment that limits the functions to a list. I wonder whether there is another way of looking at trying to alter the phrase "may do anything".

The Chairperson: I also take Michelle's point. Is there a halfway house through creating paragraph (f)? Clause 22 would then read:

"Except as otherwise provided by any statutory provision, ESA may".

That would be followed by paragraphs (a), (b), (c), (d) and (e). Finally, (f) would read:

"or appears to be conducive or incidental to the discharge of its functions."

However, would we, having simply taken out the words "may do anything", still be in the same place?

Mr Stewart: That might give rise to Michelle's concern because I think that it would be just the same again.

Miss M McIlveen: Maybe I am just overly suspicious.

The Chairperson: I would never have picked that up.

Miss M McIlveen: Will you come back with an alternative so that we can look at it again?

Mr Stewart: I can put this point to the Minister, but it is certainly technically possible to restrict the clause from its current provisions so that ESA is entitled to do things

that are on a list in the clause. You could stop at that point. However, I suggest that you may also wish to consider a power for the Department to add to the list but subject to the stronger of the Assembly control mechanisms. You might expect someone in my position to suggest that as a matter of administrative convenience because, if the need to change the list were to arise without our having such a power, the Minister of the day would have to bring primary legislation back to the Floor of the Assembly simply to add to a list of administrative functions that a body might do.

Mr Lunn: I have listened to all of this, and I cannot help thinking that if it were left as a list, something not on the list would nearly be bound to pop up.

Mr Stewart: Precisely.

Mr Lunn: What I do not like about the clause is the fact that the very first line states that ESA can “do anything” it likes — even start a world war.

Mr Stewart: That does not currently feature in the business case. *[Laughter.]*

Mr Lunn: That goes back to what Michelle said. It might be worthwhile considering adding a paragraph (f) that encapsulated something reasonably vague just to allow for what you might call minor and consequential matters.

Miss M McIlveen: If it is vague, are you not going back to the situation in which the Department and ESA could do anything?

Mr Lunn: It depends how you word it.

Miss M McIlveen: It would then be ambiguous, so ESA would be able to —

Mr Lunn: Paragraph (f) could state that ESA could take actions “conducive or incidental” to the discharge of its functions. It would not state that ESA could do anything. Alternatively, it could state that ESA could take actions that are “clearly conducive or incidental.” There are different ways to put a few words together.

Mr Stewart: It is possible to amend the clause or draft a different clause that avoids the particularly frightening pair of words “do anything”, but the net effect would be the same. The Assembly will have to decide whether it wishes ESA to have a power that is limited to a specified list or a power that has some form of catch-all in it, however it is worded. It is not difficult to make the cosmetic change to take away the particularly scary form of words, but the real decision is whether you leave a catch-all or not.

Miss M McIlveen: By having a catch-all, we are back to the same situation, which means that any change is really for the optics. I think that we have to be careful. I would like to see the alternative form of words and then make a decision.

Mr Kinahan: With negative resolution.

The Committee Clerk: With affirmative resolution. If I have understood correctly, members would like to park clause 22 for today and come back to it. You want to consider an amendment that would take out the words after “ESA may” up to “(a) enter into agreements” and add a line at the end of the clause that states:

“The Department may, subject to order, allow ESA to undertake other functions”

That would, however, be subject to —

Miss M McIlveen: I would be concerned about that line.

The Committee Clerk: Yes, but it would be subject to affirmative resolution, so the Assembly would have its say, and that would strike the balance that you want. Members feel that it is a balance between ESA having the power to be able to run its organisation and having Assembly controls that prevent ESA from being able to “do anything”, even if it appears to be conducive or incidental to the discharge of its functions.

I will speak to the Bill Office and have that tomorrow, I hope.

Mr Kinahan: How long does affirmative resolution take to get through?

The Committee Clerk: The statutory rule takes a couple of weeks, but it automatically goes to the Assembly for debate and a vote.

Mr Rogers: My question is basically on the same point. Whatever way the words are reworked, the reworking needs to reduce ambiguity and suspicion. No matter who you talk to, the phrase that jumps out is that ESA “may do anything” it likes. Along with that reworking of words, maybe we should have a ministerial assurance about it.

The Chairperson: Some would argue that —

Mr Craig: No comment.

The Chairperson: We have had a lot of those assurances in the past, across the piece. So are we happy to park clause 22?

Members indicated assent.

Clause 23 (Power of ESA to undertake commercial activities)

The Chairperson: Obviously, our concern about clause 22 means that we have concerns about clause 23 because this leads us into an area where, at the end of the day, the Department has considerable power over the commercial activities to be undertaken by ESA. Clause 23(5)(b), for example, provides:

“the Department may, by notice served on ESA -

(i) revoke the approval; or

(ii) modify the approval, whether by modifying the particular commercial activities or any conditions specified therein.”

That provision applies :

“(5) Where it appears to the Department that ESA—

(a) has failed to comply with any conditions subject to which an approval under this section has been granted, or

(b) has in undertaking any commercial activity in pursuance of such an approval contravened subsection (4).”

Subsection 4 relates to the undertaking of commercial activities.

There is a wider concern about the definition of “commercial activities”. Is the procurement of services deemed a commercial activity? Does ESA’s ability to

provide training and advice also come under the generic term “commercial activity”? The Bill does not specify what commercial activity is. It just uses the phrase and leaves it there.

Mr Stewart: It is, as you say, Chair, generic. The fact that it is not defined means that the term would carry its ordinary meaning. The other provisions in that clause, such as requiring departmental approval and the Department’s ability to restrict that, are there to ensure that such commercial activity as ESA engages in is not in any way detrimental, or an alternative, to its main business. Were ESA, for example, to develop a particularly good approach to staff training and development or to the delivery of HR functions that another public or even private sector organisation — say a district council or health organisation — wished to procure from ESA, the clause would allow for that to be done. It would allow ESA to recoup the costs of doing so and perhaps contribute to a greater overall efficiency in the public service of the provision of these sorts of services. However, it is important that the provisions allowing the Department to keep control of that remain so that ESA does not drift off into becoming a service-provision organisation but retains its core mission of being the Education and Skills Authority.

The Chairperson: Any comments?

Mr Lunn: I note that we previously agreed that we were content with this clause.

Mr Stewart: It does not seem to have lasted, Trevor.

The Chairperson: Some things change.

Mr Lunn: The same wording is used at clause 23(3)(a):

“to do anything which appears to ESA to be conducive or incidental to the exercise of any power”.

The Chairperson: Yes. I think that I would be more content to wait to see the outcome of clause 22 before we decide on clause 23 because they are, to use a well-worn phrase, inextricably linked. Is that OK?

Members indicated assent.

Mr Kinahan: We will have a very busy Assembly in the future, with lots of affirmative resolutions.

The Chairperson: Well, that will keep us busy. I draw members’ attention to clause 23(7) and 23 (8), which state:

7) Any approval or notice under this section shall be in writing.

(8) In this section “commercial activity” includes—

(a) the carrying out of work for any other body or person;

(b) the supplying of goods and services to any other body or person; and

(c) the developing and exploiting of ideas and the exploiting of intellectual property.

I would love to know what “intellectual property” means. I am not going to say what was on my mind, and I will not mention planes.

Miss M McIlveen: You started, so you really should finish.

The Chairperson: Is a private jet intellectual property?

Mr Stewart: No, Chair, it is not.

The Chairperson: Members will know that I am referring to the hire, by another organisation, of a private jet.

Mr Stewart: Let me assure you that the Department would not give approval to ESA being involved in any way in the procurement or leasing of aeroplanes. An example of intellectual property might be a particularly good or effective training course.

The Chairperson: Yes, it is not property in the sense of a material building; it is property in the sense of ideas.

Mr Stewart: Something that might be patented or copyrighted.

The Chairperson: We will reserve judgement on the clause until Chris comes back tomorrow.

Do members have any more concerns about clause 23, or do they all relate to what Sean said earlier about the phrase “do anything”? If we resolve that, we may have fewer difficulties with clause 23.

Mr Hazzard: Are you making the link?

The Chairperson: Yes, maybe I am not making it very well.

Are members happy to leave it there?

Mr Craig: Chris, is there a timescale attached to that? I believe that you cannot hold on to intellectual property for ever.

Mr Stewart: This provision would not affect the law generally on intellectual property and the rights of intellectual property owners. It simply uses the phrase as an example of something that ESA might make available on a commercial basis.

Mr Craig: Will the 10-year rule still apply?

Mr Stewart: If there is a 10-year rule, it will still apply.

The Chairperson: Members, with your indulgence, we will draw a line there. That will give the Committee Clerk and his staff time to do the necessary work and rehearse how we have come from clause 1 to clause 23. Some members want to be in the House, I am meeting at 12.00 noon the chair of the all-party working group on science, and there is a chairpersons’ liaison meeting at 12.30 pm. With your permission, we will suspend proceedings and resume at clause 24 tomorrow morning.

The Committee Clerk: There will be quite a lot to do tomorrow, so it will be a long meeting, but it will be the final Committee meeting on the Education Bill. I ask members to prepare for a long session that will go into the afternoon.

The Chairperson: Are members content that we suspend the meeting?

Members indicated assent.

Northern Ireland Assembly

Committee for Education

20 March 2013

Education Bill [NIA 14/11-15]

Members present for all or part of the proceedings:

Mr Mervyn Storey (Chairperson)
Mr Danny Kinahan (Deputy Chairperson)
Ms Michaela Boyle
Mr Jonathan Craig
Mrs Jo-Anne Dobson
Mr Chris Hazzard
Mr Trevor Lunn
Miss Michelle McIlveen
Mr Sean Rogers

Witnesses:

Mr Peter Burns Department of Education
Mr Chris Stewart

The Chairperson: Again, we welcome to the Committee Chris and Peter. The Department has tabled amendments, which are in the tabled pack. Most of the amendments touch on the employment and management schemes. As the Committee has not had the time to consider those amendments, I suggest that members simply note them for now. As we just got sight of those tabled amendments in the past few minutes, you will appreciate that we have not had enough time to give them due consideration. We are content to note the ministerial amendments, and then we will proceed.

On a point of accuracy, does that change the decisions that were made yesterday on the employment elements?

The Committee Clerk: As the letter indicates, that is not on the list of those amendments, so the decision on the heads of agreement, etc, has not changed.

The Chairperson: Chris, do you want to make any comment.

Mr Chris Stewart (Department of Education): I will echo that last point. I apologise for those being sent to the Committee so late, but it was not possible to provide them any earlier. It is a list of the amendments that the Minister currently proposes to bring forward. It does not cover the major issues, which, I think, are at the root of the Committee's decision to pause its consideration of the employment clauses. Those are the matters that will stem from amending the clauses and the references to the heads of agreement. Those matters are still under discussion. The Minister is not yet in a position to advise the Committee of his amendments.

The Chairperson: I know that the Department has a problem with numeracy, but it is a pity that they were not put in numerical order, at least. It goes clauses 2, 3, 5, 6, 7, 62, 34, 35. It makes it a wee bit more difficult for us. It is not that we cannot rearrange them, but —

Mr Stewart: It must have been some form of computer glitch, Chairman.

The Chairperson: Another technical error at the Department. There is probably a rationale for it.

Mr Kinahan: Chris, is there any hint of movement on the heads of agreement? Anything that we have just shows that discussions are ongoing.

Mr Stewart: Those would be the subject of political discussions, Danny, and I am not involved in them. I am not aware of the position.

The Chairperson: We are starting at clause 22. Obviously, we can refer to these at some stage as we go through. That might be useful.

We note the submission on the Bill from the Northern Ireland Teachers' Council, which was received yesterday and is included in our tabled items. We also have departmental/ministerial amendments in our tabled items.

Yesterday, the Committee agreed that it would not amend the Bill in respect of shared education but that it would adopt a suitably worded recommendation. That is included in the tabled items. The suggested wording for the recommendation is:

"The Committee recommends that the Department and ESA should give consideration to the promotion of collaboration and the sharing of resources between schools regardless of their sector where this will enhance the effective management and efficient provision of educational services to the betterment of the educational experience for pupils."

That is what is before us. Are members content with the recommendation, as worded?

Mr Kinahan: Is there any limit on "resources"? Is it every form of teaching through to grounds, classrooms, and so on?

The Committee Clerk: It is up to members. Do members want it to be limited?

Mr Kinahan: No. It should be as wide as possible.

The Committee Clerk: I was being fairly vague.

The Chairperson: Are we happy enough? Agreed?

Mr Stewart: There is one point that members might wish to consider. The phrase "educational services" is defined in the Bill, and I suspect, from the wording of the recommendation, that you want to use it in a slightly different way. It is not fatal to the recommendation, but it might cause confusion.

Mr Hazzard: What about "education"?

The Chairperson: Could we drop "services" and put in "education"?

Mr Stewart: That would fix it.

The Chairperson: Are members happy enough?

Members indicated assent.

Clause 22 (Ancillary powers of ESA)

The Chairperson: Let us commence with clause 22 and try to work our way through it. We are going back to the ancillary powers of the Education and Skills Authority (ESA). The clause allows ESA, subject to other statutory provision, as stated, to do anything that appears to it to be conducive or incidental to the discharge of its functions. The Committee previously noted a departmental response comparing ESA's powers to those of the Charity Commission. Yesterday, the Committee reserved its position on the clause pending sight of an amendment. That amendment is included in tabled papers.

The Committee Clerk: In line with yesterday's discussion, the amendment strikes out the wording after "ESA may". The wording "do anything that appears to it to be conducive or incidental to the discharge of its functions" has been removed, and the clause is left with the list (a), (b), (c), (d) and (e). That is followed up with: "the Department may by order amend" this particular subsection. That would allow the Department to bring regulations, which would require Assembly approval, to change that list. The list cannot be changed unless the Assembly approves, thus dealing with the Committee's concerns in this regard.

The Chairperson: Any comments? I will give you a minute to consider that.

If there were not the insertion in clause 22, "the Department may by order amend subsection 1", would that restrict ESA making any request to the Department, at any stage, to make a change?

Mr Stewart: It would not restrict ESA's ability to suggest a change, but that change would have to be achieved by bringing a Bill to the Assembly. It would require primary legislation to amend it, whereas the suggested addition to the amendment would allow that to be done by order, by subordinate legislation, albeit subject to the strong method of Assembly control.

The Chairperson: It could not just be done by regulation?

Mr Stewart: It would be by subordinate legislation, but not at the whim of the Department; only with the specific approval of the Assembly.

The Committee Clerk: The approval required would be through affirmative resolution, so there would have to be a debate in the Assembly. The Assembly would have to vote to allow ESA to be able to change that list.

The Chairperson: Is there agreement that the Committee is content with the amendment to clause 22 as drafted?

Members indicated assent.

The Chairperson: Is the Committee content, subject to the consequential amendment, with clause 22 as amended?

Mr Rogers: I just have one quick query. Clause 22(2)(e) reads:

"co-operate with, or provide advice to".

Does that cover consultation and negotiations with unions on matters with regard to the discharge of the functions of ESA?

Mr Stewart: No. I would not see that as falling under that clause. There would be a number of specific requirements for consultation. Indeed, when members have an opportunity to study the Minister's amendments, they will see that a number of them propose a statutory right of consultation for trade unions on various ESA functions. I do not think that the more normal business of negotiation with trade unions would be covered by any specific provision in the Bill.

Mr Kinahan: In the part of the Bill on area planning, it talks about consulting with sectoral bodies and others. Here, it talks about other bodies that are established by or under a statutory provision. Does that then exclude ones that it would appear to be worth consulting? Have we got two sets of standards here? We have bodies that are set up by regulations, and then we have others.

Mr Stewart: The main thrust of that provision, Danny, is not really about consultation as such; it is about co-operation. Perhaps I could give you an example of something that I would see falling under clause 22(2)(e), which reads:

"co-operate with, or provide advice to, other bodies established by or under a statutory provision."

One part of the Bill that members thought was particularly important was the set of provisions on child protection. Under that clause, one would expect ESA to work very closely with health and social services organisations and to co-operate with them and the Department, perhaps, on joint inspections and that sort of thing.

Mr Kinahan: Thank you.

The Chairperson: Are there any other comments?

Miss M McIlveen: Can I just get some clarification? When it says that the Department may by order amend subsection 1, does that mean subsection 1 of clause 22?

The Committee Clerk: Correct.

Miss M McIlveen: Have you not essentially removed subsection 1?

Mr Stewart: The net effect of the amendment would be to introduce a new subsection 1.

Miss M McIlveen: What would that be?

Mr Stewart: Essentially, it would be the additional words that are proposed and the list of things from (a) to (e). The amendment appears to be technically sound from the Department's perspective. The Minister will have to give his view as to whether he agrees with it. However, it appears to be technically sound and to have the effect that members discussed yesterday.

Miss M McIlveen: Is it not, essentially, just saying exactly the same thing?

Mr Stewart: No. I think that it is actually a very significant change. The clause, as currently drafted, leaves it really open to ESA to decide what its ancillary functions would be. The effect of the amendment is to limit those ancillary functions to the things that are already specified in the clause or which could be added by subordinate legislation. To sum that up in one pithy sentence: it takes away the catch-all. It absolutely takes away the "do anything" about which many stakeholders were concerned.

The Committee Clerk: To reassure members: the amendment did not come from the Department. I got the Bill Office to draft it for me, so I asked the Bill Office to do the thing that members asked for yesterday.

Mr Stewart: If that makes it more credible, we welcome that. *[Laughter.]*

The Committee Clerk: It did not come from the Department; it is from the Bill Office. I knew what members wanted. I said, "Please, do this." It seems to me that it does exactly what members requested.

Miss M McIlveen: That is fine. I am happy with that explanation. It is just that the Department is being very conciliatory in all of this, which makes me suspicious. *[Laughter.]* That is fine. Thank you.

Mr Stewart: Would members please not tell the Minister that we gave the impression that we were conciliatory? *[Laughter.]*

The Chairperson: The reality is it is in the Hansard report. *[Laughter.]*

Mr Stewart: We are in trouble now, Chairman.

Miss M McIlveen: You will forgive me for being suspicious. I have been on the Committee for a very long time.

The Chairperson: After six years, you do get suspicious.

Is the Committee content, subject to the consequential amendment, with clause 22 as amended?

Members indicated assent.

The Chairperson: I just want to thank the Bill Office for its help with that clause. That was useful.

Clause 23 (Power of ESA to undertake commercial activities)

The Chairperson: This clause allows ESA to undertake commercial activity as approved. The Committee previously agreed informally that it was content with the clause as drafted. Yesterday, however, members indicated concerns about ESA's power to "do anything" in clause 23(3)(a). It states that ESA has the power:

"to do anything which appears to ESA to be conducive or incidental to the exercise of any power conferred under this section".

An amendment to deal with the concerns has been tabled. Peter, do you want to talk us through it?

The Committee Clerk: The proposed amendment is in the tabled papers. It strikes out those two lines at the bottom of page 12 and adds the similar line:

"The Department may by order amend the powers granted to ESA under this section."

So, it is the same again with affirmative resolution requiring a vote in the Assembly before the list can be altered. However, we have taken away the "to do anything" line that the Committee was worried about.

Mr Kinahan: Subject to the Minister agreeing.

The Committee Clerk: No, this will be a Committee amendment. If the Department wants to support it, so much the better, but the Committee is agreeing this amendment.

Miss M McIlveen: Given the form that Chris is in today, I think that he would agree to anything.

Mr Stewart: Chris is not the Minister. *[Laughter.]*

Miss M McIlveen: I think we have worn him down.

The Chairperson: The wording is:

"The Department may by order amend the powers granted to ESA under this section."

Is that to keep it consistent with what we said about clause 22? It may be only a play on words, but does it not refer to clause 23(1)?

The Committee Clerk: For both clauses, we are taking away the catch-all wording. However, the Department argued that, if you do that, you make it very hard for ESA to do its job. The Committee does not want that, so it is allowing the Department to amend the list of things that ESA can do but it is wisely including the requirement for Assembly assent.

Mr Rogers: That was the point that I wanted clarified.

The Chairperson: Are you happy enough?

Mr Rogers: Yes.

The Chairperson: OK. Any other comments on that?

So, at the end of (a) we would have:

"The Department may by order amend the powers granted to ESA under this section."

The Committee Clerk: You are striking out those lines and putting that line at the very end of the clause so that it could amend anything in those subsections but only with the Assembly's agreement.

The Chairperson: Is there consensus that the Committee is content with the amendment to clause 23 as drafted?

Mr Kinahan: What then happens to clause 23(3)(b)?

The Committee Clerk: We renumbered it (3)(a).

Mr Kinahan: It is as simple as that; so it does not exist.

The Chairperson: OK.

Is the Committee content with the amendment to clause 23 as drafted?

Members indicated assent.

The Chairperson: Is the Committee content, subject to the consequential amendment, with clause 23 as amended?

Members indicated assent.

The Chairperson: That deals with the issues that we raised yesterday about those two clauses.

Clause 24 (Area education plans)

The Chairperson: This clause defines an area plan for education, which is to include a map of the affected area; an assessment of need for schools, youth services and educational services; an assessment of existing provision; and proposals for meeting need. The Committee reserved its position on this clause and the related area-planning clauses, which are 25 to 30.

This is an area of considerable concern. We have only to look at even recent announcements or action through the existing structure to know that there is little confidence in the area-planning process. Do members have any comments or questions? We are on clause 24, although the concerns cover the whole issue of area planning from clauses 25 to 30.

The Committee Clerk: I think, Chair, what you are saying is that Members may have concerns about, for example, consultation issues, which comes up in clause 28 — “Involvement of relevant interests” — but we are now talking about clause 24.

Mr Hazzard: Did we ever get word back from the Department on the legislative competence of working with southern authorities?

The Committee Clerk: I think that we did, Chair. It indicated that such amendments would not be competent.

Mr Hazzard: OK; no problem.

Mr Kinahan: Is there room to put something in that relates to having an overall strategic area plan? There is reference in clause 24(1)(a) to a map. Due to the way in which the area plan sits at the minute, none of us has an idea of the overall plan. We know a lot of guidelines on what we want to happen.

The Chairperson: Chris, let us look at the process, to date. We basically have five area plans. Clause 24(1)(a) mentions:

“a map of the area to which”.

It does not say, “a map of Northern Ireland plc should apply.” I assume, although it could be a wrong assumption, that there could be a number of these maps. Is that correct?

Mr Stewart: Yes. I imagine that there will be more than five plans, and, therefore, more than five areas.

The Chairperson: Subsections in the current plans are broken down mostly, but not always, along current council boundaries. That is how most of them were set out yesterday.

Mr Stewart: I imagine that that would be the sort of approach that ESA would adopt in the early days. As time goes on, and as the planning process matures and becomes more sophisticated, we envisage that the areas might not simply coincide with council boundaries. They may be the result of a more sophisticated analysis of where children and young people live and where they travel to receive their education.

The Chairperson: Do members have any further comments?

Mr Stewart: If members were to look at the Planning (Northern Ireland) Order 1991, they would see that the provisions there mirror, quite closely, the planning provisions. The description of an area education plan is quite similar to the description, in law, of an area plan for land use.

The Committee Clerk: Yesterday, one member had concerns about area planning and starting new integrated schools. The Committee agreed to consider that issue when it was looking at schedule 7 and the possibility of this applying to area plans around the case of starting

new work for the transformation of schools into integrated schools.

The Chairperson: Do we want to take clauses 24 to 30 collectively? Or, do we want to deal with them individually?

Mr Kinahan: Take them all through collectively.

The Chairperson: To jump ahead a wee bit: clause 28 brings an issue that was raised about sectoral bodies and the power to consult. Of course, concerns were raised about clause 28(4), which states:

“ESA may make arrangements with a view to securing that the persons mentioned in subsection (5) are involved in and consulted on”.

If I remember correctly, an issue was raised in writing around the use of “may”, and it was stated that it should be “shall”. That would strengthen that, but, maybe, we are jumping ahead too far. It would be better if we took these clauses individually. I think there is a general concern, per se, around the whole methodology of area plans. That would certainly be my view. Until you resolve who the managing authority is and where everybody stands with regard to what is being discussed on the issue of who the employer is, it is difficult to see how you could have a resolution of the issue of area plans because, in a sense, they are linked. There is still that issue of concern that is being raised.

Mr Rogers: I just want to go back to Chris’s point and the point that the other Chris raised earlier. Certainly, there is no educational benefit to be derived from sticking closely to council boundaries. I could see that there would be a totally different plan in part of my constituency. If I, then, move to along the border, is there not some responsibility on ESA to take cognisance of cross-border initiatives that could lead to more effective education? Is there not a need for something?

Mr Stewart: I think that that would be reasonable and sensible for ESA to do. The difficulty with the particular amendment that was proposed was that it purported to place a duty on ESA to consult authorities in another jurisdiction. The legal advice is that that would be beyond the Assembly’s competence. However, the general point that you make is an absolutely sound one. We know that there are children and young people who choose to travel from one jurisdiction to the other, in both directions, to avail themselves of education. It would make sense for ESA and the corresponding authorities in the other jurisdiction to take account of that in all that they do in relation to planning. The numbers are not huge. Nevertheless, they should not be overlooked.

Mr Rogers: Thanks, Chris. That is helpful.

Mr Hazzard: I understand the inability to fit that in competently in the legislative framework. How do you get that cognisance into it, though? Is there an avenue to go down to get that in, or is it just an assurance from the Minister? How do you get that context put in?

Mr Stewart: Members might find an assurance from the Minister helpful on what he will expect in terms of ESA doing that administratively. I think that that is the answer. This is something that could be achieved administratively. It is difficult to capture the spirit of what members are looking for in a competent amendment.

Mr Hazzard: I tend to agree with that. Maybe we could look at an assurance from the Minister or, again, a recommendation in the report. Something along those lines: that we should take cognisance of the fact that that happens along that corridor, both ways across. I know that Michaela has spoken on that. She does a lot of work with families on the other side of the border who want their children to go to schools in the North. Perhaps that is something that we could capture coherently.

The Chairperson: Are there any other comments?

The Committee Clerk: Chair, I am not clear whether the Committee supports that suggestion of a recommendation. I can certainly indicate in the report that some members felt strongly that cognisance should be taken of cross-border provision. However, is it the case that the Committee wants a recommendation to that end?

Mr Kinahan: I met the principal of a school across the border who said that if we started to open up our borders, all of his students would come North and that would be the end of his school. There is a whole mass of other factors. We have got to be very careful. My temptation is to hold back with regard to a Committee view.

Mr Hazzard: Danny has highlighted the need, then.

Mr Kinahan: It works both ways.

Mr Hazzard: Exactly. There is a need, then.

Mr Stewart: On that point, what I was suggesting — and I hope that I was reflecting accurately Mr Hazzard's suggestion — was that planning should take account of choices that are made by parents, children and young people under current law, which allows for travel North/South and South/North. Nothing in the Bill or that recommendation would change that position in law. So, it would not open it up or close it down in any way. The opportunity to move between jurisdictions exists already.

The Chairperson: Are there any other comments?

I think that what we are saying is that that should be reflected as a view that was expressed, rather than as a Committee consensus. There are issues. Obviously, I have concerns. I appreciate that there is an issue for students in the Irish Republic who want to access education in Northern Ireland, and a smaller number the other way, but the current legal position is as it is, and that is the way that it will be. I am reluctant to be a flag-waver for opening up the border, as that takes us into completely different territory. However, I appreciate that there are Protestant pupils along the border in very small Protestant schools who are under the jurisdiction of the Irish Government, and who have concerns about a variety of these things. Therefore, it would be better reflected as being members' views.

Mr Hazzard: Taking your point, and without getting into the rights and the wrongs of the issue, we should at least acknowledge that there is an existing situation and that area planning should pay respect to the issue that exists. I am not asking area planning to solve the issue, but certainly it is a context that exists in area planning, and I think that it should find a way into our report or have an assurance from the Minister that area planning will pay cognisance to the issue. I am not asking it to solve the issue indefinitely.

The Chairperson: Danny.

Mr Kinahan: No, I was not on this.

Mr Rogers: That is why I brought it up first of all. Area planning should do its best to sustain rural communities, not do the opposite and wipe them out completely. That is where I am coming from. I am not worried whether it is County Monaghan or County Armagh, or wherever: it is about sustaining those small rural communities, whether they are unionist or nationalist. Monaghan Collegiate School is across the border and it needs extra pupils. We have problems with Brollagh, which has a very small school a few miles from Ballyshannon but an hour-and-a-half's drive from Enniskillen and whatever else. There has to be something in the ESA Bill that leaves that opportunity open. As you said, Chris, it is not about putting a duty on ESA to ensure this, but it is about having cognisance of what is happening North and South and doing what we can to maintain rural communities.

The Chairperson: Are there any other views? Are members more content with the recommendation, or should we reflect in the report that it would be the views of members? My view is that it reflects the view of members, rather than a recommendation.

Mr Hazzard: I think that it should be more. It is an issue. I formally propose that it should be a recommendation or an assurance from the Minister.

The Chairperson: There is a proposal from Chris. Does anybody second that?

The Committee Clerk: It does not need a seconder.

The Chairperson: It does not need a seconder. OK.

The Committee Clerk: Sorry, Chair. I think that members are confused. The motion is that there be a recommendation in the Committee's Bill report, which is seeking a ministerial assurance and indicating that the Committee believes that ESA should be cognisant of cross-border issues in developing its area plans.

The Committee divided:

Ayes 3; Noes 5.

AYES

Mr Hazzard, Mr Lunn, Mr Rogers.

NOES

Miss M McIlveen, Mr Craig, Mr Kinahan, Mr Storey, Mrs Dobson.

The Committee Clerk: The motion falls.

The Chairperson: That will be reflected in the report.

The Committee Clerk: Yes.

Mr Kinahan: I am going back to the point. We are talking about all the area planning clauses. The issue I see is that you have the sectoral bodies. Do we name them or list them so that we know who they are? We also need more clarification on the consultation and, linked to the consultation, the Scottish system had a more forceful way of how we should consult, particularly in rural areas. That took us on to the rural point of view, and they had also put in a presumption against, although it was not quite written like that. However, I think that we should look generally at how all that affects all these clauses, because we should be protecting the rural side and, at the same time, putting

in some affirmative resolution. I just think that there is more to be thought out in all these clauses, but we cannot do that individually.

The Chairperson: So do we want to reserve our position on clauses 24 to 30?

Mr Kinahan: That is my feeling.

The Chairperson: The two issues that have been raised most repeatedly are — obviously the issue of the rural proofing, and we got the paper on the Scottish model and the work that they did in looking at how to protect rural schools. The other one was this issue around clause 28 about ESA “may make arrangements”. That was the whole issue of consultation. I do not know what it would look like on the rurality and the rural issue, but is there any view on amending 28(4) from “ESA may” to “ESA shall”:

“make arrangements with a view to securing that the persons mentioned in subsection (5) are involved in and consulted on”.

Mr Rogers: I think we just need to be careful. All our own definitions of “rural” are very much as opposed to outside Belfast and Derry. We need to be clear that it is our definition of “rural”, not the “outside Belfast and Derry” one.

The Chairperson: The current legal definition of “rural” is anything outside the 30 mile per hour limit of the two cities.

Mr Kinahan: Do we need to define it in our own way? Do we need a new definition of “rural”?

Mr Rogers: No, I think that Mervyn’s definition is fine: outside the 30 mile per hour limit and outside Belfast and Derry.

The Chairperson: That is the definition currently.

Mr Rogers: Is the Department’s definition not just outside Belfast and Derry?

The Chairperson: That is the same thing. It is outside the 30 mile per hour limit of the two cities. Is that right, Chris? Is that the definition of “rural”?

Mr Stewart: I would have to check that, Chairman. It is not something that I am familiar with.

The Chairperson: That is my understanding.

The Committee Clerk: On a point of clarification, that is the definition used in the sustainable schools policy. There is another definition. If you remember, the Committee wrote to all the library boards and the Department about this. The reply was that they were told by the Department to use the sustainable schools definition of outside Belfast and the City of Culture. So, point of information.

Mr Stewart: Chair, I would draw members’ attention to clause 30, which members may or may not feel might provide the answer to a number of those things. If the concern is about the area planning process and how it will be carried out, clause 30 proposes a power to make regulations on that very thing. A number of matters that have been referred to in evidence given to the Committee, and the amendments suggested, seem to the Department to sit more naturally in subordinate legislation, rather than on the face of the Bill. That is exactly why that provision is there.

Mr Kinahan: The other point is if you through the whole group of clauses. For example, clause 25(1) says that ESA

“may” and “shall”. There is strength in all those clauses. When you get to clause 30, and taking on what Chris has just said, do we not look again for the conciliation that it is an affirmative resolution when we get to water it? Leave the power with the Department, but, at the same time, put a check in place.

The Chairperson: In relation to clause 30 —

Mr Kinahan: It is the whole lot of them. They all have strength hidden in them.

The Chairperson: Can you explain why it would be necessary, in clause 25, to say that ESA “may” and “shall”? Why is it necessary to have both?

Mr Stewart: The overall approach recognises that area planning is a relatively new concept in education. Like most new concepts, we approach it cautiously. So we hope, and propose through these clauses, to equip ESA with the full range of powers that it will need to be an effective area planner. However, the backstop is there for the Department to intervene if necessary, either by, in that instance, requiring ESA to make a plan or, more generally, by bringing forward subordinate legislation to govern how the area planning process would work. It remains to be seen to what extent the Department will have to use those powers, or to what extent we can rely on ESA to administratively discharge the function in an effective manner.

The Chairperson: But, basically, is that not the situation that, if the Department currently — let us be blunt about it. The problem that the Department has at the moment is that it cannot get the boards to do what it ideally wants, which is to bring forward more radical proposals. We have had two stabs at it. In the post-primary sector, it has not yielded what, I think, the Department probably thought was a good outcome. It has now gone into the domain of the primary schools, and I suspect that that will not yield exactly what it is. However, the catch-all here is that if that process was not to work under ESA, the Department would have the power to direct ESA to produce a plan.

Mr Stewart: That is absolutely right, Chair. The Minister is on record of expressing his views about what he sees as the shortcomings in the current approach to area planning. As you rightly say, that approach is not based on specific legislative provisions. The clauses in the Bill would remedy that. You are absolutely right, Chairman: if the Minister, or a future Minister, felt that ESA was not taking forward area planning in the way that he or she wished, the powers would be there for the Department to do something about that.

The Chairperson: In clause 30:

“The Department may by regulations make provision”

Those would be subject to the affirmative —

The Committee Clerk: It is currently negative.

The Chairperson: It is currently negative, is it not?

Mr Stewart: Peter is just checking that for me. I imagine that it is negative; that is the default approach. It is only in instances where members’ level of trust and confidence in the Department is not all that it might be that you would, perhaps, look for the stronger control mechanism.

Mr Kinahan: So, do we put affirmative all the way through?

The Committee Clerk: In sum, on these clauses, is it the case that the Committee is reserving its position on clauses 24 to 30? It wants to put down a recommendation that there should be a “duty” on ESA to consult, rather than the, as it is currently worded, “permissive”. It is also the Committee’s recommendation that area plans be appropriately rural proofed. Members have set out other issues which could be recorded in the Bill report. It also sounds as if members want to amend clause 65 so that the regulations made under clause 30, which refer to area planning, would be subject to affirmative resolution.

Mr Hazzard: Is there consensus on what “rural proofed” means, definitively?

Mr Stewart: There would be guidance on that from the Department of Agriculture.

Mr Kinahan: One nagging thing going through my mind is that it is all very well to look at “rural”, but where, in an urban setting, ie Londonderry or Belfast, you have a community that is, let us say, divided away from the rest of the city, do we not meet the same problems as we do in rural proofing? If you take away schools, you destroy the community. I am going back to the Scottish model. I am asking anyone from Belfast here: are there areas like that that would really be cut off, but are within the system? Should we be looking at a clause that gives a little bit of protection into consultation or the effect on a community? Or does that make it far too complicated?

Mr Stewart: The Minister’s view would be to ask the Committee to consider very carefully the balance between subordinate legislation and primary legislation when it comes to the detail of the area process. It seems to us that a number of the amendments would sit more naturally in the territory of subordinate legislation, in which, of course, the Committee could have a significant role.

Mr Kinahan: OK.

Mr Stewart: Also, on the proposal in clause 28 to change the power to consult involved to a duty, I think that the Department would ask members to consider the risk that might be involved in that. The list of those that ESA would have a duty to involve would be long and wide. We think that there would be a significant risk there of judicial review. This was summed up very neatly in the evidence from the Northern Ireland Youth Forum: there would be a significant risk of judicial review or challenge from anyone not involved or consulted as part of that process.

The Committee Clerk: On a point of clarification, I think what is suggested is that the Committee make a recommendation, not an amendment, so that it would be, then, for the Department to action the Committee’s recommendation in such a way that it does the things that the Committee wants and protects itself from judicial review.

The Chairperson: OK. What is the view on clause 62? Can we try to stay on this and summarise what Peter has given us, as this will be reflected in our report? We would then be making a change to clause 65, which deals with regulations and orders:

“Except as provided by subsection (2), regulations under this Act are subject to negative resolution.”

The Committee Clerk: All that we would do to that clause is, after 4(6), insert — sorry, I will start again. In terms of that clause, what we would do is, instead of there being

an exception to there, so that all of the powers under the Act are subject to negative resolution, except for those under clause 62, we would just change that list so that it would now include clause 30, and it would be subject to affirmative resolution. That could be quite neat.

The Chairperson: Are members clear on what we are endeavouring to do? Are you happy enough with that? We will come to that anyway, at some stage later on. It is just important to note it, because it is relevant to the issues in relation to the area plan. OK. So are we content that the report reflects the issues that Peter rehearsed as our views on clauses 24 to 30?

Mr Rogers: Do we take it as read that, within this section on area planning, ESA will review all area planning decisions to date as part of this?

The Chairperson: Revision of plans under clause 25? No?

Mr Stewart: The plans under preparation would not have the same status as an area plan produced subsequently by ESA. I do not think that we could state automatically that ESA would review all the existing plans. It may or may not do that, or it may be directed to do so by the Minister.

Mr Rogers: It may, but it may?

Mr Stewart: It could do. ESA could decide, on the first day that it comes into operation, that it wishes to revisit all the planning work that has been done, or the Minister of the day could direct ESA to do that at any stage, but it is not specified one way or the other in the Bill.

The Chairperson: Sean, are you happy enough?

Mr Stewart: I am sorry, Sean, if that answer was not particularly clear. I am trying to be cautious and avoid using a form of words that would give anyone studying the Hansard record the impression that we were suggesting that decisions that the education and library boards and the Minister might make now, particularly about individual schools, would somehow only be provisional and could be overturned by ESA in due course. I think that that would be an unfortunate impression to give. The Minister has made it clear that he wants to see progress on area planning now.

Mr Rogers: But you would think that the work done so far would at least be a good starting point.

Mr Stewart: Again, I do not want to give the impression that it would all simply be overturned when ESA arrives.

The Chairperson: OK. Are we agreed on that approach, members?

Members indicated assent.

The Chairperson: The whole issue of area planning will obviously be ongoing.

Clause 31 (Dissolution of certain statutory bodies)

The Chairperson: This clause dissolves the education and library boards, the Council for Catholic Maintained Schools, the Staff Commission for Education and Library Boards and the Youth Council for Northern Ireland. The Committee previously reserved its position on the clause, the reason being that if the clause is not approved, we do not have an ESA.

Mr Stewart: Sine qua non, Chairman.

The Chairperson: I take it that the Committee reserves its position, because obviously it is connected to and associated with any resolution of the previous issues that we raised. Do we reserve our position on clause 31?

Members indicated assent.

Clause 32 (Transfer of assets, liabilities and staff)

The Chairperson: This clause applies to schedule 4, which allows for the transfer of assets, liabilities and staff of the dissolved bodies to ESA. The clause also applies to schedule 5, which deals with the transfer of assets, liabilities and staff of CCMS to ESA. The clause also applies to schedule 6, which deals with the matter of transfer from the Department to ESA. The Committee has sought a response from the Department setting out the assets, liabilities and staff posts that are to transfer, and, as yet, we have no sight of that information. Is there any update on that, Chris?

Mr Stewart: Unfortunately not, Chairman. It is still being worked on.

The Chairperson: The Committee previously reserved its position on this clause as well. I take it that it is the same position, for the same reason?

Members indicated assent.

Clause 33 (Schemes of management)

The Chairperson: This clause requires every grant-aided school to have a scheme of management. The scheme will set out the membership and procedures for the board of governors. The scheme must be consistent with the legislation, including the Education Bill, and with any governance instrument of the school. The board of governors must give effect to the scheme of management. The scheme of management for an Irish-speaking school or a school with an Irish-speaking unit must require the board of governors to use its best endeavours to maintain the viability of the Irish-speaking school or Irish-speaking unit.

This clause deals with the management schemes. The Committee previously felt that it required clarification from the Minister on whether ESA or the board of governors of certain types of schools would be the employer of staff. The Committee therefore reserved its position, pending a response from the Minister on the sole employer question. As the Department cannot provide clarification on the heads of agreement question, the Committee can reasonably refuse to agree, amend or oppose the clause. Members could take the view that this clause is similar to clauses 34 to 37.

Mr Hazzard: I welcome the suggested amendment about involving the trade unions and sectoral bodies. I was going to suggest something similar, so that is to be welcomed.

The Chairperson: That is in reference to —

Mr Hazzard: I am on 33.

The Chairperson: Sorry, you are referring to the potential ministerial amendments, including a requirement for the Department to consult sectoral bodies and education trade unions before producing guidance and model schemes. Would that include the current model schemes that we have seen?

Mr Stewart: That would happen anyway. There is consultation ongoing with sectoral bodies and trade unions.

The Chairperson: We have only seen the draft ones, and they are out for consultation.

Mr Stewart: That action is informal at present, because, obviously, the Bill is not yet law. The amendments that the Minister has proposed would give effect to what is current practice anyway.

The Chairperson: Right, but it would be a formal consultation for a 12-week period?

Mr Stewart: Yes.

Mr Kinahan: Who else is consulted? Unions and governors are consulted, but there is no scheme to talk to teachers outside the union system.

Mr Stewart: The consultation with unions is in their capacity of representing the interests of staff employed at the school. There is no specific proposal to consult parents.

Mr Kinahan: One of the briefings that we got told us that the Scottish system consulted parents and future parents. I do not see how you could do that given that there are so many parents, but that is the one group that we leave out completely. Parents should maybe be represented.

Mr Stewart: Essentially, that is a policy question that members will want to take a view on. There is not currently a proposal to consult parents, simply because the focus of the scheme of management is very much on the operation and the day-to-day governance and management of the school, which is clearly the territory of the principal, the senior management team and the board of governors. That is not to say that parents do not have an interest in it; of course they do, but it is not as close an interest as it is in some other matters.

The Chairperson: We have not seen the actual amendments, but the potential ministerial amendments that have been submitted for clause 34 are about:

“A requirement for a submitting authority to provide to any person on request a copy of any scheme of management in operation.”

“Changes to reflect outcome of political discussions on management provisions and the Heads of Agreement.”

The suggested amendment to clause 35 — reserve power of ESA to make scheme of management — is about:

“Changes to reflect outcome of political discussions on management provisions and the Heads of Agreement.”

The suggested amendment to clause 36, which is on revised schemes of management, is for:

“A requirement for a submitting authority to consult relevant trade unions before submitting a revised scheme.”

Are members generally content that, if those amendments were made, they would find favour?

Members indicated assent.

Mr Stewart: In essence, the Minister has responded positively to a range of suggestions from trade unions around consultation. We are not in a position to agree with

some of the other changes that they have suggested, but, on consultation, it is absolutely at one with what is proposed.

The Chairperson: We have a concern about being consistent with clause 2(5). Clause 33(5) says:

“The scheme of management for an Irish speaking school shall require the Board of Governors to use its best endeavours to ensure that the management, control and ethos of the school are such as are likely to ensure the continuing viability of the school as an Irish speaking school.”

I do not see why any particular sector should be taken by the hand and given preferential treatment. That is our view consistent with what we have stated about clause 2(5).

Mr Kinahan: That should apply to all sectors. There should be no preference.

The Chairperson: Yes. I have no difficulty if the scheme of management of a school is there to ensure the board of governors uses:

“its best endeavours to ensure that the management, control and ethos of the school are such as are likely to ensure the continuing viability of the school”.

That is what it should be. That is called equality or parity of treatment.

Mr Stewart: A clause constructed in the way that you have suggested would be technically possible. If the requirement were to ensure the viability of the school as a particular type of school, that could run into a difficulty, because there are provisions in law for schools to transform to grant-maintained integrated status, and a provision that clashed with that would be technically unsound. You might ask why that does not occur in relation to Irish-speaking schools. It is because the requirement to be or not to be an Irish-speaking school does not change a school's management type. However, for example, a duty on a board of governors to keep a controlled school within the controlled sector might clash with the provisions on transformation.

The Chairperson: So, in essence, you are saying that, if a school goes for a transformation change, it changes the make-up of the board of governors.

Mr Stewart: A duty to keep a school viable is possible. A duty to keep a school viable but within a particular management type would clash with some other provisions.

Mr Kinahan: Clause 34(2) states that the Department may issue guidance with the approval of the Office of the First Minister and deputy First Minister. Is that something that we want to push, or do we want to allow a little bit of control through the education system, certainly with reference to this Committee? It just seems strange. I am uncomfortable with passing everything to OFMDFM.

The Chairperson: Sorry. Where are we at, Danny?

Mr Kinahan: We are on page 18. It is clause 34(2).

The Chairperson: I suspect that the reason for that was a decision to try to ensure that no regulations or issues would be brought into the scheme of management.

Mr Kinahan: I am happy with that, but I somehow think that this Committee —

The Chairperson: Yes, I see what you mean.

The Committee Clerk: Is the Committee suggesting that it wants the addition of regulations around the issuing of guidance so that it would have to come to the Education Committee?

Mr Stewart: I have to observe that that would be a remarkable degree of control over the administrative matter of producing guidance. It would be unprecedented in my experience.

Mr Kinahan: If you follow my logic, though, to have —

Mr Stewart: No hint of conciliation there at all, Chairman. It is now absolutely gone.

The Chairperson: Your conciliation is gone out the door.

Mr Kinahan: My logic is that this Committee knows most about education, yet we are passing it up for approval with OFMDFM without any link here.

Mr Stewart: I am sure that the Minister would expect the Committee to be consulted about draft guidance. We would do that as a matter of course. The suggestion is to take what is an administrative function of producing guidance, which is already proposed to be regulated in a most remarkable way by reference to another Department, and also to make that guidance subject to regulations, which themselves will require Committee approval and, perhaps, affirmative resolution. It is for members to take a view on that, but I merely observe that that is a remarkable degree of control.

The Chairperson: I need to say that they are guidance, and we need to stay within the definition of what guidance is. It is that: guidance. OK?

Mr Kinahan: I am happy with that.

The Chairperson: Our concerns relate to clause 33(5) and 33(6), because those deal with the same issue.

Mr Rogers: I have no concern with clause 33(5) or 33(6), but, similarly, there is a duty there to encourage integrated education. There is a duty there to encourage and continue to support faith-based education.

The Chairperson: Yes, but our view is that, if it is not there, the general duty is to ensure that the schemes of management are of such a nature that they are for the management and running of the school, irrespective of what type it is. The issue of type has already been defined, and the issue of the nature of the school has been defined. My worry about this is that, if you start in the position where you begin to specifically give one or other sector more than what some of us would argue they already have, you then create a further imbalance in the way in which those schools are governed, or, under the schemes of management at least, are managed.

A scheme of management should be about just that; it gives effect to the management arrangements of a school. However, should we then put into legislation that those schemes of management should, in some way, ensure the management, control and ethos of a school or the continued viability of a school, and name that school but not name anyone else? If it is the purpose of the management scheme to ensure the viability of a school, you would think that would be the reason why the board of governors would be there anyway.

I just worry about going down that particular route where you have individual sectors named in that way. Others will say that that is a duty that they do not enjoy. The 1989 Order has already created an imbalance and an unfair situation. The maintained, controlled and voluntary sectors claim that the 1989 Order gives an unfair advantage to the Irish-medium sector and the integrated sector. I am only trying to reflect that that is a general concern that people have. If we were to put this in, it would just exacerbate the situation.

Mr Rogers: There is a responsibility there to promote Irish-medium education, which goes right back to the 1989 Order and the Good Friday Agreement and all that. Rather than leaving that sort of thing out, should we not strengthen it by including faith-based education as well, or integrated education or whatever?

The Chairperson: You probably run the risk of being asked to define faith-based education. Faith-based education will be seen by one sector as being the Catholic sector. The independent school sector is faith-based, with a number of independent schools. Does that bring them under that jurisdiction? There are many schools in the controlled sector that will state in their schemes that they have a Christian ethos, which brings them in. We run the risk of having to define a faith-based school. It goes right across the gamut of schools.

Mr Rogers: It does, yes.

Mr Stewart: If I may, although I will only partially answer Sean's question, article 66 of the 1989 Order contains a duty on boards of governors of integrated schools, but it does not address the issue of faith-based schools. The duty on boards of governors of integrated schools is similar to what is in the clause that members are currently considering.

Mr Lunn: I am sorry that I have not been contributing — *[Inaudible due to mobile phone interference.]* Is there no previous duty on boards of governors of Irish-speaking schools to promote the ethos of the school? I am sure that there was a previous one for integrated schools. I presume that there is a general one for all schools.

Mr Stewart: I do not think that there is, Trevor. There certainly is not one couched in the terms of that clause in relation to Irish-speaking schools. It is the case that those two sectors — the integrated sector and the Irish-medium sector — are treated in a particular way in legislation, which stems from the two statutory duties on the Department to encourage and facilitate.

Mr Lunn: It is not hard for me to follow the argument that those two particular sectors need a level of extra encouragement — *[Inaudible due to mobile phone interference.]* I take Sean's point about faith-based schools, but there is a particular set of circumstances that pertains for Irish-medium schools in particular — and maybe, to a lesser extent, for integrated schools — that requires the provision in clause 33(5) and 33(6).

The Chairperson: What we need to do, given that there is a difference of view on how we interpret some of these things, is stay at the position we were at; that we reflect in the report the issues that we have discussed, and that there is no consensus as to what we would do with regard to the clauses. Is that a fair reflection? That covers clauses 33 through to 37.

Mr Rogers: I just think that it is important to have them there. It is like what we were talking about yesterday for peripatetic and Irish-medium and whatever else. We have to state exactly what we want here. Then we have the transferors and others who want to see curriculum support for RE and for RE to be inspected. There should be curriculum support for RE across the board.

The Chairperson: How members feel will be reflected. That should be noted.

Mr Lunn: Sorry, Chairman, I am playing catch-up a wee bit. Of the potential ministerial amendments, six relate to clauses 34, 35 and 36. It goes back to the old problem of waiting for the white smoke from OFMDFM. Until we have proper suggestions or amendments, rather than just the scope of the suggested amendments, I am not quite sure what we can do with those clauses. In the informal scrutiny, we took the same view. The schemes of management ones are linked with the schemes of employment. So, we are reserving our position, are we not?

The Committee Clerk: Just to be clear, the Committee has reserved its position on clauses 33 to 37, but has indicated general support in principle for the ministerial amendments, because they talk about things like consultation and publication, etc.

We have a problem with mobile phone interference. Apparently, Hansard cannot hear us at all.

The Chairperson: Oh dear. Get your phones off, members, or I am going to have to take them off you before you come into the meeting and lock them away.

Mr Kinahan: If it is on aeroplane mode, it should not be an issue.

Clause 38 (Duties of Board of Governors in relation to achievement of high standards of educational attainment)

The Chairperson: Clause 38 requires boards of governors to promote the achievement of high standards of educational attainment. The clause requires that boards of governors co-operate with ESA with respect to actions taken by ESA to promote high standards. The Committee informally agreed that it was content with the clause as drafted.

Did we not have an issue around the inspectorate? Or was that later on? That was later on. Are there any comments on clause 38? Is there a consensus that the Committee is content, subject to consequential amendments, with clause 38 as drafted?

Mr Lunn: I cannot think of any reason why anybody would find fault with clause 38, to be honest.

The Chairperson: We have informally agreed it.

Mr Lunn: I see that the contribution from the unions asks what "attainment" is. If they do not know what attainment is by now, I am sorry for them. It is perfectly obvious what one of the duties of a board of governors is. It is clearly stated there. I do not see any problem with it.

The Chairperson: The only thing that I would say, and it was alluded to in a late debate in the House last night, is that we set a standard now in our system saying that students need to achieve five GCSEs at A* to C, including English and maths. However, many of us know — some of us from personal experience as individuals and parents

— that that will not be achieved by some in our family. Have those pupils still had an attainment and have they still achieved educationally? I argue that, yes, they have. However, according to the system that we currently construct, they have not. The question is whether you use that, and whether that all feeds back to the area-planning issues by saying that if you judge a school on attainment and achievement and it has not reached that level then it must be a failing school. I think that those are the wrong correlations and conclusions to come to.

Mr Lunn: I completely agree with you. It just says:

“achievement of high standards of educational attainment by pupils”.

For some pupils, three GCSEs could be a major achievement. There is no point in suggesting that you need to specify particular levels in a clause. That just does not make sense.

Miss M McIlveen: There had been a suggestion by NAHT and ACGS to amend the clause to include a measure of attainment linked to value added by the school. The Department’s response was that the Minister wishes to give further consideration to that suggestion. Has he given it further consideration?

Mr Stewart: He has.

Miss M McIlveen: I know that it says “but”, but, at the same time, he was going to give it further consideration.

Mr Stewart: He has, but he does not feel that that is a matter that is amenable to legislation, at least at this time. I think that the Minister would sympathise with a number of the views that members have expressed. The five GCSEs standard is one standard and one method of assessing attainment; there are others. The duty is deliberately couched in terms that require a board of governors and the management team of a school to take it forward in the context of the school and the capabilities of the pupils. As we move forward in the development of our approach to assessment, I think that the Minister would support the need to develop more sophisticated and flexible approaches that would include an element of value added. If a school has an intake of particularly strong pupils, it is not enough for that intake of pupils to come out with average results. We need to see what the school is doing in terms of adding value if it is teaching the brightest and the best. Equally, if a school is teaching children and young people who are not in that position, we want to ensure that the school is not coasting and that it is assisting those children and young people to be the very best that they can be, and that is the measure of attainment with which we should rightly celebrate if a school achieves.

The Chairperson: There is always an element of cynicism in the worth of a ministerial assurance. However, it is a mechanism that we could use on that issue. Could we try to encapsulate what Chris said and the issue that you are raising around the added value and the comments that Trevor made and to get a ministerial assurance on this as opposed to trying to amend clause 38?

Miss M McIlveen: I am not sure what comfort a ministerial assurance actually gives.

The Chairperson: It is a catch-22 situation. You can say that we should not have it, or question it, but is it worth at least getting it and having something there? The

alternative is whether there is something that we could change in clause 38 that reflects that view on value added. Obviously, the legislation is more binding, irrespective of who the Minister is at any given time.

Mr Rogers: I agree with what other people have said. I think that we should be using the word “achievement” rather than the words “educational attainment”, because “achievement” takes in that value added. If children transfer at 11 with a high level of attainment and get seven As to Cs, whereas another group transfers with a poor level of attainment and gets seven As to Cs, there is major value added. There is a major achievement.

The Chairperson: How could we summarise that and amend clause 38 to reflect it? How would you suggest doing that?

Mr Lunn: I suggest that if clause 38(1) said, “with a view to promoting the attainment of high standards of educational achievement”, instead of the other way round, it actually would not make any difference to me. Perhaps, it would please some people — I do not know — if it promotes the achievement over the attainment. I think that it is the same thing.

Mr Hazzard: To follow on from Trevor; I do not know what we are really trying to achieve here. I find this to be one of the more straightforward clauses. I am a wee bit confused as to what we are doing.

Mr Stewart: Some time ago, members asked about the concept of an aspirational duty, which is one that the Department does not support. I think that this is an example of a progressive duty, because it is not defined in any particular or binding way with reference to any one method of assessment at this point in time. The duty will progress. As our approach to the measurement of attainment becomes more sophisticated, the duty will reflect that.

The Committee Clerk: Would it satisfy members were the Committee to make recommendations, say, in its Bill report, that the Minister gives consideration to more meaningful value-added measures of achievement and not simply attainment?

Mr Rogers: Yes. We do not want to narrow educational achievement down to five As to Cs.

The Chairperson: That is the system that we have.

Mr Kinahan: Could it be suited to the school? You do not want any school to be weaker than any other.

The Chairperson: Ultimately, it is suited to the school, I suppose, in a sense. I take the point that Trevor makes that you could change around the way in which it is worded and have “achievement” as opposed to “attainment”, but you would probably end up with the same point. Could we reflect what Sean said on the issue, and I think that members are generally of that view, which is that — let us take the school out of it because that sounds as though we are just trying to protect institutions — a pupil is not judged solely on their academic certificates and that there are other elements that add value, which we have never been able to fully define and put inside a framework, that are of immense value and benefit to many young people?

Miss M McIlveen: I think that that is important, even when we take into context the conversations that we may have on the inspectorate.

The Chairperson: Are we happy that the report reflects that? Remember, members, that we will have to go through all this when the draft report comes to us, so you will have the opportunity to say, "No, Peter, I do not think that that is what we were saying." Poor Peter — [Laughter.] OK. Are you happy enough?

Members indicated assent.

Mr Lunn: I am sorry: the Department's real response is that which it gave to the Northern Ireland Commissioner for Children and Young People (NICCY) on clause 38. It is all fairly high-minded. The bottom line seems to me to be the important one. It states:

"the provision is sufficiently flexible to permit BoGs to perform the duty in the context of the particular circumstances of their schools."

That is the most important thing, whether you use the word "achievement", which the Department says is not couched in absolute terms — whatever that means — or "attainment". It is flexible. It allows boards of governors to reflect the particular needs of pupils in their own schools. I cannot see the problem with this clause.

The Chairperson: Is the Committee content, subject to consequential amendment, with the clause as drafted?

Members indicated assent.

Clause 39 (Appointment by ESA of governors for controlled, maintained, grant-maintained integrated and certain voluntary grammar schools)

The Chairperson: This clause transfers from the ELBs to ESA the right to appoint governors for some schools. The clause requires ESA to ensure that the appointees are committed to the ethos of the school. In the case of an Irish-speaking school or a school with an Irish-speaking unit, ESA must ensure that the appointee is committed to continuing the viability of the school or unit.

The Committee noted a departmental response on the public appointments process and school governors and reserved its position on this clause. Obviously, we will be consistent with what we have said in relation to clause 2(5) and our issue with clause 39(1)(e)(7)(b) and clause 39(2)(a)(3)(b). Does the Committee still reserve its position with regard to clause 39?

Members indicated assent.

Clause 40 (Part-time teachers to be eligible for election as governors)

The Chairperson: This clause allows part-time teachers, but not temporary teachers, to be eligible for election as governors of their schools. The Committee agreed that it was content with the clause as drafted. Is the Committee content, subject to consequential amendment, with clause 40 as drafted?

Members indicated assent.

Clause 41 (Management of controlled schools)

The Chairperson: This clause makes the board of governors of a controlled school responsible for control and management of the school. The clause also permits more than one controlled nursery school to be grouped

under a single board of governors. The Committee reserved its position on this clause. Can members recall why?

Miss M McIlveen: The TRC wanted to have a right to nominate a board of governors when a controlled secondary school and a controlled grammar school were amalgamated. The Department said that there was no basis for that to happen, and we had concerns.

The Chairperson: Yes; the TRC had never had nomination rights to the boards of governors.

Miss M McIlveen: That just proves that I was listening that day.

The Chairperson: Do you have any other comment on that, Chris? Obviously, that is the legal position on the issue.

Mr Stewart: That is the legal position on that issue. Members may have felt last time that the clause did not go far enough and was not ambitious enough in what it provides for in the concept of federation. The two reasons for that are the legislative workload required to achieve that and the Minister's desire to wait and see what the advisory group on shared education says before going further in that direction.

Mr Kinahan: I am sure that in the Chamber the Minister said that there were virtually no hindrances to cross-sector thinking. I asked him a question on that because I have been trying to encourage —

Mr Stewart: I hope that he did not say that.

Mr Kinahan: I thought that he said it. I am lost. I was trying to get clarification on whether legislation prevents schools working together. He seemed to indicate that there are ways around that.

Mr Stewart: There are not ways around it in relation to federation. The Minister may have been referring to the concept of joint faith schools in the maintained management type. It is possible to have a maintained school jointly owned by Protestant and Catholic churches. It is not possible to have a federation comprising a controlled school and a maintained school under a single board of governors. It has to be one type of board of governors or the other, and the two types are differently constituted.

Mr Lunn: Why the exclusion of controlled integrated primary schools?

Mr Stewart: They have a particular composition of boards of governors that is unique.

Mr Lunn: However, if you have two controlled integrated primary schools, with a unique format of board of governors, they are both the same.

Mr Stewart: It would be possible that you would not have the same technical barrier there, but I doubt whether, in practical terms, they would be sufficiently closely located to make it a practical proposition. However, it is possible.

Mr Lunn: I still wonder why it is excluded in that way.

Mr Stewart: That simply reflects the wording of the existing legislation. There is currently an exclusion, but there is no fundamental technical difficulty in grouping two controlled integrated schools under a single board of governors because the boards of governors of the two

separate schools would be identically constituted. I think that it is more of a practical concern.

Mr Lunn: It is a practical concern to recognise the fact that controlled integrated schools tend to be further apart than ordinary controlled primary schools.

Mr Stewart: However, there is no technical reason why that could not be amended. I am not aware of any particular policy concern that the Minister would have if the Committee were minded to suggest that.

Mr Lunn: I do not know what way the Committee is minded, but you say that it is a repetition of what already exists in legislation. Why are we repeating existing legislation? I thought that, generally speaking, we do not do that.

Mr Stewart: When it is necessary to re-enact, by and large, we follow the existing wording.

Mr Lunn: That could be a case for a further amendment.

The Chairperson: So we will reserve our position on clause 41, as previously was the case. I assume that that is because of the issues that were raised by the TRC and the issues that Trevor raised about controlled integrated schools. I think that they are reserving their position on that.

Members indicated assent.

The Chairperson: We would support them on it.

Clause 42 (Management of maintained nursery schools)

The Chairperson: This clause allows for more than one maintained nursery school to be grouped under a single board of governors. The Committee informally agreed that it was content with the clause as drafted. Is the Committee content, subject to consequential amendment, with clause 42 as drafted?

Members indicated assent.

Clause 43 (Controlled school: definition)

The Chairperson: This clause defines a controlled school as a grant-aided school, the premises of which are invested in ESA. The Committee previously reserved its position on the clause. I take it that we still have the same position and that there is no change in regards to that?

Members indicated assent.

Clause 44 (Inspections on behalf of the Department)

The Chairperson: This is Part 3 of the Bill on inspections, and it runs from clause 44 to clause 48. Clause 48 allows inspectors to be appointed by DE to undertake inspections in schools and establishments funded by the Department or ESA. The clause requires inspectors to promote high standards of education and to consider the standard of education and professional practice at schools and establishments. Inspectors may monitor, inspect and record any aspect of the establishment, including teaching and learning, management and staffing, equipment, accommodation and other resources. Inspections will not include RE, except when a board of governors agrees. The Department may give a direction under article 101 for the purpose of remedying any matter identified in an inspection report.

This clause and clauses 45 to 48 deal with inspections in schools. The Department has also provided clarification on how the Bill will change the powers of the inspectors. The

Department also provided a response on the use of lay assessors, and the Minister for Employment and Learning has written to advise of amendments to clauses 47 and 48.

On clause 44, the Minister of Education states:

"Inclusion of more explicit references to the inspection of governance, leadership, teaching and learning. The proposal would not represent a substantive policy change, as inspection already focuses on governance, leadership, teaching and learning. The effect of the amendment would be to ensure that the wording of the legislation reflects modern inspection practice more closely."

On clause 46, the suggested amendment is to:

"Include a requirement to send inspection reports to sectoral bodies".

That is not the case at the moment, although they are all on the website.

Mr Stewart: They will all be on the website, Chairman. The Minister feels that one of the core functions of sectoral bodies will be to take an interest in raising standards and the promotion of raising standards, so it makes sense that they are equipped with the information to do that.

The Chairperson: Clause 47 relates to DEL. I assume that the suggested amendment is from DEL:

"Changes to bring the DEL inspection powers into line with those of this Department, and to establish powers to inspect private sector training organisations".

The Committee Clerk: Members can find that information from DEL in their folders. You will find there the letter from the Minister for Employment and Learning.

Mr Stewart: Members might find it helpful if I rehearse the background to that. DEL did not initially propose to change significantly the powers of inspection. It did not see a need to keep them in parallel with those of the Department of Education, but a difficulty arose recently in relation to the inspection of a private sector training organisation that was successfully challenged in court proceedings on the basis that there was no formal legal power for DEL to inspect such providers. It was relying on inspection being a condition of grant aid. Colleagues and the Minister for Employment and Learning reflected on that and felt that it would be better to place inspection of those providers on a sound legislative footing, hence the proposal. At the same time, they then looked again at the particular powers of inspection and decided to mirror the approach taken by the Department of Education. If the provisions go forward in that form, there will be a consistent approach to inspection across schools, further education and private sector training providers. The Department that will still be pursuing a different course is the Department of Culture, Arts and Leisure (DCAL), which does not see the need for formal powers of inspection, hence it has not been included in the Bill.

The Chairperson: It is proposed that there will be a new clause 47. Members, I will put my cards on the table on the inspection issue. My personal view is that the issue of inspections should be taken out of the Bill completely. I know that some members do not like me going back to that dreaded document called the heads of agreement, and, if

my party leader hears me saying that, I will be in trouble. It is now in Hansard, but anyway. The document states:

“There should be further consideration of the future of the Council Curriculum, Examinations and Assessment (CCEA) and the inspectorate including the option of some or all of its functions remaining in a separate body.”

It is our intention that all references to inspection should be taken out of the Bill completely. Is there any support for that view? Obviously, I would like to think that my colleagues will support me in that. I take that as a given.

Mr Kinahan: We are pretty close to supporting that, but I would like to hold back.

Mr Rogers: Chris says that the purpose here is to put the inspectorate on a sound legislative footing. Who inspects the inspectorate?

Mr Stewart: This Committee.

The Chairperson: That is the case — I am sorry to cut across you, Sean — but as members will recall, Chris made it very clear, with no ambiguity, that the inspectorate is the Department. So the statutory role of this Committee is to inspect the inspectorate. That is how we would see it. We have a statutory duty, and in light of all that is going on, I am very concerned about a number of schools, about which I have been made aware, where there are issues about the way in which inspections have been carried out. As a Committee, we will have to come back to the issue of the inspectorate very soon.

I dread to use the phrase, but it is inextricably linked to the area planning process. There is area planning, the inspectorate and rationalisation. They are not individual silos; there is a link between them all, which is why we take the view that there needs to be legislation that looks specifically at the issue of the inspectorate.

If it is in the context of ESA, it is in the context of area planning and the new administrative arrangements; it is part and parcel of the same thing. It should be taken outside so that everyone has confidence that we have an inspectorate that is a critical friend rather than the eyes and ears of the Department.

Chris was right, and I am glad that we recorded that, not for any malicious purposes. It takes away any ambiguity that somehow the inspectorate is not what it is supposed to be. That is what it is there for; it is the Department inspecting schools.

Mr Rogers: If it is in the Bill, does there not need to be legislation to ensure that the inspectorate is independently scrutinised by ESA? What about the formal complaints procedure, for example? If the Committee began to deal with all the complaints about the inspectorate, we would need three meetings a week. How is the overall inspection process monitored and evaluated?

The Chairperson: That is the very reason. It is not my intention, Sean, to put you in a position of having to accept what I am saying about the way in which we should deal with this. However, those are the very reasons why we should have separate legislation that specifically covers the whole area of inspections. In that, you would be able to address issues such as an appeal mechanism.

There is no appeal mechanism. There is a very limited way of addressing issues. I know that it happened recently that comments have been made in an informal presentation, and information has been passed informally from the inspectorate to the school, and the school was content. However, when the report came, it bore no reflection on what was said in the informal presentation. There is a serious issue there, and we are looking at it at the moment.

We need legislation that gives confidence to schools. Schools are becoming more and more worried. No one ever looks forward to an inspection, and everyone is reticent about them, but generally, people took the view that they were happy enough. Now, however, when people hear about an inspection, they have major concerns. That is probably because of the public perception of the whole hype around the future of schools and which schools will survive or close. For those reasons, it would be cleaner and give us more focus to include in the legislation issues such as accountability and so on, whereas the current situation muddies the waters unnecessarily.

Mr Lunn: I have previously agreed with you, Chairman, that in theory it would be better for the inspectorate to be separate from the Department. It is odd that the present and previous chief inspectors disagree with that and do not see the need for it. That argument differs from the one made in the Bill, which is to do with the powers of inspectors. Sean spoke about the relationship between ESA and the inspectorate. There must be some relationship there, and this is probably the appropriate place to prescribe it.

I note that in its response to the Northern Ireland Teaching Council's concern about clause 45, the Department states that the clause “provides a modest enhancement” of inspection powers, which does not go anywhere near as far as the powers to inspect schools in Scotland, where a criminal offence is involved. It would be a huge step to try to take it out of the Bill and plan a separate Bill; it should surely be under the ESA umbrella, like every other aspect of the educational spectrum. So I think that we disagree slightly here.

The Chairperson: Not for the first time.

Mr Kinahan: I am on similar ground. I am concerned that we have not got an inspection system at the moment that works well. Were we to take it out, how long would it be before we get a Bill in place that makes it better? I do not want a decision to be made today. I want to find out from the Minister whether there could be plans for a Bill on inspection, and if so, when it could come in. We may then take it out of the present Bill rather than take it out and find that we are stuck with what we have for ages.

The Chairperson: The easiest way to deal with that is that members reserve their position on the relevant clauses. Our views obviously differ; the Committee had reserved its position on those clauses during informal consideration. It will then be up to individuals to decide how they will pursue that when the Bill comes back to the House.

Miss M McIlveen: For clarification: my recollection of when we spoke about this issue previously is that not to include it in the Bill would mean that the powers of the inspectorate would remain as they are. Is that right, Chris?

Mr Stewart: Were you to take out the repeal of the current inspection provisions — yes. They are in article 102 of the 1986 order.

Miss M McIlveen: That gives us the opportunity, therefore, to have greater scrutiny of what we want to look at in developing a future inspectorate.

Mr Lunn: I hear that, too. However, if you take this out of the Bill and ask the Department to produce a separate Bill, that separate Bill would probably be pretty much identical to what is already here. It would just have been separated, so we would be having the same discussion about whether it is within or without ESA.

The Chairperson: True — although it would give us a better opportunity. The difference would be that we would be looking at it on its own rather than as clauses 44 to 48 in a Bill with 66 clauses. We would then be able to provide a better overall view as to whether you add things, such as Sean's comments about an appeal mechanism and so on, which are not in this draft of the Bill. That is the only thing. That is the difference that I see.

Mr Rogers: You know the way that we had that thing earlier, well ESA may do that when it gets leg room or whatever. I am looking at clause 46 on the conduct of an inspection and the separate reference to "monitoring, inspecting and reporting". Can we have something in the legislation to ensure that the inspectorate will be subject to the independent scrutiny of ESA in evaluating what it does?

Mr Stewart: I will offer a couple of points of information on that, which may inform members' consideration. If members feel that there is a need for some mechanism that independently scrutinises the inspectorate, you may wish to suggest that. However, one of the proposals is that the inspectorate will inspect ESA and the delivery of certain of its functions. If ESA had that role, therefore, you would have a somewhat circular relationship between the inspectorate and ESA.

I would also point out that the issue of the need, or lack of it, for an independent scrutiny or challenge mechanism of ESA arises whether or not it is part of the Department. An independent inspectorate, surely, would require the same mechanism.

The Chairperson: Thank you. Any other comments? Who inspects the inspectorate? We do.

Mr Rogers: If the inspectorate is to be a credible organisation and build respect throughout the educational environment in Northern Ireland, there has to be some way that it is moderated and evaluated. There has to be a formal complaints procedure. Is there anything that we can build into the legislation to begin that process?

Mr Stewart: The inspectorate operates an informal complaints procedure. Members may wish to consider whether they wish to put that on a formal basis.

The Chairperson: Chris, you also said that that would require a repeal.

Mr Stewart: The Bill does two things. It repeals the current inspection provisions in article 102 and introduces new inspection provisions in this clause. If the Committee wishes to see things staying as they are, you need to repeal the new inspection provisions and the repeal of the old provisions.

The Chairperson: Yes, I think that I understand that. That is clear. Obviously, members, there is some disagreement, but there is an element of consensus around issues that still need to be considered. Probably the best way to proceed is for that to be reflected in the report.

The Committee Clerk: Do you want to go as far as a recommendation around consideration of the appeals mechanism and complaints procedure? Would the Committee go as far as saying that there should be consideration of ETI becoming an independent body independent of the Department? Would members go that far?

Members indicated assent.

The Committee Clerk: Right, there is your recommendation.

The Chairperson: It is the Committee's decision. In light of that, will that be the recommendation in the report?

The Committee Clerk: Yes.

The Chairperson: Yes, and we will still reserve our position on clauses 45 to 48. Agreed?

Members indicated assent.

The Committee Clerk: The Minister has suggested several amendments. His suggested amendment to clause 46, for example, is to:

"Include a requirement to send inspection reports to sectoral bodies."

Even though the Committee is reserving its position on the clauses, is the Committee generally in support of that? Likewise, the Minister for Employment and Learning's proposals around sending inspectors to private institutions?

Members indicated assent.

Mr Lunn: Did I hear earlier that those inspection reports are on their website anyway?

The Chairperson: Yes.

Mr Lunn: The Minister's proposed amendment is entirely irrelevant.

The Chairperson: Yes, the reports go on the website, but there is no legal requirement to do that.

Mr Kinahan: Is it not an issue that they go on too early in some cases?

The Chairperson: In some cases, they do not go on for a long time.

Mr Kinahan: There is that too.

The Chairperson: I have an ongoing issue that I am meeting the Minister about next week. Two schools in my constituency have been waiting for a decision on formal intervention since November last year. That is totally and absolutely unacceptable. You cannot convince those schools that something is not up. It does not matter how many assurances that inspectors or the Department give, somebody smells a rat that something is going on. It is for those very reasons that a time-bound response is needed. Once you start to add to that, there needs to be something more that expands on where we are at.

Mr Lunn: The Minister's suggested amendment does not alter the situation at all.

The Chairperson: No.

Mr Lunn: If he wants those inspection reports to go to sectoral bodies, they will clearly go at the same time as they are published on the website or given to the school. So what odds?

The Chairperson: That brings us to clause 48, and lunch has arrived, so we will have a 15-minute break. Is the Committee content to reserve its position on clauses 44 to 48?

Members indicated assent.

Committee suspended.

On resuming —

The Chairperson: OK, members. My appreciation goes to the staff who organised the food. That was very helpful.

Clause 49 (Interpretation of this Part)

The Chairperson: This clause is all about the Northern Ireland Council for the Curriculum, Examinations and Assessment. It defines certain terms used in this Part of the Bill. It is part of a sequence of clauses, clauses 49 to 54, that deal with CCEA. The Department has provided some responses on CCEA's interaction with business and commerce, but it has not responded with a policy paper on the role of CCEA.

The Committee informally agreed that it was content with the clause as drafted. — *[Inaudible due to mobile phone interference.]*

The Committee Clerk: The Committee reserved its position on — *[Inaudible due to mobile phone interference.]*

The Chairperson: Chris, do you have any further comments on this clause?

Mr Stewart: No, Chair. Unfortunately, the other information that the Committee requested is still being worked on.

The Chairperson: OK. Was it only clause 49 that the Committee informally agreed?

The Committee Clerk: — *[Inaudible due to mobile phone interference.]* reserved.

The Chairperson: The Committee informally agreed to clause 49, but reserved its position on clauses 50 to 54. Is that right?

The Committee Clerk: Yes. We were waiting the response from the Department on the role of CCEA.

The Chairperson: Are there any comments? There is obviously still an issue with the conflict of interest between CCEA being the regulator and the provider of services. It sets the exams, and, in a sense, polices itself.

Mr Lunn: I take it that we have had no response from the Department. The Committee was waiting for a departmental response to set out the policy in respect of CCEA. There was also the thing that Jonathan raised about the cost of services for Irish medium and special needs.

The Chairperson: We have not received anything. OK, members.

Is the Committee content, subject to the consequential amendment, with clause 49 as drafted?

Members indicated assent.

The Chairperson: The Committee reserved its position on clauses 50 to 54. I take it that that is still the case. Are there any comments on that? We will try to deal with all those clauses together if we can. Obviously, we are concerned with being consistent in relation to clause 54(1)(b)(iii).

Is the Committee content to reserve its position on clauses 50 to 54?

Members indicated assent.

Clause 55 (Safeguarding and promoting welfare of children and young persons)

The Chairperson: This clause relates to the protection of children and young people. It also relates to schedule 7. This clause places a duty on ESA to ensure that its functions are exercised with a view to safeguarding and promoting the welfare of children. This is part of a sequence of clauses — 55 to 59 — that deal with the safeguarding and promotion of the welfare of children and young people. The Department provided information on how ESA will interact with the Safeguarding Board.

The Committee informally agreed that it was content with this clause and all the clauses in this Part of the Bill as drafted.

Miss M McIlveen: I want to again welcome the inclusion of these clauses and thank the Department for taking the amount of time that it has to strengthen this particular area. I congratulate it in this case.

Mr Stewart: Is that in the Hansard report? *[Laughter.]*

Miss M McIlveen: It is.

The Chairperson: Yes.

Mr Lunn: We seem to have informally agreed that we are content with all these clauses. The only thing outstanding is the response on the relationship between ESA and the Safeguarding Board.

The Chairperson: We have that.

Mr Lunn: Have we got it?

The Chairperson: Yes.

The Committee Clerk: The Department wrote to us, I think, last week to set out the relationship between ESA and the Safeguarding Board and the tie-in with the relevant legislation that the member — *[Inaudible due to mobile phone interference.]*

Mr Lunn: Have we seen it?

The Chairperson: It should be in your correspondence from last week.

Mr Lunn: You cannot read them all.

The Chairperson: OK. Is the Committee content, subject to the consequential amendment, with clauses 55, 56, 57, 58 and 59?

Members indicated assent.

Clause 60 (General duty of the Department and DEL)

The Chairperson: This clause amends the 1989 Order to set out the Department's general duties, which include the promotion of education for children and young people. The clause also set out the duty of DEL to promote further and higher education.

The Committee previously noted suggested amendments relating to shared education. The Committee has agreed to not amend the Bill in respect of shared education and instead adopt a related recommendation in its Bill report. I think that is an accurate reflection. Again, the Committee reserved its position on this clause.

Are there any comments on clause 60? Is the Committee content, subject to consequential amendments, to reserve its position on clause 60?

The clause places a general duty on the Department and DEL and gives the six elements to that. Are there any comments on that?

Mr Hazzard: I would like some clarity on why we are reserving our position on this clause. What is the issue?

The Chairperson: That is what I am asking?

Mr Lunn: It might be my usual — *[Inaudible due to mobile phone interference.]* — on behalf of the NICIE and the IEF — *[Inaudible due to mobile phone interference.]* — the Department's response is that they are catered for in previous orders. That is fair enough. However, we could bring that right through the Bill.

The Chairperson: OK, so is it the case that the Committee is content, subject to consequential amendments, with clause 60 as drafted?

Members indicated assent.

Clause 61 (Grants for educational and youth services, etc.)

The Chairperson: This clause amends the 1986 order to allow DEL, DE and DCAL to pay grants to persons for various services and relevant research. The Committee informally agreed that it was content with the clause as drafted. Is the Committee content, subject to the consequential amendment, with clause 61 as drafted?

Members indicated assent.

Mr Lunn: Sorry, just for clarity, under clause 61, are grants not to be paid to voluntary or grant-maintained integrated schools?

Mr Stewart: There are separate provisions in the 1998 Order for paying grants to schools. This is grants for bodies other than schools.

Clause 62 (Tribunal to review certain decisions in relation to employment schemes and schemes of management)

The Chairperson: This clause places a duty on OFMDFM to make regulations to establish a tribunal, which will be appointed by the Department. The tribunal will consider schemes of employment and management that are referred to it. The Minister is to bring forward amendments that will transfer responsibility for the tribunal to OFMDFM. The Committee has not seen the relevant amendment. It deals with transfer of responsibilities for the tribunal to OFMDFM and any consequential amendments to reflect changes to the provisions on schemes of management and employment.

The clause touches on the employment and management schemes. The Committee previously felt that it required clarification from the Minister as to whether ESA or the board of governors for certain types of schools would be the employer of the staff. The Committee therefore reserved its position on the clause, pending a response from the Minister on the sole employer question. The Department still has not provided clarification on the sole employer heads of agreement question, so are we still reserving our views on clause 62 for those reasons?

Members indicated assent.

The Committee Clerk: Even though it is reserving its position on the clause, how does the Committee feel

about the Minister's amendment about transferring all responsibilities for the tribunal to OFMDFM?

Mr Kinahan: Same comment as before — *[Inaudible due to mobile phone interference.]*

The Chairperson: — *[Inaudible due to mobile phone interference.]*

The Committee Clerk: So, a majority of members are reserving their position but some members are clearly very much in support — *[Inaudible due to mobile phone interference.]*

Mr Lunn: What is the difference between the Minister's amendment transferring responsibility for the tribunal to OFMDFM and what is already there, where it states that they will:

"make provision for the establishment of a tribunal"?

The Committee Clerk: According to the Bill as drafted, the Department would appoint members to the tribunal. The Minister is proposing that OFMDFM will do all of that, so it would take it completely out of the Minister's control.

Mr Kinahan: The answer I got to a question for written answer was that OFMDFM would do it at the appropriate time.

Mr Lunn: I did not get that.

Mr Kinahan: I have not got the answer with me, but I wrote asking about the tribunal and for some details, and the answer was at the appropriate time.

Mr Lunn: Until they manage to agree something.

The Chairperson: OK? Thank you.

Clause 63 (Sectoral bodies)

The Chairperson: This clause defines a sectoral body as a body recognised by the Department as representing the interests of schools of a particular description. The relevant sectoral body is the body representing the interest of schools of that description. The Committee reserved its position on the clause. The Committee also agreed to consider the question of a separate legal entity for IME schools as part of the clause. I assume that the position is the same. Any further comments?

Does the Committee agree that the question of a separate legal identity for IME schools should form part of the clause? Some members do; some members do not.

Mr Hazzard: The Catholic definition — *[Inaudible due to mobile phone interference.]*

The Chairperson: Is that not further on in the definition under one of the schedules?

Mr Stewart: It will probably be in that clause. The Minister will support both of those. He intends to bring forward amendments to include a definition of a Catholic school and a revised definition of an Irish-speaking school. That is probably subject to advice from legislative counsel, and that is probably the clause where we will include it, because it is relevant to identifying the appropriate sectoral body for those schools.

The Chairperson: Some members would probably support it, and others would not be in favour of it.

Mr Lunn: There is such a wide range of views from all the interested parties, and I am not quite sure how we will agree on that.

The Committee Clerk: It sounds like the Committee is agreeing to not agree.

The Chairperson: That is a fair assumption, yes.

The Committee Clerk: Is that also the position on the definition of Catholic schools, Chair?

The Chairperson: Yes.

Clause 64 (Supplementary, incidental, consequential, transitional provision etc.)

The Chairperson: This clause allows the Department to make any supplementary, incidental, consequential, transitory or transitional provisions as it considers appropriate to give full effect to the legislation. It allows secondary legislation to amend primary legislation, and we have had some reference to it as the "Henry VIII clause". A similar clause was opposed by the Regional Development Committee on the Transport Bill, and we found that interesting. The Committee had informally agreed that it was content with the clause as drafted. Are you aware, Chris, of the reasons for a similar clause in the Transport Bill being opposed by another Committee?

Mr Stewart: I was not aware of that, and I am not aware of the reasons for it. This is a standard clause that one would expect to see in a Bill.

The Committee Clerk: The Regional Development Committee at that time felt it an unnecessary additional power for a Department to have. That was the reasoning, I think.

Mr Lunn: It is not like the ESA clause where it could do anything it liked. It is allowing the Department to do what is necessary in a small way to give full effect to the legislation.

The Chairperson: We informally agreed to it previously. Are we content, subject to the consequential amendment, with clause 64 as drafted?

Members indicated assent.

Clause 65 (Regulations and orders)

The Chairperson: This clause provides that all regulations made under the legislation will be subject to negative resolution procedure with the exception of supplementary, incidental, consequential, transitory or transitional provisions set out in clause 64 and the regulations under clause 63 to appoint a tribunal, which are both done by affirmative resolution. The Examiner of Statutory Rules previously provided a report that indicated that he was generally content with the delegated powers in the Bill. The Committee asked for an amendment to clause 22, which would require affirmative resolution procedure on regulations relating to ESA's ancillary powers. That has led to a consequential amendment to clause 65 to allow for affirmative resolution. The consequential amendment is in the tabled items.

The Committee Clerk: Members have also agreed to make a change to clause 30, which would require regulations to have affirmative resolution. Instead of it just saying clauses 22 and 23, it would say clause 30 as well.

The Chairperson: Are members happy enough?

Miss M McIlveen: Yes, I am happy enough. We skipped over clause 64, and given the length of our conversation on clause 22 and the ancillary powers of ESA, we did not look at clause 64 in the same level of detail, given the far-reaching powers of — [*Inaudible due to mobile phone interference.*] However, it may be that the amendment to clause 65 will then —

The Committee Clerk: It does not touch on that clause. Clause 65 states that the provisions under clause 64 will be subject to draft affirmative resolution, which is the highest form of scrutiny that the Committee can apply. Members may take some comfort from that.

The Chairperson: Is the Committee content with the amendment to clause 65, as drafted?

Members indicated assent.

The Chairperson: That means that the Committee is content, subject to further consequential amendments, with clause 65, as amended. Are members content?

Members indicated assent.

Clause 66 (Interpretation)

The Chairperson: Clause 66 defines the terms used in legislation. There was a reserved position on clause 66; it is like an auction. I will refresh your memories. It was suggested that the clause be amended in line with other amendments, such as the heads of agreement being included as a schedule. The Minister's policy is to ensure that the requirements of the heads of agreement are reflected in individual provisions, as necessary. We await the outcome.

Mr Stewart: I do not think that the Minister envisages it touching clause 66.

The Committee Clerk: As the Committee has set out its position on the heads of agreement question very clearly, my procedural advice is that it could, probably, safely agree clause 66 but state clearly that it has concerns around the heads of agreement and the employer question and that it expects them to be resolved. The Committee can state that it has reserved its position, because the view of most members is that the matter has not been resolved.

Mr Kinahan: What was the legal position? If you put the heads of agreement into the Bill, it would not work, but was that because of the way in which we did amendments.

The Committee Clerk: As you can see, the GBA suggested that you include the heads of agreement as a schedule. I am not sure how the heads of agreement question is to be resolved. I do not know whether it will be resolved that way. However, since the Committee has reserved its position and said that it expects the matter to be sorted out, it could probably agree that clause, and you still have a marker down.

Miss M McIlveen: Therefore it is essentially agreed, subject to that being sorted out.

The Committee Clerk: It is on a without-prejudice basis.

Mr Lunn: I would be surprised if anybody wanted to run with the GBA's suggested amendment, because it is quite ridiculous. This is about definitions. The heads of agreement is an ill-drafted political document on which we

cannot get clarification. Why on earth anyone would want it to be specified in the Bill as being necessary, rather than referred to, is beyond me. I definitely would not run with that.

Mr Hazzard: To mirror what Trevor said, I accept that the requirements of the heads of agreement will be throughout the Bill in various places, but I do not think that it would fit in the Bill as a schedule. It does not seem right for a political position to be in a schedule to a Bill.

The Chairperson: OK. Are we saying that there are different views, but, taking the Committee Clerk's comments on the procedural advice, the Committee is content with clause 66, as drafted, subject to that concern being addressed?

Mr Lunn: Are there different views, Chairman?

The Chairperson: Michelle expressed a different view.

Miss M McIlveen: No, I did not; I said, for clarification, that we were in agreement, subject to —

The Chairperson: Yes.

Mr Lunn: I am lost, because I cannot hear Michelle very well.

Miss M McIlveen: I was only trying to interpret what Peter said. [*Laughter.*]

The Committee Clerk: It is the Clerk's fault.

The Chairperson: It is dangerous to try to interpret a Clerk's advice; it is even more dangerous than trying to interpret what the Department is saying.

Mr Lunn: Is the suggestion that we agree the clause, subject to further discussion about the GBA's suggestion?

The Committee Clerk: If I understand members correctly, the Committee is to agree the clause on a without-prejudice basis. You have put down your marker already around the heads of agreements and sole employer question. It may be that the solution to that problem will have nothing to do with clause 66. Therefore, on a without-prejudice basis and subject to consequential amendments, the Committee is content to agree the clause.

Mr Rogers: It is consequential, because we are waiting on clarification on the heads of agreement.

The Chairperson: Clear as mud. We have got to clause 66 without getting to this stage.

Mr Lunn: We have had only one vote so far. [*Laughter.*] It would be nice if we could just agree something because the alternative is completely ludicrous.

The Chairperson: I am in your hands.

Mr Lunn: I propose that we agree clause 66 without any alterations, ifs, buts or consequential amendments.

The Committee Clerk: The motion falls. Therefore, as the motion was about agreeing the clause without any ifs and buts, you revert to the position that the Committee is content with the clause, subject to the consequential amendment.

The Chairperson: Agreed?

Members indicated assent.

Mr Hazzard: So, is the Committee seeking to get that included?

The Chairperson: No.

The Committee Clerk: To clarify: where members have agreed a clause today, they have agreed it subject to consequential amendment. That means that you have agreed, for example, clause 12, but if a further solution to, say, the heads of agreement problem comes along, oh my goodness, clause 12 will have to be changed. That is OK. The Committee does not have to rescind its decision; it could, if it wanted, adopt that overall solution and change clause 12.

Mr Lunn: Somebody used the word “clarification” about the heads of agreement.

Mr Rogers: I did.

Mr Lunn: You are to blame. *[Laughter.]* It would make no difference, frankly, how it was clarified; it still should not be in it. Well, it does not matter.

The Chairperson: OK.

Clause 67 (Minor and consequential amendments and repeals and revocations)

The Chairperson: This clause applies to schedules 7 and 8, which contain minor and consequential amendments and repeals. It removes references to ELBs in the education orders. The Committee informally agreed that it was content with the clause as drafted.

Question, That the Committee is content with the clause, subject to the proposed amendment, put and agreed to.

Clause 67 agreed to.

Clause 68 (Commencement)

The Chairperson: This clause contains provisions for the commencement of the legislation. Some provisions, such as the tribunal and the transfer of staff to the ESA, will happen after Royal Assent; other provisions come into effect only when the Department decides. The Committee informally agreed that it was content with the clause.

Question, That the Committee is content with the clause, subject to the proposed amendment, put and agreed to.

Clause 68 agreed to.

Clause 69 (Short title)

The Chairperson: The Committee informally agreed that it was content with the clause as amended, namely that the short title of the Bill will be Education Act (Northern Ireland) 2013.

Is the Committee content, subject to consequential amendment, with clause 69 as drafted?

Members indicated assent.

Mr Lunn: It will probably have to be 2014. *[Laughter.]*

Mr Hazzard: That is if the Committee agrees that it wants to put it through this year.

The Chairperson: Do we want to add a caveat to the short title? I would not jest.

Mr Lunn: I was not jesting.

Schedule 1 (The Education and Skills Authority (Status))

The Chairperson: Schedule 1 sets out the composition of the ESA board and the ESA's procedures for finance and

reporting. The Committee had reserved its position on this schedule.

Various bodies raised concerns about the composition of the ESA board and why certain people were on the board and others not.

Miss M McIlveen: The word “status” is part of the title of schedule 1. Is that normal practice?

Mr Stewart: Yes. Most of schedule 1 is what you might call the standard recipe for a non-departmental public body, including the provisions on status. The bespoke part is around membership.

The Chairperson: It would be as well to have an amendment if there was to be a change in the definition of Catholic maintained schools. Would that change schedule 1(2)(ii):

“4 shall be persons appearing to the Department to represent the interests of trustees of maintained schools”.

What would be the implications of that?

Mr Stewart: It is unlikely that the Minister would propose a change there. The legal advice that we received is that that provision is lawful because it preserves existing rights. The existing rights refer to the trustees of maintained schools.

The Chairperson: It changed the definition of Catholic schools.

Mr Stewart: A definition of “Catholic school” will be included. The definition of “maintained school” would not change. However, the established rights are those of the trustees of Catholic-maintained schools, and those are the established rights that would be preserved. The Minister would take the view that the reference in law should follow the existing wording, which is “trustees of maintained schools”.

Mr Lunn: There is a debate about the make-up of the authority, and every sector is putting its spoke in. If there was a demand from integrated and Irish-medium schools, trades unions, young people and whoever else, how could that be accommodated in what is apparently proposed?

Mr Stewart: If the decision was to accommodate all the requests that were received, the membership provisions would need to be taken out and for us to start again.

Mr Lunn: The big one is from the voluntary grammars, which, oddly enough, I support. Where would they fit into the present definitions?

Mr Stewart: I do not think that they would fall within any of the definitions. If the Minister were to accede to all the requests, we would need to start again from first principles, decide what the membership of the ESA should be and reflect it in new provisions. Needless to say, that is not the Minister's policy.

Mr Lunn: I know that it is not the Minister's policy. It was the same the last time, Chairman, with the proposed make-up. Even by the time we were finished with it, and it went from seven to 15, it still did not come close to representing in any obvious way the people who needed to be represented. It seems to me, on the basis of that, that you could quite easily make up the board and the authority with those numbers and not have a single representative from the Irish-medium, integrated or voluntary sectors. You

are talking about 45% of the school population. It looks like a “cross it out and start again” scenario to me.

Mr Kinahan: Is it not for us all to —

The Chairperson: Those are the reasons, among others, why the Committee reserved its position. Chris, can the Department refuse the appointment of the chief executive of an education and library board? Schedule 1(6)(4) states:

“ESA shall not appoint a person as chief executive unless the Department approves the appointment.”

Mr Stewart: I believe that that is the case with education and library boards. If I am incorrect, I am sure that the gentleman behind me will give me some advice.

The Chairperson: Are there any changes? I think that Trevor reflected some of the issues that people have with schedule 1.

Mr Rogers: I agree with Trevor. It is contrary to the Minister’s policy as agreed by the Executive. Does that mean that it was the Executive that formed the policy, and so it has to go back to the Executive to be changed?

Mr Kinahan: I thought that it was subject to the Committee and the Assembly.

Mr Stewart: It could be changed by the Assembly in any way that the Assembly deems fit. If the Minister wished to change it, he would have to go back to the Executive.

Mr Lunn: It reflects the heads of agreement only tangentially, because the heads of agreement is worded completely differently. It may amount to the same thing: 40% trustees and transferors, 40% political representatives, and 20% appointed by the Minister.

The Chairperson: You could not be sure of that document. It is not trustworthy. I would not quote it.

Mr Lunn: You probably know what I would do with it. There seems to be an awful lot of store set on the community representatives. That seems to be the Minister’s cure for everything — that those four people can be magicked out of the community in some kind of geographical or demographic way.

The Chairperson: Members should look at the make-up of their education and library board.

Mr Kinahan: Is that necessarily the model that we want to follow?

The Chairperson: Parties and individuals should look at the education and library boards, which have served for all the years of their existence.

Mr Kinahan: I have a concern that whatever we put in here will be here for 30, 40 or 50 years, but the world changes.

The Chairperson: For those reasons, we still have no agreement on schedule 1, and that will be reflected in the report. OK?

Members indicated assent.

Schedule 2 (Provisions required in employment schemes)

The Chairperson: Schedule 2 sets out those matters that must be included in a scheme of employment, including the staff complement, discipline and suspension policies. The schedule allows the ESA to determine certain aspects

of the employment scheme for a controlled or maintained school that has its delegation withdrawn. Again, the Committee reserved its position on the schedule.

This schedule touches on employment schemes. The Committee previously felt that it required clarification from the Minister on whether the ESA or boards of governors of certain types of school would be the employer of staff. The Committee therefore reserved its position on the schedule, pending a response from the Minister on the sole employer question. We are still in the same position, as there is no resolution on that issue. Are there any comments or views on schedule 2?

Mr Lunn: This is another issue on which we are no further on. It is subject to discussions in another place.

The Chairperson: OK?

Members indicated assent.

Schedule 3 (Transfer to ESA of staff employed by Boards of Governors)

The Chairperson: This schedule provides for the transfer of staff from boards of governors to ESA, with protections under the Transfer of Undertakings (Protection of Employment) Regulations (TUPE). That is in line with ESA becoming the sole employer of all staff in schools.

The Committee previously reserved its position on this schedule as it relates to the issue of employment and the transfer of staff. Are there any comments on this schedule?

Mr Lunn: It is the same as the previous schedule, Chair.

The Chairperson: OK. Are there any comments in relation to the technical amendments that were proposed by the Northern Ireland Public Services Alliance (NIPSA)? Those are on page 120 of the clause-by-clause scrutiny table. It proposed that the TUPE regulations would apply to all staff transferring to ESA. That also refers to schedules 4 and 6. The response from the Department was that that is already the effect of the provision.

The Committee Clerk: Chair, a number of amendments were proposed by NIPSA, not just the one you highlighted about the TUPE regulations. It also asked for pensions and other provisions to be protected after transfer, which, if my understanding is correct, is above and beyond TUPE. The Department has advised that that would be a unique arrangement were it to be applied.

Mr Stewart: And unconstitutional.

The Chairperson: Is the Committee content to reserve its position on schedule 3?

Members indicated assent.

Schedule 4 (Transfer to assets, liabilities and staff of dissolved bodies)

The Chairperson: This schedule provides for the transfer of assets, liabilities and staff of the ELBs, the Staff Commission, the Youth Council and the CCMS, with protections for staff under the TUPE regulations.

The Committee sought a departmental response on the assets, liabilities and staff posts that are to be transferred. As yet, we have not had sight of what all that will entail.

The Committee previously reserved its position on this schedule. Are there any comments?

The Committee Clerk: It is the same again, Chair. The Committee will reserve its position. It has not seen the rest of the transfers, and this is also linked to the sole employer question.

The Chairperson: Is the Committee content to reserve its position on schedule 4?

Members indicated assent.

Schedule 5 (Transfer of certain assets and liabilities of CCMS before appointed day)

The Chairperson: This schedule provides for the transfer of assets and liabilities from CCMS. This allows for all the assets not transferred to ESA to be transferred to the Roman Catholic Church.

The Committee sought a departmental response on the assets, liabilities and staff posts that are to be transferred. As yet we have not seen that. Chris, is there any indication as to when that might be available?

Mr Stewart: I am sorry, Chair. I do not know. I would have to ask colleagues in the Department for an update on that. I should point out that that schedule deals with just assets and liabilities. It does not deal with staff.

The Chairperson: OK. We will correct that. Thank you.

Is the Committee content to reserve its position on schedule 5?

Members indicated assent.

Schedule 6 (Minor and consequential amendments)

The Chairperson: This schedule provides for the transfer of staff from DE to ESA, with protections under the TUPE regulations. However, for some strange reason, I cannot remember why, the Committee informally agreed that it was content with schedule 6 as drafted. Peter, can you keep us right?

The Committee Clerk: I think that it was because it was just a matter of the Department moving its staff from one box in DE to another box in ESA. Members felt that that was a matter for the Department.

Is the Committee content, subject to consequential amendments, with schedule 6 as drafted?

Members indicated assent.

Schedule 7 (Minor and consequential amendments)

The Chairperson: The Committee previously reserved its position on schedule 7.

A member raised concerns that the area planning provisions would override parental preference, particularly in the case where parents choose to transform a school into an integrated school. The Department advised that, if members wished to propose amendments that might disapply the requirement for proposals to comply with an area plan, such an amendment would best be tabled to schedule 7.

Is it the Committee's view that it wants to table an amendment that would disapply the area planning provisions in this situation? Trevor, I think that you raised this.

Mr Lunn: I am trying to recollect. I doubt whether it is the Committee's view that whatever I suggested should be taken on board.

Mr Stewart: Would it help if I briefly summarised the effect of the provisions as they are currently drafted and perhaps contrast that with the situation today?

The Chairperson: Yes.

Mr Stewart: If a school decides to seek transformation today by means of a ballot, a development proposal to that effect is brought forward, and it is decided by the Minister. The difference under these provisions is that, if there is a similar result, a proposal is brought forward and first considered against the area plan. If it is in conformity with the area plan, it would then go for ministerial decision in the usual way. If it were not in the conformity with the area plan, like any other proposal, it would be filtered out and would not proceed for ministerial decision. So, the difference in the procedure is the application of the area plan as a filter mechanism for any proposal for transformation, in the same way as any other proposal for the development of a school.

Mr Lunn: Yes; that was it. *[Laughter.]* It seemed to raise the spectre of a school not being allowed to transform to integrated status because it does not fit with the area plan, even if 80% of the parents wanted to do that. That does not seem logical to me.

Mr Stewart: Members must take a view as to whether that is right or wrong. The position in law today is that the Minister could decide not to allow the transformation to proceed.

Mr Lunn: As it is a development proposal, the Minister has the final say under the present rules or under this. It is the same thing.

Mr Stewart: That is correct; that is the very point that I am making. There is no absolute right of transformation for any school. It is all subject to decision by the Minister.

Mr Lunn: But the notion that the Minister could turn it down because it does not fit with the area plan seems illogical to me. It would affect the same number of pupils in the same school.

Mr Stewart: If it did not fit with the area plan, it would not even reach the Minister for decision. It would be turned down at an earlier stage.

Mr Lunn: How on earth could transformation not fit with the area plan?

Miss M McIlveen: I have not previously indicated my position on this, but, where Trevor finds it illogical, I find it logical. If every other sector has to comply with an area plan why should a school transformation also not have to comply?

Mr Lunn: May I come back on that?

The Chairperson: Yes; you can, Trevor.

Mr Lunn: As I think I said last week or the week before, if a new integrated school were being established, I would agree that it has to conform with the area plan. Although, I may have the view that, at times, that is also being applied illogically. However, when you are talking about the transformation of an existing school to integrated status, the school is already there. You would just be meeting the demands of the preference of parents to have a different status. What effect that would have on an area plan, I

do not know. That is the point: I am making a distinction between transformation and establishment.

Mr Hazzard: On that, if a school were to transform, could that affect the sustainability and viability of another integrated school in the area? You would be damaging another school.

Mr Lunn: We have already agreed that integrated schools are so far apart that they cannot have even have dual — *[Inaudible.]*

Mr Hazzard: They would be in the same area plan, would they not? I am just wondering whether that is perhaps one of the reasons why a school needs to be cognisant of the effect on another school if it was to transform.

Mr Lunn: It has been used in the past as an excuse not to allow integrated schools to be established, because they might have an effect on a controlled or maintained school down the road. In some circumstances, perhaps, I would have a grain of sympathy with that, but not very much. However, when it is an existing school transforming because the right balance of pupils and their parents want it that way, I really do not see the problem. I worry that it would be another obstacle identified that might prevent transformations.

Mr Hazzard: If it were viable, would the area plan not let it through? If it was going to be OK, it would get through the filter anyway.

Mr Lunn: The school must be viable or it would not be there — or it would not be there shortly.

Mr Rogers: That takes me back to the earlier point I made about reviewing area plans. That might work, at the minute, within a particular area plan, but the area plans in the next board area will need to be reviewed to produce an area plan for that.

Mr Lunn: I got lost somewhere along the way. *[Laughter.]*

Mr Rogers: Maybe, in the present circumstances —

Mr Lunn: We are talking about the overlap between area plans?

Mr Rogers: Yes.

Mr Stewart: Chair, the purpose of the area plan will be, amongst other things, to identify the unmet need for integrated schooling. If an area plan has identified an unmet need that might be met through a school transforming, such a proposal would clearly be in conformity with the plan. If, on the other hand, a vote for transformation was unexpected, that might constitute new evidence of unmet need for integrated schooling, which might trigger a review of the area plan.

Mr Lunn: Is there something in the area-planning process that allows for dealing with the unmet need for integrated schools?

Mr Stewart: I think that the core reason for having such extensive provisions for reviewing or revising area plans is the recognition that new evidence can come along.

The Chairperson: I think, members, in the light of that, it is clear that there is no consensus on schedule 7. Would I be right?

Mr Lunn: You got that right.

The Chairperson: That can be reflected. We are still awaiting an amendment to:

“9 ... (b) ... the definition of ‘Catholic maintained school’”.

Mr Stewart: The definition of “Catholic school” will probably remove the need for a separate definition of “Catholic maintained school”. That will probably come out.

The Chairperson: So, that would be the sum and substance of the amendment.

Mr Stewart: There will be only one reference to Catholic maintained schools left in education legislation, and that would be it. There would be a requirement for a particular form of consultation around a development proposal in a Catholic maintained school. However, the Minister’s broader amendments, which would require consultation with the relevant sectoral body on any development proposal coming forward, would remove the need for that specific reference to Catholic maintained schools. We would simply take it out.

The Committee Clerk: Following on from what the Department said, the Minister has proposed a number of amendments to schedule 7. One of them is the:

“Requirement for any person or body bringing forward a development proposal to consult the relevant sectoral body or bodies.”

I am sensing that the Committee is going to reserve its position on the schedule. You may care to give an opinion of the Minister’s amendment ... go to the sectoral body.

The Chairperson: Are there any other comments? There is also an amendment:

“Removing the requirement for Transferor governors of Controlled Secondary Schools to also be governors of feeder Controlled Primary Schools.”

That is one amendment that we would welcome. Is the Committee agreed to that amendment?

Mr Hazzard: I am in favour of all three of the proposed amendments, including the requirement for any person or body bringing forward a development proposal to consult, and the amendment concerning the transferor governors.

The Committee Clerk: Other members are reserving their position on the first amendment to schedule 7. However, is the Committee content, in principle, with the second amendment, which is on the transferor governors of controlled secondary schools?

Members indicated assent.

The Committee Clerk: What about the third amendment?

The Chairperson: Schedule 7 sets out the minor and consequential amendments to exercising the existing legislation. There is an error in relation to the proposed amendment of article 49 of the Education and Libraries (Northern Ireland) Order 1986, which deals with suspensions and expulsions. The current amendment in the schedule would leave the article referring to ESA making a scheme for schools under its management, which are the controlled schools. That needs to be changed to a straightforward reference to controlled schools, as ESA will not manage those schools.

That has been an error in article 49 of the 1986 Order.

Mr Stewart: It is an error in the instructions for the drafting of this Bill.

The Chairperson: So, it was to tidy it up. Is the Committee content to reserve its judgement on schedule 7?

Members indicated assent.

Schedule 8 (REPEALS)

The Chairperson: Schedule 8 sets out the existing legislation that is being repealed. The Committee informally agreed that it was content with the schedule, as drafted. However, there are probably a couple of issues, as a result of discussions that have taken place as we have gone through this today. There was the issue around the repeal of the ETI matters.

Is the Committee content with schedule 8, as drafted, subject to consequential amendments?

Members indicated assent.

The Chairperson: There is a list of suggested amendments that were put forward by stakeholders. They do not sit readily with the Bill's clauses and schedules. Previously, the Committee informally agreed to support one in relation to controlled schools, which was recommended by the Minister.

I refer members to page 132 of the scrutiny table.

The Committee Clerk: Members have already agreed suggested amendment h, which was from the TRC. Does the Committee support any of the others?

Mr Lunn: Suggested amendment e is from the Association of Teachers and Lecturers (ATL). It makes a suggestion about the Northern Ireland Audit Office. The departmental response is that it is not a function of the Department of Education to legislate in relation to the Audit Office, but ATL's suggestion is valid. Where would legislation on the operation of ESA arise under the scrutiny of the Audit Office?

Mr Stewart: There are two points to that. First, the operation of ESA will be under the scrutiny of the Audit Office, but legislation on that will be a matter for DFP. DFP and the Audit Office would take a very dim view if the Department of Education tried to indicate to the Audit Office, in any way, what it should or should not examine.

Mr Lunn: Are you saying that the Audit Office already has the power to scrutinise ESA?

Mr Stewart: Absolutely.

Mr Lunn: In the same way that it scrutinises the present system?

Mr Stewart: I have no doubt that, in due course, the Audit Office will be looking very carefully at the business case for ESA to ensure that we have delivered.

Mr Lunn: Yes. If it is already there, we do not need to worry about it.

Mrs Dobson: I totally agree with the Ulster Farmers' Union that the Bill should be amended in line with the Scottish system to include a presumption against the closure of rural schools. The departmental response states:

"The Minister considers that these matters are best dealt with in the area planning process."

They will not be dealt with in the area planning process. They will simply close. I agree totally with the Ulster Farmers' Union assessment on that. We, too, need what Scotland already has.

The Chairperson: We discussed that.

Mrs Dobson: We did but the issue is back.

The Chairperson: There is a list of proposed amendments from various organisations. I suggest that any that we want to support are reflected in the report. It is then ultimately up to members and parties whether they feel there are any that they want to pursue at Consideration Stage. Those proposed amendments are there to help the Committee Clerk to formulate and come to a conclusion on the view of the Committee. However, that will be reflected because it will all form part of the report.

The Committee Clerk: Indeed, Chair. Where I am struggling a little is that I am not clear at all about members' views on some of those proposed amendments. With some, it is very clear.

The Chairperson: Unless members want to express a view, we could end up having a discussion on every one of those proposed amendments. One view has already been expressed, and Trevor referred to a proposed amendment. Do members have any other comments?

Miss M McIlveen: I would like to seek clarification on the point that Jo-Anne made about the Schools (Consultation) (Scotland) Bill. Do we know the detail of that and whether its definition of "rural" is similar to ours?

Mr Stewart: I will have to check that, Michelle. I am not sure of the definition.

Miss M McIlveen: Anything outside Belfast or Londonderry is regarded as rural, so it means that we would be putting protection on other schools.

Mr Stewart: To introduce such a requirement would be a significant policy change. It is quite open to the Committee to suggest that. It is not currently what the Minister favours.

Miss M McIlveen: Can I get clarification from the Department on that and how that correlates with our practice?

Mr Stewart: Yes, we can certainly find out the definition of "rural".

Mr Hazzard: We covered the new definition of "Irish speaking school" earlier. However, that will be included, like the definition of "rural", in another place, will it not? The issue of the new legal definition is in the "Miscellaneous" section as proposed amendment i.

The Committee Clerk: The report will indicate that some members felt strongly about that. However, I think that the Committee did not make a decision on that but you are putting down a similar marker.

Mr Hazzard: Just so that you know when you are going through them.

Mr Rogers: I similarly agree with proposed amendment i. in relation to Irish-medium schools but also with b. in terms of increased autonomy for schools. However, it has to be increased autonomy with clear guidelines.

Mr Lunn: We had a fair old discussion last week about proposed amendment q.:

“The Bill to be amended to allow for the repeal of Article 90(2)b of the Education (NI) Order 1989 which precludes special schools from being designated as integrated schools.”

The departmental response states:

“This is outside the scope of the Bill.”

There are already lots of other repeals in this Bill and I cannot see what that section should not be repealed. We got to the bottom of the argument that the intention was not automatically to give special schools integrated status but merely to give them the opportunity to apply in the normal way. Members agreed to reserve their position, so that is as far as I can say.

The Committee Clerk: I think that the member is clearly indicating his support for an amendment along those lines.

Mr Lunn: Yes.

The Chairperson: Any other comments?

Mr Kinahan: Elements of proposed amendment p — *[Inaudible due to mobile phone interference.]*
ParentsOutloud — *[Inaudible due to mobile phone interference.]*

The Committee Clerk: Is the Committee's view that it has some sympathy with the ideas behind the — *[Interruption.]* — but are perhaps viewing this as not the appropriate vehicle for the amendment? Is that what the Committee is saying?

Mr Kinahan: That is what — *[Inaudible due to mobile phone interference.]* — is certainly saying.

The Chairperson: OK, members, we will conclude with the long title. It has taken us a long time to get to this point. The long title of the Bill is as follows: a Bill to provide for the establishment and functions of the Education and Skills Authority; to make further provision about education, educational services and youth services; and for connected purposes.

Is the Committee content with the long title of the Education Bill as drafted?

Members indicated assent.

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 15 March 2013

Written Answers to Questions

Office of the First Minister and deputy First Minister

Community Relations Council: Governance Review

Mr Allister asked the First Minister and deputy First Minister, pursuant to AQW 10635/11-15, whether the invitation to tender for the Governance Review of Community Relations Council (CRC) was advertised publicly and open to all, or were a number of companies invited to tender from an already approved list within CRC.

(AQW 14454/11-15)

Mr P Robinson and Mr M McGuinness (The First Minister and deputy First Minister): The Community Relations Council has advised us that the governance review was publically advertised and open to all.

Executive Papers

Mr Allister asked the First Minister and deputy First Minister, pursuant to AQW 13716/11-15 and AQW 13718/11-15, to explain how, and where, an issue of confidentiality arises in respect of the quantum and dates of circulated Executive papers.

(AQW 14952/11-15)

Mr P Robinson and Mr M McGuinness: It is open to any institution to classify the information in its possession in a way in which it considers will support the effective conduct of its business.

Executive Papers

Mr Allister asked the First Minister and deputy First Minister, pursuant to AQW 13717/11-15, to explain how, and where, an issue of confidentiality arises in respect of the timeframe governing the circulation of Executive papers.

(AQW 14953/11-15)

Mr P Robinson and Mr M McGuinness: We would refer you to the answer we gave to AQW13716/11-15 on 28 September 2012.

OFMDFM: Grievance Cases and Whistle-blowing Complaints

Mr Allister asked the First Minister and deputy First Minister how many (i) grievance cases have been taken; and (ii) whistleblowing complaints have been made, against (a) their Department; and (b) its arm's-length bodies, in each of the last five years; and at what cost to the public purse.

(AQW 16158/11-15)

Mr P Robinson and Mr M McGuinness:

	(a) Department			(b) Arms Length Bodies		
	Grievance cases	Whistle blowing complaints	Costs incurred	Grievance cases	Whistle blowing complaints	Costs incurred
2007-2008	1	nil	nil	7	nil	nil
2008-2009	0	nil	nil	8	nil	nil
2009-2010	0	nil	nil	7	1	£26k + vat
2010-2011	1	nil	nil	13	2	£6500 +vat
2011-2012	0	nil	nil	6	nil	nil

European Funding: North-west

Mr P Ramsey asked the First Minister and deputy First Minister what targeted work the Executive Office in Brussels is carrying out on behalf of the North West, with specific reference to Derry, in accessing European funding.

(AQW 17262/11-15)

Mr P Robinson and Mr M McGuinness: The primary role of the Office of the Northern Ireland Executive in Brussels is to further the aims of the Executive's Programme for Government through engagement with the European institutions in Brussels, for the benefit of the region as a whole, including the North West. The office assists departments to contribute to EU policy development and implementation in relation to their core business. For example, the office supports the Department of Finance and Personnel as the lead policy department in their contribution to the current Structural Funds negotiations (including those for PEACE IV) for the 2014 -2020 funding period. We will all benefit, including those in the North West, from the ensuing new programmes.

The office also facilitates contact between the EU institutions in Brussels and non governmental and local government sectors here which naturally includes the North West. For these sectors it has facilitated networking events and the showcasing of achievements arising out of EU funding. This work is important in helping secure future partners, enhancing the reputation of those sectors involved and ultimately enhances the chances of sectors, including those in the North West, securing future funding.

The work of the office has been enhanced with the recent appointment of four desk officers, part of whose role is to increase departmental engagement with elective European funding programmes. These funding programmes are open to all EU member States and are often targeted at sectors representing local interests.

Equality Law

Mr Lyttle asked the First Minister and deputy First Minister how current equality law in Northern Ireland, including the approach to categorisation of individuals under Fair Employment legislation, complies with the Ljubljana Guidelines on Integration of Diverse Societies which was published by the Organisation for Security and Co-operation in Europe High Commissioner on National Minorities on 7 November 2012, including specifically the primacy of voluntary self-identification.

(AQW 17331/11-15)

Mr P Robinson and Mr M McGuinness: The Ljubljana Guidelines on Integration of Diverse Societies, were published on 7 November to provide additional advice on Minority rights which complements current equality law here.

They should serve to strengthen the rights of the individual to choose to be treated as a member of a minority community or not. The concept of self-identification will increase an individual's freedom of choice and will avoid assimilation against their will by the State or third parties. Clearly, we will take account of the Guidelines when considering the rights of any minorities that fall within their scope.

Ministerial Directions

Mr Allister asked the First Minister and deputy First Minister, pursuant to AQW 16624/11-15, whether they will specify the decisions made as a result of Ministerial Directions.

(AQW 17432/11-15)

Mr P Robinson and Mr M McGuinness: The Ministerial Direction requested officials to retain ownership and minimise the running costs of the Shackleton site, rather than dispose of the site at that time.

We were not satisfied with the short timescales imposed by the Ministry of Defence or that the proposed selling price would maximise the return to government.

G8 Summit

Mr Anderson asked the First Minister and deputy First Minister for their assessment of the potential benefits from hosting the G8 Summit in June 2013.

(AQO 2999/11-15)

Mr P Robinson and Mr M McGuinness: This should raise our profile as a tourism and business destination in major economies across the world. Hosting the G8 may also provide opportunities to promote tourism in overseas markets.

With over 2,000 delegates and a similar number of media expected to attend, it is envisaged that there may also be a short-term economic stimulus for our local businesses, particularly those involved in accommodation, event management, catering and transport-related activities in either directly supplying the Summit, or as sub-contractors.

DETI, through Invest NI and the Northern Ireland Tourist Board, will work closely with the Council and other local stakeholders to ensure the potential economic benefits to the local area are maximised in the longer term.

G8 Summit

Mr Newton asked the First Minister and deputy First Minister to outline the long-term benefits after the G8 Summit has taken place in Co Fermanagh.

(AQO 3002/11-15)

Mr P Robinson and Mr M McGuinness: This should raise our profile as a tourism and business destination in major economies across the world. Hosting the G8 may also provide opportunities to promote tourism in overseas markets.

With over 2,000 delegates and a similar number of media expected to attend, it is envisaged that there may also be a short-term economic stimulus for our local businesses, particularly those involved in accommodation, event management, catering and transport-related activities in either directly supplying the Summit, or as sub-contractors.

DETI, through Invest NI and the Northern Ireland Tourist Board, will work closely with the Council and other local stakeholders to ensure the potential economic benefits to the local area are maximised in the longer term.

Cohesion, Sharing and Integration Strategy

Mr Eastwood asked the First Minister and deputy First Minister for an update on the Programme for Cohesion, Sharing and Integration.

(AQO 3120/11-15)

Mr P Robinson and Mr M McGuinness: We remain committed to building a united and shared community by continuing to improve good relations across our society. Bringing forward a robust good relations strategy with a clear framework for action will be a critical part of achieving our vision of a better future for everyone.

We recognise the importance of translating the Executive's commitment into clear, meaningful action. The working group has concluded its current work and the resultant draft document, along with a small number of key issues requiring further consideration, have been sent to us for discussion with Party Leaders.

OFMDFM: Shanghai Trip

Mr McDevitt asked the First Minister and deputy First Minister (i) how many public servants were funded to attend the trip to Shanghai in November 2012; (ii) what was the total cost of the trip; (iii) for a breakdown of these costs; (iv) how much public money was spent to support other agencies to be represented at the event; (v) why the event was planned to take place during the Once in a Generation power changing conference in Beijing; (vi) were the organisers aware that persons of economic and political significance in China were in Beijing attending the Communist Party conference; (vii) what measures have been used to evaluate the cost of the trip; and (viii) how many contacts were developed as a result of the trip.

(AQW 18466/11-15)

Mr P Robinson and Mr M McGuinness: The visit to China in November was the first government led visit following invitations from Madame Lui Yandong and new President Xi Jinping.

- (i) The eight OFMDFM officials funded to attend the events in Shanghai were those with the remit to represent the policies across government departments, have the necessary international relations expertise and be able to support Ministers.
- (ii) Total costs for the visit and programme are not yet available.
- (iii) Costs included travel, hotel accommodation, subsistence, visit and protocol preparations.
- (iv) Other organisations attending events in China were funded through their own budgets and some were in receipt of support from Invest NI.
- (v) During their visits here in the spring 2012 Madam Lui Yandong and President Xi Jinping invited us to visit China before the end of the year. This return visit was also to have a significant economic focus by leading a major trade mission. During meetings with representatives of the Chinese government last September we were made aware of the potential dates for the National Congress but were also advised that an economic visit led by us would be received very positively by the Chinese leadership as setting out our commitment to a long term relationship with China.
- (vi) We also received advice from UK and Irish diplomatic and business representatives who confirmed the importance of relationship building visits to China and that we should also be seen to be supporting the efforts of Invest NI and the 40 organisations who were hoping to develop trade in China. This visit was an important economic and trade visit to China and was also used to launch the NI Connections Programme to build networks with our Diaspora abroad.
- (vii) Our support of the businesses on this mission helped to raise their profile with potential Chinese customers and we were able to meet with many of them during the visit at the reception we hosted in Shanghai which was attended by over 200 people.

In all our consultations we have been advised to invest time and effort in building relations with organisations in China. Obviously the ultimate measurement of success is in increased trade and growth for our economy which can only be achieved by accessing external markets.

- (viii) Measurements for success for the businesses are established by Invest NI and we have assisted these businesses in securing access to senior decision makers in their prospective customer organisations.

Sexual Orientation Strategy

Mr Allister asked the First Minister and deputy First Minister, in light the missed deadline of 31 December 2012 for the publication of the draft sexual orientation strategy, what is the new timeline to which their Department is working; and why the has slippage occurred.

(AQW 18687/11-15)

Mr P Robinson and Mr M McGuinness: We remain committed to publishing a Sexual Orientation Strategy. A draft consultation document that will inform public consultation on the Sexual Orientation Strategy is currently under consideration within the Department and consultation will begin as soon as it is finalised. The responses received will inform the content of the Strategy which will be published as soon as possible.

Social Investment Fund

Mr Lyttle asked the First Minister and deputy First Minister what deprivation criteria will projects be required to meet for inclusion in Social Investment Fund funding.

(AQW 18949/11-15)

Mr P Robinson and Mr M McGuinness: Projects proposed within the strategic area plans should outline priority issues, linked to the four strategic objectives of the Social Investment Fund, and identify local solutions on the basis of evidenced objective need.

It is not anticipated that all areas within a zone will benefit from the Fund but rather projects should be targeted at areas within the following eligibility criteria:

- areas within the top 10 per cent of most deprived Super Output Areas on the Multiple Deprivation Measure 2010
- areas within the top 20 per cent of most deprived Super Output Areas on the key indicators of income, employment, education and health
- areas which can provide independently verified and robust evidence of objective need linked to the four strategic objectives of the Social Investment Fund

All projects should be supported by clear evidence of objective need and supported by individual economic appraisals to Northern Ireland Guide to Expenditure, Appraisal and Evaluation Standard (NIGEAE).

G8 Summit

Mr Wells asked the First Minister and deputy First Minister what opportunities for the local economy are expected as a result of hosting the G8 summit this year.

(AQO 3235/11-15)

Mr P Robinson and Mr M McGuinness: This should raise our profile as a tourism and business destination in major economies across the world. Hosting the G8 may also provide opportunities to promote tourism in overseas markets.

With over 2,000 delegates and a similar number of media expected to attend, it is envisaged that there may also be a short-term economic stimulus for our local businesses, particularly those involved in accommodation, event management, catering and transport-related activities in either directly supplying the summit, or as sub-contractors.

DETI, through Invest NI and the Northern Ireland Tourist Board, will work closely with the Council and other local stakeholders to ensure the potential economic benefits to the local area are maximised in the longer term.

Cohesion, Sharing and Integration Strategy: Segregation

Mr Kinahan asked the First Minister and deputy First Minister whether segregation, in housing and education, including an option of moving towards a single education system, will be addressed in the Cohesion, Sharing and Integration Strategy.

(AQW 19137/11-15)

Mr P Robinson and Mr M McGuinness: Work is continuing to develop a Good Relations Strategy. It would not be appropriate to discuss individual elements of that Strategy in advance of its publication.

Cohesion, Sharing and Integration Strategy

Mr Kinahan asked the First Minister and deputy First Minister what opportunity will be given to stakeholders from the community and voluntary sectors to have an input into the Cohesion Sharing and Integration Strategy (i) before; and (ii) after publication.

(AQW 19138/11-15)

Mr P Robinson and Mr M McGuinness: The voluntary and community sectors have already inputted to the preparation of a new Good Relations Strategy, through their submissions to the consultation on the draft strategy.

We would expect voluntary and community groups to have an important role in driving forward change in our community where appropriate, with government support, as we seek to implement the actions arising from the finalised Strategy.

Cohesion, Sharing and Integration Strategy

Mr Kinahan asked the First Minister and deputy First Minister what level of consultation has been undertaken with each Department on the Cohesion, Sharing and Integration Strategy.

(AQW 19139/11-15)

Mr P Robinson and Mr M McGuinness: All government departments have been consulted during the drafting of the Good Relations Strategy to ensure that the aspirations and language used in the document accurately reflect other departments' priorities and policy positions.

Cohesion, Sharing and Integration Strategy

Mr Kinahan asked the First Minister and deputy First Minister to detail the total resources used to date, including (i) cost; and (ii) staff hours, on the drafting of the Cohesion, Sharing and Integration Strategy.

(AQW 19140/11-15)

Mr P Robinson and Mr M McGuinness: We do not hold the information requested.

Play Exemplar Programme

Mr Moutray asked the First Minister and deputy First Minister to detail (i) the funds available through the Play Exemplar Programme; and (ii) the amount each local council has received.

(AQW 19169/11-15)

Mr P Robinson and Mr M McGuinness: The UN Convention on the Rights of the Child, which was ratified by the UK Government in December 1991, specifically recognises the importance of play and leisure activities for the child through Article 31.

The Executive published the Play and Leisure Policy Statement in 2008 to reflect the value that we place on play and leisure in the lives of children and young people in our society.

To deliver on the Executive's Play and Leisure Policy Statement, our Department identified a need to promote new and innovative play and leisure facilities in Northern Ireland. Recognising the active role of District Councils in providing play and leisure facilities, the Department offered them the opportunity to develop such facilities within their local area, through the Play Exemplar Programme. Out of 26 district councils, seven applied to participate in the initiative.

£150k was initially made available for these play projects from the 2009/10 Play and Leisure Policy budget of £329k. This was, however, increased due to the high level of interest and the seven District Councils were subsequently awarded funding totalling £200k to take their projects forward. While the exact figures for each project are not readily available, each council was awarded between £20k - £35k.

In consultation with children and young people, a range of unique and forward thinking play and leisure facilities was successfully put in place in the following council areas; Armagh City & District, Banbridge, Cookstown, Derry City, Enniskillen, Larne Borough and Strabane.

A report on the seven exemplar projects can be found at http://www.ofmdfmi.gov.uk/play_and_leisure_reporton_council_projects.doc

More recently OFMDFM offered District Councils up to £10k each in 2010/11 to set up Play and Leisure Partnerships and carry out audits of existing provision against need. Fourteen Councils availed of the offer and received a total contribution of £125,000 from OFMDFM. The councils were Antrim, Armagh, Banbridge, Ballymena, Carrickfergus, Castlereagh, Craigavon, Derry, Down, Fermanagh, Limavady, Newry and Mourne, Newtownabbey and Strabane.

The Department is reviewing progress on the Play and Leisure Implementation Plan and assessing further options for investment as a catalyst to promote delivery of new and innovative play and leisure opportunities for children and young people.

Play and Leisure Strategy

Mr Beggs asked the First Minister and deputy First Minister how they are assisting local councils to implement the Play and Leisure Strategy.[R]

(AQW 19244/11-15)

Mr P Robinson and Mr M McGuinness: Councils are critical to delivery of facilities and opportunities for play and leisure. We are working closely with Councils through the Play and Leisure Forum to review progress against the Play and Leisure Implementation Plan published in 2011, to identify barriers to delivery and actions to address these and to target resources to best effect.

We have progressed delivery of the plan, for example, by supporting Councils to establish 'play and leisure strategic partnerships'. We have provided resources to councils to carry out audits of existing provision against need. The information from these local audits has been brought together onto a regional mapping system, which makes best use of existing resources; assists those councils who do not have in-house Geographic Information System (GIS) expertise; facilitates cross-council partnerships and informs policy decisions at regional level.

A General Comment on Article 31 of the UN Convention on the Rights of the Child was adopted in February 2013. Our Department is currently reviewing progress on the Play and Leisure Implementation Plan and assessing further options for investment as a catalyst to promote delivery of new and innovative play and leisure opportunities for children and young people. This will include continuing discussion with Councils on how we can best assist them and action where we are best placed to support them.

Organ Donation

Mrs Dobson asked the First Minister and deputy First Minister why the issue of organ donation was not included in the Programme for Government.

(AQW 19545/11-15)

Mr P Robinson and Mr M McGuinness: The Programme for Government was developed as a strategic document that identifies and enables delivery of the Executive's priorities and is not an exhaustive list of programmes that will be undertaken by Departments.

Child Poverty Pilot

Mr Beggs asked the First Minister and deputy First Minister for an update on the child poverty pilot study.

(AQW 19574/11-15)

Mr P Robinson and Mr M McGuinness: The Child Poverty Reduction Pilot Study was put out to tender during summer 2012. The deadline for the receipt of bids was mid-September 2012. One tender bid was received. The tender panel met to evaluate this submission and the decision was taken to seek further clarification on the bid. The clarification meeting took place in November 2012 with the bidder then tasked with submitting the clarifications to the tender in writing by the end of November.

The clarified bid was received in December and is with tender evaluation members for consideration. A consensus decision by the tender evaluation panel is expected in the next few weeks.

Ilex: Chairperson and Chief Executive Vacancies

Mr Eastwood asked the First Minister and deputy First Minister when the current vacancies of Chairperson and Chief Executive at Ilex will be filled.

(AQW 19905/11-15)

Mr P Robinson and Mr M McGuinness: The competitions to fill the positions of Chairperson and Chief Executive are currently underway. The closing date for applications for the Chief Executive was the 8th February and the selection panel are currently engaged in the interview processes.

The competition to recruit a Chairperson and additional Board members to fill current and future vacancies on the Ilex Board was advertised on the 21st February with a closing date of the 15th March. We expect the interviews to be completed and recommendations for appointment to be given to us shortly thereafter.

Ethnic Minority Development Fund

Mr Weir asked the First Minister and deputy First Minister what is the current budget for the Ethnic Minority Development Fund; and what is the projected budget for 2013/14.

(AQW 20195/11-15)

Mr P Robinson and Mr M McGuinness: The current budget for the Minority Ethnic Development Fund is £1.1 million and the projected budget for 2013/14 and 2014/15 is also £1.1 million.

In line with recommendations from an evaluation of the Fund, we have also agreed in principle that there should be a "crisis fund" element. This will be in addition to the £1.1million budget for 2013/14. The size of the crisis fund element is still to be decided. The crisis fund element will give the Minority Ethnic Development Fund a greater degree of flexibility and allow it to deal with emergency situations through, for example, small one-off payments.

The Fund will run from the beginning of the new financial year for two years. Advertisements inviting applications appeared in the press on 20 February 2013.

Social Mobility and Child Poverty Commission

Mr Lyttle asked the First Minister and deputy First Minister why they decided to make no nomination to the UK Commission on Child Poverty and Social Mobility.

(AQW 20231/11-15)

Mr P Robinson and Mr M McGuinness: The extension of the role of the Child Poverty and Social Mobility Commission to include devolved matters here would require the approval of the Assembly. Under the terms of the Welfare Reform Act 2012 the remit and composition of the Child Poverty Commission were revised to include a role promoting social mobility. The statutory reforms also channelled the reporting by the Commission via the Secretary of State for Work and Pensions rather than Parliament.

Under the terms of the Child Poverty Act 2010, the Executive is required to produce a Strategy and report to the Assembly on progress towards contributing to the overall aim of eradicating poverty in the UK by 2020. The Strategy agreed by the Executive in 2011 focuses on a twin-pronged approach of improving family finances and parental employability in the short-term and improving the delivery of services to children which will help them to achieve their potential and avoid poverty in later life and, particularly, to address the potential risk of multi-generational poverty. This Strategy more accurately reflects local circumstances and needs and will help to alleviate poverty here, whilst contributing to the coalition government's targets in the UK. The scrutiny of the Strategy, and the work of departments in delivering reductions in child poverty, is undertaken by the Assembly Committees, including primarily the Committee for the Office of the First Minister and deputy First Minister.

OFMDFM: Improving Children's Lives

Mr Agnew asked the First Minister and deputy First Minister for a breakdown of the £118 million which will be spent on improving children's lives by 2016.

(AQW 20275/11-15)

Mr P Robinson and Mr M McGuinness: The Delivering Social Change framework seeks not only to improve the health, wellbeing and life opportunities of our children and young people, but also aims to deliver a sustained reduction in poverty and associated issues across all ages.

The recently established Delivering Social Change Fund is a consolidated, integrated fund comprising £80 million Social Investment Fund, £12 million Childcare Fund and £26 million for the initial phase of Delivering Social Change Signature Programmes.

Green Book Economic Appraisal

Mr Eastwood asked the First Minister and deputy First Minister whether the Green Book economic appraisal will apply to all the projects agreed by Social Investment Fund steering groups; and whether all the projects will be subject to a full equality assessment.

(AQW 20348/11-15)

Mr P Robinson and Mr M McGuinness: Steering Groups have submitted economic appraisals for all projects in the area plans to comply with the requirements set out in the Guide to Expenditure, Appraisal and Evaluation (formerly the Green Book). Equality considerations formed part of the appraisal process. In addition, Steering Groups consulted with Section 75 groups during the area planning process in the identification of priority needs under the objectives of the Fund.

Social Investment Fund

Mr Eastwood asked the First Minister and deputy First Minister when representatives from statutory bodies and the business community will be appointed to steering groups for each Social Investment Fund zone; and why representatives from statutory bodies and the business community are being appointed after the steering groups have set their priorities.

(AQW 20349/11-15)

Mr P Robinson and Mr M McGuinness: The initial Steering Groups, comprising of membership from the voluntary/ community and political sectors, have consulted widely across their social investment zones in the identification of priority needs including with the relevant statutory and business sector representatives. As part of the submission of area plans, steering groups have made recommendations on which organisations or sectors would be usefully part of the steering group. We will consider these as part of the appraisal of the plans and appoint remaining members prior to entering the implementation phase.

Education Bill

Mr Kinahan asked the First Minister and deputy First Minister when they will publish their plans for the constitution of, and terms of reference for, the tribunals in the Education Bill.

(AQW 20468/11-15)

Mr P Robinson and Mr M McGuinness: The Education Bill is currently at Committee Stage and is under scrutiny by the Education Committee.

Under the Bill, as introduced in the Assembly, OFMDFM would, by regulations, make provision for the establishment of a tribunal, which would issue determinations in cases where the Education and Skills Authority (ESA), had not approved a grant-aided school's employment or management scheme, or in certain circumstances where a scheme was referred to it by a Board of Governors. The Bill requires these regulations to be approved by a resolution of the Assembly.

We aim to ensure that draft regulations are consulted on, and submitted to the Assembly for approval, so that the tribunal can fulfil its functions under the Bill at the appropriate time.

Social Investment Fund

Mr Easton asked the First Minister and deputy First Minister for an update on the implementation of the Social Investment Fund.

(AQW 20475/11-15)

Mr P Robinson and Mr M McGuinness: Since October 2012, our officials have been working alongside steering groups to ensure communities across all nine social investment zones are engaged in the process to identify objective needs and potential projects to tackle those needs. Steering groups have now submitted final area plans, encompassing prioritised projects aimed at addressing the key objectives of the Fund.

The final plans were received on 28th February and are now being subject to a quality assurance review, including the completion of the economic appraisal for each proposed project. This process will assess the individual projects within the plans against set criteria to ensure the most robust projects are recommended, to maximise impact on the ground.

Following appraisal, we will take decisions on the final projects to be funded and the most appropriate delivery mechanism, with a view to projects commencing in communities soon afterwards.

Play and Leisure Implementation Plan

Mr F McCann asked the First Minister and deputy First Minister, in light of the United Nations Committee on the Rights of the Child General Comment on the importance of Article 31, which refers to Play and Leisure, what relevance this will have to their Play and Leisure Implementation Plan.

(AQO 3549/11-15)

Mr P Robinson and Mr M McGuinness: We are aware that the United Nations has adopted, on 1 February this year, a General Comment on Article 31 covering a child's right to play and to engage in other recreational activities.

At this stage, the text of the General Comment has not been made public and we are therefore not in a position to discuss it in detail. We do have a sense of the scope of the document through some of the draft proposals presented to the Committee and consider that it will be very important in terms of promoting a greater awareness of the importance of play and leisure and of giving a better understanding of the breadth of activities that play and leisure encompasses. We understand that it will also describe challenges to providing children and young people with adequate opportunities for play and leisure and advice on how these can be addressed for all children while also providing a focus on the needs of particular groups such as those who are in care or are disabled.

We are currently carrying out a review of progress of the Play and Leisure Implementation Plan and can assure you that we will take account of the content of the General Comment as part of that review.

Children and Young People's Strategy

Mr Maskey asked the First Minister and deputy First Minister whether they have considered the report 'Still Vulnerable: The Impact of Early Childhood Experiences on Adolescent Suicide and Accidental Death' and, in particular Recommendation 5, about their Department having lead responsibility for addressing social exclusion and the ten-year strategy for children and young people.

(AQO 3554/11-15)

Mr P Robinson and Mr M McGuinness: Suicide is a societal issue that no single government department can tackle alone. Any review which helps to draw together a body of knowledge that informs our understanding of why young people may feel overwhelmed, and suggests ways to address suicide risk must be paid attention to.

In respect of Recommendation 5 of the report, published by the NI Commissioner for Children & Young People last November, we fully accept the suggestion that, in terms of interventions to prevent adolescent suicide and accidental death, there is a need to understand more fully what works and in what circumstances for whom.

One of the merits of the new Delivering Social Change Framework and the Children and Young People's Early Actions paper is the recognition of the problems that can arise from transitions from one stage of life to another. These could be, for example, changing school or leaving home or might arise from family breakdown.

We also know that there needs to be careful consideration of how children and young people develop and the social and economic context in which they are growing up. Evidence shows there is a significantly higher rate of suicide in economically deprived areas as opposed to less deprived areas.

We endorse the sentiment in the report on the need to move towards a focus on outcomes to be achieved for young people and not just on outputs from different services.

In relation to the Ten-Year Strategy for Children and Young People, all of the six outcomes it identifies can contribute to wellbeing and emotional strength. As the Department with lead responsibility for this strategy, OFMDFM will drive its delivery through the Delivering Social Change Framework which will bring a collaborative effort across departments to achieve its outcomes.

Organ Donation

Mrs Dobson asked the First Minister and deputy First Minister, following the announcement on the 5th February 2013, whether they have been consulted by the Minister of Health, Social Services and Public Safety on proposals to maximise organ donation rates.

(AQO 3556/11-15)

Mr P Robinson and Mr M McGuinness: The Member will be aware from the statement on 5 February that we participated in the announcement of the consultation and indicated our support for the Minister's proposals.

Department of Agriculture and Rural Development

Bovine Viral Diarrhoea

Mrs Dobson asked the Minister of Agriculture and Rural Development to detail any ongoing voluntary Bovine Viral Diarrhoea pilot schemes and whether her Department has plans to make testing compulsory in the near future, and to provide a timescale. (AQW 19973/11-15)

Mrs O'Neill (The Minister of Agriculture and Rural Development): At farm level, production diseases such as BVD and Johne's Disease can have a significant impact on productivity. Such diseases are not subject to national control programmes and because their impacts are mainly at farm level, it is the responsibility of industry to take the lead in tackling them.

I therefore welcome the launch last year of Animal Health and Welfare NI (AHWNI), which has been set up by industry to lead on the development and promotion of initiatives to tackle such diseases.

In support of this industry-led initiative I am pleased to announce that my Department will provide start-up funding to help Animal Health and Welfare NI deliver its BVD eradication programme and to develop a Johne's Disease control programme.

AHWNI hopes to make a case to my Department to move to mandatory BVD testing, subject to sufficient uptake by farmers of its voluntary BVD eradication programme. Any such case will also depend on AHWNI having sufficient industry funding to secure its on-going financial viability.

Any legislation to make BVD testing mandatory would be brought forward under the Assembly's subordinate legislation process and would also need to be considered by the EU.

Child Poverty

Mrs D Kelly asked the Minister of Agriculture and Rural Development for an update on the Programme for Government commitment to reduce child poverty; and how her Department's budget has been used to fulfil this commitment in each constituency, over the last two years. (AQW 20334/11-15)

Mrs O'Neill: I believe that my Department has an important role to play in tackling the root causes of poverty and improving the future prospects of our children. We have a Programme for Government commitment to bring forward a package of measures worth £13 million over the budget period to tackle rural poverty and social and economic isolation. In addition, my Department has committed to targeting 5% of funding under Axis 3 of the Rural Development Programme (RDP) towards projects supporting children and young people.

In February 2012, I launched the Tackling Rural Poverty and Social Isolation (TRPSI) Framework under which my Department is funding a range of projects to help support the most vulnerable people in our rural communities. In 2011/12 my Department spent £2.5 million on initiatives aimed at tackling poverty and isolation in a rural context and is on target to spend £4 million by 31 March 2013. Over 3,500 households have benefited from various forms of assistance, such as through the Maximising Access to Rural Areas project (MARA) which has helped rural dwellers in receiving grants, benefits and local and regional services to which they are entitled. Other projects include energy efficiency schemes and support for rural transport that can help tackle access poverty. Many of these interventions are targeted at vulnerable families which indirectly benefits children.

In addition by the end of January 2013, 90 of the projects completed under Axis 3 of the RDP were recorded as benefiting children and young people. Currently the total that has been paid to these projects over the period of the Programme is £2.6 million, representing 14.6% of grant paid to all completed projects. My Department does not hold a breakdown of information regarding the budget spend in each constituency.

To increase the number of projects in the RDP that focus on children and young people and also the involvement of young people in the Programme, a thematic group was established in November 2012 to look at best practice in delivery and engagement. In terms of active membership there are 15 members from 4 LAG areas including a health visitor, member of the NI Children's and Young People's Strategic Partnership and an Area Manager for Early Years. The group is facilitated through the Rural Network NI.

Single Farm Payment Scheme: Review of Decisions

Mr D McIlveen asked the Minister of Agriculture and Rural Development what assistance her Department offers to farmers who embark on the Single Farm Payment Scheme, Review of Decisions. (AQW 20335/11-15)

Mrs O'Neill: All Single Farm Payment decision letters issued notify the right to request a review of that decision. The letter also advises the farmer that, if they have any queries or wish to offer any additional information that they feel should have been taken into account, staff in Single Farm Payment Branch, Orchard House are available to discuss the decision.

If farmers wish to proceed with a review, they are sent an application form and accompanying letter, which include a summary of the decision concerned and the date by which an application must be received by the Department. They are also issued with an explanatory booklet. This booklet, which is also available on the DARD internet, outlines the Review of Decisions process and includes information on the stages of review, the Panel operation and what happens after the hearing.

On the Stage One application form, the farmer is asked to provide full details of their grounds for requesting a review. If further information is required, the Stage One Case Officer will contact the farmer by phone or in writing. Where requested by the farmer, the Case Officer is available to meet with the farmer to discuss the facts of the case. When all the necessary information has been gathered, the application is assessed and a decision is issued along with a report detailing the known facts, the legislation taken into account and how this has been applied to the case. The Stage One decision notice advises of the option to apply for a Stage Two review by an External Panel and the deadline for the submission of an application.

At Stage Two, farmers are provided with the name and contact details of the Case Officer reviewing the case. At any stage prior to the issue of the Stage Two Case Officer report, the farmer can contact the Case Officer to discuss their case.

The Case Officer report setting out the legislative references both the farmer's and the Department's positions along with any evidence provided or obtained as part of the Stage 2 investigation is issued to the farmer approximately four weeks prior to the Panel hearing and the farmer has the opportunity to comment on this. At the hearing, the farmer may bring a representative with them or nominate a representative to act on their behalf. Once the final decision is made, the farmer is advised in writing of this and provided with the Panel's recommendation and the Department's final position in relation to this.

Hedges

Mr Agnew asked the Minister of Agriculture and Rural Development what action her Department has taken to investigate the destruction of two hedges, which was reported to the departmental office, in Coleraine on 27 February 2012.
(AQW 20440/11-15)

Mrs O'Neill: All farmers in receipt of direct agricultural support payments (including Single Farm Payment), must meet the Cross-Compliance requirements. One of these requirements is to retain field boundaries and prevent cutting during the bird nesting season. Removing a hedge without prior permission from DARD is considered to be a breach of Cross-Compliance. My Department may discover such breaches during farm inspections, or through whistleblower reports.

Whilst I am not able to comment on specific cases, I can provide reassurance that all cases reported to DARD Direct Offices, including the Coleraine office, are investigated according to my Department's procedures. My Department takes all reported suspected breaches of Cross-Compliance very seriously and each case is fully investigated and a report of the findings prepared. If a breach is not detected, no action is taken. If a breach is detected, the farmer is notified. A breach may have an impact on the farmer's payment.

Hedgerows

Mr Agnew asked the Minister of Agriculture and Rural Development whether her Department holds statistics on the total area which is covered by hedgerows; and what the figures were for each of the last five years.
(AQW 20446/11-15)

Mrs O'Neill: My Department does not hold statistics on the total area that is covered by hedgerows. The NI Countryside Survey is published by the NI Environment Agency (NIEA) and provides statistics on lengths of field boundaries, with the most recent published survey in 2007 estimating some 113648 km of hedgerow.

Farmers: Additional Funding

Mr Agnew asked the Minister of Agriculture and Rural Development under what circumstances is additional funding made available to farmers when hedges are removed from their land; and to detail the funding available.
(AQW 20447/11-15)

Mrs O'Neill: My Department does not make funding available following the removal of hedges. In fact, removing a hedge without prior permission from DARD is considered to be a breach of Cross-Compliance and could potentially result in the loss or reduction of the Single Farm Payment and other direct payments. All farmers in receipt of direct agricultural support payments (including Single Farm Payment), must meet the Cross-Compliance requirements. One of these requirements is to retain field boundaries.

Hedgerows

Mr Agnew asked the Minister of Agriculture and Rural Development, given the Executive's goal in the Programme for Government to halt the loss of biodiversity, what action has her Department has taken to preserve hedgerows.
(AQW 20448/11-15)

Mrs O'Neill: I have outlined the main actions my Department takes to preserve hedgerows on an on-going basis.

- (i) **Restoring and maintaining hedges.** This is funded under DARD's agri- environment schemes which aim to enhance biodiversity. Over 12,000 farmers who take part in schemes restore and maintain hedgerows on their land as part of their management plan. These schemes include the NI Countryside Management Scheme, the Environmentally

Sensitive Areas Scheme and the Countryside Management Scheme. Participants receive funding to restore and regenerate hedgerows by undertaking actions such as planting, laying and coppicing.

- (ii) **Retention of hedges.** This is a requirement under Cross-Compliance. Hedges are considered a landscape feature and therefore are eligible for payment under direct agricultural support payments (including Single Farm Payment). All farmers receiving these payments must meet Cross-Compliance requirements. One of these requirements is to retain field boundaries. Removing a hedge without prior permission from DARD is considered to be a breach of Cross-Compliance and could potentially result in the loss or reduction of the Single Farm Payment and other direct payments.
- (iii) **Providing information.** My Department provides advice on managing and preserving hedgerows for biodiversity in contact with Countryside Management Advisers, scheme booklets, training events, press articles and on the DARD website.

Bovine Viral Diarrhoea

Mrs Dobson asked the Minister of Agriculture and Rural Development what strategic plans are in place to eradicate Bovine Viral Diarrhoea; and whether she intends to change the existing voluntary arrangements for testing.
(AQW 20550/11-15)

Mrs O'Neill: Bovine Viral Diarrhoea (BVD) is a production disease, which at farm level can have a significant impact on productivity. BVD is not a notifiable disease and is not therefore subject to national control programme.

I am pleased to advise that industry has set up Animal Health and Welfare NI (AHWNI), a not-for-profit organisation that will lead on the development and promotion of initiatives to tackle production diseases such as BVD. AHWNI has already initiated a voluntary BVD programme of 'tag and testing', which began in January this year.

In support of this industry-led initiative, I recently announced start-up funding to AHWNI to help deliver its BVD eradication scheme and to develop a Johne's Disease control programme. In conjunction with AHWNI, my Department is also delivering a programme through the Rural Development Programme to raise awareness about BVD and how to tackle it, and the economic and welfare advantages of doing so.

AHWNI hopes to make a case to my Department to move to mandatory BVD testing. Industry will need to demonstrate sufficient uptake by farmers during the voluntary BVD testing phase. In addition AHWNI will have to prove that it has sufficient industry funding to secure its on-going financial viability.

Any future proposals to introduce mandatory BVD controls will be subject to consultation with both stakeholders and the ARD Committee, and will require the agreement of the EU Commission.

Central Investigation Service

Mr Swann asked the Minister of Agriculture and Rural Development to detail what the Central Investigation Service was known as; and its functions, prior to 2002.
(AQW 20588/11-15)

Mrs O'Neill: Prior to 2002 the Central Investigation Service (CIS) known as the Fraud Investigation Unit (FIU). Its functions included legacy scheme investigations and a limited role in enforcement activity by providing expertise to assist DARD enforcement colleagues who did not have the capacity to prepare prosecution files.

Central Investigation Service

Mr Swann asked the Minister of Agriculture and Rural Development, if the Central Investigation Service detects a case of suspected fraud, whether it is reported to the Department of Finance and Personnel and the Comptroller and Auditor General in the first instance.
(AQW 20590/11-15)

Mrs O'Neill: The Department's Central Investigation Service (CIS) is a reactive unit that investigates incidences of suspected fraud referred by other business areas. When cases of suspected fraud are referred to the CIS for investigation they are registered on the CIS database and letters of notification are sent to DFP and the Comptroller and Auditor General.

Central Investigation Service

Mr Swann asked the Minister of Agriculture and Rural Development what qualifications in investigative practices current employees of the Central Investigation Service hold.
(AQW 20591/11-15)

Mrs O'Neill: I am unable to release this data as it is subject to the restrictions of the Data Protection Act 1998 and, accordingly, its release would breach the first and second principles as set out in Schedule 1 of the Data Protection Act 1998.

Horse Movements

Mr Swann asked the Minister of Agriculture and Rural Development, pursuant to AQW 19667/11-15, to outline the reason that caused the "prevention of movement of relevant consignments" and any resultant prosecution or penalty that resulted.

(AQW 20655/11-15)

Mrs O'Neill: In 2012, three consignments of horses were refused export from the north of Ireland due to non-compliances under the Horse Passport Regulations. As these were first time offenders a verbal warning was given.

A further horse transporter was refused export from the north of Ireland due to non-compliances with transport (welfare) documentation.

Central Investigation Service: Fraud Awareness Training

Mr Swann asked the Minister of Agriculture and Rural Development to outline the reasons why her Department uses the Central Investigation Service for fraud awareness training as opposed to the Chartered Institute of Public Finance and Accountancy.

(AQW 20656/11-15)

Mrs O'Neill: When meeting training needs, the Department is obliged to secure value for money. Therefore, when training can be delivered in-house by Subject Matter Experts (SME) this is the preferred option as it keeps costs to a minimum, ensures courses are specifically tailored for DARD and facilitates delivery at our regional locations. Fraud Awareness is not unique in this respect and the Department often uses SMEs to meet training needs.

Department of Culture, Arts and Leisure

Líofa

Mr Swann asked the Minister of Culture, Arts and Leisure whether she will publish the business case for the expenditure of £17,972 on Líofa's birthday party.

(AQW 15954/11-15)

Ms Ní Chuilín (The Minister of Culture, Arts and Leisure): The Business Case for the Líofa birthday event will be published on the Department's website in January 2013.

Sporting Organisations: Grants

Mr Allister asked the Minister of Culture, Arts and Leisure to outline (i) the financial oversight arrangements in place to ensure that the allocation of grants to sporting organisations is adequately monitored; and (ii) whether the accounts of sporting organisations that are grant-aided are inspected by, or on behalf of her Department, and, if so, by what process.

(AQW 17813/11-15)

Ms Ní Chuilín: My Department's funding to sporting organisations is largely allocated through Sport NI. Sport NI has procedures in place to ensure that the allocation of grants to sporting organisations is adequately monitored. These include the implementation of its monitoring policy requirements for all applicants prior to the award of grants, aligned also with its Business Case and Evaluation Policies. Projects in receipt of capital awards are also subject to further monitoring for a period of 5 years to ensure that achievement of project targets are met and to ensure that the financial, governance, technical and legal aspects of projects remain in place. All Sport NI grant recipients have their claims vouched in line with the Sport NI Risk Management Policy with ratings for each grant based on governance and financial health checks and on information from the ongoing monitoring of the projects.

Prior to the award of grants Sport NI assess the running accounts of applicants and also historical accounts, to determine current solvency, any requirement for additionality and to highlight any concerns on viability. Such financial health checks focus on surpluses or deficits, the level of any reserves and any other income sources.

When funding to sporting organisations is provided directly by the Department, broadly the same monitoring controls will be applied.

Tyrone Gaelic Athletic Association

Mr Allister asked the Minister of Culture, Arts and Leisure to detail the funding Tyrone Gaelic Athletic Association has received from her Department, or its arms length bodies, in each of the last 5 years.

(AQW 17816/11-15)

Ms Ní Chuilín: During the past 5 financial years Tyrone County Board Gaelic Athletic Association has received a total of £9,616 exchequer funding from Sport NI's 'Awards for Sport' Programme. The details are as follows: -

Financial Year	Project Title	Grant Amount	Type
2009/10	1 Promoting and developing Gaelic Games at all levels within the County. 2 Enhancing the performance of our elite athletes	£7,300	Capital funding
2009/10	3 Promoting and developing Gaelic Games at all levels within the County. 4 Enhancing the performance of our elite athletes	£2,316	Revenue funding

Obesity

Mr Humphrey asked the Minister of Culture, Arts and Leisure, following her announcement that additional funding is being allocated to the Gaelic Athletic Association, whether there will be additional funding for football, rugby and cricket, to assist in the ongoing campaign against obesity and to increase participation in these sports,
(AQW 18683/11-15)

Ms Ní Chuilín: In November 2012, I announced that, over the next three financial years, my Department would be making additional funding available to the Gaelic Athletic Association, Irish Football Association and Ulster Rugby. My bid to the Executive for this funding was predicated around promoting equality and participation and targeting poverty and social exclusion rather than the ongoing campaign against obesity. However, inequalities clearly include ill-health. Consequently each of the governing bodies has been asked to bring forward projects and programmes that meet these objectives. With regard to cricket, the governing body, Cricket Ireland, has recently met with my officials and are currently in discussion with Sport NI regarding funding needs over the next four years. These discussions are ongoing.

Tyrone Gaelic Athletic Association

Mr Humphrey asked the Minister of Culture, Arts and Leisure, (i) what percentage of the funding for Tyrone Gaelic Athletic Association's County Centre of Participation at Garvaghey will come from her Department; and (ii) through what funding scheme will it be delivered.
(AQW 18742/11-15)

Ms Ní Chuilín: DCAL through the Ulster Council of the GAA are providing a contribution of £500,000 towards the Tyrone GAA Centre of Participation at Garvaghey. This is subject to the normal budgetary approvals process. This represents approximately 7.25% of the overall cost of the Tyrone Gaelic Athletic Association's County Centre of Participation.

In relation to the funding scheme, the Executive endorsed my bid for £4.5m over a three year period, £1.5m to each of the Governing Bodies for Gaelic, Rugby and football to promote participation whilst tackling inequalities, ill health and social exclusion. The funding is from the Gaelic element of that Programme.

Gaelic, Football and Rugby: Funding

Mr Humphrey asked the Minister of Culture, Arts and Leisure, following her announcement of funding of £4.5 million for gaelic, football and rugby, can she detail (i) the allocation to each sport; and (ii) how the funding will be distributed.
(AQW 18802/11-15)

Ms Ní Chuilín: The Executive endorsed my bid for £4.5m over a three year period, £1.5m to each of the three sports.

Each of the governing bodies will receive £0.5m in each of the financial years 2012/13, 2013/14 and 2014/15 with the funding split between capital and revenue spend.

The governing bodies have put forward a number of projects and programmes for consideration and officials are working with each of the governing bodies to help refine these to ensure they are fully in line with the stated priorities of promoting participation while tackling inequalities and social exclusion.

The production and approval of Business Cases took place and this was followed by the issue of Letters of Offer to the three Governing Bodies and they will be tasked with taking forward the projects in line with normal budgetary and due diligence processes.

Foras na Gaeilge

Mr McGimpsey asked the Minister of Culture, Arts and Leisure to detail (i) the criteria used to assess applications for match funding from Foras na Gaeilge to promote the Irish language in a business context; (ii) all businesses which have received such funding from Foras na Gaeilge since the scheme was launched; and (iii) the total cost of the scheme since its launch.
(AQW 19043/11-15)

Ms Ní Chuilín: Foras na Gaeilge have provided the following information in respect of their 'Irish in Business' schemes available for match funding.

The criteria used to assess applications for match funding is available to commercial enterprises only. This funding is awarded on a 50:

- (i) 50 match-funding basis between the applicant and Foras na Gaeilge. The applicant must have matching funding available. The maximum available under this scheme is €1,500/£1,250. This scheme is aimed at small and medium sized enterprises only (under 50 people). Foras na Gaeilge will not provide any funding in the case where such an initiative is already being funded by another state body (e.g. Údarás na Gaeltachta). A draft version of the bilingual/Irish language signage must accompany the application. Applicants must ensure that the translation to Irish on this draft version is accurate. The amount of funding awarded is entirely dependent on the amount and visibility of Irish on the signage. The deadline for applications for this current round is 28 June 2013 and signage must be on by 1 September 2013. As there is a limit to the numbers of applications that Foras na Gaeilge can accept, only one application per enterprise will be considered.
- (ii) All businesses which have received funding from Foras na Gaeilge are shown in the table below:

2012

Joint Funded Scheme	£	Materials Scheme	£
Deirdre Murray	297	Aonach Mhacha t.a Siopa Cultúr	750
Eden Blooms	297	Ariel Killick	600
Saffron	217	Donna Kelly t.a Dinky Dinos	632.94
Shamrock Superstore	475	Wigs & Wags	743
Swift's Centra	528		
Total	£ 1,814.00		£ 2,725.94
Grand Total 2012	£ 4,539.94		
Number of Businesses	9		

2011

Joint Funded Scheme	£	Materials Scheme	£
Caifé Tierna	300	Picture Framing Services	725
Browns Chippy	425	Siopa an Carn	180.50
Pádraig Ó Muirigh Solicitors	400	Míl Íocshláinte	750
Kelstar Express	1050	The Millcourt	747
Picture Framing Services	1200	Craic Theatre	337
Hot Stuff	135	An Cló Ceart	750
Yankee Star Grillhouse	1150		
Northern Property	1175		
Frescos	1000		
Debbies Delight	425		
Craic Theatre	465		
Casa Nostra	1150		
Wigs & Wags	744		
Total	£ 9,619.00		£ 3,489.50
Grand Total 2011	£ 13,108.50		
Number of Businesses	19		

2010

Joint Funded Scheme	£	Materials Scheme	£
Fáilte Restaurant	1000	Sólás	750
Mill All Natural Balms	1000	Mill All Natural Balms	750
Masquerade Jewellery	381.88	Yellowhill Graphics	375
Davey's Shop	175	Feed Café	300
Elegant UPVC Doors & Designs	381.88	Clóann Bheann Madagain	750
Gerard's Shop	175		
Beechmount Bargain Store	175		
The Village Chippy	600		
Metallic Memories	105.75		
Café Culture	152.75		
The Patchwork Goose	387.75		
Cairde Teo	360		
The Mattress Factory	325		
PC Meditech	1000		
Elegant Flowers	675		
Start Smart Day Care	325		
Barnes Fish & Chip Shop	875		
Glen Daragh Hurls	125		
Total	£ 8,220.01		£ 2,925.00
Grand Total 2010	£ 11,145.01		
Number of Businesses	23		

2008

Joint Funded Scheme	£	Materials Scheme	£
Flax	850.00	Bialann Rhia	750.00
Stiúideo Ealaíona Domhanda	750.00	KotÉire	750.00
Setanta Hurls	846.00	Clóann Bheann Mhadagáin Teo	750.00
AA Accountancy	303.00		
Mannings Cars & Commercials	1000.00		
Castle Cabs	1000.00		
Shearer Meats	681.50		
Beauty by Eileen	400.00		
Solstice Art, Crafts & Multi	750.00		
Berries	50.00		
Solas Nua	1000.00		
Teach an Ghleanna	1000.00		
Total	£ 8,630.50		£ 2,250.00
Grand Total 2008	£ 10,880.50		
Number of Businesses	15		

2007

Joint Funded Scheme	£	Materials Scheme	£
Newport Printing Company	265.00	Smaointe	680.00
Adman Publishing Ltd	995.00	Bialann Rhia	750.00
Hoops Barbers	20.00	Clólann Bheann Mhadagáin	750.00
Siopa Uí Fhearain	250.00		
Flowers are Us	20.00		
Michael Flanigan Solicitors	25.00		
Café Rhia	920.00		
West Belfast Partnership Boardscéim	750.00		
Nu Wave	550.00		
Busy Bee Fruit & Veg	484.69		
Decora Blinds	1000.00		
Teach an Fheirmeora	475.00		
An Teach Beag	1000.00		
Stiudeo Ealaíona Domhanda	800.00		
Oasis Hair and Beauty	850.00		
Classique Cabs	276.00		
Clólann Bheann Mhadagáin	1000.00		
The Pad	800.00		
Siopa Ghearóid	740.00		
Flax Street Stores	550.00		
Shamrock Sports	600.00		
The Day Today	550.00		
Ionad Teaghlaigh Ardmhonaigh	1000.00		
Total	£ 13,920.69		£ 2,180.00
Grand Total 2007	£ 16,100.69		
Number of Businesses	24		

2006

Joint Funded Scheme	£	Materials Scheme	£
T Mc Cavigan Ltd	187.00	Nature Hug	572.50
Thinks Signs & ID Products	237.50	Gasta Search Networks	750.00
Manny's	40.00	Bean & Cream	750.00
Bean & Cream	994.50		
Pitta Italia	600.00		
Courtney's Hair & Beauty	600.00		
Pizza 'n Stuff	465.00		
Total	£ 3,124.00		£ 2,072.50
Grand Total 2006	£ 5,196.50		
Number of Businesses	8		

2005

Joint Funded Scheme	£	Materials Scheme	£
The Ogham Gallery & Craft Centre	797.50	Saol Fiáin	1,011
Teach Uí Cheallaigh	1,402.99	Peter Quinn Consultating Services	750
Siopa	895.52		
Total	£ 3,096.01		£ 1,761.00
Grand Total 2005	£ 4,857.01		
Number of Businesses	5		

*NB. The business support schemes were not open during 2009 and there were no funding awards made as a result

(iii) The scheme was launched in 2005 and the total cost to Foras na Gaeilge from 2005 to 2012 is £65,828.15

Ulster Scots: Ministerial Advisory Group

Mr Lunn asked the Minister of Culture, Arts and Leisure for an update of the Ministerial Advisory Group on Ulster Scots.
(AQW 19253/11-15)

Ms Ní Chuilín: The Ministerial Advisory Group (MAG) – Ulster Scots Academy provides advice on the strategic development of the Ulster-Scots sector and was tasked to build confidence within the sector by identifying and progressing projects under three streams of activity for the proposed Ulster-Scots Academy: Language and Literature; History, Heritage and Culture; and Education and Research.

Public consultation on a draft development and research strategy and associated grant scheme closed on 7 December 2012.

The responses received are being analysed and the outcome should be available by April 2013.

Future options to progress an Ulster Scots Academy are also being developed and I expect to receive a business case for consideration during early summer 2013.

The MAG has been proactive in developing and implementing a range of projects costing £1.67m to support its interim development strategy.

The following examples demonstrate how projects that have been supported are providing learning opportunities, encouraging collaboration, outreach and community engagement, assisting language development and exploiting the potential cultural tourism of Ulster Scots:

- grants to ten Councils to research and develop local Ulster-Scots Heritage Tourism products, including tourism iApps;
- an Ulster-Scots archaeological survey involving three excavations is providing significant educational opportunities for schools and community engagement and valuable learning resources and research;
- an Ulster-Scots Music Scoping Study to baseline the sector at present and identify opportunities for growth; and
- Steps to progress standardisation of the Ulster-Scots language involving an Ulster-Scots Spelling Guide and Glossary, an Orthography Panel and a Literary Encyclopaedia Project.

Olympic Funding

Mr Easton asked the Minister of Culture, Arts and Leisure whether all the funding allocated for Olympic related events was spent.

(AQW 19255/11-15)

Ms Ní Chuilín: All funding provided by my Department in supporting the delivery of local Olympic and Paralympic events has been spent.

Salmon and Inland Fisheries Forum

Mr Swann asked the Minister of Culture, Arts and Leisure for an update on the process to fill a vacant position on the Salmon and Inland Fisheries Forum.

(AQW 19314/11-15)

Ms Ní Chuilín: There are two processes used to fill a vacant position on the Salmon and Inland Fisheries Forum (SIFF).

The Process followed to replace a SIFF member representing a nominated body:

- (i) A letter is issued to the Head/Chief Executive of the organisation asking them to nominate a replacement to serve on the SIFF.
- (ii) An application pack including the application form, guide for applicants and equal opportunity monitoring form are issued with the letter, which the nominated representative must complete and return to DCAL Inland Fisheries Group.

- (iii) On receipt of the completed form, a letter is issued to the applicant confirming their position on the SIFF.
- (iv) The secretary to the SIFF informs the new SIFF member of details of the next meeting and enclosing any relevant documentation they need including the Terms of Reference.

The Process followed to replace a SIFF member representing publically advertised posts:

- (i) Inland Fisheries Group prepares an advertisement and press release which are submitted to Minister and Press Office for approval.
- (ii) Approved advertisement is submitted for publication in the appropriate newspapers.
- (iii) Press release is also emailed to all relevant interests including disability groups.
- (iv) Interested parties are advised in the advert to contact Inland Fisheries Group for application pack.
- (v) All applications received by the closing date are acknowledged.
- (vi) Interviews are arranged for the applicants.
- (vii) Letters are then issued to the successful and unsuccessful candidates.
- (viii) Secretary to the SIFF will contact new SIFF member with details of next SIFF meeting.

DCAL: Hospitality

Mr Allister asked the Minister of Culture, Arts and Leisure what was the total spend on hospitality by her Department in 2011/12.

(AQW 19492/11-15)

Ms Ní Chuilín: The Department incurred a total spend of £31,608 on hospitality in 2011/12.

Rowing, Golf and Boxing: Funding

Mr Dunne asked the Minister of Culture, Arts and Leisure what funding her Department has provided for (i) rowing; (ii) golf; and (iii) boxing, over the last five years.

(AQW 19496/11-15)

Ms Ní Chuilín: Sport NI, an arms length body of DCAL that distributes funding to sport in the north of Ireland, has awarded a total of £1,800,233 exchequer funding to the sports of rowing, golf and boxing over the last five financial years, up to 31 March 2012. During this period each sport was awarded the following: -

- Rowing - £765,021
- Golf - £430,365
- Boxing - £604,847

DCAL: Capital Spend

Mr Durkan asked the Minister of Culture, Arts and Leisure to detail her Department's capital spend since May 2011, broken down by constituency area.

(AQW 19517/11-15)

Ms Ní Chuilín: In the period May 2011 to December 2012, the Department made the following capital expenditure in the constituencies indicated:

2011/12 (May 2011 to March 2012)

Constituency	Amount (£)
Belfast East	79,611
Belfast South	18,267
North Antrim	494,255
Total	592,133

2012/13 (April 2012 to December 2012)

Constituency	Amount (£)
Belfast East	3,377
North Antrim	31,060

Constituency	Amount (£)
South Down	93,113
Total	127,550

I hope that you find this information helpful.

Northern Ireland Civil Service

Mr Swann asked the Minister of Culture, Arts and Leisure to outline what information is distributed to the Northern Ireland Civil Service regarding initiatives or information on (i) Irish; and (ii) Ulster Scots.

(AQW 19605/11-15)

Ms Ní Chuilín: The promotion of the Irish Language and Ulster-Scots issues are the responsibility of Foras na Gaeilge and the Ulster-Scots Agency respectively. Information on initiatives relating to the Irish language and Ulster-Scots activities is distributed by Foras na Gaeilge and the Ulster-Scots Agency through their existing communication channels.

At present, my department distributes a monthly newsletter on the Líofo initiative across the whole NICS email network. Líofo is a Ministerial-led initiative, which aims to promote the use and fluency of the Irish language and to increase the number of Irish speakers.

The Ulster-Scots Agency has no plans to introduce a similar Ulster-Scots Newsletter for distribution through the NICS network.

Libraries NI: Member Registration

Mr Swann asked the Minister of Culture, Arts and Leisure for her assessment of a new member registration process being used by Libraries NI.

(AQW 19612/11-15)

Ms Ní Chuilín: Libraries NI has informed me that it is not making any changes to the library membership or registration process.

However a data collection exercise is now underway. This is required to update records to support the implementation of the new E2 computer system. Libraries NI wishes to ensure that a member's details are accurate and current. With a member's permission, Libraries NI will contact them regarding forthcoming library events, new stock, service improvements and library updates. These initiatives should positively impact on a customer's experience of using their library.

Libraries NI: Member Registration

Mr Swann asked the Minister of Culture, Arts and Leisure what processes are in place to ensure that any changes to library membership will not have an adverse affect on libraries that are currently under review, or on their targets to prove sustainability.

(AQW 19613/11-15)

Ms Ní Chuilín: Libraries NI has informed me that it is not making any changes to the library membership or registration process.

The purpose of the current exercise is to update a members' record in advance of the introduction of a new computer system. If membership details are not captured prior to the transfer of data to the new system personal information will be validated on the member's next visit to the library.

In carrying out the strategic reviews of libraries the statistical information used related to active members, issues and visits. An active member is defined as a member who has used the library in the past 12 months. The data validation process will not change this method of calculation.

Irish League Football Clubs: Funding

Mr Easton asked the Minister of Culture, Arts and Leisure for an update on the funding available to Irish League Football clubs for infrastructure improvements.

(AQW 19825/11-15)

Ms Ní Chuilín: As I have previously advised around £36million for football's strategic stadium needs at sub-regional level was endorsed by the Executive on 10 March 2011 on the basis that it should be taken forward as a priority area of spend in the next CSR period (2015).

The IFA, with the help of SportNI, have developed a draft Strategic Outline Case (SOC) to examine potential proposals for sub-regional development. Further work is currently being carried out to refine the SOC before it is submitted to DFP who will assess if the proposals merit the production of Outline Business Cases. These OBCs will be used to inform possible bids for funding in the next CSR period (2015).

I would stress that no funding is available in the current CSR period for sub-regional development for football. It is not anticipated that sub-regional funding will become available until 2015 at the earliest.

Musical Instrument Grants

Mr Weir asked the Minister of Culture, Arts and Leisure what grants are available for bands, schools and community groups to purchase musical instruments.

(AQW 19870/11-15)

Ms Ní Chuilín: My Department's funding in support of bands to purchase musical instruments is disbursed through the Arts Council's Musical Instruments for Bands Programme. It provides grants from £500 to £5,000 and is available to bands based in the north of Ireland, which are formally constituted.

Funding up to £10,000 is also awarded by the Arts Council through its Lottery funded Small Grants Programme for band related activity (which includes equipment (such as music stands, rostra etc). It provides grants from £500 - £10,000 to voluntary and small professional groups in the north of Ireland for a wide range of community- based arts activities. Bands can get equipment or funds towards projects or tuition through the Small Grants Programme.

Great War Commemoration Events

Mr Copeland asked the Minister of Culture, Arts and Leisure, given that the centenary of the First World War will be marked in 2014, to detail the funding that her Department will make available for groups wishing to take part in events commemorating The Great War.

(AQW 19893/11-15)

Ms Ní Chuilín: The creative and cultural infrastructure and programmes already funded and supported by my Department will play a key role in telling the stories and different interpretations of the First World War and other important events from the Decade of Centenaries.

PRONI is planning an exhibition and lecture series and a range of Departmental Arm-length Bodies, such as Libraries NI and National Museums NI, are developing educational programmes, exhibitions, talks, book launches and online access to collections to help local groups and members of the public to explore this period in our history. These initiatives will also involve collaboration with other archives and museums in Ireland and Britain.

Overall, specific costs and allocations will be variable but their inclusion and prioritization within the work of the Department and its Arm-length Bodies recognises the importance of the Decade of Centenaries to promoting historical and cultural awareness, respectful remembrance and reconciliation.

In addition, NI Screen is supporting three productions so far, with combined funding of £335,000, that tie-in with the WW1 Centenary. These will include a factual drama serial, a feature film and a documentary.

The Community Festival Fund aims to improve the quality and capacity of community festivals. The Department allocates a total of £450,000 annually to local councils who match and administer the fund. Events remembering the past can be supported if in keeping with the Fund's guidelines which include inclusive approaches to commemoration.

Great War Commemoration Events

Mr Copeland asked the Minister of Culture, Arts and Leisure to detail any events scheduled for 2014 that her Department is aware of to commemorate the outbreak of The Great War.

(AQW 19894/11-15)

Ms Ní Chuilín: The First World War is one of several major events and significant anniversaries from the 1912 - 1922 period. The creative and cultural infrastructure and programmes already funded and supported by my Department will play a key role in telling the stories and different interpretations of the First World War and other important events from this Decade of Centenaries.

For example, Libraries NI is developing a programme of exhibitions, talks and book launches to commemorate the start of the First World War. National Museums NI is planning online access to collections and an exhibition and programming at the Ulster Museum and Ulster Folk & Transport Museum. This will also involve co-operation with the National Museum of Ireland, and the Imperial War Museum and National Portrait Gallery in London.

PRONI is also planning an exhibition and a lecture series as well as collaboration with other archives and museums in Ireland and Britain.

The Somme Heritage Centre is developing a programme of work exploring significant anniversaries during the Decade of Centenaries and this will include a focus on the First World War.

Foras na Gaeilge: 'Gaelscéal'

Mr D Bradley asked the Minister of Culture, Arts and Leisure, as one of the sponsor Ministers of Foras na Gaeilge, whether she has had any discussion with the organisation in relation to possible redundancy payments being made to the staff of Gaelsceal, who are being made redundant at the end of the month when the contract of Torann na dTonn to publish the newspaper will be ended.

(AQW 19941/11-15)

Ms Ní Chuilín: I have not had any such discussions.

Torann na dTonn is the employing organisation and is responsible for any personnel issues for staff in Gaelsceal.

Books Replacement Scheme

Mr Rogers asked the Minister of Culture, Arts and Leisure why so many books are being removed from shelves of libraries as part of the Books Replacement Scheme and to detail the timetable for their replacement.

(AQW 20053/11-15)

Ms Ní Chuilín: Books in libraries are circulated between libraries or removed on an ongoing basis to ensure that a fresh and relevant collection of items is available for library users.

Branch libraries are replenished with new stock every week with the quantities determined by local demand and library budgets.

In addition to this routine cycling and refreshing of library stock, library staff have recently been working to remove stock which is past its useful life. This work is being carried out before the end of March before the introduction of a new library management system (as part of the E2 Project). This will ensure that these stock items are not physically tagged and transferred to the new system which would attract additional, unnecessary costs.

World Police and Fire Games 2013

Mrs Hale asked the Minister of Culture, Arts and Leisure whether she has considered the Maze Long Kesh site as a possible venue for hosting the opening ceremony of the World Police and Fire Games 2013.

(AQW 20084/11-15)

Ms Ní Chuilín: I can advise that during the overall assessment process, the Maze Long Kesh site was one of the early options considered for hosting the opening ceremony of the 2013 World Police and Fire Games.

However, at its meeting on Wednesday 20 February 2013, the Board of the World Police and Fire Games Limited agreed that the preferred option for the opening ceremony would be the Kings Hall in Belfast.

Centres of Sporting Excellence

Mr McQuillan asked the Minister of Culture, Arts and Leisure what funding opportunities are available to a council that is seeking to establish a local centre of sporting excellence.

(AQO 3596/11-15)

Ms Ní Chuilín: Responsibility for the provision of local sporting facilities rests not with me but with district councils. Any proposals for the development of local centres of excellence or participation would benefit from a co-ordinated approach involving councils, sports governing bodies, local communities and the schools estate. This will ensure the needs of all stakeholders are met in full. Such an approach would also help to address issues around equality, social inclusion, poverty and improving participation in sports and physical activity. Sport NI engages on an ongoing basis with district councils on their views on future priorities and can also provide advice and guidance on possible funding opportunities, either current or planned, that may be of assistance to councils in this regard.

Primary Schools: Physical Literacy

Mr Rogers asked the Minister of Culture, Arts and Leisure what discussions have taken place with the Department of Education to improve the level of physical literacy in primary schools.

(AQO 3595/11-15)

Ms Ní Chuilín: Discussions with the Department of Education (DE) on improving physical literacy levels in primary schools take place on an on-going basis as part of the implementation of my strategy for sport, Sport Matters. Within Sport Matters, improving physical literacy is identified as one of the key steps for success in the delivery of the strategy. As a member of the Sport Matters Monitoring Group, DE arranged for the IFA and GAA to give a presentation in November 2012 to me and Group members on the Department's Curriculum Sports Programme, which is designed to develop the physical literacy skills of the youngest pupils in primary schools. In the 2011/12 school year, the programme was delivered by 61 GAA/IFA coaches in 567 schools to over 39,000 primary school children.

Obesity: Physical Activity

Mr Givan asked the Minister of Culture, Arts and Leisure what coordination exists between her Department and the Department of Health, Social Services and Public Safety to increase physical activity as a form of reducing obesity levels.

(AQO 3597/11-15)

Ms Ní Chuilín: The Department of Health, Social Services and Public Safety (DHSSPS) has in place a published and co-ordinated framework for preventing and addressing obesity entitled, 'A Fitter Future for All'. The 'Fitter Future for All' Framework recognises a key linkage with my Department's Sport Matters strategy and draws extensively on Sport Matters related research on participation in sport and physical activity. Both DCAL and SportNI are also identified as key delivery partners for the Framework and are represented on DHSSPS's Obesity Prevention Steering Group.

In addition, Sport Matters itself recognises the role that sport, as a form of physical activity, can play in helping to combat obesity. Sport Matters highlights the rising incidence of obesity across the north and quotes figures indicating that around 2,000 people here die every year as a result of being physically inactive. The strategy contains targets that are specifically designed to increase participation in sport and physical recreation across the population in line with Chief Medical Officer recommendations. To ensure these targets are delivered, a DCAL led Sport Matters Monitoring Group has been established to oversee the implementation of Sport Matters. The Group, which I chair, comprises senior representatives from a number of key stakeholder organisations including DHSSPS.

Football: Foyle Cup

Mr Durkan asked the Minister of Culture, Arts and Leisure whether she would consider providing funding for the annual Foyle Cup football tournament.

(AQO 3598/11-15)

Ms Ní Chuilín: In 2010, the NI Executive agreed the transfer of responsibility for Government policy and funding for events, including sport events, from DCAL to the Department of Enterprise, Trade and Investment and the NI Tourist Board. As a result, provision of support and funding to events, such as the Foyle Cup, is primarily a matter for DETI and the NI Tourist Board.

However, DCAL through Sport NI is already looking at ways in which it might also be in a position to support major sports events in the north in the future, including the Foyle Cup. As part of this process, consideration is currently being given to the development of a specific Sport NI run sports events support programme. This programme is still being developed but sports events, like the Foyle Cup, may be eligible for consideration particularly where they demonstrate potential to contribute to the delivery of my priorities of promoting equality and social inclusion, addressing poverty, improving participation and player athlete development.

Sport: Justice Act (Northern Ireland) 2011

Mr Elliott asked the Minister of Culture, Arts and Leisure for her assessment of how the provisions in Part 4 of the Justice Act (Northern Ireland) 2011 about sport work in practice.

(AQO 3599/11-15)

Ms Ní Chuilín: The provisions contained in Part 4 of the Justice Act (NI) 2011 were developed by the Department of Justice in partnership with DCAL to complement my Department's safe sports grounds legislation, the Safety of Sports Grounds (NI) Order 2006. The aim of both these pieces of legislation is to ensure the safety of spectators at larger fixtures played in the north of Ireland and to promote spectator friendly viewing arrangements. The provisions in the Justice Act are intended to clarify what constitutes safe and responsible conduct amongst spectators and ensure that there are powers in place to deal with individuals who engage in dangerous or disorderly conduct at regulated matches. These powers are ultimately vested in the PSNI and I understand that the PSNI are working with clubs and sports bodies to ensure that they are used to best effect and only where necessary. To that end, I understand that the PSNI will be meeting in the next few weeks with the Safety of Sports Grounds Overseeing Body, based at Sport NI, to review the operation of the Act to date and how its implementation may be further improved.

DCAL: Honours

Mr McGimpsey asked the Minister of Culture, Arts and Leisure how many people from the culture, arts and leisure sectors she has nominated for Honours since becoming Minister.

(AQO 3600/11-15)

Ms Ní Chuilín: I have no role in the Honours process.

Department of Education

Fully Integrated Education System

Mr McCarthy asked the Minister of Education to outline his commitment to a fully integrated education system rather than a shared education system.

(AQW 20160/11-15)

Mr O'Dowd (The Minister of Education): My Department has statutory duty to facilitate integrated education. I take that duty very seriously.

As in the case of all education sectors, my Department responds to parental demand and funds integrated proposals that are robust, do not invoke unreasonable public expenditure and meet the specified criteria. It does not favour one education sector from another.

The Programme for Government commitment relates to Shared Education. I will take receipt of the Ministerial Advisory Group's Report on shared education by the end of the month.

Northern Ireland Commissioner for Children and Young People: 'Still Vulnerable' Report

Mr Lyttle asked the Minister of Education for his assessment of the Northern Ireland Commissioner for Children and Young People report Still Vulnerable - the impact of early childhood experiences on adolescent suicide and accidental death.

(AQW 20164/11-15)

Mr O'Dowd: A copy of the Report was received by my Department and was circulated for information. The report will provide a useful reference paper for my Department in the preparation of policy and evaluation of current policy.

Integrated Education Report

Mr Lyttle asked the Minister of Education for his assessment of the UNESCO, University of Ulster, Children and Youth Programme report 'Integrated Education: a review of policy and research evidence 1999-2012'.

(AQW 20220/11-15)

Mr O'Dowd: I note the University of Ulster's UNESCO Centre Report (which was commissioned by the Integrated Education Fund) as an interesting contribution to the debate on advancing shared education.

However I believe the report would have benefited from an engagement with my Department before publication.

I am expecting the Ministerial Advisory Group to produce their report on shared education in the near future.

I have already publicly indicated my intention to use the report of the Shared Education Ministerial Advisory Group to commence a civic debate to take into account the views of all stakeholders and to test public opinion on this important issue. As part of that debate, I will ensure that the Department's statutory duty to encourage and facilitate the development of integrated education is taken into account.

Education and Library Boards

Mr Storey asked the Minister of Education, pursuant to AQW 18560/11-15, to outline the expenditure on (i) maintenance; and (ii) minor works in each Education and Library Board area, broken down by sector.

(AQW 20240/11-15)

Mr O'Dowd: The expenditure on (i) maintenance, and (ii) minor works in each of the Education and Library Board areas in each of the last three years up to 31 December 2012 broken down by sector is as follows:-

2010/11 (£000s)

Sector	BELB		WELB		NEELB		SEELB		SELB	
	Maintenance	Minor Works	Maintenance	Minor Works	Maintenance	Minor Works	Maintenance	Minor Works	Maintenance	Minor Works
Controlled	2,840	4,616	2,299	1,461	4,388	2,908	4,415	2,635	2,964	2,402
Controlled Integrated	146	17	7	0	179	0	369	133	46	25
Irish Medium	160	66	21	225	13	0	27	88	33	0
Roman Catholic Maintained	4,766	4,212	3,951	3,415	2,225	1,587	2,079	1,387	3,588	4,323
Other Maintained	0	0	0	54	10	0	0	0	4	25
Voluntary Grammar School	1	1,222	0	871	0	812	0	374	0	323
Grant Maintained Integrated	18	31	3	206	0	131	0	647	0	195
Special	731	469	278	219	226	0	429	342	223	789
Youth	335	934	0	0	172	59	0	224	396	588
Other	692	760	516	0	833	41	309	26	1,270	-57
Total	9,689	12,327	7,075	6,451	8,046	5,538	7,628	5,856	8,524	8,613

2011/12 (£000s)

Sector	BELB		WELB		NEELB		SEELB		SELB	
	Maintenance	Minor Works	Maintenance	Minor Works	Maintenance	Minor Works	Maintenance	Minor Works	Maintenance	Minor Works
Controlled	3,319	9,852	2,766	1,989	3,859	5,450	2,735	6,165	2,086	6,495
Controlled Integrated	131	273	5	0	278	69	199	1,294	36	48
Irish Medium	388	268	23	25	20	1	14	0	18	-124
Roman Catholic Maintained	5,505	4,109	2,797	2,847	1,747	1,639	1,846	1,875	2,419	2,356
Other Maintained	0	0	0	0	8	2	0	0	10	192
Voluntary Grammar School	0	782	0	636	0	756	0	198	0	142
Grant Maintained Integrated	0	28	0	179	0	204	0	344	0	233
Special	763	1,028	222	391	166	0	355	908	100	695
Youth	302	2,849	0	0	166	73	0	180	381	97
Other	467	1,340	133	0	845	81	205	149	2,681	4
Total	10,875	20,529	5,946	6,067	7,089	8,275	5,354	11,113	7,731	10,138

2012/13 (1/4/12 -31/12/12) (£000s)

Sector	BELB		WELB		NEELB		SEELB		SELB	
	Maintenance	Minor Works	Maintenance	Minor Works	Maintenance	Minor Works	Maintenance	Minor Works	Maintenance	Minor Works
Controlled	3,473	3,302	1,144	2,311	2,721	2,171	2,805	2,600	2,678	1,342
Controlled Integrated	296	25	14	0	272	184	268	423	56	332
Irish Medium	161	91	29	0	14	65	3	0	0	0
Roman Catholic Maintained	6,218	3,333	1,921	3,113	1,160	1,863	1,892	2,866	2,683	1,390
Other Maintained	0	0	0	0	3	4	0	0	17	57
Voluntary Grammar School	5	810	0	1,062	0	490	0	1,411	0	357
Grant Maintained Integrated	1	36	0	9	0	22	0	436	0	103
Special	899	1,012	161	412	71	0	404	169	135	818
Youth	469	198	0	0	75	44	0	54	296	62
Other	523	220	261	0	493	-6	545	2	1,310	0
Total	12,045	9,027	3,530	6,907	4,809	4,837	5,917	7,961	7,175	4,461

*Maintenance expenditure for Voluntary Grammar schools and Grant Maintained Integrated schools is primarily the responsibility of the schools themselves, with the costs being met from within the schools' recurrent budget. The Department does not hold this information in a readily available format. The figures included within the above table reflect minimal work carried out on their behalf by ELBs.

Central Procurement Directorate

Mr Storey asked the Minister of Education, pursuant to AQW 19134/11-15, which of the current functions undertaken by staff in the Education and Library Board procurement sections will transfer to Central Procurement Directorate.
(AQW 20241/11-15)

Mr O'Dowd: The Central Procurement Directorate will be responsible for a range of procurement services, or functions. Key functions will include development of a procurement strategy for the education sector, market engagement, supplier selection and invitation to tender, evaluation of tenders and award of contracts and strategic contract management.

Educational Underachievement

Mr Weir asked the Minister of Education what measures or initiatives his Department is pursuing to tackle educational underachievement among working class boys.
(AQW 20250/11-15)

Mr O'Dowd: Evidence suggests that social background is the strongest factor impacting on attainment here and that disadvantage, as measured by entitlement to free school meals, has a stronger impact than gender or religion alone.

A key aim of the Executive is to address the challenges of disadvantage and inequality, including closing the gap in educational underachievement between those who are least and those who are most disadvantaged. Consequently, the work of a number of Departments is critical to creating the conditions to make better outcomes possible, particularly through integrating different services, aligning them with the work of schools, and helping schools reach into their communities.

As such my Department has a key role in working with other Departments to ensure a coherent approach to proactively tackling disadvantage and improving educational outcomes. This includes the Office of the First and Deputy First Minister on a literacy and numeracy project to recruit 230 additional teachers. This project will have a positive impact on the raising-standards agenda by improving the educational outcomes for pupils most at risk of underachieving.

As Minister for Education my focus is on providing coherent, sustained and effective evidence based interventions that break the cycle of deprivation and educational underachievement wherever it exists. The Programme for Government includes a stretching target to raise standards among school leavers from disadvantaged backgrounds and a commitment to improve literacy and numeracy levels among all school leavers, with additional support targeted at underachieving pupils.

I have in place a coherent suite of policies to raise standards and tackle educational underachievement in schools. These policies include the school improvement policy, the literacy and numeracy strategy, the revised curriculum, entitlement framework, the framework for early years education and learning and the SEN and inclusion review.

However, more needs to be done, especially in areas of social deprivation, and the key now is to step up the pace of implementation and delivery of these policies and to maintain the focus on raising standards to ensure that every pupil is able to achieve to their full potential.

The continued use of academic selection by grammar schools is a barrier to addressing underachievement in disadvantaged communities. It disadvantages children from those communities even further as evidenced by the disproportionately low number of pupils entitled to free school meals who attend grammar schools. It damages children's confidence, their motivation to learn, and lowers their expectations of themselves contributing to the high levels of underachievement we are seeking to tackle. That is why academic selection needs to end now and my Department is working to bring that about.

The Common Funding Formula provides all schools with additional core funding to help meet the educational needs of children from socially deprived backgrounds and those underperforming for their age. Sir Robert Salisbury's review of the Common Funding Scheme, which I commissioned, recommended increased levels of formula funding for pupils from deprived backgrounds through the introduction of a pupil premium. I will assess the impact of this recommendation, along with the others in the report, very carefully to inform my own proposals for change, which I intend to bring forward later in the year.

My Department also dedicates substantial resources to provide a range of assistance, programmes and services to ensure disadvantaged children have access to and can fully participate in school life, obtain formal qualifications, enhance their employment opportunities and ultimately provide a route out of poverty. These include the provision of Free School Meals and clothing allowances and a range of programmes targeted at socially deprived areas, including Sure Start, extended schools, full service provision, Achieving Belfast and Achieving Derry Bright Futures, Integrated Services for Children and Young People and nurture units.

We also need to raise parental aspirations and the value of education within our communities. That is why I launched the 'Education Works' advertising campaign in September 2012 to inform and engage all parents, but in particular those from the most disadvantaged backgrounds, to become more engaged in their child's education.. The aim of the advertising campaign is to convey the message that parental involvement and encouragement, no matter how small, can have a direct and long-lasting effect on a child's educational achievements.

Education: Bodies Providing Advice

Mr Kinahan asked the Minister of Education which of the bodies that advise his Department on education are remunerated; and to detail the levels of remuneration.

(AQW 20366/11-15)

Mr O'Dowd: All bodies that advise my Department on education are detailed in the Public Bodies Annual Report. This information includes details of remuneration.

The latest copy of the Public Bodies Annual Report can be accessed at the following link:

<http://www.ofmdfmi.gov.uk/public-bodies-annual-report-2011-2012.pdf>

Area Planning

Mr Kinahan asked the Minister of Education what lessons were learnt from the consultation on Area Planning.

(AQW 20367/11-15)

Mr O'Dowd: As I outlined in my statement to the Assembly on Tuesday 26 February, the post-primary consultation led by the Education and Library Boards demonstrated the desire for greater clarity on proposals, more opportunity for engagement and greater consistency across the plans, as well as more innovative ideas and exploration of cross sectoral solutions. I have requested that further work is carried out on the post-primary plans which will be informed by the work to be undertaken by the new area planning steering group. However, the time for protracted discussions is over and decisions are required.

The Boards will release the Primary Area Plans for consultation on 19 March, with an extended consultation period open until the end of June. This will allow for wide ranging discussion and engagement at local level which I expect will result in more practical and sustainable solutions on an area basis.

Nursery Provision

Mr Weir asked the Minister of Education, pursuant to AQW 17794/11-15, how many of the 22537 places awarded were in North Down; and how many of the applications were from parents in North Down.

(AQW 20415/11-15)

Mr O'Dowd: During the 2012/13 pre-school admissions process there were 865 funded pre-school places available in the North Down area. 837 applications were received for these places from parents with North Down addresses.

Curriculum Advisory and Support Service

Mr Ross asked the Minister of Education, pursuant to AQW 19841/11-15, how much the Curriculum Advisory and Support Service spent on (i) buildings maintenance; (ii) grounds maintenance; (iii) staffing costs; (iv) administration; (v) rent, rates and utilities; (vi) transportation; and (vii) catering; and (viii) provision of training to teachers.

(AQW 20481/11-15)

Mr O'Dowd: Pursuant to AQW 19841/11-15, the forecast spend by the Curriculum Advisory and Support Service in the 2012/13 financial year in the areas specified is as follows:

	£000s
Buildings Maintenance	278
Grounds Maintenance	1
Staffing Costs	6,639
Administration	1,327
Rent, Rates and Utilities	633
Transportation	274
Catering	78
Provision of Training of Teachers	27
Total	9,257

DE: Overtime

Mr Easton asked the Minister of Education to detail the total overtime payments made to staff in his Department, in each of the last three financial years.

(AQW 20517/11-15)

Mr O'Dowd: The total overtime payments made to Department of Education staff for the last three financial years are detailed below.

2009/2010	2010/2011	2011/2012
91,536	93,086	115,391

Capital Build Projects: South Down and Strangford

Mr Hazzard asked the Minister of Education to outline his Department's investment in capital build projects in the (i) South Down; and (ii) Strangford constituencies since 1998.

(AQW 20526/11-15)

Mr O'Dowd: The information provided relates to investment in Major Capital School Projects in both the South Down and Strangford constituencies since 1998 and is detailed in the table attached.

Major Capital School Projects in the South Down and Strangford Constituencies From 1998.

School Project	Parliamentary Constituency	Investment (million)
Drumadonnell Primary School, Banbridge	South Down	1.20
All Children's Controlled Integrated Primary School, Newcastle	South Down	1.32
Cumran Primary School, Clough	South Down	1.60
St Patrick's Primary School, Saul	South Down	1.50
Bronte Primary School, Banbridge	South Down	1.20
St Dallan's Primary School, Warrenpoint	South Down	3.90
St Colman's Primary School, Saval	South Down	1.10
Carrick Primary School, Warrenpoint	South Down	3.32
St Mary's Primary School, Newcastle	South Down	3.45
St Malachy's High School, Castlewellan	South Down	9.07
Castle Gardens Primary School, Newtownards	Strangford	2.70
Victoria Primary School, Newtownards	Strangford	3.31
Dundonald Primary School	Strangford	5.25
Newtownards Model Primary School	Strangford	4.98
Victoria Primary School, Ballyhalbert	Strangford	1.50
Kircubbin Community Nursery School	Strangford	0.30
Nendrum College	Strangford	13.00
Saintfield High School	Strangford	3.40
Regent House Grammar School, Newtownards (Phase 1)	Strangford	5.22
Regent House Grammar School, Newtownards (Phase 2)	Strangford	7.90
Assumption Grammar School, Ballynahinch	Strangford	15.10

Cycling

Mr Weir asked the Minister of Education how much his Department has spent on encouraging children to take up cycling, in each of the last five years.

(AQW 20533/11-15)

Mr O'Dowd: The Department of Education has been supportive of the Department of Regional Development's Travelwise NI Safer Routes to Schools (SRS) initiative which aims to tackle the impact of the "school run" by encouraging more pupils, parents and teachers to walk, cycle, use public transport or car share the journey to and from school. During the period 2007-12 additional capital funding was made available for any necessary infrastructure within school grounds such as cycle shelters, cycle paths and lockers to support this initiative. The spend during this period was

2011/12	£31,674.13
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2010/11	£29,315.80
2009/10	£147,349.76
2008/09	£92,638.11
2007/08	£5,151.94
Total	£306,129.74

Schools may use their delegated budget to encourage pupils to cycle as there are a number of Areas of Learning within the curriculum which provide teachers with the opportunity to encourage children to take up cycling.

The revised curriculum is less prescriptive than before and the Department delegates as much funding and decision-making as possible to schools which are best placed to assess the needs of their pupils - the specifics of what is taught under each Area of Learning is a matter for each school. The Department does not therefore hold information on school spend in this area.

It is a matter for schools to decide on the resources they wish to use to support their delivery of the curriculum. However, the Department did facilitate work between the Council for the Curriculum, Examinations and Assessment and the Department for Regional Development to update the 'Best Foot Forward' educational resource for primary school pupils which aims to promote sustainable transport such as walking and cycling. This resource is available to all schools via the NI Curriculum website.

DE: Claims

Mr Easton asked the Minister of Education how much has been paid to settle claims against his Department, in each of the last three financial years.

(AQW 20551/11-15)

Mr O'Dowd: The table below sets out how much my Department has paid to claimants to settle claims against my Department, in each of the last three financial years.

Financial Year	Total £'000
2009-10	37
2010-11	21
2011-12	432

Schools Visits

Mr Campbell asked the Minister of Education how many requests for visits to schools, in the East Londonderry constituency, he has received in the past 12 months.

(AQW 20553/11-15)

Mr O'Dowd: In the past 12 months I have received 5 invitations to visit schools in this constituency.

School Places: North Down

Mr Easton asked the Minister of Education how many spaces are available for year one pupils in the North Down area for the next school year.

(AQW 20653/11-15)

Mr O'Dowd: The number of P1 places available is defined by a primary school's admissions number. Across the North Down constituency there were 1,119 places available at the start of the 2013/14 primary admissions process. This process will conclude with the issue of placement letters to parents on 10 April 2013. On 11 March 2013 there were 136 places available to any applicants who may still require a P1 place in the North Down area for September 2013. This figure may change daily between now and September 2013.

My School Portal and SMS Texting Service

Mr Hazzard asked the Minister of Education to outline the potential benefits of the forthcoming My School portal and SMS texting service for parents and schools; and when will this come into effect.

(AQW 20661/11-15)

Mr O'Dowd: The 'MySchool' learning portal will be the starting point for all users when they log in to the C2k service in school, at home or on a portable device. MySchool is ground breaking and unique as it can be accessed from a range of devices and is a personalised learning and working environment. It contains links to all the components of the C2k service that the user is entitled to access.

MySchool offers secure access to learning resources online 24 hours a day for staff and pupils. It is currently available to most post primary schools and will be made available to remaining schools at the end of March 2013.

Initially MySchool will provide access to Fronter which is the new Virtual Learning Environment that will replace Learning NI. Fronter, a regional Learning Environment, will offer users access to online courses, collaborative learning experiences and a library of educational resources. Subsequent phases of MySchool will provide increasing access to more online resources all accessed by a single sign on for the user. MySchool will be the single point of access for all C2k services, including software, apps, NI Newsdesk and email.

The MySchool texting service will be on offer and it will be up to schools to determine if they want to use this new service, which will attract relevant charges. If a school decides to avail of this service, then it will only be visible to nominated users in the school. The service will allow schools to send text messages to parents, guardians and staff who have agreed to participate. This service can be used in the event of an emergency school closure or as required by the school, and will be an effective way to improve communication between schools and parents. Such a service allows for important information to be fed quickly to both parents and other key organisations, however, it will be up to schools to decide to avail of this service. It is anticipated that the SMS texting service will be available at the end of March 2013 for all schools.

Primary School: Newbuild, Inner South Belfast

Mr Spratt asked the Minister of Education, given that he has pledged to tackle educational underachievement in working-class Protestant areas, whether he will give a commitment to providing a new-build primary school for inner-South Belfast. **(AQW 20679/11-15)**

Mr O'Dowd: The Department's strategy for capital investment for the coming years will be shaped by the outworking of the Area Planning process, with a focus supporting the development and delivery of a network of viable and sustainable schools in the years ahead.

The Belfast Education and Library Board, the managing authority for the controlled schools' estate in Belfast, published its draft primary area plan for consultation on 19 March 2013. The consultation period will end on 30 June and I would encourage you to respond to it and make your views known.

The draft plan outlines the Board's proposals for primary provision in inner south Belfast. Proposals which would result in a significant change to the schools' estate, such as amalgamations or closures, will require approved statutory development proposals.

To date, BELB has not brought forward any development proposals in relation to primary provision in inner South Belfast.

Attendance: Post-primary School Pupils

Mr Beggs asked the Minister of Education, pursuant to AQW 11006/11-15, (i) to detail the rate per thousand of post-primary school pupils who had less than 85 percent attendance in 2011/12, broken down by (a) council area; and (b) electoral ward; and (ii) what further action is being taken to reduce the levels of absenteeism. **(AQW 20709/11-15)**

Mr O'Dowd: I have arranged for the information requested to be placed in the Assembly library.

Attendance: Primary School Pupils

Mr Beggs asked the Minister of Education, pursuant to AQW 11006/11-15, (i) to detail the rate per thousand of primary school pupils who had less than 85 percent attendance in 2011/12, broken down by (a) council area; and (b) electoral ward; and (ii) what further action is being taken to reduce the levels of absenteeism. **(AQW 20710/11-15)**

Mr O'Dowd: I have arranged for the information requested to be placed in the Assembly library.

Attendance: 15- to 17-year-old Pupils

Mr Beggs asked the Minister of Education, pursuant to AQW 11004/11-15, (i) to detail the rate per thousand of 15 to 17 year old pupils who had less than 85 percent attendance in 2011/12, broken down by (a) council area; and (b) electoral ward; and (ii) what further action is being taken to reduce the levels of absenteeism. **(AQW 20711/11-15)**

Mr O'Dowd: I have arranged for the information requested to be placed in the Assembly library.

Assimilated Schools

Mr Swann asked the Minister of Education to outline the process by which one school is assimilated by another school. **(AQW 20713/11-15)**

Mr O'Dowd: The term 'assimilation' of one school by another is not one with which I am familiar.

I am aware that it was used in the North Eastern Education and Library Board's draft post-primary area plan published last July. However, the revised NEELB area plan, which is now available on the Board's website, no longer contains reference to this term.

In any case, any proposed significant change to a school requires the publication of a statutory development proposal. The intention of a Development Proposal should be clear and unambiguous. If the full implications are not thought to be readily apparent from the wording of the proposal, an explanatory statement should be provided. My consideration of a proposal includes assessing all the circumstances pertaining to the proposed change, including what is entailed and the potential impact on the pupils.

Sure Start

Mr Easton asked the Minister of Education how the Sure Start programme for North Down is progressing and meeting its targets.

(AQW 20727/11-15)

Mr O'Dowd: The new Sure Start programme for North Down is currently being developed. A draft Action Plan for the new programme for 2013/14 has been finalised by the Management Committee of the Bangor Sure Start project and has been submitted through the Eastern Childcare Partnership to my Department for consideration and approval.

Subject to approval of the draft Plan by DE, the Lead and Accountable Body will progress arrangements for the recruitment of key staff to the project. The Childcare Partnership will attend the next meeting of the Management Committee in April to outline areas of governance, structure and systems which the Committee will be required to adopt.

Schools: Craigavon

Mr Moutray asked the Minister of Education, given that the results of the Area Planning consultation give a clear indication that a collegiate structure of education within the Craigavon area is not the desired form of delivery, what plans he has to retain the Dickson Plan.

(AQO 3607/11-15)

Mr O'Dowd: Area Planning is about providing strong, vibrant schools delivering high quality education by using the limited resources available efficiently and effectively.

In that context, it is my firm view that the Dickson plan is no longer fit for purpose.

The consultation process in regards area planning was not a ballot with results deciding the outcome of the process.

The returns from the consultation process will be taken into account alongside all other evidence and data, including departmental policy, when deciding the way forward.

The member will be aware that the Catholic education sector in Craigavon propose moving away from the Dickson Plan and academic selection.

I believe that the best course of action for the controlled sector is to do likewise for the educational benefit of all children and young people in that sector.

For example, if we examine what is happening in Lurgan.

Despite the best efforts of the Boards of Governors, Senior Management Team and staff in Craigavon Senior High School (Lurgan Campus) they are not in a position to deliver the Entitlement Framework.

I cannot ignore that fact and neither can the managing authority. A solution must be found. One such solution could be a single post primary school in Lurgan.

What that school is called and how it sets its admissions criteria would be a matter for the Board of Governors as set out in legislation.

Education Maintenance Allowance

Mr McElduff asked the Minister of Education what financial contribution he is making to help ensure the retention of the Education Maintenance Allowance.

(AQO 3608/11-15)

Mr O'Dowd: The Department of Education will contribute £1.85 million in 2013/14 and £3.6 million each year from 2014/15 to the new Education Maintenance Allowance (EMA) Scheme.

In addition, the Department will continue to provide additional resources of approximately £345,000 each year to help schools fund the costs associated with the administration of the scheme.

The Department's total funding for the EMA scheme, therefore, amounts to almost £2.2 million in 2013/14 and £3.95 million from 2014/15.

Through this funding the Department will ensure that the EMA Scheme continues to support young people in greatest need to remain in education, to achieve formal qualifications, break the cycle of poverty and low educational attainment and, in turn, enhance their lifetime opportunities.

Lisanelly Campus, Omagh

Ms McGahan asked the Minister of Education for an update on the Lisanelly Shared Educational Campus.
(AQO 3609/11-15)

Mr O'Dowd: An Outline Business Case for the Lisanelly Shared Education Campus has now been submitted to my Department, which shows that the provision of post-primary level education on the campus is economically the best way forward for Omagh. An outline planning application for the site has been submitted and I have previously detailed my intention to provide new accommodation for Arvalee School & Resource Centre at Lisanelly as soon as possible.

I set out the next steps on Area Planning in my statement to the Assembly on 26 February. Area Planning is about determining the future needs of an area and it allows for a new way of doing things. I have therefore announced that the most beneficial solution for young people in the Omagh area is a shared education campus at Lisanelly.

The project is a priority commitment within the Executive's Programme for Government. It also has widespread support from the local community, council and politicians. I intend to deliver on that support and on our commitment.

I will again confirm here today, for the avoidance of doubt, my future investments in the Omagh area will be on the Lisanelly site. The decision has been made: Lisanelly is the only show in town.

Area Planning: Further Education

Mrs D Kelly asked the Minister of Education, since colleges of further education make a valuable contribution to the delivery of the Entitlement Framework, why are they not involved in the Area Based Planning consultation.
(AQO 3610/11-15)

Mr O'Dowd: Further and Higher Education Colleges are not the responsibility of my Department. However, educational provision at these facilities may have an impact on Area Planning at Post-primary level.

The consultation on the draft Post-primary area plans, led by the Boards, provided the opportunity for everyone with an interest in education to participate and present their views.

In addition, one of the objectives of the Terms of Reference for Area Planning is to take full account of appropriate and relevant FE sector provision for 14-19 year olds. As I stated in my statement to the Assembly on 26 February, the Post-primary plans provide the foundation on which to move forward and will be further developed to ensure they comply with the Terms of Reference.

Primary Schools: Newbuilds

Mr Beggs asked the Minister for Education for his assessment of disparities in the capital investment in primary school new buildings across constituencies since 1999.
(AQO 3611/11-15)

Mr O'Dowd: My capital build programme will continue to be delivered on the basis of need regardless of the constituency.

Schools: Pupil-weighted Funding

Mr Craig asked the Minister of Education to outline what measures his Department is taking to redress the pupil weighted funding disparity between the primary and post-primary sectors.
(AQO 3612/11-15)

Mr O'Dowd: Members will be aware that I recently took receipt of the report from the Independent Review of the Common Funding Scheme. This involves consideration of the funding arrangements for pupils at all phases of education.

I am carefully considering their recommendations and will comment in due course.

Schools: Staffing

Mr McGlone asked the Minister of Education how Boards of Governors can make staffing decisions when schools have not yet been notified of their budget allocations for the next financial year.
(AQO 3613/11-15)

Mr O'Dowd: Delegated school budgets are determined annually by the Department using the Common Funding Formula (CFF). Over the last two years, all Funding Authorities and schools have received correspondence on a number of occasions outlining planned funding levels for the Aggregated Schools Budget and estimates of the Age Weighted Pupil Unit element. This data, combined with schools own knowledge and projections of pupil numbers will have enabled them to make informed judgements on their projected budgets and staffing needs. All schools were notified of their delegated CFF budgets for 2013-14 on Friday 1 March 2013.

Voluntary Education Sector

Mr Allister asked the Minister of Education what plans he has to ensure parity of esteem for the voluntary education sector. (AQO 3614/11-15)

Mr O'Dowd: Voluntary schools include Irish-medium schools; Catholic maintained schools; and grammar schools (Catholic and non-denominational). The Education Bill will establish the Education and Skills Authority, which will discharge its functions in relation to these and other types of school on the basis of equality.

Department for Employment and Learning

Department Amalgamation

Mr Gardiner asked the Minister for Employment and Learning what communication he has had with the Office of the First Minister and deputy First Minister over the proposal to amalgamate sections of his Department with other Departments. (AQW 20252/11-15)

Dr Farry (The Minister for Employment and Learning): My views on this matter are known to the First Minister and deputy First Minister and are on public record.

I support a rationalisation of the current Departments in Northern Ireland from twelve to eight from the next mandate of the Assembly onwards. However, I consider that any reallocation of functions should be based around the creation of what are essentially new Departments, rather than existing Departments subsuming new functions into existing organisational cultures and departmental corporate or operational plans.

The current Department for Employment and Learning may have been created as an amalgamation of functions from different Departments. However, today it is a coherent organisation based around a unified agenda of promoting and addressing the skill needs of the people of Northern Ireland, and helping them to find and sustain employment. Much of the current synergy within DEL would be lost in the event that its functions were dispersed. Indeed, there would be a very real danger that the Executive's ability to grow and transform the local economy at a time of critical importance would be substantially damaged.

For these reasons, I consider that virtually all of the functions of the Department should remain together either within a single Department or as part of a wider Department of the Economy.

While there may be a superficially attractive option to have a single Department addressing education from nursery to higher education, the more compelling requirement is to ensure that further education and higher education are directly meeting the needs of the economy. The present interface between DEL and DE is managed today and can continue to be managed under any future arrangements.

Moving Up Project

Lord Morrow asked the Minister for Employment and Learning in relation to the Moving Up Project delivered by Praxis, to detail (i) what expansion is planned to allow more people with learning disabilities to become engaged, particularly those leaving special needs education at nineteen who presently have little or no provision as highlighted by the post-19 lobby group; (ii) how he intends to develop and promote this project and make it more widely available; and (iii) whether he has met or intends to meet with representatives of the post-19 lobby group. (AQW 20302/11-15)

Dr Farry: The Moving Up project is supported through the Department's European Social Fund 2007-2013. The project was originally funded for the period 1 April 2011 to 31 March 2014 but the department has recently offered the project an extension of one year until 31 March 2015.

In addition to the one year extension the project has also been offered an increase in funding from the 75% allocation of original application costs to 100% for the period 1 April 2013 – 31 March 2015. This should allow for the expansion of this project and therefore afford additional places for participants.

I have not met recently with representatives of the post-19 lobby group but would be happy to consider any request for such a meeting.

Technology Sector: Graduate Opportunities

Mr D McIlveen asked the Minister for Employment and Learning what steps he plans to take to better promote opportunities for graduates in the technology sector in order to combat the brain drain of students leaving Northern Ireland. (AQW 20392/11-15)

Dr Farry: Raising the profile of the employment opportunities available within Northern Ireland and ensuring that these opportunities are attractive to graduates is important if we are to make better use of the talent graduating from our local universities.

Skills shortages within the IT and Advanced Manufacturing sectors have been identified yet, at the same time, according to the Higher Education Statistics Agency, 23% of those who gain employment after qualifying from full time courses in Computer Science and Engineering and Technology from Northern Ireland Higher Institutions left Northern Ireland in 2010/11.

This is a key issue identified within the Science, Technology, Engineering and Maths (STEM) Strategy, 'Success through STEM' which also indicates that employers have a key role to play in improving the attractiveness of the relevant sectors and highlighting and creating attractive opportunities that exist locally. Government and business are working together to implement the recommendations from the Strategy.

Career attractiveness campaigns such as 'Bring IT On' are also vital in encouraging our young people to consider studying IT from school to Higher Education and ultimately seek employment in the sector in Northern Ireland.

I chair working groups looking at how skills needs of both the ICT and Advanced Manufacturing and Engineering Services sectors can be addressed. These groups consist of employers from the sector, representatives from the further education colleges, universities, employer bodies and other Departments. Career attractiveness and how this can be improved is a major theme across both of these groups.

Through the work of the ICT Working Group my Department has helped to facilitate non STEM graduates to work in the technology sector through initiatives such as the Public/Private Sector ICT Apprenticeship and the Higher Level Apprenticeship pilot in ICT. Furthermore, both Queen's University and the University of Ulster are now offering postgraduate MSc courses aimed at non-IT graduates.

In conjunction with the Minister for Enterprise, Trade and Investment I recently launched a £6million UK wide bursary fund which will pay for new graduates and employees to study Masters (MSc) level degrees in aerospace engineering. My Department will provide funding for 20 bursaries for students wishing to study in Northern Ireland. A second cohort of the Software Testers Academy has also recently commenced. Together with Bridge to Employment this offers pre-employment training for graduates to enable them to compete for graduate-level jobs.

Non-vocational Courses: Graduates

Mr D McIlveen asked the Minister for Employment and Learning to detail the initiatives in place to help graduates of non-vocational courses to develop the skills needed for entering the workplace.
(AQW 20398/11-15)

Dr Farry: My Department's first higher education strategy for Northern Ireland, Graduating to Success, recognises the importance of ensuring that higher education learners gain the skills, experiences and attributes needed to succeed within employment. One of the projects emanating from the Strategy aims to enhance the employability prospects of graduates and, by 2014, the higher education institutions will have adopted the Higher Education Achievement Report (HEAR), which will record the extracurricular skills, activities and experiences of students. Other initiatives include increasing the number of students undertaking a period of work or study in another country and enabling all students to have the opportunity to undertake a work placement.

In addition, my Department and the universities have taken forward a number of programmes aimed at helping unemployed graduates gain work experience and/or new skills, particularly in areas which are experiencing skills shortages. These initiatives include the University of Ulster's Professional Experience Programme, Queen's University Belfast's Employability Framework, and my Department's Graduate Acceleration Programme (GAP), INTRO programme and Software Testers' Academy.

The Graduate Acceleration Programme provides graduates with relevant work experience placements which will assist them to compete more effectively for jobs in the current climate and to prepare them for future job opportunities which may arise. INTRO is a graduate level management development programme designed to provide well equipped managers for businesses in Northern Ireland through a salaried work placement and off-the-job training in essential management skills, including leadership and team building, managing people, finance, marketing, business excellence, and strategic planning. Through my Department's Software Testers' Academy, non-Information Technology (IT) graduates are given the skills to become software testing professionals.

In addition, graduates can avail of my Department's other initiatives such as Work Connect, which is a voluntary employment programme targeted at those clients in receipt of Incapacity Benefit (IB) or Employment and Support Allowance, and the Youth Employment Scheme (YES), which targets 18 to 24 year old working age benefit claimants.

Careers Strategy Steering Group

Mr Lyttle asked the Minister for Employment and Learning for an update on the work of the Careers Strategy Steering Group.
(AQW 20425/11-15)

Dr Farry: The Careers Strategy Steering Group was established in 2009 to oversee the implementation of 'Preparing for Success', the joint Department for Employment and Learning (DEL) and Department of Education (DE) Careers Education, Information, Advice and Guidance (CEIAG) Strategy and Implementation Plan. The group is jointly chaired by DEL and DE and currently includes representation from the Department of Enterprise Trade and Industry, business interests, universities and further education colleges, the schools sector, the Northern Ireland Schools and Colleges Careers Association and the

Education and Training Inspectorate. The group is working to ensure the full and continuing implementation of 'Preparing for Success' within the wider policy context.

Progress to date has been good and at the most recent meeting of the Group in December 2012, it was noted that twelve of the eighteen action points had been achieved, with six on target to be achieved during 2013.

Actions achieved include:

- the provision of a Map and Guide to develop holistic CEIAG programmes, which has been issued to all schools, FE colleges and training organisations;
- the development of employability and work-related learning initiatives;
- the establishment of a STEM Careers Action Plan which has been embedded into the work in schools;
- the creation of an 'Information Champion' and a 'Careers Information Hub' to develop the quality and improve the accessibility of labour market information;
- the recruitment of additional careers advisers;
- the enhancement of partnerships between schools, further education and training providers and the Careers Service;
- enhanced provision for young people and adults vulnerable to social exclusion;
- improved service delivery to adults which has resulted in an 81% increase in adult clients using the service from 2009/10-2011/12; and
- the achievement of a key quality standard for DEL's Careers Service, the matrix Quality Standard Award.

Actions in progress include:

- the establishment of a Business Engagement Working Group;
- the improvement of facilities for the delivery of Careers Information, Advice and Guidance to young people and adults;
- the development of a Guide for Parents/Guardians to assist them with their child's future career plans;
- the development of impact evidence;
- the Careers Service's commitment to continuous professional development; and
- plans to review the current strategy in 2014.

Further Education Colleges: South Belfast

Mr Spratt asked the Minister for Employment and Learning to detail the number of students who studied (i) French; (ii) German; and (iii) Spanish to GCSE level in Further Education Colleges in the South Belfast constituency, in each of the last three years. (AQW 20492/11-15)

Dr Farry: Further Education student enrolments from the South Belfast Constituency for (i) French; (ii) German; and Spanish GCSE level in each of the past 3 years (for which full-year data is available) is detailed overleaf.

	2009/10	2010/11	2011/12
French	10	5	10
German	5	5	5
Spanish	10	15	10

Note: To prevent the identification of individuals, figures in the attached tables are rounded to the nearest 5, with 0, 1, 2 rounded to 0.

Source: Further Education Statistical Record

Further Education Colleges: South Belfast

Mr Spratt asked the Minister for Employment and Learning to detail the number of students who studied (i) French; (ii) German; and (iii) Spanish to A level in Further Education Colleges in the South Belfast constituency, in each of the last three years. (AQW 20493/11-15)

Dr Farry: Further Education student enrolments from the South Belfast Constituency for (i) French; (ii) German; and Spanish to A level in each of the past 3 years (for which full-year data is available) is detailed overleaf.

	2009/10	2010/11	2011/12
French	15	15	10
German	5	5	5
Spanish	10	15	10

Note: To prevent the identification of individuals, figures in the attached tables are rounded to the nearest 5, with 0, 1, 2 rounded to 0.

Source: Further Education Statistical Record

DEL: Hospitality

Mr Allister asked the Minister for Employment and Learning, pursuant to AQW 19855/11-15, whether the spend included hospitality by his Department's arm's length bodies in 2011/12 and if not to provide the figures.

(AQW 20503/11-15)

Dr Farry: The Department's response to AQW 19855/11-15 did not include arm's length bodies. The total spend on hospitality by the Department's arm's length bodies in 2011/12 was £7,980.

Translation Costs

Mr Weir asked the Minister for Employment and Learning to detail the cost of translating departmental letters and documents into (i) Irish; and (ii) each other language, in each of the last five years.

(AQW 20508/11-15)

Dr Farry: The cost of translations for (i) Irish and (ii) each other language are set out in the table below.

Language	2007/08	2008/09	2009/10	2010/11	2011/12
Irish	£494	£6,270*	£4,794*	£4,215*	£5,182*
Arabic	-	-	-	£75	-
Bulgarian	-	-	-	£40	£170
Cantonese	-	£84	£1,308	-	£867
Czech	£70	£70	-	£189	-
German	-	-	-	£109	-
Hindi	£80	-	-	-	£90
Hungarian	-	-	-	£40	-
Italian	-	-	£465	£512	-
Latvian	-	-	£1,263	£810	£248
Lithuanian	£60	£64	£4,017	£7,567	£2,087
Mandarin	-	£341	£490	-	£886
Polish	£60	£1,494	£16,925	£9,261	£14,835
Portuguese	-	£94	£1,411	£2,122	£2,325
Romanian	-	-	£84	-	£170
Russian	-	-	-	£465	£170
Spanish	-	-	£899	-	-
Slovakian	£70	£2,057	£950	£879	£1,476
Tetum	-	-	-	-	£205
Ulster Scots	£70	£371	£256	-	£632
Urdu	£80	-	-	-	-
Yoruba	-	-	£170	-	-
Total	£984	£10,845	£33,032	£26,284	£29,343

* included in this figure is an annual payment to the Student Loans Company (SLC) to facilitate Educational Maintenance Allowance (EMA) application forms and guidance notes being translated and printed in Irish. There may also be costs associated with SLC for translations into other languages, however, a breakdown of these costs is not currently available.

The figures for 2012 /2013 will not be available until July 2013.

Further and Higher Education Teaching Staff

Mr McGimpsey asked the Minister for Employment and Learning to detail whether further and higher education institutes are subject to fair employment legislation and monitoring in relation to teaching staff.

(AQW 20513/11-15)

Dr Farry: All Further Education colleges and Higher Education institutions in Northern Ireland are subject to fair employment legislation and monitoring requirements, in relation to all staff, including teaching staff.

Moving Up Project

Lord Morrow asked the Minister for Employment and Learning for his assessment of the Moving Up Project delivered by Praxis and to detail (i) how many staff are employed; (ii) how many participants have taken part; (iii) what accreditation is offered to those who take part; (iv) the subjects and/or topics that are covered; and (v) how much funding has been provided for the project's duration.

(AQW 20545/11-15)

Dr Farry: The Moving Up project currently employs 8 full time staff and is further assisted by others on an unpaid, voluntary basis. The project is designed to support adults with learning disabilities and mental health issues and particularly those with complex and challenging needs. For the period September 2011 to 31 March 2012, the most recent available data from the project, a total of 22 participants have taken part. The project offers accredited qualifications up to NVQ level 3 in catering, hospitality, horticulture and ICT. The total available funding to the project over the period 1 March 2011 to 31 March 2015 is £1,888,411 (£1,162,099 from the European Social Fund and £726,312 from the Department for Employment and Learning).

Duplicate Funding

Mr Allister asked the Minister for Employment and Learning, pursuant to AQW 19735/11-15, whether he is aware of any incidents of duplicate funding.

(AQW 20592/11-15)

Dr Farry: I remain aware of the potential for duplication of funding within the Employer Support Programme (ESP), which has also been highlighted recently, by the investigation, conducted by KPMG, on behalf of South West College.

Nevertheless, whilst the report was not conclusive and did not confirm beyond doubt, occurrences of double funding, my Department has instigated a comprehensive assurance exercise, across all six colleges, to ensure compliance with the original Letter of Offer and identify if there are any areas of concern.

University of Ulster, Magee Campus: Day Care Facilities

Ms Maeve McLaughlin asked the Minister for Employment and Learning to outline the measures he is taking to prevent the closure of the crèche at the University of Ulster Magee campus.

(AQW 20628/11-15)

Dr Farry: The University of Ulster is an autonomous body and as such decisions relating to the operation of student services at the University are rightly a matter for the management of the University. However, my officials have raised this issue with the University and have been advised that the decision to close the university managed childcare facilities at the Magee and Jordanstown campuses from 31 July 2013, was taken because the childcare provision has continued to sustain a significant annual deficit of approximately £114k and is no longer considered economically viable by the university.

My officials have also received assurances from the University that it remains committed to providing its current levels of direct financial support, which is the format preferred by the majority of University of Ulster students with childcare needs, in order to avail of childcare facilities closer to their homes.

In addition, my Department makes available a means tested Childcare Grant to full-time students who have dependent children in registered or approved childcare. In addition, full time students with dependent children may also be entitled to a means tested parent's learning allowance.

My officials have also been in contact with the Western Health and Social Care Trust and were informed that there are 12 day nurseries situated within a 3 mile radius of the Magee Campus. The average cost of a full-time childcare place ranges between £120 to £140 per week, which is in line with that charged by the University. The Trust indicated that there are also a number of childminders registered within the area reporting that they have vacancies within their full registered numbers.

I appreciate that the closure may inconvenience a number of students. However, the financial support package available to students for childcare will remain unchanged and there is evidence of alternative provision being available locally at a cost similar to that charged by the University for its on-site facility.

While the provision and management of student facilities is a matter for the universities, my Department's strategy for widening participation in higher education Access to Success will require each higher education provider to produce a detailed annual Widening Access and Participation Plan, which will clearly set out its activities and expenditure to support students from disadvantaged backgrounds. The strategy seeks to put in place a student centred approach with tailored support mechanisms to ensure the successful retention and progression of students, including those with dependents. My

officials will continue to monitor the situation to ensure the closure does not impact adversely on my Department's objectives to widen participation in higher education.

Student Finance NI

Mr P Ramsey asked the Minister for Employment and Learning what action he can take in relation to Student Finance NI's policy of only funding the final two years of a degree programme where students have already been funded for a two year HND course.

(AQW 20675/11-15)

Dr Farry: It is my Department's policy, and indeed UK Government policy that public funding for student support for higher education should be targeted, in the main, towards students entering higher education for the first time. The reason for applying previous study rules is to target already stretched resources more effectively at those students who have not yet experienced higher education, particularly those from lower income backgrounds.

Nevertheless an eligible student undertaking a three year degree programme, having already completed a two year HNC/HND course, will be eligible to apply for full funding for years 2 and 3 of the degree. In respect of year 1 of the degree, and in accordance with the Student Support Regulations (as amended) the student is eligible to apply for a maintenance loan only and supplementary grants, if applicable.

I can confirm I have no current plans to change this policy of targeting student support towards students entering higher education for the first time.

University of Ulster, Magee Campus: Day Care Facilities

Mr P Ramsey asked the Minister for Employment and Learning, pursuant to AQW 20257/11-15, (i) from which stream of European funding was the grant for constructing the daycare facility at the Magee campus; (ii) what was the application number; and (iii) to detail the terms of the grant, including for how long the building must be used for its intended purpose.

(AQW 20714/11-15)

Dr Farry:

- (i) The crèche at Magee Campus of the University of Ulster was supported under the Northern Ireland Single Document – European Regional Development Fund Training Infrastructure Measure.
- (ii) The award was based on an application made by the organisation dated the 24 May 1999.
- (iii) The letter of offer was a lengthy and detailed document covering many aspects of the agreement between the University of Ulster and T+EA. e.g. Project details, Definitions, Financial amount, Implementation, approvals, tendering, match funding, etc. In particular it stipulated, under Retention / Disposal of Assets, that the buildings were required to be maintained for the use, as detailed in the letter, for a 20 year period. Any proposed changes to the use of the premises within that period must therefore to be raised with this Department.

Belfast Metropolitan College

Mr Dallat asked the Minister for Employment and Learning what arrangements have been put in place to ensure that students who attend Belfast Metropolitan College have immediate access to hardship loans.

(AQW 20921/11-15)

Dr Farry: My Department provides funding to all further education colleges, through the Further Education Hardship Fund, to provide support to learners who are experiencing financial difficulty while enrolled on accredited professional and technical courses.

As colleges are often required to consider a large number of applications, my Department's guidance on the administration and application of the Hardship Fund allows for the provision of interim emergency loans in order to meet exceptional and urgent needs. Any such loan may be repayable when the full Hardship Fund application has been assessed.

Whilst my Department provides guidelines regarding eligibility and sets out the general parameters for hardship assistance, each college, including Belfast Metropolitan College (BMC), is responsible for the day to day administration of its own hardship fund and the use of this assistance is subject to normal audit scrutiny. My officials have confirmed with BMC that it offers hardship loans to students in line with my Department's guidance and that it actively promotes accessibility to all student support funds, including the Hardship Fund. This includes information provided in the College's Student Support Handbook and website, during the induction process for new students and internal promotion through posters and social media, including Facebook and the new Students Union website.

Regional Colleges: Student Numbers

Mr G Robinson asked the Minister for Employment and Learning how many students were attending regional colleges in January 2013.

(AQO 3621/11-15)

Dr Farry: The latest provisional data at 8 February 2013 is around 95,500 students on both professional and technical courses and non-vocational courses at Northern Ireland's further education colleges in the 2012/13 academic year.

This figure includes almost 80,000 students on professional and technical enrolments, and of these:

- 17,765 had attended Belfast Metropolitan College;
- 12,170 had attended Northern Regional College;
- 11,855 had attended North West Regional College;
- 12,770 had attended South Eastern Regional College;
- 14,945 had attended Southern Regional College; and
- 10,345 had attended South West College.

I would also highlight the following in relation to the student profile in 2013:

- there were 29,395 students following broad STEM courses which represents 37% of students;
- male/female participation was 48% and 52% respectively;
- 46% of students were aged 19 and under;
- 26% of students were on full-time courses, with the remainder on part-time provision;
- 41% of students were on level 2 provision, 27% on Level 3 provision, and 11% on higher education provision delivered in colleges; and
- there were 17,570 Essential Skills enrolments.

I would ask you to note that this information is provisional, and has not been validated by the Department. Most of the Department's analysis of colleges' performance focuses on complete full-year validated data, which for the 2012/13 academic year will be available in November 2013.

I would also advise that detailed analysis of colleges' performance in the 2011/12 academic year, in terms of enrolments and learner retention and achievement, is available through two detailed statistical bulletins which were published on the Department's website on 6 December 2012.

PROGRESS Programme

Mrs D Kelly asked the Minister for Employment and Learning why an application under the Progress programme, as part of the EU call for social policy experimentation, was not progressed.

(AQO 3622/11-15)

Dr Farry: PROGRESS is the European Union's employment and social solidarity programme working alongside the European Social Fund. It promotes networking and sharing of information to improve policy and practice throughout Member States.

A consortium led by Belfast City Council and consisting of GEMS, Upper Springvale Development Trust, the Belfast Area Partnership Boards, Belfast Metropolitan College and my Department together made preparations to submit an application to the European Commission under the PROGRESS programme's call for proposals regarding Social Policy Experimentations.

A total resource of €1 million was potentially available under the Moving Youth into Employment theme. It was intended that my Department would submit the joint application on behalf of the consortium. Under the proposals Belfast City Council would provide the work placements, the community groups would recruit and mentor the young people and the college would deliver the training element. The closing date for applications was 15 February 2013.

On 12 February, the lead partner, Belfast City Council, sought final clarification on eligible costs from the PROGRESS information point in the European Commission. The response, which followed a series of previous positive engagements, indicated that the costs for the apprentices' salaries could not be included in the application. This issue had not been previously identified in earlier discussions with the Commission. Given that this issue could not be resolved before the application deadline, Belfast City Council with agreement from the other partners decided not to proceed with the application.

I want to assure the House that my Department will continue to actively promote and assist the participation of Northern Ireland organisations involved in employment and training, whether public, private or third sector, in accessing funding and resources from European Union Programmes.

FG Wilson: European Globalisation Adjustment Fund

Ms Fearon asked the Minister for Employment and Learning for an update on his discussions with the British Government on securing funds for FG Wilson workers through the European Globalisation Fund.

(AQO 3623/11-15)

Dr Farry: I am aware that the European Globalisation Adjustment Fund (EGF) is a source of funding for Member States to help workers who have been made redundant as a result of globalisation or the current economic crisis.

To date my department has not availed of this fund as it would not have provided any additional support to workers made redundant in Northern Ireland.

Furthermore, the number of redundancies in any particular case has been lower than the 500 minimum required to trigger a bid to the fund.

I have been considering an application to the fund in respect of the FG Wilson redundancies. This has been the subject of ongoing discussions with the Department for Work and Pensions as applications to the fund have to be made through that Department. However, rather than waiting to achieve agreement on an application being submitted, my Department's Redundancy Service acted to put measures in place to help support affected workers immediately after the redundancies were announced. An application to the fund would not have provided any additional support to workers and would have taken substantially more time. Some months later, it is not yet clear whether the F G Wilson case would meet the eligibility criteria, so moving ahead to put in the necessary support ourselves has proven to be the right course of action.

EGF does not enjoy a discrete budget, and any call on it displaces other funding, with a consequential opportunity cost. In addition, we understand that the EU would require the production of a formal scheme and detailed monitoring, verification, reporting and audit arrangements. The administration costs could be significant. There may well be no net advantage to either the UK or Northern Ireland.

Nevertheless we continue to liaise with colleagues in Whitehall to improve our understanding of the opportunities.

Universities: Care-experienced Young People

Miss M McIlveen asked the Minister for Employment and Learning whether his Department plans to develop a strategy for universities to ensure that they give full access to care experienced young people.

(AQO 3624/11-15)

Dr Farry: "Access to Success", my Department's regional strategy to widen participation in higher education, has identified that young people leaving care in Northern Ireland are under-represented in higher education.

The strategy aims to develop improved mechanisms to gather more comprehensive and reliable data pertaining to access to, and participation in, higher education. This will make it easier to identify individuals from a disadvantaged background, including care leavers, and should improve the targeting of available resources to support those with greatest need.

The Strategy includes a centralised programme to raise awareness of the benefits of higher education among those who are under-represented. Additional "outreach" projects will expand the range of attainment-raising programmes in schools, colleges and the wider community. Additional support measures will also be developed to sustain the continuing participation of less advantaged students through targeted bursaries, fee waivers and other forms of direct support.

In addition, my Department encourages all Northern Ireland Higher Education Institutions to seek the Buttle UK "Quality Mark for Care Leavers" accreditation. I am delighted that two of our Further Education Regional Colleges, as well as the University of Ulster, have achieved accredited status.

In academic year 2012-13 my Department is providing widening participation premium funding of almost £1.3m to Higher Education Institutions in Northern Ireland to assist with the additional costs of recruiting students from disadvantaged backgrounds, including students from a care background, and to encourage the retention of such students through the provision on-course support structures such as, mentoring and tutoring.

Steps 2 Success

Mr Boylan asked the Minister for Employment and Learning for an update on the review of the Steps to Success scheme.

(AQO 3625/11-15)

Dr Farry: Steps 2 Success is my Department's new employment programme which will commence in 2014, replacing the current Steps to Work programme.

There were over 80 responses from a range of organisations to the public consultation exercise which was undertaken from July to October 2012 to gather the views of interested parties. As might be expected, there was variation in the numbers agreeing and disagreeing with each of the Department's proposals.

While there has been broad support for many of the proposed elements of Steps 2 Success, there are key areas where further consideration has been necessary. These mainly concern the contract area, the number of contracts and the funding model. As a result, changes to the original programme proposals are being considered.

A detailed evaluation of the responses has been carried out by my officials and a final report has been produced. The report has been externally reviewed and validated by an independent organisation, to provide assurance that it accurately reflects the Department's assessment of the responses received. The evaluation report will be published on the Department's website in April 2013.

Further work is now ongoing to ensure that the final design of the programme will deliver the best outcome for participants, and ensure value for money. It is also important that the programme design provides a realistic and sustainable opportunity for the providers who will be contracted to deliver Steps 2 Success. The final design of the programme will be announced in May.

The proposed way forward demonstrates that the Department has listened to, and carefully considered, the feedback received from the consultation exercise. The revised proposals blend some of the successful elements of Steps to Work

with the best of what is being delivered elsewhere. The Department believes that this unique hybrid will serve well all the unemployed of Northern Ireland.

Universities: Income from Local Businesses

Mr Lunn asked the Minister for Employment and Learning to outline the income that universities generate from local businesses.

(AQO 3626/11-15)

Dr Farry: Co-operation between Northern Ireland's universities and businesses continues to have a significant impact on the local economy. A report published recently by my Department, based on survey data collected by the Higher Education Statistics Agency, reveals that Northern Ireland Higher Education Institutions generated income of £102 million from business and community interaction in 2010/11. This represents a record achievement for local institutions.

The Higher Education Statistics Agency estimates that, at a minimum, around £20 million of this income has been earned through direct engagement with businesses both large and small, and from both within and outside the region.

Local institutions have outperformed their UK peers in many key areas such as collaborative research, income from intellectual property and the number of sustainable spin-off companies.

This positive performance reflects well on programmes funded by my Department which seek to promote strong relationships between local universities and businesses. These include the Connected programme and the Higher Education Innovation Fund.

It is encouraging to note that, even in these difficult economic times, there is an increasing awareness amongst commercial business of the economic advantages that can be brought by closer engagement with our universities.

Youth Employment

Mr Givan asked the Minister for Employment and Learning for his assessment of the numbers of young people who are unemployed.

(AQO 3627/11-15)

Dr Farry: The February Labour Market Report indicates that the unemployment rate for 18 to 24 year olds in Northern Ireland is 20.4%. This compares to the general unemployment rate of 7.8%. However, this does not mean that 1 in 5 young people are unemployed.

Many young people are students and are therefore gaining qualifications to help them secure employment in future. Having said this, in response to the unemployment rate for young people, I have put in place initiatives to help unemployed young people.

Members are aware of the Youth Employment Schemes and NEETS Strategy "Pathways to Success".

As at 1 March, over 1,000 employer agreements have been signed to offer opportunities under the Youth Employment Scheme. To date there have been 1,300 opportunities secured with 328 young people availing of the scheme, of which 150 are in full-time employment. In addition we are funding up to 500 temporary employment opportunities under the Department's 'First Start' initiative of which 281 have been filled.

I secured Executive endorsement to the 'Pathways to Success' Strategy, and a substantial funding package of just over £25 million is now in place to fund several new initiatives under the Strategy until 2015. These include:

- Collaboration and Innovation Fund to help disadvantaged 16 to 24 year olds improve their employability by gaining economically-relevant skills. Eligible participants will receive Pathways for Young People Education Maintenance Allowance;
- Community Family Support Programme to help the most disadvantaged families in targeted areas, by supporting parents and enabling all family members to re-engage with education, employment or training;
- Pathways Allowance to ensure that there is an effective incentive in place for eligible young people to participate in projects supported by the European Social Fund; and
- Community-Based Access Programme to support 16 to 18 year olds in progressing into further education or government-funded training.

Employment: High-tech Sector

Mr McAleer asked the Minister for Employment and Learning how his Department encourages young people to embrace opportunities in the hi-tech sector.

(AQO 3628/11-15)

Dr Farry: The Government Strategy for Science Technology Engineering and Mathematics (STEM) contains recommendations to encourage more young people to study STEM subjects and pursue employment in hi-tech areas.

In support of this, careers advisers use labour market information to ensure that people receive the most up to date careers advice on suitable opportunities, including those in the hi-tech and other priority skills sectors.

I chair Working Groups in both Advanced Manufacturing and Engineering Services and ICT. These groups include employers, further education and university representatives and other Departments. In each case the purpose of the group is to agree a co-ordinated approach to addressing the skills needs of the sectors and put in place relevant interventions.

Career attractiveness campaigns such as 'Bring IT On', targeted at encouraging young people to consider a career in IT here, have a role to play in highlighting opportunities within the sector.

The Software Testers' Academy, aimed at converting unemployed non-IT graduates into software testing professionals, has had two cohorts of graduates through the 15 week Academy programme. As a result, 40 graduates are now in permanent employment in the IT sector.

In collaboration with several local ICT employers my officials have developed a pilot programme in Public/Private ICT apprenticeship which has recruited 32 people into ICT positions in various software and infrastructure roles.

A higher level ICT apprenticeship pilot commenced in October 2012 at the South West College. The aim is to raise the skill levels of apprentices and upon completion they may progress directly to higher education.

Furthermore, our colleges have outstanding facilities to support our young people. This includes the award winning STEM Centre at South West College, and the recently opened state of the art technology suite at the North West Regional College, with specialist workshops and project rooms for construction, engineering and ICT.

Department of Enterprise, Trade and Investment

Presbyterian Mutual Society

Mr Allister asked the Minister of Enterprise, Trade and Investment whether she will place a copy of the Ombudsman's report of December 2012, on her Department's oversight of the Presbyterian Mutual Society, in the Northern Ireland Assembly Library. (AQW 19004/11-15)

Mrs Foster (The Minister of Enterprise, Trade and Investment): The Assembly Ombudsman's final report on my Department's oversight of the Presbyterian Mutual Society was provided in accordance with the statutory requirements of the Ombudsman (Northern Ireland) Order 1996. The report remains confidential and therefore, it is not appropriate for it be placed in the Northern Ireland Assembly Library.

DETI Information Service

Mr Allister asked the Minister of Enterprise, Trade and Investment how many staff are employed in her Department's Information Service; and what is the annual cost of this service. (AQW 20215/11-15)

Mrs Foster: Currently there are 4 information officers and 2 administrative staff who provide a public relations service to the Minister and the Department. The department's information service provides a wide range of communication services and support within DETI. This includes handling media queries, advertising, media monitoring, website management, event management and publicising the work of the department to an external audience through the media.

The total cost for staff in 2011/12 was £257,431.

Job Promotion: Upper Bann

Mrs D Kelly asked the Minister of Enterprise, Trade and Investment how many jobs have been promoted in the Upper Bann constituency, as indicated in Programme for Government commitments, in each of the last two years. (AQW 20330/11-15)

Mrs Foster: The table below shows the number of new jobs promoted by Invest NI in the Upper Bann constituency in each of the last two full financial years.

INVEST NI JOBS PROMOTED IN UPPER BANN PCA (2010-11 TO 2011-12)

Year	New Jobs Promoted
2010-11	116
2011-12	142
Total	258

In addition, it is estimated that Invest NI promoted 101 jobs in 2010-11 and 86 in 2011-12 through the Enterprise Development Programme (which has since been replaced, in October 2012, by the Regional Start Initiative) delivered in partnership with Enterprise Northern Ireland.

Small and Medium-sized Enterprises: Upper Bann

Mrs D Kelly asked the Minister of Enterprise, Trade and Investment to detail the amount and type of grant aid made available to small and medium-sized enterprises in the Upper Bann constituency, in each of the last two years.

(AQW 20331/11-15)

Mrs Foster: The table below shows the amount of assistance Invest NI has offered to small and medium sized enterprises located in the Upper Bann Parliamentary Constituency Area (PCA) in each of the last two full financial years. The assistance has been broken down by the type of activities that supported projects propose to undertake.

Invest NI Assistance Offered (£million) To SMEs in Upper Bann PCA (2010-11 to 2011-12)

Type of Project	2010-11	2011-12	Total
Employment Related Activities	0.91	0.72	1.63
Product Development	3.99	4.75	8.74
Skills and Leadership	0.41	0.18	0.58
Trade Development	0.08	0.07	0.15
Total	5.38	5.72	11.11

Notes:

- 1 SMEs are defined as companies with less than 250 employees.
- 2 Totals may not add due to rounding.

Tourism

Mr Weir asked the Minister of Enterprise, Trade and Investment, pursuant to AQW 18863/11-15, to outline the priority markers for tourism to Northern Ireland and whether Tourism Ireland can adopt a more flexible approach when sports opportunities arise that could act as a motivator for potential tourists.

(AQW 20362/11-15)

Mrs Foster: Tourism Ireland's major promotional effort this year is focused on the four key markets for tourism to Northern Ireland - Great Britain, the United States, Germany and France. In addition, it is rolling out trade marketing and publicity campaigns in a further eighteen markets but with lower levels of resource and investment.

- Sports-related tourism has emerged as a very significant element of the global travel business in recent years. Tourism Ireland works closely with the Northern Ireland Tourist Board and others to highlight key sporting events as a "hook" to attract potential visitors from overseas.
- The scale of Tourism Ireland's marketing activity around football fixtures such as the 2014 World Cup qualifiers depends on the location of the match, the potential size of the visitor market and availability of access links to Northern Ireland.

North West 200 and World Police and Fire Games 2013: Funding

Mrs Dobson asked the Minister of Enterprise, Trade and Investment to detail the funding allocated to the (i) North West 200; and (ii) World Police and Fire Games in 2013.

(AQW 20423/11-15)

Mrs Foster:

- (i) My Department, through the Northern Ireland Tourist Board (NITB), has offered £70,000 to the 2013 International North West 200; and
- (ii) Neither my Department nor NITB has allocated funding to the World Police & Fire Games 2013. This event is directly supported by The Department of Culture, Arts & Leisure (DCAL).

North West 200 and World Police and Fire Games 2013: Funding

Mrs Dobson asked the Minister of Enterprise, Trade and Investment to outline the reasons for the wide gap in funding allocated by her Department in 2013 to the (i) North West 200; and (ii) World Police and Fire Games, and whether it is departmental policy to provide funding for one off events.

(AQW 20424/11-15)

Mrs Foster:

- (i) The North West 200 applied for funding through the Northern Ireland Tourist Board's (NITB) International Tourism Events Scheme and was scored using the same criteria and scoring matrix impartially utilised for all applications. The North West 200 application was successful and received an award of £70,000.
- (ii) Neither my Department nor NITB has allocated funding to the World Police & Fire Games 2013. This event is directly supported by The Department of Culture, Arts & Leisure (DCAL).

Air Passenger Duty

Mr McKay asked the Minister of Enterprise, Trade and Investment for her assessment of the benefit of the abolition of Air Passenger Duty to the tourism sector.

(AQW 20437/11-15)

Mrs Foster: The abolition of Air Passenger Duty (APD) on direct long haul flights has helped to retain the United Airlines Belfast/Newark service, our only direct link to the United States. This service provides important business linkages to the US and is also important in terms of in-bound tourism. The US continues to be one of the most important markets for tourism to Northern Ireland. American visitors stay longer, spend more than the average visitor and tour more extensively while they are here.

While final visitor numbers for 2012 are not currently available, provisional estimates for the January-September 2012 period indicate that the number visitors from North America to Northern Ireland grew by +18% when compared with the same period in 2011. The direct link to the US made possible by the Belfast/Newark service will undoubtedly have helped to contribute to this increase.

Direct air access to key markets is vital for Northern Ireland's competitiveness and direct air links benefit the promotion of business linkages, enterprise development and in-bound tourism. My Department is therefore considering what more can be done to improve our connectivity in terms of air access. This will involve looking at options that include both APD and non-APD measures. Obviously, under EU rules, the complete removal of Air Passenger Duty for Northern Ireland, in the absence of a similar move across all of the UK, would have material financial consequences for the Northern Ireland block grant, estimated to be £60 - £90 million per annum.

Air Passenger Duty

Mr McKay asked the Minister of Enterprise, Trade and Investment for her assessment of the benefits that the abolition of Air Passenger Duty would bring in terms of establishing new flight routes.

(AQW 20438/11-15)

Mrs Foster: The abolition of Air Passenger Duty (APD) on direct long haul flights has made Northern Ireland a viable option for many long haul airlines. My Department, through Tourism Ireland, is working with Belfast International Airport to maximise the opportunity presented by the elimination of direct long haul APD and to attract new long haul services. In particular, I believe the abolition of direct long haul APD makes the re-instatement of a direct service to Canada a real possibility.

Direct air access to key markets is vital for Northern Ireland's competitiveness and direct air links benefit the promotion of business linkages, enterprise development and in-bound tourism. My Department is therefore considering what more can be done to improve our connectivity in terms of air access. This will involve looking at options that include both APD and non-APD measures. Obviously, under EU rules, the complete removal of Air Passenger Duty for Northern Ireland, in the absence of a similar move across all of the UK, would have material financial consequences for the Northern Ireland block grant, estimated to be £60 - £90 million per annum.

Translation Costs

Mr Weir asked the Minister of Enterprise, Trade and Investment to detail the cost of translating departmental letters and documents into (i) Irish; and (ii) each other language, in each of the last five years.

(AQW 20455/11-15)

Mrs Foster:

- (i) DETI did not spend any money on translating departmental letters and documents into Irish during the last five years.
- (ii) The cost of translations into any other language in each of the last five years is outlined below.

	2008/09	2009/10	2010/11	2011/12	2012/13
Chinese	£272.75 (Net)	£ 0	£ 0	£ 0	£ 0
Polish	£ 0	£50 (Net)	£145 (Net)	£ 40 (Net)	£ 0
Portugese	£ 0	£ 0	£ 35 (Net)		£ 0

Farm Safety Advertising Campaign

Mr Irwin asked the Minister of Enterprise, Trade and Investment, pursuant to AQW 16385/11-15, for an update on the work of the Health and Safety Executive for Northern Ireland on work to commission a farm safety advertising campaign.

(AQW 20458/11-15)

Mrs Foster: The Health and Safety Executive for Northern Ireland (HSENI), as part of the Farm Safety Partnership, has been leading on the delivery of a new farm safety advertising campaign.

Campaign development is now nearing completion and it is due to be launched on 25th March 2013. It will be presented under the banner of Stop and Think SAFE. SAFE represents the four main dangers on farms - Slurry, Animals, Falls and Equipment.

The campaign aims to be thought-provoking, to get farmers to look at their behaviours in a new and motivating way, and to encourage them to adopt a safer approach to working on their farms. It is also aimed at those who can influence their behaviour - wives, daughters, sons, other relatives and friends.

However, the new campaign should be seen as part of the wider drive to combat the high death toll on Northern Ireland's farms. As part of this effort, HSENI's ongoing farm safety visits campaign, which was launched last November, is on target to visit more than 1,000 farms before the end of this month. Backed by the Farm Safety Partnership, the initiative is designed to help ensure that the farming community is fully aware of the dangers involved with farm work and of the latest safety guidance and support available on farm safety.

Happy Days Enniskillen International Beckett Festival 2012

Mr Flanagan asked the Minister of Enterprise, Trade and Investment (i) whether an economic appraisal was carried out into the Happy Days International Beckett Festival in 2012; (ii) what the results showed; (iii) what other sources and quantities of public funding the event organisers secured; and (iv) what changes have been made for this year's festival.

(AQW 20496/11-15)

Mrs Foster:

- (i) In line with NITB's Events Fund procedures, a full economic appraisal is only undertaken when the NITB contribution sought is in excess of £100,000. As the level of NITB funding sought in this case falls below this threshold, a full economic appraisal was not carried out. However in accordance with Events Fund guidelines all applications are subjected to a rigorous assessment process whereby applications are scored against their ability to meet 10 key criteria.
- (ii) Not applicable - an economic appraisal was not carried out.
- (iii) As with all other applications, indicative information provided within the application process will not be confirmed until post-event evaluation information is received from the organisers.
- (iv) This information is not available to either my Department or The Northern Ireland Tourist Board at this time.

Foreign Direct Investment: North Antrim

Mr McKay asked the Minister of Enterprise, Trade and Investment what action her Department has taken to increase foreign direct investment in North Antrim.

(AQW 20539/11-15)

Mrs Foster: 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.

As noted by the Independent Review of Economic Policy, it is important to allow companies the scope to locate where they can operate most profitably. To do otherwise would be detrimental to the chances of securing Foreign Direct Investment (FDI) for Northern Ireland.

Globally, Northern Ireland competes for FDI against some much larger nation states. In order to maximise our presence in overseas markets, Invest NI focuses on selling Northern Ireland as a whole.

However my Department, including Invest NI, is very aware of the challenges facing local areas in Northern Ireland and acknowledges the importance of working closely with councils and other stakeholders to develop the features and benefits of each local area in order to maximise opportunities for economic growth. Ultimately, the investor will make the decision as to where they locate based on their specific business needs and having weighed up the options available to them.

Invest NI has recently developed and launched a smartphone application ('FDI app') to help raise Northern Ireland's profile within international markets which can be used as a tool to help promote the benefits of setting up in the region to potential investors. including Ballymoney and Ballymena District Councils have been invited to participate in using this tool to input with a local proposition for their area.

Tourist Beds: South Down

Mr Hazzard asked the Minister of Enterprise, Trade and Investment how many beds are currently available to tourists visiting the South Down constituency.

(AQW 20541/11-15)

Mrs Foster: 4087 beds are currently available to tourists in the Banbridge, Down and Newry & Mourne District Council areas collectively.

The Northern Ireland Tourist Board does not hold this information on a constituency basis.

Runkerry Golf Course and Hotel

Mr Campbell asked the Minister of Enterprise, Trade and Investment, following the announcement that Runkerry golf course and hotel complex is to proceed, for her assessment of the benefits that will result for tourism in the Causeway Coast area and Northern Ireland as a whole.

(AQW 20556/11-15)

Mrs Foster: The development will bring economic benefits and much needed jobs to the Causeway Coast and Glens destination and indeed throughout wider Northern Ireland.

The Northern Ireland Tourist Board has invested significantly to develop the Causeway Coastal Route visitor experience while encouraging visitors to stay longer and spend more.

A five star hotel and accompanying links golf course will attract tourists from all over the world, particularly from North America, which is a primary target market for resorts of this type. The development at Runkerry will significantly boost our reputation as a first class golf destination, building on the unprecedented success of last year's Irish Open at Royal Portrush

European Funding

Mrs Cochrane asked the Minister of Enterprise, Trade and Investment to detail (i) what her Department is doing to encourage the enhanced uptake of underused European funding streams; and (ii) what support structures are being established to (a) improve the capability of businesses to draw down such funding; and (b) maximise collaboration opportunities between suitable small and medium-sized enterprises.

(AQW 20569/11-15)

Mrs Foster:

- (i) My Department continues to encourage applications for the remaining funding available under the 7th Framework Programme and from its successor Horizon 2020. Both Invest NI's Collaborative R&D Support Service and InterTradeIreland raise awareness of existing opportunities and provide advice, guidance, partner searching facilities and financial support to businesses wishing to participate.
- (ii) (a) My Department continues to take the lead in improving the support available to those who wish to participate in EU Innovation Programmes, with a continued focus on SMEs. The recently launched Northern Ireland Horizon 2020 Action Plan outlines the steps that DETI will be taking during 2013 to develop and implement a new Horizon 2020 Network. The Network of Contact Points will be coordinated by the Northern Ireland Horizon 2020 Manager, who is based in DETI. The Contact Points will be working directly with applicants, including those from SMEs, to develop and increase their capability and expertise as well as in the identification of collaborative opportunities. Invest NI's Collaborative R&D Support Service also includes a Brussels-based Executive who provides additional support to R&D stakeholders.

In terms of developing the capacity and capability of companies to participate in higher-level, strategic and competitive R&D programmes, Invest NI has a wide range of support mechanisms available, ranging from small interventions such as innovation vouchers right through to large Grant for R&D offers which includes higher levels of support for collaborative projects involving industrial research. In the years 2011-15 Invest NI will secure £764m investment in innovation and R&D by assisting businesses to move up the so-called innovation escalator.

Furthermore, Northern Ireland representation in Brussels has been enhanced with the appointment of four Barroso Desk Officers. The Barroso Taskforce Working Group focuses on four EU thematic priorities, Innovation and Technology, Competitiveness and Employment, Climate Change and Energy, and Social Cohesion. DETI has an interest in the first three of these priorities and is represented on the Working Groups established to take forward these themes.

- (b) Horizon 2020 aims to promote excellence across the European Research Area, with projects selected in open competition and following an independent evaluation process. To satisfy the "excellence" criteria, the most successful collaborations generally involve partnerships between academia or research organisations and businesses.

It should also be noted that a parallel priority must be to draw down all the Structural Funds currently allocated to Northern Ireland. I can confirm that the ERDF allocation of €306m under the EU Sustainable Competitiveness Programme 2007-13 will be fully utilised and drawn down by eligible projects in support of projects focused on enhancing the Northern Ireland economy and achieving Programme for Government objectives and targets.

Giro d'Italia 2014

Mr Weir asked the Minister of Enterprise, Trade and Investment to detail the proposed dates and timescale of the Giro D'Italia 2014 in Northern Ireland.

(AQW 20597/11-15)

Mrs Foster: The Grande Partenza or 'Big Start' of the Giro d'Italia, one of professional cycling's three Grand Tour events, will take place over three days from 10-12 May 2014.

The exact timings of each day are not yet finalised.

Giro d'Italia 2014

Mr Dunne asked the Minister of Enterprise, Trade and Investment to detail the areas in North Down that will be incorporated in the route of the Giro d'Italia 2014.

(AQW 20622/11-15)

Mrs Foster: The Grande Partenza or 'Big Start' of the Giro d'Italia, one of professional cycling's three Grand Tour events will take place over three days from 10-12 May 2014.

The exact route has yet to be finalised. This is the remit of RCS Sport who will work with the teams to develop the route. RCS Sport has many years experience designing cycling routes that will be challenging for the cyclists and entertaining for the thousands of spectators and TV viewers to watch.

The Northern Ireland Tourist Board (NITB) is of course keen that as much of Northern Ireland is showcased as is possible, depending on the feasibility as judged by RCS Sport.

Hydraulic Fracturing

Mr Agnew asked the Minister of Enterprise, Trade and Investment whether hydraulic fracturing will be permitted ahead of the publication of the final Environmental Protection Agency and Northern Ireland Environment Agency report.

(AQW 20644/11-15)

Mrs Foster: It is not possible for me to provide a definitive answer to this question as my Department is only one of the Regulatory Authorities involved in the permitting procedures related to applications for Hydraulic Fracturing for shale gas in Northern Ireland.

To date, DETI has not received any application involving hydraulic fracturing for shale gas in Northern Ireland. Should such an application be received, decisions by my Department would be based on the best scientific evidence available to officials at time of application. Proposed operations would be assessed within the context of international best practice and standards, including those that will emerge from the new Office of Unconventional Gas and Oil currently being established by the Department of Energy and Climate Change

Based on the current timeframe it is anticipated that, at the very least, the interim reports and main findings of the Environmental Protection Agency research programme would be available before any application to carry out hydraulic fracturing for shale gas would be submitted to the regulatory authorities in Northern Ireland.

Shale Gas Extraction

Mr Agnew asked the Minister of Enterprise, Trade and Investment at what stage of the granting of permission for shale gas extraction is the impact of greenhouse gas emissions as a result of extraction taken into account.

(AQW 20645/11-15)

Mrs Foster: It is not possible for me to provide a definitive answer to this question as my Department is only one of the Regulatory Authorities involved in the permitting procedures related to applications for shale gas extraction in Northern Ireland.

Whilst all Departments, including my own, have a collective responsibility for achieving the Northern Ireland Executive's agreed targets for carbon emissions reductions, the Department of the Environment has the lead role on climate change policy including Green House Gas emissions and air quality.

Listed Buildings: Restoration

Mr Irwin asked the Minister of Enterprise, Trade and Investment what grant aid is available from her Department, or its arm's-length bodies, for the restoration of listed buildings.

(AQW 20691/11-15)

Mrs Foster: DETI does not have any specific grant scheme for the restoration of listed buildings.

The Northern Ireland Tourist Board provides funding support for tourism capital projects through the Tourism Development Scheme (TDS). If a promoter chose to use a listed building for a Tourism project then, potentially, restoration costs could attract funding as part of the overall project costs.

Invest NI may also be able to consider restoration costs as part of an investment or employment project located in a listed building.

In addition, the Northern Ireland Environment Agency, an Agency of the Department of the Environment, manage a grant scheme which is available for repairs of all types of secular listed buildings and also for churches at Grade B+ and above. Related professional fees can also be assisted and enhanced grant may be applicable to owners of listed buildings in receipt of income based job seekers allowance, Income Support or Guaranteed Pension Credit.

Giro d'Italia 2014

Mr Weir asked the Minister of Enterprise, Trade and Investment to detail whether a proposed route has been agreed for the Giro D'Italia 2014, and if it has been agreed, to provide details of the route.

(AQW 20772/11-15)

Mrs Foster: I would refer the member to the reply I gave to AQW 20622/11-15.

Warm Homes Discount Scheme

Mr Kinahan asked the Minister of Enterprise, Trade and Investment whether he is considering introducing the Warmer Home Discount Scheme which exists in England; and when this will take place.

(AQW 20803/11-15)

Mrs Foster: The Warm Homes Discount Scheme is covered by legislation which does not apply in Northern Ireland and there are currently no plans to introduce a similar scheme here.

The introduction of such a scheme is akin to a social tariff as energy companies in Northern Ireland would almost certainly be entitled to pass the cost of such a scheme on to other customers (as they are in Great Britain). As such, the full implications of introducing such a scheme in Northern Ireland would need to be endorsed by the Northern Ireland Executive. Aside from requiring legislation, careful consideration would also have to be given to the proportion of customers to benefit from such a scheme and which customers would pay more as a result. There may also be issues around administration costs and data protection that would need to be explored.

Department of the Environment

National Parks

Mr Frew asked the Minister of the Environment, given the large attendance at the public meeting in Ballycastle to protest against National Parks, how will this be factored into the consultation process.

(AQW 16871/11-15)

Mr Attwood (The Minister of the Environment): I have noted the press reports of the Ballycastle meeting and met with the UFU in early December to discuss the issue. In addition, I plan to continue with my programme of meetings with those individuals and organisations both for and against national parks. When I have considered the differing perspectives, I will reach a judgement on the way forward.

There are voices in favour and against the proposal for national parks. The model that I have been talking about is "Designation without further regulation". Some continue to portray this version of a national park – even when they have been advised otherwise – as coming with more regulation. That would not be the case, be it on planning, or livestock or crops etc.

I will continue to argue and advocate for rural development. With 64,000 out of work, with 84,000 on the far side of welfare reform, with Prime Minister Cameron's approach to Europe, I would be negligent if I did not "turn over every stone" to develop rural work opportunities.

My argument is that, around our heritage, jobs can grow. This is most evident in our rural areas and it is there that most opportunities exist. I will not give up on this argument. Others should be making the argument with me.

The views of all will be heard, including but not only those who attend public meetings. After my ongoing private meetings across the range of views, I will decide how best to proceed. Clearly, I will not bury my head. I will acknowledge the strong opposition, however that has come about, but also acknowledge the strong support.

National Parks

Mr Kinahan asked the Minister of the Environment for an update on his proposals for introducing National Parks.

(AQO 2923/11-15)

Mr Attwood: I have said, and I repeat, that I am taking stock on National Parks. I am listening to the many voices for and those against, as well as to the undecided. I am holding a series of private meetings with a wide range of people and organisations to hear the full range of views. At the heart of the issue is this: our heritage – built, natural, archaeological and Christian – is a big part of the quality of our lives and has a big role to play in relation to jobs and tourism going forward. Unemployment is growing. On the far side of Welfare reform 20,000 more people may be officially out of work. The challenge to me and to all Ministers is to ask ourselves – what more can we do to help people who are out of work into work, giving them jobs and dignity?

I would be failing in my duty if I did not attempt to answer this question. What I have been talking about is 'designation without regulation', a model with no new planning, livestock, crop or other restrictions. It is unfortunate that while I have repeatedly said this, there are some who continue to wrongly tell people otherwise, creating unjustified fears.

I will continue to work to identify job and economic opportunities in the rural area. In talking with people I believe a good way forward can be found. I hope others will work with me so do. On the far side of this conversation, I will propose how to proceed, acknowledging the principle that there cannot be imposition of a National Park.

National Parks

Mr Allister asked the Minister of the Environment, in light of the scale of the opposition in the Causeway and Glens area to a national park in that area, as demonstrated at the public meeting in Ballycastle on 14 November 2012, whether he will now acknowledge that the proposition is untenable.

(AQW 17023/11-15)

Mr Attwood: I have said, and I repeat, that I am taking stock on National Parks. I am listening to the many voices for and those against, as well as to the undecided. I am holding a series of private meetings with a wide range of people and organisations to hear the full range of views. At the heart of the issue is this: our heritage – built, natural, archaeological and Christian – is a big part of the quality of our lives and has a big role to play in relation to jobs and tourism going forward. Unemployment is growing. On the far side of Welfare reform 20,000 more people may be officially out of work. The challenge to me and to all Ministers is to ask ourselves – what more can we do to help people who are out of work into work, giving them jobs and dignity?

I would be failing in my duty if I did not attempt to answer this question. What I have been talking about is 'designation without regulation', a model with no new planning, livestock, crop or other restrictions. It is unfortunate that while I have repeatedly said this, there are some who continue to wrongly tell people otherwise, creating unjustified fears.

I will continue to work to identify job and economic opportunities in the rural area. In talking with people I believe a good way forward can be found. I hope others will work with me so do. On the far side of this conversation, I will propose how to proceed, acknowledging the principle that there cannot be imposition of a National Park.

National Parks

Mr McCarthy asked the Minister of the Environment for an update on the plans for National Parks.

(AQO 2930/11-15)

Mr Attwood: I have said, and I repeat, that I am taking stock on National Parks. I am listening to the many voices for and those against, as well as to the undecided. I am holding a series of private meetings with a wide range of people and organisations to hear the full range of views. At the heart of the issue is this: our heritage – built, natural, archaeological and Christian – is a big part of the quality of our lives and has a big role to play in relation to jobs and tourism going forward. Unemployment is growing. On the far side of Welfare reform 20,000 more people may be officially out of work. The challenge to me and to all Ministers is to ask ourselves – what more can we do to help people who are out of work into work, giving them jobs and dignity?

I would be failing in my duty if I did not attempt to answer this question. What I have been talking about is 'designation without regulation', a model with no new planning, livestock, crop or other restrictions. It is unfortunate that while I have repeatedly said this, there are some who continue to wrongly tell people otherwise, creating unjustified fears.

I will continue to work to identify job and economic opportunities in the rural area. In talking with people I believe a good way forward can be found. I hope others will work with me so do. On the far side of this conversation, I will propose how to proceed, acknowledging the principle that there cannot be imposition of a National Park.

National Parks

Mr Flanagan asked the Minister of the Environment whether he will review his proposals on the development of National Parks.

(AQW 17539/11-15)

Mr Attwood: I have said, and I repeat, that I am taking stock on National Parks. I am listening to the many voices for and those against, as well as to the undecided. I am holding a series of private meetings with a wide range of people and organisations to hear the full range of views. At the heart of the issue is this: our heritage – built, natural, archaeological and Christian – is a big part of the quality of our lives and has a big role to play in relation to jobs and tourism going forward. Unemployment is growing. On the far side of Welfare reform 20,000 more people may be officially out of work. The challenge to me and to all Ministers is to ask ourselves – what more can we do to help people who are out of work into work, giving them jobs and dignity?

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National Parks

Mr Campbell asked the Minister of the Environment should the current and second suggested region for a National Park not proceed, whether identification of another region will be considered.

(AQW 17845/11-15)

Mr Attwood: I have said, and I repeat, that I am taking stock on National Parks. I am listening to the many voices for and those against, as well as to the undecided. I am holding a series of private meetings with a wide range of people and organisations to hear the full range of views. At the heart of the issue is this: our heritage – built, natural, archaeological and Christian – is a big part of the quality of our lives and has a big role to play in relation to jobs and tourism going forward. Unemployment is growing. On the far side of Welfare reform 20,000 more people may be officially out of work. The challenge to me and to all Ministers is to ask ourselves – what more can we do to help people who are out of work into work, giving them jobs and dignity?

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The issue is therefore about the principle and the practice. Whatever about the outcome of these matters, it is my firm view that the scale and beauty of the natural and built heritage in NI is unsurpassed on these island which demands of us the requirement to protect and positively develop.

Union Flag

Mr Allister asked the Minister of the Environment what steps he proposes to take to encourage councils, which fail to fly the Union flag, to review this policy in deference to the cultural affinity of the Unionist minority within their council area and to diminish their sense of exclusion.

(AQW 18034/11-15)

Mr Attwood: Councils are independent of central government and are accountable to their local electorate and ratepayers.

Section 75 of the Northern Ireland Act 1998 provides that all public authorities, including district councils, in carrying out their functions in Northern Ireland, shall have due regard to the need to promote equality of opportunity between certain specified individuals and groups, and have desirability of promoting good relations between persons of different religious belief, political opinion and religious group.

All district councils are directly answerable to the Equality Commission in respect of their Section 75 Duties. I understand that the Equality Commission has written to Newry and Mourne district Council about its decision. I do not intend to intervene in this process.

I believe that the principles enshrined in the Good Friday Agreement need to be upheld, when it comes to political and cultural identities. This means that NI will look and feel differently than may have been the case previously. This is what respect for difference is about and it does not mean that any community should consider that they have won out or lost out or have a sense of exclusion. If this is the approach adopted issues of flags, emblems and symbols can be addressed – in the absence of this, it becomes very difficult.

If the right approach is deployed, it can mean that political and cultural affiliation can be addressed in an agreed balanced even generous way, not out of deference but out of respect. As I have said previously, if I believe that as Local Government Minister that I should act to move the situation forward, I will consider doing so.

National Parks

Mr Frew asked the Minister of the Environment for an update on the consultation on National Parks.

(AQO 3289/11-15)

Mr Attwood: I have said, and I repeat, that I am taking stock on National Parks . I am listening to the many voices for and those against, as well as to the undecided. I am holding a series of private meetings with a wide range of people and organisations to hear the full range of views. At the heart of the issue is this: our heritage – built, natural, archaeological and Christian – is a big part of the quality of our lives and has a big role to play in relation to jobs and tourism going forward. Unemployment is growing. On the far side of Welfare reform 20,000 more people may be officially out of work. The challenge to me and to all Ministers is to ask ourselves – what more can we do to help people who are out of work into work, giving them jobs and dignity.

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National Parks

Mr McCallister asked the Minister of the Environment whether he has now ended his consideration of National Park proposals. (AQO 3293/11-15)

Mr Attwood: I have said, and I repeat, that I am taking stock on National Parks. I am listening to the many voices for and those against, as well as to the undecided. I am holding a series of private meetings with a wide range of people and organisations to hear the full range of views. At the heart of the issue is this: our heritage – built, natural, archaeological and Christian – is a big part of the quality of our lives and has a big role to play in relation to jobs and tourism going forward. Unemployment is growing. On the far side of Welfare reform 20,000 more people may be officially out of work. The challenge to me and to all Ministers is to ask ourselves – what more can we do to help people who are out of work into work, giving them jobs and dignity.

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I will continue to work to identify job and economic opportunities in the rural area. In talking with people I believe a good way forward can be found. I hope others will work with me so do. On the far side of this conversation, I will propose how to proceed, acknowledging the principle that there cannot be imposition of a National Park.

Planning Applications: Business Premises Extensions or Expansion

Ms Boyle asked the Minister of the Environment how many planning applications for business premises extensions or expansion were (i) refused; and (ii) approved under (a) PPS 4; and (b) PPS 5 since June 2011, broken down by district council area. (AQW 20233/11-15)

Mr Attwood: In the period June 2011 to September 2012, 294 applications for extension or alterations to commercial premises have been decided, of which 98% were approved. Of the 6 refused, 2 of these were refused under PPS4 and 1 was refused under PPS5. This is broken down by Council district in table 1 below.

Table 1: The number of commercial applications for extensions/alterations¹ that were decided between June 2011 and September 2012

	Total Decided	Approved		Refused			Total
		Number	Approval Rate (%)	Refusal reason ²			
				PPS 4	PPS 5	Other	
Antrim	3	3	100	0	0	0	0
Ards	14	14	100	0	0	0	0
Armagh	6	6	100	0	0	0	0
Ballymena	20	20	100	0	0	0	0
Ballymoney	7	7	100	0	0	0	0
Banbridge	6	5	83	0	0	1	1
Belfast	31	29	94	0	0	2	2
Carrickfergus	5	4	80	1	0	0	1
Castlereagh	3	3	100	0	0	0	0
Coleraine	19	19	100	0	0	0	0
Cookstown	12	12	100	0	0	0	0
Craigavon	18	17	94	0	1	0	1
Derry	26	26	100	0	0	0	0
Down	13	12	92	1	0	0	1
Dungannon	11	11	100	0	0	0	0
Fermanagh	14	14	100	0	0	0	0
Larne	2	2	100	0	0	0	0

	Total Decided	Approved		Refused			
		Number	Approval Rate (%)	Refusal reason ³			Total
				PPS 4	PPS 5	Other	
Limavady	7	7	100	0	0	0	0
Lisburn	15	15	100	0	0	0	0
Magherafelt	7	7	100	0	0	0	0
Moyle	3	3	100	0	0	0	0
Newry And Mourne	18	18	100	0	0	0	0
Newtownabbey	10	10	100	0	0	0	0
North Down	16	16	100	0	0	0	0
Omagh	3	3	100	0	0	0	0
Strabane	5	5	100	0	0	0	0
Total	294	288	98	2	1	3	6

The information held on the Department's IT System does not include details of the policy context the approved applications were considered under. This would require a manual search of each of the 294 planning applications and would result in the diversion of staff from normal duties for an unreasonable period of time which would have an adverse impact on the Department's ability to provide the statutory public service for which it is obligated. I fully support this position.

These figures confirm a planning service that has turned corners.

Planning Applications: Rural Business Premises

Ms Boyle asked the Minister of the Environment how many planning applications for rural business premises were (i) refused; and (ii) approved under PPS 21 since June 2011, broken down by district council area.

(AQW 20237/11-15)

Mr Attwood: The evidence of rural business applications strongly suggests that PPS21 is working well. To date, I have not received many representations to the contrary.

All applications in the countryside are assessed under PPS21. Depending on the type of proposal, the Department may consider other policy documents along with PPS21.

In the period June 2011 to September 2012, 18 applications for rural commercial businesses have been refused, -13 of which were considered contrary to PPS21 and for other reasons. In 13 of the 26 council areas, there has been a 100% approval, with 7 council's approval rate of 85% or more.

In the same period a total of 170 applications have been approved giving an approval rate of 90% which demonstrates the Department's commitment to supporting the rural economy through the planning process. All of these applications would have been assessed against the area plan for the area and all other material considerations including PPS21. This information is broken down by Council District in Table 1 below.

Table 1: The number of rural commercial applications that were decided between June 2011 and September 2012

	Total Decided	Approved		Refused		
		Number	Approval Rate (%)	Refusal reason ²		Total
				PPS 21	Other	
Antrim	9	8	89	1	0	1
Ards	10	10	100	0	0	0
Armagh	11	10	91	1	0	1
Ballymena	11	11	100	0	0	0
Ballymoney	6	6	100	0	0	0
Banbridge	10	9	90	0	1	1
Belfast	1	1	100	0	0	0
Castlereagh	1	1	100	0	0	0
Coleraine	12	11	92	1	0	1

	Total Decided	Approved		Refused		
		Number	Approval Rate (%)	Refusal reason ²		Total
				PPS 21	Other	
Cookstown	8	8	100	0	0	0
Craigavon	14	12	86	2	0	2
Derry	6	5	83	1	0	1
Down	14	11	79	2	1	3
Dungannon	11	11	100	0	0	0
Fermanagh	11	11	100	0	0	0
Larne	1	1	100	0	0	0
Limavady	3	3	100	0	0	0
Lisburn	8	7	88	0	1	1
Magherafelt	7	6	86	1	0	1
Moyle	5	5	100	0	0	0
Newry And Mourne	21	16	76	3	2	5
Newtownabbey	2	2	100	0	0	0
Omagh	3	2	67	1	0	1
Strabane	3	3	100	0	0	0
Total	188	170	90	13	5	18

The operational review of PPS21 is ongoing and I will make a statement to the Assembly after Easter recess. I believe the review and the mechanisms in place around and arising from the review have contributed to the sound operation of the policy.

Business Enforcement Cases

Ms Boyle asked the Minister of the Environment how many enforcement cases his Department has taken against businesses since 2011, broken down by district council area; and how many and what value of fines were imposed as a result.

(AQW 20239/11-15)

Mr Attwood: Within the period 1 April 2011 to September 2012, 4008 enforcement cases across all categories of property were opened relating to a range of alleged breaches of planning control. This information, broken down by district council area is set out in the table below (Annex A). Data is not recorded on the Department's IT system in such a way as to enable cases relating to businesses to be easily identified. I have asked that our systems are reviewed to see how this can be rectified.

The vast majority of breaches of planning control are resolved through negotiation with the owner/occupier or through the submission and consideration of a retrospective planning application.

Of the 4008 cases opened, 25 resulted in fines being imposed to date with the value of fines totalling £19,200. In addition, some 2800 of these have been closed for a variety of reasons such as No Breach (1141), Remedied/Resolved (594) and Planning Permission Granted (325).

It is not acceptable for individuals and companies to deliberately flout planning regulations. In taking action, the impact of the breach and the public interest served by enforcement needs to be carefully considered. This involves a judgement call and proportionate response based on details of the case, the degree of harm and other consideration including the wider prevailing economic conditions where this is appropriate.

That said, I believe the flipside of good planning is proportionate enforcement. That is why far more urgent works notices have been served in 18 months than in the previous 38 years and the first completion notice ever was served (now on appeal to the PAC); why the resource and staffing in the Environmental Crime Unit has been increased and the reason for the Enforcement summit in June 2013. There is still work to do to have the robust proportionate enforcement that I believe is necessary.

Annex A

District Council	Number of Cases opened April 2011 – September 2012
Antrim	139
Ards	182

District Council	Number of Cases opened April 2011 – September 2012
Armagh	122
Ballymena	134
Ballymoney	62
Banbridge	138
Belfast	428
Carrickfergus	63
Castlereagh	175
Coleraine	192
Cookstown	111
Craigavon	127
Derry	221
Downpatrick	263
Dungannon	132
Fermanagh	166
Larne	66
Limavady	104
Lisburn	224
Magherafelt	93
Moyle	76
Newry and Mourne	246
Newtownabbey	146
North Down	146
Omagh	138
Strabane	114

Taxi Operator Licences

Mr Weir asked the Minister of the Environment how many prosecutions have been pursued for breaches of taxi operator licences in each of the last three years.

(AQW 20246/11-15)

Mr Attwood: Taxi operator licensing came into effect on 1 September 2012. Since its introduction a number of taxi operators have been detected operating without operators' licences. However, there have been no prosecutions to date as these cases are still to progress through the court system.

Cars with High-intensity Discharge Headlamps

Mr Weir asked the Minister of the Environment whether the Driver and Vehicle Licensing Agency is applying MOT test regulations on high intensity discharge headlamps in a different manner to the rest of the UK; and to outline the reasons for this position.

(AQW 20295/11-15)

Mr Attwood: High intensity discharge (HID) headlights have been fitted in certain motor vehicles for a number of years. Compared with the more common halogen headlights, HID headlights are more efficient, have a longer life and can be up to three times brighter. The benefit of this extra brightness is that it enables drivers using HID lights to see approximately 30% further than with halogen systems.

The downside of this extra brightness is the potential to cause excessive dazzle to oncoming traffic. Dazzle can be caused if the lamps are dirty or wrongly directed. Vehicles with HID headlights are therefore legally required to be fitted with headlamp washer and levelling system fitted before they are permitted to enter into service in Europe.

The assessment of the presence and operation of these headlamp cleaning and levelling devices was introduced into the annual vehicle test in compliance with European Roadworthiness Directive 2010/48/EU. This requirement was introduced into the annual vehicle test (MOT) in Northern Ireland on an advisory basis from 1 February 2012, and became a reason for failure from 1 May 2012. The use of vehicles on the road which do not have the washer or levelling system fitted to HID headlights is illegal and poses a potential road safety risk.

A vehicle will fail the test in Northern Ireland where a mandatory headlight washer or levelling device is missing, inoperative or otherwise obviously defective. The same assessment criteria are currently being applied in the South of Ireland. However these requirements have not been fully implemented in Britain, and their online testers' manual indicates that the test applies only to headlight washers where fitted ie the absence of a mandatory headlight washer and levelling system is not specified as a reason for test failure.

European Directive 2010/48/EU requires the operation of a mandatory headlight washer system to be assessed at the time of a vehicle's annual test, and my Department therefore considers the absence of a headlight washer or levelling system, where required, to be a reason for test failure.

Cars with High-intensity Discharge Headlamps

Mr Weir asked the Minister of the Environment how many cars with high intensity discharge headlamps have failed the MOT test since 2010 because of a lack of headlight washers and because the lights are not self levelling.

(AQW 20297/11-15)

Mr Attwood: The European Roadworthiness Directive 2009/40/EC was amended on 5 July 2010 by Directive 2010/48/EU, which introduced mandatory headlamp washers and levelling devices into the annual test for vehicles with high intensity discharge headlamps. In Northern Ireland these items were included within the annual test from 1 February 2012 to 30 April 2012 on an advisory basis. From 1 May 2012 the absence of mandatory headlamp washers and levelling systems and defects in such systems, where fitted, became reasons for failure. In total, 548 cars failed the MOT test for the reasons outlined above in the period from 1 May 2012 to 25 February 2013.

Cars with High-intensity Discharge Headlamps

Mr Weir asked the Minister of the Environment why MOT test regulations on cars with high intensity discharge headlamps are being applied to cars which were manufactured before 2010 when the regulations were brought in.

(AQW 20299/11-15)

Mr Attwood: The European Roadworthiness Directive 2009/40/EC was amended on 5 July 2010 by Directive 2010/48/EU. This introduced mandatory headlamp washers and levelling devices into the annual test. However, the requirement to have headlamp washers and levelling devices fitted to high intensity discharge (HID) headlamps and light emitting diode (LED) headlamps has existed for a number of years under the type approval regulations.

In Northern Ireland these items were included within the annual test from 1 February 2012 to 30 April 2012 on an advisory basis, and from 1 May 2012 the absence of mandatory headlamp washers and levelling systems or defects in such systems became reasons for failure.

The technical requirements for HID and LED headlamps under type approval regulations are contained in United Nations (UNECE) Regulation 48.

Vehicles that enter into service for the first time in Northern Ireland require a type approval certificate or must undergo an individual vehicle approval (IVA) test. It has been a requirement of the IVA test in Northern Ireland since June 2001 for vehicles fitted with HID headlamps to have headlamp washer and levelling systems fitted. This test standard also applies in Britain.

Glorification of Terrorism

Lord Morrow asked the Minister of the Environment, pursuant to AQW 18041/11-15, what are the corporate implications for Newry and Mourne Council should it be found to have broken the law by glorifying terrorism.

(AQW 20345/11-15)

Mr Attwood: Where the Equality Commission decides to conduct an investigation into the activities of a public body, and that investigation finds that the public body has failed to comply with its approved Equality Scheme, the Commission's report will outline the failure and, where relevant, set out recommendations to ensure compliance.

This report will be issued to the public authority concerned, the Secretary of State and the complainant (where there is a complainant). The Commission shall also, in the case of a report of an investigation under paragraph 11, send a copy of the report to the Assembly.

Where the recommended actions are not taken within a reasonable time, the Commission can refer the matter to the Secretary of State who can give directions to the public authority concerned. When taking this step, the Commission shall also notify the Assembly in writing.

Dog-fouling Offences: Convictions

Mr G Robinson asked the Minister of the Environment how many successful prosecutions there have been for dog fouling in (i) Limavady Borough Council; and (ii) Coleraine Borough Council areas, in each of the last three years.

(AQW 20360/11-15)

Mr Attwood: The Department requests statistical information on fixed penalty notices issued by district councils and also on the number of successful prosecutions in the courts after the end of each financial year. Information obtained from Coleraine and Limavady Borough Councils on the number of successful prosecutions in each of the last three financial years in respect of the offence of permitting dogs to foul is set out in the following table.

Council	2009/10	2010/11	2011/12
Coleraine	3	0	1
Limavady	0	0	0

Planning Applications

Mr Craig asked the Minister of the Environment (i) what is the average time taken from the date that local council consultation on a planning application takes place until a decision is made on that application; (ii) what is the average time taken in Lisburn City Council; and (iii) what plans he has to reduce this time.

(AQW 20379/11-15)

Mr Attwood: In the first half of 2012/13 business year, 85% of decisions were issued within 2 weeks of last Council consultation and 92% were issued within 4 weeks. This compares with issue dates of 79% and 88% for the previous year.

For Lisburn Council only, in the same period of the 2012/13 Business Year 78% of decisions were issued within 2 weeks of last Council consultation and 83% were issued within 4 weeks.

To improve processing times generally, I have recently introduced an enhanced streamlined scheme, to which the majority of Councils have now agreed. This enhanced scheme incorporates all minor and intermediate applications, housing developments up to 25 units and office accommodation up to a maximum of 200 square metres. This will mean that approximately 75% of all applications could be streamlined. Processing times for these applications will be significantly reduced and this will have a positive impact generally.

I am also working on a number of fronts to reform and remodel the planning system so that it supports the future economic and social development needs of all users in Northern Ireland. Reforms designed to speed up the processing of applications include measures to ensure quicker responses from consultees and on a voluntary basis pre-application community consultation on key developments.

The Department's experience to date is that improved performance can only be achieved through working inclusively with all key stakeholders in the overall planning system.

I will continue to work with key stakeholders to ensure that planning delivers benefits to the economy in an efficient and timely manner and will continue to monitor performance.

Marine Division

Mr Weir asked the Minister of the Environment, pursuant to AQW 17600/11-15, which divisions in his Department will face cuts in order to finance the proposed Marine Division; and to detail the proposed reduction in expenditure.

(AQW 20413/11-15)

Mr Attwood: A budget of nearly £2.5 million has been established for the new Marine Division for the financial year 2013-14. Budget reductions have not been necessary as the new Marine Division draws together existing policy, planning and scientific functions for marine environmental protection and management from across the Department.

Minority Groups: Protected Rights

Mr McElduff asked the Minister of the Environment how his Department will ensure that the rights of minority groups will be protected and promoted in any new local government arrangements which are devised under the Review of Public Administration.

(AQW 20431/11-15)

Mr Attwood: The Local Government (Reorganisation) Bill, that I will shortly introduce in the Assembly, will provide for new governance arrangements for councils to ensure the protection of the rights of all people and also provide for fair, transparent and efficient decision-making.

The sharing of positions of responsibility across the political parties represented on councils will be a cornerstone of the new arrangements. I am proposing that councils will be able to select from either the d'Hondt or Sainte-Laguë divisor methods or Single Transferrable Voting to achieve this aim. Provision will also be made to ensure that, as far as practicable, the membership of committees will also reflect the political balance of the council.

The governance arrangements will also include the use of a call-in procedure to ensure a system of checks and balances is in place in relation to the decision-making process to provide protection for the rights of minority groups. For example, a number of councillors who have an issue with a specific decision will be able to join together to request that the decision is reviewed. The call-in procedure may be used where an issue has been raised in relation to the procedures followed in making a decision or where there is an issue in relation to the protection of political minorities in the local government district. I am proposing that the trigger to initiate the call-in procedure should be 15% of the total council membership. For example, in a council with 40 members, a call-in would require the support of 6 councillors.

The introduction of qualified majority voting for specified strategic decisions, and as part of the call-in procedure, will also provide a further check and balance in relation to council decision-making. Rather than a system of cross-community voting (such as the one operated by the Northern Ireland Assembly), a straightforward threshold of 80% of council members present and voting will apply.

Strategic Planning Division Minerals Team

Mr Agnew asked the Minister of the Environment, pursuant to AQW17637/11-15, whether the Strategic Planning Division Minerals Team that is carrying out the review is the same Minerals Team which was responsible for the errors in the Environmental Impact Assessment which led to the quashing of the Cavanacaw planning approvals; and what confidence he has in this review.

(AQW 20450/11-15)

Mr Attwood: As I stated in my response to the Members recent question, the exercise to check that the screening for an Environmental Statement considered all the relevant issues was carried out by staff in the Strategic Planning Division's Minerals Team with assistance from the Development Management Guidance Team where required who advise on matters relating to best practice. There is only one Minerals Team in the Division.

I would stress that this was an exercise to check that EIA screening was done properly and was not a formal review. I am satisfied that the exercise was carried out in a thorough professional manner. Prior to issuing any decisions the EIA screening is checked for all mineral applications.

Planning Policy Statement 3

Mr Allister asked the Minister of the Environment why PPS 3 Parking Standards, in relation to a planning application for a primary school, does not require that the number of pupils for which the school will cater to be taken into account for parking requirements; and what plans he has to bring the policy into line with that applicable to other types of schools.

(AQW 20470/11-15)

Mr Attwood: The precise amount of car parking for any application for a primary school will be determined according to the specific characteristics of the development and its location, having regard to PPS3 'Access, movement and parking' and its associated supplementary planning guidance 'Parking Standards'.

The provision of car parking at a primary school will also have to take account of the availability of public transport facilities; the accessibility of the development including the availability of on-street parking in the area; and the contents of the existing development plans and other planning policy publications. Any new development will therefore be considered on its own merits.

With respect to secondary schools and further education facilities, the Standards recommend a proportion of spaces for pupils/students over the lawful driving age. In relation to primary schools this is not a consideration and therefore a larger proportion of visitor car-parking is specified instead (one half of the total staff as opposed to one third for secondary or further education facilities).

I am content that the existing planning policy and supplementary planning guidance adequately address the parking requirements for any new primary school developments.

DOE: Overtime

Mr Easton asked the Minister of the Environment to detail the total overtime payments made to staff in his Department, in each of the last three financial years.

(AQW 20518/11-15)

Mr Attwood: The table below provides the expenditure on overtime costs by Department excluding agencies, and for each agency for the last three years 2009/10 to 2011/12.

Business Area	2009/10 £	2010/11 £	2011/12 £
Department (excluding agencies)	71,230	36,680	79,027
Driver & Vehicle Agency	600,468	561,963	640,319
Northern Ireland Environment Agency	445,140	259,013	121,053

Business Area	2009/10 £	2010/11 £	2011/12 £
Total	1,116,838	857,656	840,399

The increase of £42,347 in Department overtime costs from 2010-11 to 2011-12 is due mainly to increased overtime work within the Planning Service to improve compliance and operational performance.

The increase of £78,356 in DVA overtime costs from 2010-11 to 2011-12 is due to the fact that DVA Testing operations had a significant number of vacancies at the beginning of 2011-12 therefore, it was necessary to work a higher level of overtime in order to meet customer demand.

I have asked for a detailed breakdown of the DVA figures, currently and year on year.

Statutory Transition Committees

Mr Weir asked the Minister of the Environment what legislative vehicle will be used to create the Statutory Transition Committees; and whether primary or secondary legislation will be used.

(AQW 20531/11-15)

Mr Attwood: I intend using the existing primary powers contained in the Local Government (Miscellaneous Provisions) (Northern Ireland) Act 2010 to make regulations, which is secondary legislation, to constitute the Statutory Transition Committees.

Statutory Transition Committees

Mr Weir asked the Minister of the Environment what is the timescale for the creation of the Statutory Transition Committees.

(AQW 20532/11-15)

Mr Attwood: I expect to lay the draft regulations in the Assembly in April. Subject to their passage through the Assembly process, this would enable Transition Committees to be placed on a statutory footing in June 2013.

To achieve this, I intend using the existing primary powers contained in the Local Government (Miscellaneous Provisions) (Northern Ireland) Act 2010. However, as part of the process to constitute the Statutory Transition Committees, the regulations must be considered firstly by the Environment Committee and then debated in a plenary session of the Assembly and approved by resolution of the Assembly before they can be made.

Theory Driving Test: Pass Rate

Mr Clarke asked the Minister of the Environment, pursuant to AQW 19508/11-15, whether his Department has carried out any research into why the pass rate of the theory driving test has declined from 67.6 percent in 2007/08 to 61.0 percent in 2011/12.

(AQW 20535/11-15)

Mr Attwood: The theory test is delivered in Northern Ireland by the Driver & Vehicle Agency (DVA) and in Britain by the Driving Standards Agency (DSA) as a joint authority contract. The theory test question banks for car, motorcycle, LGV and PCV categories are managed by DSA on behalf of both authorities and all questions are common to customers in both jurisdictions.

Following the publication of the Learning to Drive consultation by the Department of the Environment (DOE) and by the Department for Transport (DfT) in May 2008, the authorities have implemented a number of initiatives to encourage learner drivers to develop their knowledge and understanding of safe driving theory through a more thorough preparation for the driving theory test.

Introduction of Case Studies

From 19 July 2010, five car and motorcycle multiple choice questions in each theory test have been delivered in the format of a case study. A case study presents a scenario upon which five questions are based and is designed to probe a learner's understanding and knowledge more thoroughly. The subject of the scenario focuses on real life examples and experiences that drivers could come across when driving.

Non-Publication of Live Theory Test Questions

The theory test multiple choice questions were previously published as training materials through licences procured from DSA in a format where questions, distracters and correct answers were shown together. The publication of the multiple choice items in this format encouraged candidates to memorise the questions and the positions of correct answers thereby reducing the assessment power of the theory test. This is inconsistent with the aim of learners achieving a thorough understanding of safe driving theory.

DVA, in conjunction with DSA, developed a phased programme to implement the cessation of the publication of live theory test questions and answers. This approach progressively migrated the live items away from the published materials to encouraging better learning strategies culminating in the non-publication of live theory test questions from 23 January 2012.

Randomisation of Distracters

The phased programme for the non-publication of live theory test questions, included a move to randomise the order of the correct answers and distracters presented in the live theory test so that they no longer matched the way the questions and answers were published in training materials. Randomisation of the question and answer options within the learner and rider theory tests was implemented on 03 May 2011, with the randomisation of the bus and lorry tests implemented on 23 January 2012 in conjunction with the final phase of the non-publication of live theory test questions.

As a result of these changes, which were introduced to better assess a candidate's understanding of safe driving and encourage learners to understand the material and not just learn by rote, there has been a fall in the pass rate, which has also been mirrored in Britain. DVA has not conducted any formal research into the decline in the pass rate for the driving theory test. However, the Agency does monitor the pass rates on a monthly basis in conjunction with DSA.

Planning Policy Breaches: Malone Conservation Area

Mr Maskey asked the Minister of the Environment to outline the breaches of planning policy that have occurred within the Malone Conservation Area in the past two years, including any enforcement action that has been taken.

(AQO 3536/11-15)

Mr Attwood: The Department has investigated 52 complaints about breaches of planning control in Malone Conservation Area in the past 2 years. 23 of these related to building works, extensions and other alterations, eleven to advertisements, 9 to works to trees, 4 to changes of use and 5 to works carried out not in accordance with approved plans. 46 of the 52 cases have been closed and 6 are still being investigated or enforcement action is underway. Of the 46 cases closed, 21 were closed because no breach of planning was established, 12 because the breach was remedied, 6 because it was not considered expedient to take action, 4 because the development was immune from enforcement and 3 because planning permission for the development was subsequently granted.

Taxi Reforms

Mr A Maginness asked the Minister of the Environment to outline the principal benefits, to both customers and others, of his ongoing taxi reforms.

(AQO 3537/11-15)

Mr Attwood: The Taxi Reform Programme provides for a modern industry concerning taxi operators, vehicles, fares and drivers. This will provide a safe and fit for purpose taxi industry that will benefit customers and allow those working in it to make a living. This will have a number of benefits including:

- Increased customer confidence in the taxi industry
- It will be safer for the public as it will be more difficult for illegal taxis to operate
- It will be easier for enforcement because the industry will be better organised and there will be fewer illegal taxis

I am convinced that the benefits the modern regulatory framework will bring, in terms of improved customer confidence and passenger safety, make the process worthwhile. At the same time, I have been managing the rollout and implementation of the legislation that does not place unreasonable costs, administrates or other burdens on the industry, including for smaller or sole operators, not least in this continuing recession.

Central Government Functions

Mrs D Kelly asked the Minister of the Environment, in the context of the Review of Public Administration, whether he has identified any further Central Government functions which should be transferred to Local Government.

(AQO 3538/11-15)

Mr Attwood: The issue of which responsibilities and functions should transfer from central to local government is a key and significant element of local government reform. A decision is needed urgently to provide clarity and to address the anxiety which uncertainty brings. There is also necessary and detailed work to be done to ensure successful integration of staff and functions and to ensure that they are adequately financed. A decision is also needed to inform the discussions around the future organisational design of local councils.

In November 2011 the Executive acknowledged the case for revisiting the transfer package first identified by its predecessor in March 2008 and modified in September 2009. I wrote to Executive colleagues in December 2011 encouraging a bold and imaginative approach. Since then, I have had a number of related meetings with Ministers and have circulated a paper aimed at bringing the matter to a conclusion. The composition of the transfer package will be announced when the Executive reach a decision.

Planning Policy Statement

Mr Beggs asked the Minister of the Environment for an update on the development of a single Planning Policy Statement.

(AQO 3539/11-15)

Mr Attwood: Preparations for the development of a single Planning Policy Statement (SPPS) are on-going. The purpose of the SPPS is to collate in one place planning policy, reduce the fragmentation, reduce the words but increase understanding.

The SPSS is required to be in place prior to the transfer of planning powers to Councils in 2015. It is my intention therefore to consult on a draft version of the SPPS later this year, with a view to publishing it in final form in 2014.

This is a further phase of the reform of planning – the most significant in a generation – that I am rolling out, to make planning fitter for purpose.

Local Government Reform Funding

Mr Elliott asked the Minister of the Environment for an update on any discussions he has had with the Department of Finance and Personnel on securing funding for local government reform.

(AQO 3540/11-15)

Mr Attwood: I made funding bids at each of the three 2012-13 monitoring rounds, to the Department of Finance and Personnel, to support the local government reform programme. The most recent bid, in the January Monitoring Round, was for £16.2 million.

However, none of these bids were accepted and I have made public my disappointment at the outcome.

In parallel I have been actively pursuing the issue of targeted reform funding in discussions and correspondence with Minister Wilson and other Executive colleagues, in particular, regarding those transition work streams which are considered inescapable and have no cash releasing benefits to the sector.

Executive colleagues have now accepted the view and have therefore agreed to fund the following transition elements of the programme: £13.8 million over the next two financial years to fund the new councils working in shadow form, a councillor severance scheme, capacity building (i.e. preparing local and central government staff and councillors for their new roles), change management, staff induction and the winding up of the current 26 councils.

The Executive has also committed up to £4 million to cover the cost of council borrowing in relation to ICT costs and systems convergence for the next two financial years.

There is also a further commitment of an estimated £30 million for rates convergence following the creation of the 11 new councils in April 2015. Essentially this will protect those whose rates bills may have experienced a significant increase as a result of merging with councils where rates are currently at a higher level.

This is a good news day for ratepayers. There has always been the fear that these costs may have been passed onto the ratepayer in the form of an unacceptable hike in rates. That has been avoided.

University of Ulster, Belfast Campus

Mr Humphrey asked the Minister of the Environment when full planning approval for the University of Ulster's new Belfast campus will be given.

(AQO 3541/11-15)

Mr Attwood: I would refer to the recent AQ answered on 25 February 2013 (AQO 2).

It is anticipated that a Departmental opinion on the main university proposal and the Frederick Street proposal will be taken to the City Council meeting on 7 March 2013.

Departmental RPA Capacity-building Programme

Ms Boyle asked the Minister of the Environment whether a departmental RPA Capacity Building Programme will be developed in partnership with the Northern Ireland Local Government Association, the Local Government Training Group and the National Association of Councillors.

(AQO 3543/11-15)

Mr Attwood: A broad capacity building programme is required to support implementation of local government reform and this has been recognised in the funding package agreed by the Executive. A scoping exercise will be taken forward by the Department through the Human Resource Working Group, which is part of the implementation structures I have set in place, and will build on work undertaken previously. It will look at the capacity building needs of local government officers, councillors and staff in central government departments. The overall capacity building programme will also draw on the experience of such bodies, work already done on capacity building (including that undertaken by the former Policy Development Panel C in the previous iteration of the Reform Programme), and more recent similar work being undertaken in various strands of the programme.

Bodies such as the Local Government Staff Commission, NILGA, SOLACE and the NAC have an important role to play in ensuring the right suite of capacity building measures is developed. They work together within the Local Government Training Group as a sub group formed to bring greater focus to the capacity building needs of elected members. I am meeting representatives on 8 April 2013 to discuss how they might work with the Department.

Planning Powers: Transfer to New Councils

Mr Newton asked the Minister of the Environment for his assessment of the progress being made in transferring planning powers to the new local councils.

(AQO 3544/11-15)

Mr Attwood: While it is a challenging timescale to transfer planning powers to the new 11 councils on 1 April 2015, I am satisfied that sufficient progress is being made. The key piece of primary legislation needed to transfer planning (Planning Act (NI) 2011) is already in place and the rest of the work is being taken forward by the Department through a Project Board, Project Office and teams made up of staff from central and local government. They are addressing all of the key issues relating to transfer; for example, legislation, finance, HR and organisational design. This work, in turn, feeds into the local government reform structures.

The councils also need to fully recognise the scale of responsibilities that being "a planning authority" will bring. This carries difficulties but it creates great opportunities.

EU Infraction Proceedings

Mr Easton asked the Minister of the Environment whether his Department has been subject to any EU infraction proceedings for breaches of water quality.

(AQW 20605/11-15)

Mr Attwood: The Department has not been subject to EU infraction proceedings for breaches of water quality in the last five years.

Beaches

Mr Easton asked the Minister of the Environment whether his Department has been subject to any EU infraction proceedings as a result of the quality of local beaches.

(AQW 20606/11-15)

Mr Attwood: There are no ongoing infraction proceedings concerning the quality of bathing waters in Northern Ireland.

In 1997 the European Commission did initiate proceedings against the UK, and 9 other Member States, citing failure to achieve the required water quality standards in some of our bathing waters. This was followed by further infraction cases around the implementation of the Urban Waste Water Treatment Directive, with respect to waste water treatment in some coastal areas. The extensive capital investment by Northern Ireland Water Ltd, particularly in the North Down area, has satisfied these concerns and this case is effectively closed.

Junction Improvement Scheme: Craigantlet Crossroads

Mr Dunne asked the Minister of the Environment for an update on the junction improvement scheme at the Craigantlet crossroads.

(AQW 20624/11-15)

Mr Attwood: The planning application relating to this proposal is still under consideration by my officials. You will be aware that local residents have submitted for DRD Roads Service's consideration, a total of seven alternative options for the proposed junction improvement scheme. The residents consider these options to be viable and less visually intrusive alternatives to the proposed scheme. Roads Service officials are currently assessing the options and the final outcome of that assessment is expected before the end of April 2013. On completion of the assessment, Roads Service will advise the Department as to how they wish to proceed with the proposal.

Planning Applications: Shale Gas

Mr Agnew asked the Minister of the Environment what consideration will be given to the leakage of methane during shale gas extraction when making decisions on shale gas planning applications.

(AQW 20649/11-15)

Mr Attwood: I have made very clear anyone seeking to extract shale gas by means of hydraulic fracturing will be required to identify all the potential impacts of the process and how the environment will be protected. This includes potential dangers to public health and safety and how these could be mitigated. Any planning application will therefore be required to be accompanied by a robust Environmental Statement. Indeed, this was an issue raised when I met the US EPA (Environmental Protection Agency) in Washington in March 2012, given that the issue around fracking above, not only below, ground level.

No planning permission will be granted unless all the relevant issues have been fully considered by the Department and a range of consultees.

Stop Notice: Spring Road Site, Drumnakilly

Mr Agnew asked the Minister of the Environment how many working hours the people monitoring the stop notice at the Spring Road site in Drumnakilly have spent at the site since the stop notice was served.

(AQW 20651/11-15)

Mr Attwood: In the time that the stop notice has been in place, planning officials have undertaken 16 site visits to monitor compliance with the terms of the notice. This equates to approximately four hours spent at the site.

Road Safety: Schoolchildren's Awareness

Mr Easton asked the Minister of the Environment what funding his Department provides for increasing school children's awareness of road safety.

(AQW 20729/11-15)

Mr Attwood: The Department of Environment's Road Safety Education Officer Service (RSEOS) consists of 3 Senior Education Officers and 10 Education Officers. It has an annual expenditure budget of £591k. This budget is used to provide age appropriate resources and schemes to enable school children to develop good road safety behaviours.

The Department follows Best Practice Guidelines in its approach to the delivery of road safety education. Best Practice Guidelines were produced by the Department for Transport in Britain following an extensive two-year research programme, which identified the teaching of road safety by teachers as the most effective approach. It is for this reason the RSEOS concentrates use of its budget on the provision of resources and schemes to assist teaching professionals in the delivery of road safety education.

The RSEOS service uses its budget in a varied and innovative way to meet the needs of both Primary and post-Primary school children. Some examples of how the budget is used are listed below:

- The development and production of the Road Safety Teaching Aid Calendar which is issued to every nursery and Primary school class in Northern Ireland.
- The provision of an annual issue of age appropriate road safety resources to children aged 3-6, via Primary schools and pre-school nurseries.
- Delivery of the Practical Child Pedestrian Safety Training Scheme which is aimed at children in Primaries 3 to 5 (ages 6 to 8). The scheme is a mix of classroom based teaching and practical road safety walks. It teaches children how to identify road safety hazards and cross the road safely.
- The delivery of and resources for the Cycling Proficiency Scheme focusing mainly on Primary 7 children but on occasions is delivered to Primary 5 and 6 with training on how to ride a bicycle safely, how to look after a bicycle, how to negotiate junctions and on the basic rules of the road.
- Theatre in Education provides an exciting way to deliver road safety messages, aimed at primary and post primary children.
- Support and the provision of resources for Motor Vehicle and Road Users Studies GCSE taught via a mix of theory and practical studies. It is aimed at pupils in Years 11 to 13 (ages 14 to 16) and provides pupils with valuable life skills and an improved awareness and knowledge of road safety issues.
- A range of road safety presentations and educational worksheets for all age groups are provided both online and in hard copy where appropriate.
- The RSEOS is developing a range of new, modern road safety teaching resources which address road safety concerns in Northern Ireland. One such example of an innovative new resource which has just completed its pilot stage and is about to issue is the 'Crashed Futures' education pack which will be used to promote and educate pre-drivers in the school environment and also within youth organisations. This resource links the Department's road safety campaigns with an educational tool to deliver the road safety message to vulnerable road users. Other such packs are currently in development.

In addition to the Road Safety Education Officer Service, the Department operates a Road Safety Grant Funding Scheme with an available annual budget of £160k. This grant funding scheme provides a facility whereby voluntary and community sector groups can apply for funding to organise local road safety activities to raise awareness of local road safety issues, many of which are targeted at school age children.

Shale Gas Development

Mr Agnew asked the Minister of the Environment whether his Department has agreed a method of measurement for greenhouse gas emissions leaked as a consequence of shale gas development; and to detail this method.

(AQW 20746/11-15)

Mr Attwood: No planning applications for the extraction of shale gas by hydraulic fracturing have been submitted to the Department. I have repeatedly stated that anyone seeking to extract shale gas by means of hydraulic fracturing will be required to identify all the potential impacts of the process and how the environment will be protected. This includes potential dangers to public health and safety and how these could be mitigated. Any planning application will therefore be required to

be accompanied by a robust Environmental Statement. Only when such information is made available and fully assessed will decisions be made on whether to allow this process to take place.

Clearly in making an assessment, there will be a need to apply best science and deploy best practice. This would include emissions measurement and, if this project was ever to proceed – and that is not currently the case – I will ensure that DOE has the internal capacity to ensure best practice and apply best science.

MOT Testing: Exemption of Vintage Cars

Mr McCarthy asked the Minister of the Environment when his Department will conclude its deliberations on MOT test exemptions for vintage cars.
(AQW 20797/11-15)

Mr Attwood: The Department has consulted on possible exemption of certain categories of historic vehicles from MOT testing. The responses indicated that there is broad support for exemption of pre-1960 vehicles from periodic testing, in line with the British Government's exemption which has been in place since 18 November 2012.

The Environment Committee has indicated that it is content with the Department's proposed way forward following the consultation, which is to make use of the exemption in Roadworthiness Directive 2009/40/EC concerning the periodic testing of pre-1960 vehicles.

However on 13 July 2012, the European Commission published a 'Roadworthiness Package' which, amongst other things, addresses periodic roadworthiness tests for motor vehicles, therein making changes to the rules that apply to historic vehicles; the proposals are expected to be introduced no earlier than August 2014.

If implemented as then drafted, these proposals would narrow the parameters within which the Department can provide for exemptions to historic vehicles, as the definition of a historical vehicle was more prescriptively described. While the Department's policy intentions remained the same; that is to make exempt pre-1960 vehicles from the MOT regime, we had to be mindful of the changing legislative context, to ensure that any changes we make are not made redundant by incoming EC Regulations.

Following receipt of a further update on the EU negotiations regarding the roadworthiness package, one of the main amendments in which was a change to the definition of "historic vehicles" which allows vehicles that have not undergone "substantial" changes to be still classed as historic, I have instructed officials to proceed with legislative amendment to exempt pre-1960 vehicles from the MOT test.

We have now resolved some outstanding issues with Departmental Solicitors, including provision for a voluntary MOT test for such vehicles (for purposes including cherished plate transfer; this is an area where Northern Ireland law differs from British law). The Department will now amend the relevant legislation to exempt pre-1960 motor and light goods vehicles from MOT testing and I anticipate the legislation will be in place by autumn 2013.

Unanswered Question: AQO 3289/11-15

Mr Frew asked the Minister of the Environment why AQO 3289/11-15, which was due for oral answer on 4 February 2013, has not yet been answered.
(AQW 20859/11-15)

Mr Attwood: The response to AQO 3289/11-15 issued on 12 March 2013.

Environmental Impact Assessment

Mr Agnew asked the Minister of the Environment, pursuant to AQW 17637/11-15, for a timeframe for completion of this review; and whether it will be made available to the public.
(AQW 20926/11-15)

Mr Attwood: As I stated in my response to the Member's recent question (AQW 20450/11-15), this was an exercise to check that EIA screening was done properly and was not a formal review. Prior to issuing any decisions the EIA screening is checked for all mineral applications.

Department of Finance and Personnel

Alleged Disciplinary Offences

Mr Dallat asked the Minister of Finance and Personnel, pursuant to AQW 18736/11-15, for a breakdown of the length of time that each staff member has been suspended; and whether the total salaries, pension and National Insurance contributions cover the 10 year period and all Departments.
(AQW 20094/11-15)

Mr Wilson (The Minister of Finance and Personnel): The information requested is provided in the table overleaf. The figures given are as at 23 January 2013 and for data protection purposes the periods have not been attributed to individual Departments.

Due to the fact that the total 10 year period is a mixture of paid and unpaid suspension, the total salaries, pension and National Insurance contributions only covers the paid part of this 10 year period and those Departments where an individual has been suspended on pay for all or part of their total suspension period.

Number of staff	Length of time suspended
1	1 day
1	11 days
1	6 weeks
2	2 months
1	2 months 1 week
5	3 months
1	3 months 2 weeks
1	5 months 2 weeks
1	5 months 2 weeks 3 days
1	6 months
1	8 months
1	10 months 3 weeks 2 days
1	1 year 2 months
1	3 years 8 months

Land and Property Services: Hardship Relief Scheme

Mr Ross asked the Minister of Finance and Personnel to detail (i) the number of businesses which applied to the Land and Property Service's Hardship Relief Scheme over the last two years, broken down by council area; (ii) the number of successful applications; and (iii) the grounds on which they were successful.

(AQW 20323/11-15)

Mr Wilson: There have been 20 hardship applications in the last two years – 10 for 2011/12 (1st April 2011-31st March 2012) and 10 for 2012/13 (1st April 2012-31st March 2013).

Council Area	2011/12	2012/13
Armagh	1	0
Belfast	3	4
Castlereagh	2	0
Cookstown	0	1
Dungannon & Sth Tyrone	0	2
Lisburn	2	1
Fermanagh	1	0
Newry & Mourne	0	2
Omagh	1	0
Total	10	10

There have been no successful applications.

Unemployment

Mr Weir asked the Minister of Finance and Personnel how many people, who are registered as unemployed, have been out of work for more than (i) one year; and (ii) two years, broken down by constituency.

(AQW 20364/11-15)

Mr Wilson: The official measure of unemployment is sourced to the Northern Ireland Labour Force Survey (LFS). However, the LFS is a sample survey and the current numbers of unemployment by duration in each parliamentary constituency area are not sourced to the LFS because of the relatively large confidence intervals around the estimates. This is due to sample size constraints in the LFS.

The following table is sourced to the claimant count measure of unemployment. This shows the number of persons claiming unemployment related benefits at January 2013 for more than one year and more than two years, in each parliamentary constituency area.

Table 1 - Claimant Count for Parliamentary Constituency Area by Duration for January 2013

Parliamentary Constituency Area	Claiming for more than one year	Claiming for more than two years
Belfast East	880	195
Belfast North	1,595	320
Belfast South	850	215
Belfast West	1,790	350
East Antrim	560	95
East Londonderry	940	120
Fermanagh & South Tyrone	750	145
Foyle	1,830	360
Lagan Valley	565	100
Mid Ulster	585	90
Newry & Armagh	1,390	485
North Antrim	760	110
North Down	540	105
South Antrim	500	100
South Down	945	215
Strangford	665	125
Upper Bann	1,075	320
West Tyrone	1,030	225
Northern Ireland	17,250	3,675

Data rounded to nearest 5

Data may not sum due to rounding

Amateur Sports Clubs

Mr McKay asked the Minister of Finance and Personnel how much revenue his Department raised in the last financial year from rates on amateur sporting clubs.

(AQW 20381/11-15)

Mr Wilson: The revenue raised from rates on amateur sporting clubs is not available.

Community Amateur Sports Clubs

Mr McKay asked the Minister of Finance and Personnel how much his Department raised from rates on registered Community Amateur Sports Club members, in each of the last three financial years.

(AQW 20382/11-15)

Mr Wilson: The term Community Amateur Sports Club is a designation conferred by Her Majesty's Revenue and Customs. Information on this designation is not held by Land & Property Services and as such, the rates revenue raised by registered Community Amateur Sports Club members is not available.

Non-payment of Rates: Court Action

Lord Morrow asked the Minister of Finance and Personnel how many people have been the subject of court action for non-payment of rates for (i) domestic; and (ii) commercial properties over the last two financial years; and to detail the sums involved.

(AQW 20412/11-15)

Mr Wilson: Information on the number of people that have been the subject of court action for non-payment of rates is not available. The number of occupancies for which a court decree was awarded for domestic and non-domestic properties in 2010/11 and 2011/12; and the amount of rating debt to which these relate is available and is given in the table below. An occupancy represents a liable ratepayer at a property at a given time.

Financial Year	Number of Occupancies		Rating Debt	
	Domestic	Non-Domestic	Domestic	Non-Domestic
2010/11	14,626	3,406	£17,085,235	£22,996,311
2011/12	15,553	3,933	£17,898,393	£26,709,295

Translation Costs

Mr Weir asked the Minister of Finance and Personnel to detail the cost of translating departmental letters and documents into (i) Irish; and (ii) each other language, in each of the last five years.

(AQW 20457/11-15)

Mr Wilson: The amount spent by the Department of Finance and Personnel on the translation of departmental letters and documents into Irish and each other language in each of the last five years is provided in the table overleaf.

Language	2008-09 £	2009-10 £	2010-11 £	2011-12 £	2012-13 to date £
Irish	811	1,383	1,045	252	20
Arabic				50	
Cantonese			1,049		
Czech			1,168		
Hungarian			1,089		
Italian			40		
Latvian			1,049		
Lithuanian			1,168	560	
Mandarin			1,049	100	
Polish			160		
Portugese			1,128		
Punjabi			1,049		
Romanian			1,049	46	
Russian			1,049		
Slovak			1,168		
Ulster-Scots	231	743	1,562		
Urdu			1,049		

Pleural Plaques: Compensation

Mr Spratt asked the Minister of Finance and Personnel whether compensation is available for people with pleural plaques who were employees of central heating firms which are now bankrupt.

(AQW 20489/11-15)

Mr Wilson: The Damages (Asbestos-related Conditions) Act (Northern Ireland) 2011 amended the law in Northern Ireland to reinstate asymptomatic pleural plaques as an actionable condition under the law of negligence.

The handling of company liabilities where a company has ceased trading is a separate matter and the relevant rules are set out in company law, which does not fall within my Department's remit.

However, it is worth noting that, if the former employer was insured, it might be possible to trace the insurer through the Employers' Liability Tracing Office.

Net Fiscal Balance Report

Mr McKay asked the Minister of Finance and Personnel whether the estimates contained in the Net Fiscal Balance Report, published in November 2012, are recognised as National Statistics by the Office of National Statistics.

(AQW 20575/11-15)

Mr Wilson: No.

Net Fiscal Balance Report

Mr McKay asked the Minister of Finance and Personnel to outline the nature and frequency of the communication between his departmental officials and their counterparts in Scotland regarding the methodology employed in the Net Fiscal Balance Report that was published in November 2012.

(AQW 20576/11-15)

Mr Wilson: During the development of the latest Net Fiscal Balance Report, my officials were in contact with their Scottish counterparts on a number of occasions via telephone and e-mail to discuss methodological and data issues.

Net Fiscal Balance Report

Mr McKay asked the Minister of Finance and Personnel to outline the nature and frequency of the communication that he has had with the Scottish Cabinet Secretary for Finance, Employment and Sustainable Growth regarding the methodology employed in the Net Fiscal Balance Report that was published in November 2012.

(AQW 20577/11-15)

Mr Wilson: I have had no specific communication with the Scottish Cabinet Secretary for Finance, Employment and Sustainable Growth regarding the methodology employed in the Net Fiscal Balance Report published in November 2012.

DFP: Hospitality

Mr Allister asked the Minister of Finance and Personnel, pursuant to AQW 19628/11-15, (i) whether this figure includes the hospitality spend by departmental arm's-length bodies in 2011/12; and (ii) to detail the amount spent by the arm's-length bodies.

(AQW 20609/11-15)

Mr Wilson: The figures previously provided in response to AQW 19628/11-15 include the Department's arms-length bodies.

The amount of expenditure by arm's-length bodies was £541 in 2011/12.

Public Service Pensions Bill

Mr McKay asked the Minister of Finance and Personnel whether the Public Service Pensions Bill will be subject to equality screening and an equality impact assessment.

(AQW 20640/11-15)

Mr Wilson: My Department has conducted an equality screening exercise in relation to the proposed Public Service Pensions Bill. The screening exercise concludes that a full equality impact assessment for the Bill is not required.

The document containing the findings of the screening exercise is available on the Department of Finance and Personnel website at: www.dfpni.gov.uk/public-service-pensions-bill-equality-screening-document.pdf

The screening exercise addresses the core provisions that will apply to all public service pension schemes. Consideration of the scheme-specific equality impacts will be undertaken separately by the relevant Departments with responsibility for implementing the agreed pension reform policy in secondary legislation.

Sports Clubs

Mr Flanagan asked the Minister of Finance and Personnel what consideration has been given to allowing sporting clubs a further reduction in their rates bill.

(AQW 20699/11-15)

Mr Wilson: You may recall that the issue of a review of rates relief for Community Amateur Sports Clubs was the subject of a Motion in November 2011. During this debate I indicated that I would be happy to re-examine the level of relief afforded to amateur sports clubs but that this should follow a more extensive review of the needs of that sector, including the full range of options for providing support. My position on this matter has not changed.

I do believe however that there must be a full and proper assessment of need- does every local sports club need help and if so how best can that support be offered? This assessment should include the issue of exclusive clubs verses more open clubs, treatment of clubs with bar and restaurant facilities and last but not least consideration of alternative ways of providing support outside the rating system.

You will appreciate that my Department is not in the best position to consider these matters, as they fall within the policy competence of the Department of Culture, Arts and Leisure (DCAL).

DCAL has advised that it has just completed an exercise of engagement with the sports and recreation sector (via the NI Sports Forum) to seek views on the matter. Clearly the sector will be arguing to pay no rates but I expect DCAL to present their own evidence around the adequacy of support and what the priorities are; whether that be addressing poverty and social exclusion through sport or something broader. Whatever that is, DCAL will be looking also at alternatives ways of providing support.

Should it emerge that rate relief is DCAL's preferred option that will need to be looked at.

Officials within my Department have already arranged to meet with their counterparts in DCAL to discuss the outcome of the recent DCAL stakeholder engagement exercise and to offer advice before any case is put forward for consideration. We must remember that every pound in rate relief is a pound less to pay for hospitals, schools, roads, houses and council services. So, value for money has to be assured.

Department of Health, Social Services and Public Safety

Health and Social Care Trusts: Overpayments

Dr McDonnell asked the Minister of Health, Social Services and Public Safety to detail the total amount in over payments that has been paid to (a) staff; and (b) suppliers; within (i) his Department; and (ii) departmental agencies in each of the last three years, broken down by Health and Social Care Trust area.

(AQW 18817/11-15)

Mr Poots (The Minister of Health, Social Services and Public Safety): The total amount in overpayments in each of the last three years can only be provided at disproportionate cost. The outstanding overpayments within the Department and its ALBs as at 31 January 2013 (latest information available) are as follows:

	Suppliers £	Staff £
DHSSPS	-	1,983
Northern HSC Trust	-	572,984
Southern HSC Trust	-	241,799
Belfast HSC Trust	11,418	359,658
South Eastern HSC Trust	23,154	117,832
Western HSC Trust	-	47,595
NIBTS	5,000	-
NIMDTA	625	-
BSO	1,944	-
PCC	11,025	-
NIFRS	-	568

Note: Nil for HSCB, PHA, NIAS, NIGALA, RQIA, NISCC and NIPEC.

When overpayments occur, the Department and its ALBs apply the guidance within Annex A.4.11 of Managing Public Money Northern Ireland in seeking recovery.

University of Ulster, Magee Campus: Day Care Facilities

Mr P Ramsey asked the Minister of Health, Social Services and Public Safety whether Social Services in Derry was consulted about the proposed closure of the daycare facilities at the Magee Campus of the University of Ulster.

(AQW 20262/11-15)

Mr Poots: My Department was not consulted, nor would it be expected to be consulted, about the closure of Daycare facilities at the Magee Campus of the University of Ulster.

Every childcare provider must register with the Early Years Teams in HSC Trusts. Trusts approve any changes to the registration of a childcare provider, and they must be notified that a provider is closing.

Daycare facilities are run as private businesses. Any decisions relating to the financial viability, or other business considerations, would be an internal management arrangement for the provider. It would be inappropriate for me to intervene in decisions of this type.

Learning Disabilities: Young People

Mr Kinahan asked the Minister of Health, Social Services and Public Safety what action he is taking to ensure that young people with learning disabilities have personalised education plans, irrespective of whether they have a job placement.
(AQW 20277/11-15)

Mr Poots: One of the recommended actions from the Care Matters in Northern Ireland strategy, was the introduction of a Personal Education Plan (PEP) for each and every Looked After Child or young person. The purpose of the PEP is to ensure the promotion of positive educational outcomes for the young person and also ensures close working between Health and Social Care, Education and the Voluntary sector.

It is intended that all Looked after Children and Young Persons will have a PEP in place by 1 June 2013. It is essential to ensure that the young person is able to participate in every aspect of the preparation and completion of the PEP. They must be given appropriate support to be fully involved regardless of time, their age or ability.

This was a very specific joint initiative for children in care and includes any children with a learning, or other, disability who are also looked after. There are no plans presently to extend PEPs to the wider learning disability population or other groups.

Slievemore House, Derry

Ms Maeve McLaughlin asked the Minister of Health, Social Services and Public Safety what guarantee he can give that any proposals for Slievemore House in Derry are compliant with Article 8 of the Human Rights Act.
(AQW 20291/11-15)

Mr Poots: As result of a recent inspection, and subsequent report, by the Regulation and Quality Improvement Authority, the Western HSC Trust has had to consider alternative options as to how and where the service currently provided at Slievemore Nursing Unit is to be delivered.

As Slievemore Nursing Unit was never intended to be a permanent placement for any patient, the Trust is working to engage with families to select suitable nursing home placements which will allow reasonable access for relatives and afford reasonable private family time. In addition the Trust will endeavour to promote a homely environment; encouraging relatives to personalise a patient's room by bringing in significant items from their life and experiences.

The WHSC Trust has advised that is satisfied that in providing placements which meet these criteria it will be promoting the principles of Article 8 of the Human Rights Act.

Northern Ireland Medical and Dental Training Agency

Mr D McIlveen asked the Minister of Health, Social Services and Public Safety to detail the budget of the Northern Ireland Medical and Dental Training Agency in each of the last five years.
(AQW 20292/11-15)

Mr Poots: The total income available to the Northern Ireland Medical and Dental Training Agency, which includes the amounts provided by DHSSPS and income from other sources, in each of the last five years was as follows:

Year	2007/08	2008/09	2009/10	2010/11	2011/12
Total income/£k	45,274	49,529	53,404	54,099	53,502

Source: NIMDTA annual accounts

Northern Ireland Medical and Dental Training Agency

Mr D McIlveen asked the Minister of Health, Social Services and Public Safety what role the Northern Ireland Medical and Dental Training Agency plays in patient safety.
(AQW 20293/11-15)

Mr Poots: The Northern Ireland Medical and Dental Training Agency (NIMDTA) has an important role to play in patient safety.

The General Medical Council (GMC) sets the overall standards for the delivery of postgraduate medical education and training. With regard to patient safety, the GMC requires that "the responsibilities, related duties, working hours and supervision of trainees must be consistent with the delivery of high quality patient care. There must be clear procedures to address immediately any concerns about patient safety arising from the training of doctors".

NIMDTA, as the Northern Ireland Deanery, is responsible for managing the quality of junior doctor training in Northern Ireland and works in partnership with the HSC Trusts and GP training practices to ensure compliance with the standards set by the GMC. NIMDTA has an educational contract in place with each of the five Trusts setting out how training should be managed and delivered effectively in accordance with the requirements laid down by the GMC. NIMDTA ensures that Trusts are

meeting GMC standards through a number of mechanisms including: Deanery visits to Trusts; trainee and trainer surveys; twice yearly reports from Trusts; and regular meetings with the Trust Directors of Medical Education.

Northern Ireland Medical and Dental Training Agency

Mr D McIlveen asked the Minister of Health, Social Services and Public Safety how many trainee doctors the Northern Ireland Medical and Dental Training Agency has placed in the Causeway Hospital in each of the last five years.

(AQW 20294/11-15)

Mr Poots: The Northern Ireland Medical and Dental Training Agency has advised that the number of trainee doctors placed in Causeway Hospital in August of each of the last five years is as follows:

	2012	2011	2010	2009	2008
Number of trainees	62	62	44	47	47

Residential and Nursing Care Sector

Mr Allister asked the Minister of Health, Social Services and Public Safety, when assessing the regional rate payable for funding of the residential and nursing care sector, how his Department and the Regional Health and Social Care Board assess what is fair and affordable; and what benchmarks or criteria inform this decision.

(AQW 20308/11-15)

Mr Poots: Circular HSC (ECCU) 1/2010 Care Management, Provision of Services and Charging guidance reminds the HSC of its overriding duty to procure quality services at a price which represents value for money. I should clarify, however, that beyond this, my Department has no role in establishing the rates paid for care. Each year the Health and Social Care Board (HSCB) negotiate a regional rate with the independent sector for residential and nursing home care. The regional rate is a guide to what the HSC considers to be fair and affordable, not a fixed price for a care placement.

I am aware of the recent outcome of the Judicial Review sought by the Independent Health and Care Providers (IHCP), on the Regional Rate set by the HSCB. As the formal written judgement has not yet been made available, I do not regard it appropriate to comment further on this issue.

Geriatric Care in Hospitals

Mr Allister asked the Minister of Health, Social Services and Public Safety what is the estimated weekly cost of providing geriatric care for a patient in hospital; and what is the contribution made by Government towards such care in a nursing home.

(AQW 20309/11-15)

Mr Poots: Geriatric medicine is a speciality which involves the holistic assessment and care of elderly people. According to Trust Returns, the average cost per occupied inpatient week in the geriatric medicine speciality, i.e. under the care of a geriatric medicine consultant, in 2011/12 was £2,294. These costs include all costs relevant to the patient's time in that speciality, including accommodation and board, nursing and personal care costs, medical costs, pharmacy costs, the cost of procedures in theatre, diagnostics e.g. x-rays, input from allied health professionals e.g. physiotherapists, rehabilitation, depreciation and overheads. Not all older people in hospital are cared for in this speciality.

The cost of a nursing home place comprises accommodation and board, personal care and nursing care and does not include services such as physiotherapy which are provided free by the Trust; so the costs cited above are not comparable to the cost of a week in a nursing home. The needs of patients are also considerably different as hospital geriatric care is acute in nature – when significant new conditions arise patients may need to be admitted to hospital from a nursing home to allow assessment and management of the patient.

Placements in Nursing Homes are subject to individual assessments of need and will normally be subject to a means test. All nursing home placements do, however, attract a £100 p.w. statutory contribution to the cost of nursing care.

Residential and Nursing Care Sector

Mr Allister asked the Minister of Health, Social Services and Public Safety how far minimum wage increases, inflation and the cost of increasing administrative demands have been reflected in year on year increases in Government funding for the residential and nursing care sector; and how this can be demonstrated.

(AQW 20311/11-15)

Mr Poots: The Health and Social Care Board has been responsible for setting the weekly regional rate for residential and nursing home care since 2010/11 and has typically consulted with the Social Care Joint Forum (comprising representatives of interested parties throughout the industry) when doing so. This has included consideration of new and existing cost pressures.

As this area is currently subject to Judicial consideration, it would be inappropriate for me to comment further at this stage.

Water Fluoridation

Mr Agnew asked the Minister of Health, Social Services and Public Safety whether he intends to proceed with water fluoridation; and whether he will commission any studies into the total fluoride intake of the population before a decision is made to ensure compliance with the 1994 World Health Organisation recommendation on fluoridation.

(AQW 20322/11-15)

Mr Poots: I am still considering my position on fluoridation of the water supply in Northern Ireland and continue to consult with Executive colleagues on the matter before I come to a decision.

If a proposal to fluoridate the water supplies is made, we are required under, The Water and Sewerage Services (Northern Ireland) Order 2006 to consult and ascertain public opinion. Should such a consultation proceed, the appropriate evidence from reputable scientific and medical sources will be considered, and we would welcome the views of all interested parties, at that time.

The 1994 WHO Technical Report 'Fluorides and Oral Health' makes 16 recommendations and none of these advise undertaking studies into the total fluoride intake of the population. However, Recommendation 7 specifically advises the introduction and maintenance of community water fluoridation which is considered to be safe and cost-effective.

Mental Health Issues: Adults

Mr Hussey asked the Minister of Health, Social Services and Public Safety, in light of the closure of the respite units at Ferone Drive in Omagh and Claire House in Enniskillen, what respite care is being provided in these areas for adults with mental health issues.

(AQW 20324/11-15)

Mr Poots: The Western Trust advises that respite services for carers in the area continue to be provided by the Respite Team, based in Omagh. The Respite Team utilise a variety of services including day trips/outings, evening groups, 1:1 support and practical support to carers.

The Team are currently developing a programme of respite for the next 6 months. This respite will consist of planned short breaks for clients with staff in attendance. It is hoped that this alternative way of providing respite will meet the needs of the clients and their family in a positive manner.

The Trust continues to utilise nursing/residential home placements for respite when appropriate and these can be used for emergency situations, if necessary. Respite has also been delivered by providing a carer in the client's home to allow the family a break – this can be discussed with client/family on an individual basis based on assessed need.

Further meetings have been scheduled with carers to discuss alternative suitable options.

Belfast City Hospital: Amalgamated Primary School

Mr McGimpsey asked the Minister of Health, Social Services and Public Safety whether the site at Belfast City Hospital is still available to the Department of Education for a new amalgamated primary school for inner-south Belfast.

(AQW 20325/11-15)

Mr Poots: The position in regard to the potential school site on part of the BCH site remains unchanged since my statement to you on 22 May 2012 i.e. the potential use of part of the BCH site for the proposed new primary school remains subject to the Trust's future requirements on the site and the normal public sector processes for the disposal of land. The Belfast HSC Trust is not yet in a position to declare the site surplus and neither the Trust nor the DHSSPS have ruled out the potential to use the site for a school.

Whilst officials from my department have yet to receive any formal indication from the Department of Education that they wish to progress the project, I acknowledge the merit in combining the three schools and accept that the BCH site may be a suitable one within the schools' catchment area. I will therefore ensure that my Department works collaboratively with the Department of Education to deliver the best solution for public services and the public purse.

GP Contracts

Mr Allister asked the Minister of Health, Social Services and Public Safety why his Department declined to negotiate with the GP profession over the content of GPs' contracts this year, and instead tabled non-negotiable demands.

(AQW 20338/11-15)

Mr Poots: Each year there is an annual negotiation at national level of revisions to the General Medical Services (GMS) Contract involving the four Health Departments across the UK and the General Practitioners Committee (GPC). Unfortunately, however, it was not possible this year to reach an agreeable settlement at national level with the General Practitioners Committee regarding revisions to the GMS Contract for 2013/14 and each Health Department has therefore engaged separately with the GPC in their respective jurisdictions on proposed changes to the Contract.

My Department has not declined to negotiate with the GP profession on revisions to the Contract and remains ready to continue dialogue with GPC in Northern Ireland about proposed changes in an effort to reach an acceptable agreement. The proposals are currently out for consultation.

Quality and Outcomes Framework Targets

Mr Allister asked the Minister of Health, Social Services and Public Safety on what basis can the demand for multiple 95 percent Quality and Outcomes Framework targets be met while sustaining sufficient funding for GPs.

(AQW 20339/11-15)

Mr Poots: The proposals for changes to the Quality and Outcomes Framework (QOF) are with the aim of promoting improvements in the quality of care for patients. The funding that is allocated under the General Medical Services Contract through the QOF is based on the achievement by practices against a range of indicators. There are currently some 140 indicators in the QOF and the proposals currently out for consultation are to increase the upper thresholds of six of them to 95%. The funding available to GP practices through the QOF is dependent on performances achieved across all of the indicators in the QOF.

Quality and Outcomes Framework Determinations

Mr Allister asked the Minister of Health, Social Services and Public Safety why is there no recognition of contractor population index changes in his Department's Quality and Outcomes Framework determinations.

(AQW 20340/11-15)

Mr Poots: Contractor Population Index (CPI) is used to help determine QOF payments under the General Medical Services Contract. Changes in the CPI, which is based on the average list size of practices, are recognised and accounted for on an annual basis to reflect any population changes.

Quality and Outcomes Framework Determinations

Mr Allister asked the Minister of Health, Social Services and Public Safety to outline the recognition of upward population changes in his Department's Quality and Outcomes Framework determinations.

(AQW 20341/11-15)

Mr Poots: The Contractor Population Index (CPI), which is used to help determine Quality and Outcome Framework payments under the General Medical Services Contract, is based on the average list size of practices and is updated annually for the latest estimated population.

IVF Treatment

Mr P Ramsey asked the Minister of Health, Social Services and Public Safety to outline the age requirements for eligibility for IVF treatment; and whether he has any plans to change these requirements.

(AQW 20351/11-15)

Mr Poots: Current access criteria in Northern Ireland for publicly funded IVF Treatment, which were developed following public consultation in 2006 and 2009, give the following age related criteria:

- female partners using their own eggs may access publicly funded IVF treatment up to 39 years of age;
- women using donated eggs can access publicly funded fertility treatments if they are 49 years or younger, with due consideration given to the impact on any child born to older parents.

NICE has recently published revised guidelines on fertility, which is being considered by my Department for their applicability to Health and Social Care service provision in Northern Ireland. We will reach a view on this as soon as possible.

Care Payments

Mr Dunne asked the Minister of Health, Social Services and Public Safety for his assessment of a cap on care payments, such as the £75,000 maximum proposed in England.

(AQW 20380/11-15)

Mr Poots: I am aware of the intention of the Coalition government to introduce, in 2017, a cap of £75,000 on individual contributions to the cost of any social care received. As social care is a devolved matter this cap will apply in England only.

However, I recognise that this is an issue about which people feel strongly and that is why I have committed to a three stage process of reform in Northern Ireland. As a first step, my Department is currently engaged in an extensive public consultation until 15 March on the discussion document, "Who Cares? The Future of Adult Care and Support in NI". The purpose of the consultation is to hear people's views on key issues including the type of services we want to see in the future, who should provide them, and, crucially, how we should pay for them.

Once I have had the opportunity to consider the views and opinions of the people of Northern Ireland my Department will develop proposals for reform, which will include changes to how care and support is funded. Until then it would be inappropriate to comment on whether a cap should be implemented in Northern Ireland.

MRI Scanner: Ulster Hospital, Dundonald

Mr Dunne asked the Minister of Health, Social Services and Public Safety what progress has been made on the provision of a second MRI Scanner at the Ulster Hospital, Dundonald.

(AQW 20400/11-15)

Mr Poots: I am pleased to confirm that funding has been made available within this financial year for the purchase of a second MRI scanner within the Department of Radiology at the Ulster Hospital. It is expected that the scanner will be installed in late March 2013 and will be fully operational by early April.

Quality and Outcomes Framework Targets

Mr Allister asked the Minister of Health, Social Services and Public Safety how his Department assists in channeling health care towards GPs, as anticipated by Transforming Your Care, given that the funding of GPs is reduced by Quality and Outcomes Framework targets.

(AQW 20419/11-15)

Mr Poots: All parts of the Health and Social care sector, including General Practice will have a role to play in contributing to the implementation of Transforming Your Care to improve the quality of patient and client care.

The Quality and Outcomes Framework (QOF) is one component of the General Medical Services Contract aimed at resourcing and rewarding quality care. It is through this work that GPs can help contribute to Transforming Your Care, specifically through the achievement of the Quality and Productivity Indicators which help to reduce hospital attendances and admissions, and through the achievement of the Clinical Indicators and the management of long term conditions which seek to ensure that patients are cared for in the most appropriate setting.

The proposals for changes to the Framework are with the aim of promoting further improvements for patients. The funding that is allocated under the Contract through the QOF is based on the achievement by practices against indicators and it is not necessarily the case that funding provided to GPs would reduce because of proposed changes to QOF.

Quality and Outcomes Framework Targets

Mr Allister asked the Minister of Health, Social Services and Public Safety by how much his Department anticipates that funding to GPs will reduce as a result of the 2013/14 Quality and Outcomes Framework proposals.

(AQW 20420/11-15)

Mr Poots: The Quality and Outcomes Framework (QOF) is an annual reward element of the General Medical Services Contract designed to remunerate General Practice for providing quality care to their patients. It is intended to reward good practice. The QOF measures achievement against a range of indicators, with funding to practices linked to the level of achievement. It is not necessarily the case that funding provided to GPs would reduce because of proposed changes to the QOF.

Organ Donation

Mr Ross asked the Minister of Health, Social Services and Public Safety how many people have signed the organ donor register in each of the last five years.

(AQW 20426/11-15)

Mr Poots: I refer to the joint response to AQW 20046 / 11-15 and AQW 20048 / 11-15.

Organ Donation

Mr Ross asked the Minister of Health, Social Services and Public Safety what campaigns his Department has used over the last ten years to encourage people to sign the organ donor register.

(AQW 20427/11-15)

Mr Poots: As responsibility for encouraging people to join the organ donor register (ODR) falls to the Public Health Agency (PHA) and NHS Blood and Transplant (NHSBT), my Department has not directly run or funded any campaigns on this issue.

Whilst the PHA has not run any campaigns, it has been involved in many other ways to encourage people to join the ODR, such as: public information announcements; encouraging people to join the ODR via social media; securing print features on observance days; promoting Transplant Awareness Week; being involved in the promotion of the Transplant Games; securing features with local TV channels; running information stands at events such as fresher fayres; and promoting organ donation through sport.

NHSBT promotes organ donation to the public across the UK and has run several campaigns over the years, which would also have had a local component built into them. Recently NHSBT has focussed its efforts to encourage people to join the ODR around exploring 'prompted choice' initiatives.

Organ Donation

Mr Ross asked the Minister of Health, Social Services and Public Safety how much his Department has spent on encouraging people to sign the organ donor register, in each of the last five years.

(AQW 20428/11-15)

Mr Poots: As responsibility for encouraging people to join the organ donor register (ODR) falls to the Public Health Agency (PHA) and NHS Blood and Transplant (NHSBT), my Department has not directly run or funded any campaigns on this issue.

Whilst the PHA has not run any campaigns, it has been involved in many other ways to encourage people to join the ODR, such as: public information announcements; encouraging people to join the ODR via social media; securing print features on observance days; promoting Transplant Awareness Week; being involved in the promotion of the Transplant Games; securing features with local TV channels; running information stands at events such as fresher fayres; and promoting organ donation through sport.

NHSBT promotes organ donation to the public across the UK and has run several campaigns over the years, which would also have had a local component built into them. Recently NHSBT has focussed its efforts to encourage people to join the ODR around exploring 'prompted choice' initiatives.

Organ Donation

Mr Ross asked the Minister of Health, Social Services and Public Safety what is the anticipated cost of changing the law to a presumed consent opt-out system of organ donation.

(AQW 20429/11-15)

Mr Poots: I recently announced my intention to survey on attitudes towards organ donation, including the possibility of an opt-out system. The details and timings of this exercise are still being developed and will be announced in due course.

If a decision is made to move to an opt-out system of organ donation in the future, the possible costs to introduce such a system would be examined as part of the decision making process.

Organ Donation

Mr Ross asked the Minister of Health, Social Services and Public Safety whether he has held any discussions on organ donation with the Secretary of State for Health; and whether he plans to change the law to a presumed consent opt-out system.

(AQW 20430/11-15)

Mr Poots: I have had no direct discussions with the Secretary of State for Health on organ donation; however, my officials are in close contact with officials from the other UK Health Administrations on a regular basis concerning this issue.

I recently announced my intention to survey on public attitudes towards organ donation, including the possibility of an opt-out system. The details and timings of this exercise are being developed and will be announced in due course. Once the outcome of the survey is known, I will consider what the next steps should be to increase organ donation.

Translation Costs

Mr Weir asked the Minister of Health, Social Services and Public Safety to detail the cost of translating departmental letters and documents into (i) Irish; and (ii) each other language, in each of the last five years.

(AQW 20456/11-15)

Mr Poots: The cost of translating departmental letters and documents into Irish and other languages, in each of the last five years, is set out in the table below.

	2011/12	2010/11	2009/10	2008/09	2007/08
Irish	-	£40	-	£ 47	£3,942
Other Languages	£66	-	£1,860	£7,720	£ 610
Total	£66	£40	£1,860	£7,767	£4,552

Source: Account NI

A break-down of translation costs for each other language by year can only be provided at disproportionate cost. However, translation costs for other languages include Chinese (simplified), Chinese (Hong Kong), Latvian, Lithuanian, Polish, Portuguese, Russian, Slovak, and Tetum.

Regional Health Board: Funding

Mr McQuillan asked the Minister of Health, Social Services and Public Safety to outline the reasons why the Regional Health Board, which received a business case in 2011 from the British Heart Foundation supported by the Regional Medical Officer, has not yet granted essential funding which has prevented nurses from delivering community programmes in preventative care.

(AQW 20461/11-15)

Mr Poots: The Health and Social Care Board has considered the business case for Community Resuscitation Development Officers based in the five Health and Social Care Trusts.

The Board has advised that this initiative will appear in the Commissioning Plan for 2013/14 and will feature as a potential candidate for funding should uncommitted funds become available. Some funding has been provided by the PHA to allow the current service to continue in the interim.

As you are aware I recently announced the proposed development of a community resuscitation strategy for Northern Ireland and I have asked that it is ready for consultation by October 2013.

Health and Social Care Trusts: Medical Equipment and Aids

Mrs Dobson asked the Minister of Health, Social Services and Public Safety to detail the medical equipment and aids that are provided to patients which are then disposed of; and for the estimated costs to each Health and Social Care Trust, in each of the last three years.

(AQW 20464/11-15)

Mr Poots: The information is not available in the format requested and could only be provided at disproportionate cost.

“Medical equipment and aids” covers a vast range of products. In any consideration of recycling of equipment or aids by HSC Trusts, the safety and wellbeing of the patient, client and carer is of paramount importance.

In addition, HSC Trusts will take account of the cost-effectiveness of reusing the equipment or aid, this would include, for example, the cost of decontamination in accordance with recognised standards.

Immunologists

Ms S Ramsey asked the Minister of Health, Social Services and Public Safety to detail the (i) number of immunologists; and (ii) average waiting time for an appointment with an immunologist, in each Health and Social Care Trust.

(AQW 20465/11-15)

Mr Poots:

- (i) A regional service for Immunology is provided by the Belfast HSC Trust. The number of Immunologists employed by Belfast HSC Trust is provided in the table below.

Number of Medical Staff specialising in Immunology at March 2013

Grade	Headcount	Whole-time equivalent
Consultant	2	2.0
Specialist Registrar	2	2.0
Core Trainee CT 3	1	1.0

Source: Belfast HSC Trust

Notes:

- 1 A new Consultant for Immunology/Allergy has been appointed by the BHSC and is expected to take up post in April pending all recruitment checks.
 - 2 This appointment will leave one Specialist Registrar in post. It is anticipated that a replacement Specialist Registrar will be recruited for August 2013.
 - 3 A core Trainee CT3, took up post in February for 6 months.
 - 4 It is expected that the BHSC team of 3 Consultants & appropriate nursing staff will process the Immunology referral workload. The location and configuration of clinics are yet to be determined. Administration staff are required to provide reception cover at clinics and to type reports. BHSC medical records and appointment staff facilitate the set up of clinics.
- (ii) I have been informed that the Belfast Health and Social Care Trust is the only Trust where an Immunology service is provided. The average waiting time, as of the 5th March 2013, for an appointment with an Immunologist was 11 weeks for the adult service and 6 weeks for the paediatric service.

Allergy Clinic

Ms S Ramsey asked the Minister of Health, Social Services and Public Safety to detail the (i) average waiting time for an appointment at an allergy clinic; and (ii) the full complement of staff at each clinic, in each Health and Social Care Trust.

(AQW 20466/11-15)

Mr Poots:

- (i) The Belfast Health and Social Care HSC Trust is the only Trust that provides an adult allergy clinic service. The average waiting, as of the week beginning 4th March 2013, for an adult appointment at an allergy clinic was 8 weeks.

Allergy clinics for paediatrics/young people are provided at each of the five Health and Social Care Trusts. The average waiting time, as of the week beginning 4th March 2013, for a paediatric appointment at an allergy clinic in each HSC Trust is shown in the table below.

Waiting Times for Paediatric Allergy Clinics

HSC Trust	Average Waiting Time (weeks)
Belfast	5
Northern	10
South Eastern	22
Southern	9
Western	18

- ii) Staffing Complement in each allergy clinic by HSC Trust

Belfast HSC Trust

Grade	Headcount	Weekly Staff Hours provided to the clinic
Independent sector Consultant	1	5 clinics per month, 7.5 hours per day
Independent sector Allergy Nurse	1	5 clinics per month, 7.5 hours per day
BHSCT Allergy nurse	1	5 clinics per month, 4 hours per day

Grade	Headcount	Weekly Staff Hours provided to the clinic
Consultant locum	1	One clinic per month, 8 hours per day
BHSCT Nursing staff	2	One clinic per month, 8 hours per day

Grade	Headcount	Weekly Staff Hours provided to the clinic
Consultant	1	As required
Registrar ST3	1	As required
Allergy Nurse	1	As required
Out-patient nursing staff	Variable	Out-patient nursing staff work at a number and variety of clinics simultaneously. The clinics normally last for 4 hours.

BHSCT notes:

- 1 An Independent sector contract is currently in place which has processed the majority of adult allergy referrals during 2012 and to date. This contract finishes at end of March 2013. This contract allows one consultant & one allergy nurse to attend the Trust for one week per month offering 4.5 days of clinics.
- 2 One Locum Consultant visits the BHSCT and provides one full day of clinics per month for adult allergy referrals.
- 3 A new Consultant for Immunology/Allergy has been appointed by the BHSCT and is expected to take up post in April pending all recruitment checks.
- 4 A recruitment process is underway to recruit two part-time Allergy nurses.
- 5 It is expected that the BHSCT team of 3 Consultants & allergy nursing staff will then process the Allergy referral workload. The location and configuration of clinics are yet to be determined.
- 6 Administration staff are required to provide reception cover at clinics and typing of reports. BHSCT medical records and appointment staff facilitate the set up of clinics.

Northern HSC Trust

Grade	Headcount	Weekly Staff Hours provided to the clinic
Consultant	1	8
SHO or Registrar	1	8
Paediatric Dietitian	1	8
Dietetic Support Worker	1	4-8
Paediatric Staff Nurse	2	8

NHSCT notes:

- 1 The allergy clinic is a paediatric service.

South Eastern HSC Trust

Grade	Headcount	Weekly Staff Hours provided to the clinic
Consultant (Paediatrics)	1	12
Specialty Doctor (Paediatrics)	1	4
Specialist Nurse(Paediatrics)	1	20
Dietician (Paediatrics)	1	4

SEHSCT notes:

- 1 There are no dedicated allergy clinics for adults. Adults are assessed at Dermatology Clinics.

Southern HSC Trust

Grade	Headcount	Staff Hours provided to the clinic
Fortnightly 3-hour clinic at Daisy Hill Hospital		
Consultant Paediatrician	1	3 hours per fortnight
Respiratory/Allergy Nurse Specialist	1	3 hours per fortnight
Paediatric Dietician	1	3 hours per fortnight

Weekly clinics at Craigavon Hospital	Headcount	Weekly Staff Hours provided to the clinic
Wednesday clinic (3.5 hours)		
Consultant Paediatrician	1	3.5
Junior Doctor	1	3.5
Respiratory/Allergy Nurse Specialist	1	3.5
Paediatric Dietician	1	3.5
Friday clinic (3.5 hours)		
Consultant Paediatrician	1	3.5
Respiratory/Allergy Nurse Specialist	1	3.5

SHSCT notes:

- 1 The allergy clinic staff work in Children & Young People's Services. SHSCT Acute (Adult) Services does not have an allergy clinic but does offer patch testing through the Dermatology Department.

Western HSC Trust

Grade	Headcount	Weekly Staff Hours provided to the clinic
Consultant	1	4 hours twice a month
Specialist Nurse Band 6	1	4 hours twice a month

WHST notes:*Source: Health and Social Care Trusts*

- 1 This is a paediatric clinic. In addition, there are other paediatric outpatient staff allocated to cover all clinics to record weight and heights and bloods if required.

Quality and Outcomes Framework Targets

Mr Allister asked the Minister of Health, Social Services and Public Safety on what evidence are his Department's proposals for Quality and Outcomes Framework targets in 2013/14 based.

(AQW 20469/11-15)

Mr Poots: The Quality and Outcomes Framework (QOF) was first introduced as part of the GMS Contract in 2004. The QOF measures achievement against a range of evidence-based indicators, as recommended by the National Institute for Health and Clinical Excellence (NICE).

The inclusion of indicators within QOF and their respective thresholds for achievement are normally negotiated each year as part of the annual GMS Contract negotiations involving the four Health Departments in the UK and the General Practitioners Committee (GPC). Thresholds are set on the basis of existing performances and an assessment of what is achievable with the purpose of enabling more patients to benefit, therefore improving health outcomes.

Quality and Outcomes Framework Targets

Mr Allister asked the Minister of Health, Social Services and Public Safety how his Department's Quality and Outcomes Framework targets for 2013/14 compare with those in the rest of the United Kingdom.

(AQW 20473/11-15)

Mr Poots: The inclusion of indicators within the Quality and Outcomes Framework (QOF) and their respective thresholds is normally considered each year as part of the annual GMS contract negotiations involving the four Health Departments in the UK and the General Practitioners Committee (GPC). Unfortunately, it was not possible this year to reach an agreeable settlement with the GPC regarding the revisions to the GMS Contract for 2013/14. Each Department is therefore engaging separately with their respective GPC on propose changes to the Contract.

The QOF indicators for which there are proposed increases in thresholds are broadly similar across the UK though there is some variation in levels proposed. However, decisions have not yet been made across all four Countries as yet so levels have not all been confirmed. The Northern Ireland consultation process is due to close on 22 March.

Water Fluoridation Trials: Holywood and Tandragee

Mr McNarry asked the Minister of Health, Social Services and Public Safety for an update on the details and conclusions of the study on the dental and any other health effects of fluoride in drinking water, as found in the Holywood and Tandragee areas.

(AQW 20479/11-15)

Mr Poots: My Department does not hold records on any such study on the dental or other health effects of fluoride in drinking water, in the Holywood and Tandragee areas.

My officials have previously carried out an extensive search of Departmental records, including the archives of the Public Records Office to check for such records and none has been found.

Paramedics and Ambulance Service Staff: Breaks and Workload

Mr McElduff asked the Minister of Health, Social Services and Public Safety whether his Department is aware of concerns among paramedics and other ambulance service staff regarding inadequate breaks and excessive workloads during their working shifts in the Omagh area.

(AQW 20497/11-15)

Mr Poots: My Department is not aware of a particular problem in the Omagh area. NIAS advise that it is not aware of any specific demands or pressures specific to the Omagh area. The trust is, however, fully aware of the regional increase in activity and the possible impact on all staff.

Given these noticeable increases in demand for ambulance services and the associated pressures likely to affect staff in maintaining the current level of response and performance, NIAS has been actively working through a number of issues in conjunction with trade union representatives.

These areas include ensuring the allocation of compensatory rest, allocation of meal breaks and rest periods as well as transfer opportunities.

Banbridge Health Centre: Mammogram Screenings

Mrs Dobson asked the Minister of Health, Social Services and Public Safety why the Southern Health and Social Care Trust does not provide mammogram screenings at the Banbridge Health Centre; and what future plans there are to provide this service in Banbridge.

(AQW 20514/11-15)

Mr Poots: The Northern Ireland Breast Screening Programme delivers the screening programme from both static and screening mobile units.

The Southern HSC Trust has two static breast screening units – one at Daisy Hill Hospital in Newry and one at Lurgan Hospital. They share a mobile unit with the Western HSC Trust. The mobile unit does not visit Banbridge Health Centre. The Southern HSC Trust provides breast screening for women in the Banbridge area from the static units.

In deciding the best sites to locate the mobile unit, the Trust takes a number of factors into consideration including the distance women have to travel for screening and an accessible location that will accommodate women from a number of GP surgeries.

A regional business case for the replacement of the current analogue mammography machines with digital x-ray machines is currently being finalised. When digital mammography is introduced the Southern HSC Trust plans to replace its two static units with mobile units to facilitate an improved service for women throughout the Southern HSC Trust area. This will give the Trust the capacity to provide the service locally at various Health Centres including the Banbridge area.

MS Patients: Northern Health and Social Care Trust

Mr McKay asked the Minister of Health, Social Services and Public Safety (i) how many MS patients were involved in the 2010 consultation, in conjunction with Multiple Sclerosis Society, in the Northern Health and Social Care Trust area; (ii) to outline the conclusions of that engagement and (iii) to give the (a) average age and (b) age range of those who participated.

(AQW 20515/11-15)

Mr Poots:

- (i) During 2010, four focus groups were held across the Northern Health and Social Care Trust (NHSCT) area to explore the views of service users who require access to respite within the Northern Trust area. The table below provides details of the focus groups.

Date	Venue	Number of participants
4 April 2011	WS Tweed Room, Ballymoney	11
4 April 2011	Wilson House Day Centre, Broughshane	12
7 April 2011	Pavestone, Coleraine	20
13 April 2011	Antrim Day Centre, Antrim	26

- (ii) In response to the findings of the focus groups, the NHSCT has advised that in January 2012, a Community MS Specialist Nurse was appointed to provide advice and support to service users with a diagnosis of MS. In addition, she provides specialist guidance to Trust staff; raises awareness of MS; and attends several of the MS Support Groups throughout the Trust. She also attends the MS Clinics and liaises closely with neurologists and other MS nurses, and she participates in the Regional MS Forum.
- (iii) The Trust did not record the age of those who participated in the focus groups therefore the requested information is not available.

MS Patients: Northern Health and Social Care Trust

Mr McKay asked the Minister of Health, Social Services and Public Safety whether social workers, in the Health and Social Care Trusts, are being told not to promote actively the MS Unit at Dalriada, Ballycastle as a respite option to patients and only to consider it when requested by the patients.

(AQW 20516/11-15)

Mr Poots: The Health and Social Care Trusts advise that this is not the case. Respite is based on a patient's assessed need and once this is identified, social workers provide information to the MS patient and their family on the range of available respite service options, including respite provision in Dalriada Hospital.

Fire Brigades Union: Pension Reform

Mr McKay asked the Minister of Health, Social Services and Public Safety what discussions he has had with the Fire Brigades Union regarding proposed pensions reform.

(AQW 20524/11-15)

Mr Poots: When I met FBU officers on 26th February 2013 we discussed pensions among a range of issues. My officials keep me informed of the FBU's views on pension reform through their engagement with the FBU both bi-laterally and through a NIC/ICTU forum.

Independent Living Fund

Mr Agnew asked the Minister of Health, Social Services and Public Safety when he will publish his response to the consultation on the Independent Living Fund.

(AQW 20528/11-15)

Mr Poots: When the consultation was launched, I raised my concerns at the proposal to close the Independent Living Fund and have since written to the Minister for Disabled People, Esther McVey MP, further expressing my disappointment at the Department for Work and Pension's (DWP) decision to close the fund from April 2015.

My officials are now taking forward a programme of work with colleagues in the health and social care sector in NI to help ensure that those disabled people who are most in need of care and support are not disadvantaged by DWP's decision.

Unlicensed Drugs

Mrs D Kelly asked the Minister of Health, Social Services and Public Safety whether patients are receiving unlicensed drugs for certain conditions, such as Bendamustine for the treatment of Multiple Myeloma; and how these drugs are funded in each Health and Social Care Trust.

(AQW 20534/11-15)

Mr Poots: Unlicensed drugs/medicines are not routinely commissioned in Northern Ireland. If a specialist medicine is used in an unlicensed manner because of clinically exceptional circumstances, it may be funded by the Health and Social Care Board through the process for Individual Funding Requests (IFR), having first gained support from the particular Health and Social Care Trust's Internal Scrutiny Committee.

Other funding mechanisms that are available include patient/individual top-up schemes, pharmaceutical assistance/risk sharing/patient access schemes and clinical trials.

Health and Social Care Trusts: Advice to Families

Mrs Dobson asked the Minister of Health, Social Services and Public Safety what plans he has for Health and Social Care Trusts (i) to distribute printed advice to families who suffer the death of a child, such as advice on coping with everyday life, including mental health issues; and (ii) to provide signposting to relevant departments within the Health Trusts.

(AQW 20554/11-15)

Mr Poots: Within the Health and Social Care Trusts, work is ongoing across the region to develop printed information for families who experience the death of a child. Each Trust currently has bereavement booklets that includes practical information and emotional support for bereaved people, including signposting to appropriate local mental health support.

Whilst not specific to the loss of a child, my Department's Strategy for Bereavement Care, which was published in 2009, promotes an integrated, consistent approach to all aspects of care across the public health and social care services in supporting individuals and families who have been bereaved.

My Department has also produced the following documents, which contain advice on bereavement support for families who have suffered the loss of a child, both before and after birth and are complemented by the Integrated Perinatal Mental Health Care Pathway, which was published by the Public Health Agency in December 2012:

- Careplan for women who experience a miscarriage, stillbirth or neonatal death; and
- A Strategy for Maternity Care in Northern Ireland 2012 – 2018.

In addition, my Department is currently undertaking a review of paediatric services including palliative and end of life care. The review, which will be subject to public consultation in the near future, will contain information on bereavement care, including the provision of psychological support. It is anticipated that the final document will be published in early 2014.

New GP Contract

Mr Hussey asked the Minister of Health, Social Services and Public Safety what steps he has taken to ensure that the new GP contract is introduced with the support of the British Medical Association.

(AQW 20571/11-15)

Mr Poots: Each year there is an negotiation at national level of revisions to the General Medical Services (GMS) Contract involving the four Health Departments across the UK and the BMA's General Practitioners Committee (GPC). Unfortunately,

it was not possible this year to reach an agreeable settlement with the General Practitioners Committee regarding revisions to the GMS Contract for 2013/14 across the four parts of the United Kingdom. Each Health Department is therefore engaging separately with the respective GPC on proposed changes to the Contract.

My Department remains ready to continue dialogue with GPC in Northern Ireland about proposed changes in an effort to reach an acceptable agreement. The proposals are currently out for consultation.

Health Service Dental Care

Mrs Dobson asked the Minister of Health, Social Services and Public Safety to detail the consultation his Department has undertaken with patient groups and organisations, such as the British Dental Association, in relation to proposed changes to Health Service dental care.

(AQW 20583/11-15)

Mr Poots: In January 2013 my Department issued a consultation on proposals to change the treatments that are available through General Dental Services to a range of stakeholders including the British Dental Association, all registered dentists in Northern Ireland, the Patient and Client Council, the Northern Ireland Commissioner for Children and Young People along with other groups. These proposals were first shared with the British Dental Association in November 2011 and since then officials in my Department and the Health and Social Care Board have held a series of meetings with the British Dental Association. I met with a delegation of dentists from the Northern Local Dental Committee in June 2012 and am meeting with the British Dental Association this month to discuss the proposals.

MRI Scanners

Mr Weir asked the Minister of Health, Social Services and Public Safety to detail the number and location of MRI scanners at hospitals.

(AQW 20585/11-15)

Mr Poots: The location and number of MRI scanners at HSC hospitals is provided in the following table:

Location	Number
Belfast City Hospital	2
Mater Hospital	1
Musgrave Park Hospital	2
Royal Victoria Hospital	2
Antrim Hospital	1
Ulster Hospital	2
Craigavon Hospital	1
Altnagelvin Hospital	1
South West Acute Hospital	1

Termination of Pregnancy

Mr Allister asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 203/11-15, for an update on the number of terminations of pregnancy carried out in Health and Social Care facilities to the latest point for which figures are available.

(AQW 20785/11-15)

Mr Poots: On 24th May 2012 the Department instructed the HSC Board to undertake an audit of the clinical coding related to abortions in Northern Ireland to assess the accuracy of the data produced. A statement was made by the Minister for Health Social Services and Public Safety to the Assembly detailing the findings of the audit on 22nd August 2012 and is published on the Department's website at the following link; http://www.dhsspsni.gov.uk/index/stats_research/hospital-stats/inpatients.htm

Information relating to termination of pregnancy is published annually on the Department's website at the following link; http://www.dhsspsni.gov.uk/index/stats_research/hospital-stats/inpatients.htm

The most recent year for which information is available is 2011/12.

Cushendall Fire Station

Mr McMullan asked the Minister of Health, Social Services and Public Safety, pursuant to AQO 1081/11-15, at what stage is the business plan for the new fire station in Cushendall.

(AQW 20833/11-15)

Mr Poots: I understand that NIFRS has developed a working draft business case for the replacement of Cushendall fire station. However, the DHSSPS capital programme is constrained by the allocations set out in Budget 2010 and, in the longer term, by the indicative allocations set out in the Investment Strategy for Northern Ireland. The highest priority projects are profiled in the current budget period, including a number of NIFRS projects. I do not have sufficient funding available to progress all of the identified projects. At this stage Cushendall Fire Station is not sufficiently high up the Northern Ireland Fire & Rescue Service list of priorities to be funded in the current budget period. Until decisions are made on priorities for the next budget period, it is not possible to progress this business case any further.

Cushendall Fire Station

Mr McDevitt asked the Minister of Health, Social Services and Public Safety when a decision will be made on the capital build programme for Cushendall Fire Station.
(AQW 20867/11-15)

Mr Poots: At this stage, I am unable to provide a timescale for the replacement of Cushendall Fire Station. As a result of a prioritisation exercise within NIFRS and taking account of budgetary constraints, it has not been possible to profile this project within the current Budget period. In planning for the next Budget period, NIFRS will be continuing to prioritise its needs within the available capital envelope and Cushendall will be considered as part of that exercise.

Department of Justice

Prisoner's Previous Convictions

Lord Morrow asked the Minister of Justice (i) whether Prisoner A has served time in prison on charges related to dissident republican activity; (ii) what he was convicted of; (iii) when he was jailed; and (iv) what were the terms he was subject to (a) pre-release; and (b) post release.
(AQW 18105/11-15)

Mr Ford (The Minister of Justice): The Data Protection Act 1998 gives individuals certain rights in relation to personal information held on them by public authorities; therefore the information requested cannot be provided as disclosure would be contrary to the Data Protection Act 1998.

Prisoner Release Scheme

Lord Morrow asked the Minister of Justice to detail (i) whether Prisoner A was on a prisoner release scheme and/or parole, a requirement of which was that he attend with a supervisor or similar person; (ii) the full content of this requirement including how often he was required to attend and when it was ordered; (iii) how many times did he attended attend; (iv) whether all appointments were kept; and (v) whether were any breaches or missed appointments were reported for prosecution as defaulting on an order.
(AQW 18612/11-15)

Mr Ford: The Data Protection Act 1998 gives individuals certain rights in relation to personal information held on them by public authorities. The detailed information requested relating to specific licencing conditions cannot be provided as disclosure would be contrary to the Data Protection Act.

Legal Aid

Lord Morrow asked the Minister of Justice how much has been paid from Legal Aid on very high cost cases in each of the last two years.
(AQW 20232/11-15)

Mr Ford: The total amount of expenditure on legal aid funding for very high cost cases in the past two years is:

- £12.480m in 2010/11
- £6.256m in 2011/12.

Prisoner Granted Temporary Leave

Lord Morrow asked the Minister of Justice to detail (i) the procedures for a sentenced prisoner being granted temporary leave to attend a family wedding; (ii) what relation the person getting married has to be to the prisoner in order for release to be considered; (iii) the measures imposed to prevent absconding or re-offending; and (iv) whether it is necessary for a prisoner to be accompanied by a prison officer throughout the proceedings.
(AQW 20234/11-15)

Mr Ford: The Northern Ireland Prison Service (NIPS) does not operate a scheme which allows for a prisoner to be granted temporary leave to attend a family wedding. Under the terms of the Compassionate Temporary Release (CTR) Scheme a

sentenced prisoner can apply for temporary release only when a member of the immediate family is deemed by the medical authorities to be critically ill, or to attend the funeral of a member of the immediate family.

If the request falls outside the criteria of the CTR Scheme, NIPS will consider the application on its merits against the general provision of Rule 27(1&2) of the Prison and Young Offenders Centre Rules (Northern Ireland) 1995. Consideration will also be given under Article 8 of the European Convention on Human Rights. The Prison Service must then determine whether the restrictions of freedom and a normal life, that are inevitably caused by imprisonment, warrant relaxation in the particular circumstances of the application.

A prisoner approaching the end of his or her sentence may apply for pre-release home leave which, if granted, may be taken to coincide with a family event including a wedding.

Unanswered Question: AQW 18612/11-15

Lord Morrow asked the Minister of Justice, pursuant to AQW 18612/11-15, why he is yet to provide an answer to this question, and when an answer can be expected.

(AQW 20235/11-15)

Mr Ford: With regard to AQW 18612/11-15, the Member will wish to note that a response issued on 11 March 2013.

Prison Officers: Recruitment

Lord Morrow asked the Minister of Justice, pursuant to AQW 19303/11-15, how many of the 199 Custody Prison Officers recruited have been dismissed.

(AQW 20236/11-15)

Mr Ford: As less than five of those recently recruited to the role of Custody Prison Officer have been dismissed the exact number has been withheld. This is to protect the identity of those concerned as disclosure would be contrary to the Data Protection Act 1998.

Sexual Offences

Lord Morrow asked the Minister of Justice, pursuant to AQW 16398/11-15, on what date was the charge of causing a person to engage in a sexual act added to the list of thirteen offences allegedly committed on 28 October 2012.

(AQW 20238/11-15)

Mr Ford: Mr Douglas was charged by the PSNI with causing a person to engage in a sexual act on 29 October 2012.

Northern Ireland Prison Service: Staff

Lord Morrow asked the Minister of Justice, pursuant to AQW 17850/11-15, to detail (i) whether he will give an assurance that prison officers and others involved in the assessment, care, management and control of prisoners at risk of self harm will have appropriate training to carry out this work; and (ii) the total number of prisoner officers and healthcare professionals who have received this training to date.

(AQW 20296/11-15)

Mr Ford: As part of their core function and role, Prison Officers are given appropriate training to supervise, assess, care, manage and control prisoners including those identified to be at risk of self harm.

Since its launch in December 2009, Supporting Prisoners at Risk training has been provided to over 900 members of staff.

Northern Ireland Prison Service

Lord Morrow asked the Minister of Justice, pursuant to AQW 19382/11-15, whether the Northern Ireland Prison Service has a policy relating to just and legal compensation payments to those officers exonerated of breach of discipline for unqualified suspension from duty and related damage to health commensurate to incurred stress, without further loss to the public purse via recourse to High Court Litigation.

(AQW 20298/11-15)

Mr Ford: The occasions when suspension may be considered are contained within the Code of Conduct and Discipline (prison grades) and the Discipline Chapter of the Northern Ireland Civil Service HR Handbook (non prison grades). There is no requirement to provide compensation where staff are cleared of charges.

Northern Ireland Prison Service

Lord Morrow asked the Minister of Justice, pursuant to AQW 19382/11-15, whether sanctions that were imposed on senior officers were proportionate in severity to those imposed on junior ranking staff given their managerial and supervisory responsibilities.

(AQW 20303/11-15)

Mr Ford: The award of disciplinary sanctions, irrespective of grade, are considered on an individual basis and applied in accordance with the current Code of Conduct and Discipline.

Northern Ireland Prison Service

Lord Morrow asked the Minister of Justice, pursuant to AQW 19441/11-15, why there is a lack of records within the Northern Ireland Prison Service and how the Prison Service compares in this respect with other agencies or bodies under his Department's remit.

(AQW 20305/11-15)

Mr Ford: At the time of Prisoner at Risk training, the computerised system used by the Northern Ireland Prison Service (NIPS) to record training was not used to record awareness/briefing sessions.

The PSNI provide training in relation to vulnerable offenders based on the Safer Handling document, PACE (NI) Order and associated Codes of Practice. Staff working in the Youth Justice Agency (YJA) are provided with ASSIST training in dealing with young people who may have suicidal tendencies.

NIPS now record all training and I am content the recording of Prisoner at Risk training is not inferior to that of the PSNI or YJA.

Rehabilitation: Kenneth Douglas

Lord Morrow asked the Minister of Justice to provide a breakdown of costs associated with the rehabilitation of Kenneth Douglas, particularly during his residence at the Prisoner Assessment Unit, including the cost of the therapy provided by the Northern Ireland Prison Service.

(AQW 20344/11-15)

Mr Ford: Information in the form requested is not readily available and could only be obtained at a disproportionate cost.

Northern Ireland Prison Service: Code of Conduct and Discipline

Lord Morrow asked the Minister of Justice, pursuant to AQW 18760/11-15, given that the Northern Ireland Prison Service has sole responsibility for the suspension and discipline of staff in accordance with the Code of Conduct and Discipline together with the statutory requirements in Schedule 1 of the Employment (NI) Order 2003 and the Labour Relations Agency Code of Practice on Disciplinary Procedures, to outline why his answer states that if a staff member is concerned about a recommendation by the Prisoner Ombudsman, that a complaint may be made to the Director of Operations directly or via an MLA to the Assembly Ombudsman or the member may challenge by way of Judicial Review.

(AQW 20350/11-15)

Mr Ford: The Prisoner Ombudsman does not make recommendations covering the suspension and/or dismissal of staff, but may recommend that the Northern Ireland Prison Service (NIPS) considers conducting an internal disciplinary investigation into a staff member's actions.

Anyone, Prison Officers included, can commence a public law challenge against any act, omission or decision of a public body.

In my response to AQW/18760/11-15, I explained that an individual officer who is concerned about a recommendation made by the Prisoner Ombudsman may make a complaint directly to the NIPS Director of Operations. If such complaints cannot be resolved internally then there is scope for a person to make a complaint via an MLA to the Assembly Ombudsman.

A recommendation of the Prisoner Ombudsman may also be open to judicial review.

Rehabilitation: Kenneth Douglas

Lord Morrow asked the Minister of Justice whether he plans to instigate a serious case review of Kenneth Douglas' rehabilitation and subsequent monitoring on release.

(AQW 20359/11-15)

Mr Ford: The Prison Service is currently conducting a review of the circumstances and decisions taken in relation to Kenneth Douglas.

Union Flag

Lord Morrow asked the Minister of Justice, pursuant to AQW 20184/11-15, given that G4S is tasked with supplying security services to the Northern Ireland Courts and Tribunals Service under contract to his Department, whether an issue surrounding the flying of the Union flag has occurred at a court house including (i) the date; (ii) when and how it was reported; (iii) if a member of G4S staff has been suspended and on what grounds; (iv) the court house at which the incident occurred; and (v) when he was notified.

(AQW 20404/11-15)

Mr Ford: On 20 February 2013 Northern Ireland Courts and Tribunals Service (NICTS) staff reported that G4S had failed to lower the Union flag at Antrim Courthouse. The Union flag had been raised on 19 February 2013, a designated flag flying day, and should have been lowered at sunset.

On 20 February 2013 G4S advised NICTS that they had commenced an investigation. Disciplinary action regarding the performance of duties by G4S employees is a matter for G4S.

I was notified of this incident on 25 February 2013.

Purpose 1

Lord Morrow asked the Minister of Justice, in relation to the current departmental Data Protection Public Register, to detail (i) the date his Department entered Purpose 1 - Visual Images Used for Staff Disciplinary Matters; (ii) who authorised that it be entered; (iii) the reasons for inclusion; (iv) when the Information Commissioner's Office was notified; and (v) whether he will publish both the original and amended versions.

(AQW 20408/11-15)

Mr Ford: This Purpose has been entered since the creation of the Department of Justice (NI) on 12 April 2010. It is a standard Class under Purpose 1 – Staff Administration (“Appointments or removals, pay, discipline, superannuation, work management or other personnel matters in relation to the staff of the data controller”). The Register is reviewed annually ‘by exception’, that is it is circulated for review by all Information Asset Owners; it was not authorised by a particular individual. The Information Commissioner's Office was first notified on 14 April 2010, and the entry has been updated annually since then. The Information Commissioner's Office maintains the register as an online database, rather than a published document, and so it is not possible to access previous versions.

Northern Ireland Prison Service: Staff

Lord Morrow asked the Minister of Justice, to detail the number of (i) serious assaults on Northern Ireland Prison Service staff by prisoners; (ii) minor assaults on staff; and (iii) prisoners that had been punished in connection with an assault.

(AQW 20410/11-15)

Mr Ford: Details of the numbers of assaults on Prison Service staff and the number of prisoners who received an adjudication award in connection with these assaults are set out in the table below:

Year	Serious assaults on staff	Minor assaults on staff	Number of prisoners who received an adjudication award in connection with assaulting staff
2008	1	27	25
2009	1	38	28
2010	2	34	30
2011	2	48	29
2012	3	45	41
Total	9	192	153

DOJ: Overtime

Lord Morrow asked the Minister of Justice, pursuant to AQW 19382/11-15, whether the costs include overtime payments to staff who had to operationally supplement the duties of those suspended.

(AQW 20411/11-15)

Mr Ford: The figures provided in my response to AQW/19382/11-15 represent the total cost incurred by the Northern Ireland Prison Service for associated salary costs of those staff suspended only.

Northern Ireland Prison Service

Lord Morrow asked Minister of Justice, pursuant to AQW 19286/11-15, on what date in March 2011 his Department and the Prison Service were notified.

(AQW 20444/11-15)

Mr Ford: I can confirm that the Prisoner Ombudsman notified the Northern Ireland Prison Service on 4 March 2011 and my office on 14 March 2011 respectively.

Northern Ireland Prison Service

Lord Morrow asked the Minister of Justice, pursuant to AQW 19382/11-15, whether the Prisoner Ombudsman had input into the identification of the Senior Officers who became subject of investigation; and how many of the officers the Ombudsman helped to identify.

(AQW 20445/11-15)

Mr Ford: The Senior Officers were not identified from the Prisoner Ombudsman's Report.

Northern Ireland Prison Service

Lord Morrow asked the Minister of Justice, pursuant to AQW 19286/11-15, whether the Prison Service confirmed to the media the assertions of the Prisoner Ombudsman (i) that on the balance of probabilities a prison officer planted a note in a prisoner's cell; (ii) the conclusion that prison staff had leaked incorrect information to the press; and (iii) that there were reasonable grounds to indicate that one member of staff may have committed disciplinary and criminal offence.

(AQW 20452/11-15)

Mr Ford: Following receipt of the Ombudsman's Report in March 2011 the Prison Service issued the following statement, against enquiry, to the media:

"The Prisoner Ombudsman's Report highlights a number of issues which the Prison Service is taking very seriously. We have launched a disciplinary investigation into this matter which has been adjourned pending the outcome of a police investigation. A member of staff has been precautionarily suspended in accordance with our code of discipline. It would be inappropriate to make any further comment until the police investigation ends."

Northern Ireland Prison Service

Lord Morrow asked the Minister of Justice, pursuant to AQW 19382/11-15, (i) who authorised this expenditure; (ii) whether he plans to investigate the use of £900k for this purpose; and (iii) whether the expenditure, on suspension alone, was kept under review and properly managed.

(AQW 20453/11-15)

Mr Ford: The authorisation to maintain salary during a period of suspension is taken by the Governor in accordance with the Code of Conduct and Discipline. I will not be investigating the use of £900,000 for this purpose as I am content this expenditure was properly authorised.

Universal AccessNI Certificate

Mr McClarty asked the Minister of Justice whether he plans to create a universal AccessNI certificate to satisfy temporary jobs that require security clearance.

(AQW 20615/11-15)

Mr Ford: In August 2011 I published a report by Sunita Mason, the Independent Advisor for Criminality Information in England and Wales, on the criminal records regime in Northern Ireland. Recommendation 6 of that report said "I recommend that a system of portable disclosures and updated online checking be introduced as quickly as possible". This would enable an individual to obtain one AccessNI certificate and use it for a variety of job positions or volunteering opportunities.

On 14 December I issued a public consultation document in response to that report. In paragraph 1.11 of that document I accepted this recommendation and stated that I would seek to make the required legislative changes in the next Justice Bill.

My officials are currently working to put appropriate procedures in place and it is hoped that 'portability' of certificates will be delivered in early 2014 within Northern Ireland.

Criminal Record Databases: Removal of Details

Mrs Dobson asked the Minister of Justice to detail all circumstances in which the removal of details from the various criminal record databases in Northern Ireland and Great Britain has occurred.

(AQW 20793/11-15)

Mr Ford: I am unable to comment in relation to criminal record databases held in Great Britain.

Criminal records in Northern Ireland are maintained by the Causeway Criminal History Database. Such records can only be amended or removed where the Criminal Justice Organisation that owns the information requests changes to be made. An example might be where an error in an individual record comes to light.

AccessNI, the criminal history disclosure unit, provides all information on an individual applicant held in criminal record databases in both Northern Ireland and Great Britain for Standard and Enhanced criminal record checks, except for cautions and other similar disposals. For Basic disclosures, AccessNI will, in accordance with the Rehabilitation of Offenders (Northern Ireland) Order 1978, not disclose any convictions regarded as "spent".

Northern Ireland Prison Service

Lord Morrow asked the Minister of Justice, pursuant to AQW 19968/11-15, who or which agency or government body reported this matter to the PSNI for investigation.

(AQW 20823/11-15)

Mr Ford: The Prisoner Ombudsman reported this matter to the PSNI for investigation as required under Prison Rule 79L (8).

Community Safety College, Desertcreat

Mr McGlone asked the Minister of Justice for an update on the new Community Safety College at Desertcreat, including revised projected timescales, cost and consultants fees to date.

(AQW 20844/11-15)

Mr Ford: Five bidders had been invited to submit tenders for delivery of the project, but when received these were substantially over the available budget. As the tenders contain commercially sensitive information it is not possible to provide detailed financial information.

Detailed investigations have been carried out on behalf of the Desertcreat Programme Board to identify what led to the significant differences between the anticipated costs and tenders received. Specific remedial actions have been identified and agreed with the Design Team Consultants.

Work is underway to identify options to reduce costs in areas which will not compromise the functionality of the College. Following completion of this work the Outline Business Case will be updated and consideration will then be given to the appointment of a preferred bidder.

The cost of consultancy for the project to date has been £350,000.

Department for Regional Development

Local Shop Mobility Schemes

Mr I McCrea asked the Minister for Regional Development why his Department has withheld the fourth quarter payment to local shop mobility schemes.

(AQW 20265/11-15)

Mr Kennedy (The Minister for Regional Development): The Department normally withholds payment of fourth quarter grants from local shop mobility schemes until it receives audited accounts from the schemes for the financial year in question. Once these have been reviewed the fourth quarter grant will be released. In order to minimise any potential cash flow problems that the schemes might otherwise experience the Department does and will make advances where this is justified.

Penalty Charge Notices

Mr Weir asked the Minister for Regional Development, pursuant to AQW 19311/11-15, how many of the penalty charge notices in 2012 were from the three car parks that were previously free to use.

(AQW 20286/11-15)

Mr Kennedy: Pay and Display charging was introduced in three car parks in Bangor during 2012. Enforcement commenced on 2 July 2012 and details of the number of Penalty Charge Notices (PCNs) issued in the car parks, to the end of December 2012, are as follows:

Dufferin Avenue	Abbey Street West	Central Avenue
237	138	26

Bus Fleet Replacement

Mr Agnew asked the Minister for Regional Development, following the recent announcement that £6.7 million has been earmarked for bus fleet replacement, whether this opportunity will be used to provide audio visual information in order to make buses fully accessible to blind and partially sighted people.

(AQW 20287/11-15)

Mr Kennedy: Last year my Department, in conjunction with Guide Dogs and Translink, completed a successful pilot of audio visual systems on a Metro route in Belfast using the existing Bus Trak system. The contract for the future provision of this service is planned to be re-tendered later this year. Most of the recently-announced funding is for buses for the Ulsterbus fleet, which does not currently have facilities for either real time or audio visual information.

Translink is planning to review the options for the provision of passenger information on Ulsterbus and this, together with the re-tendering of the Metro contract, will enable the Department and Translink to develop future plans for real time and audio visual information, subject to funding availability. As a result, at this stage it is not possible to determine what systems would be required to provide audio visual information on either the Metro or Ulsterbus fleet in the future.

DRD: Declan Gormley

Mr Wells asked the Minister for Regional Development to detail the total costs incurred by his Department as a result of the decision taken by his predecessor to remove Declan Gormley from the post of Non-Executive Director of Northern Ireland Water in March 2010.

(AQW 20290/11-15)

Mr Kennedy: My department does not yet have the details of the total legal fees. I would however emphasise that the terms of the settlement were an apology and payment of Mr Gormley's reasonable legal costs to date. There will be no damages or compensation.

The Plaintiff's solicitors will submit a note of their fees and outlay in due course. These will then be considered by my department in consultation with the Departmental Solicitor's Office, prior to agreement and payment.

Ministers with Responsibility for Transport

Mr Ross asked the Minister for Regional Development whether he has met with Ministers with responsibility for transport in other parts of United Kingdom and the Republic of Ireland within the past year and to outline the conclusions of the meetings.

(AQW 20329/11-15)

Mr Kennedy: Since 1 February 2012 to date I have met with Minister Varadakar, Minister for Transport, Tourism and Sport in the Republic of Ireland at the North, South Ministerial Council Transport Sectoral Meetings held on 20 April 2012 and 5 October 2012. The conclusions of these meetings are set out in the Joint Communiqués of the meetings which can be accessed at the links below:

http://www.northsouthministerialcouncil.org/index/publications/joint-communiqués/sectoral-jc/transport_jc/transport_jc_20_april_2012.htm

http://www.northsouthministerialcouncil.org/index/publications/joint-communiqués/sectoral-jc/transport_jc/transport_jc_5_oct_2012.htm

In addition, I routinely correspond with the UK Transport Minister on a range of issues.

DRD: Declan Gormley

Mr Weir asked the Minister for Regional Development to detail the total legal costs his Department has incurred in relation to the recently concluded Declan Gormley case.

(AQW 20361/11-15)

Mr Kennedy: My department does not yet have the details of the total legal fees. I would however emphasise that the terms of the settlement were an apology and payment of Mr Gormley's reasonable legal costs to date. There will be no damages or compensation.

The Plaintiff's solicitors will submit a note of their fees and outlay in due course. These will then be considered by my department in consultation with the Departmental Solicitor's Office, prior to agreement and payment.

Penalty Charge Notices

Mr Weir asked the Minister for Regional Development how many Penalty Charge Notices have been (i) appealed; (ii) overturned; and (iii) dropped at appeal stage, in each of the last five years.

(AQW 20363/11-15)

Mr Kennedy: It is assumed the Member's question refers to formal appeals made to The Traffic Penalty Tribunal, rather than informal challenges and representations made to Roads Service. Details of the numbers of appeals processed and upheld are shown in the table below:

Year	Appeals Processed	Appeals Upheld	% of Appeals Upheld
2012/13 (to end Jan.)	232	52	22%
2011/12	289	70	24%
2010/11	281	74	26%
2009/10	258	72	30%
2008/09	314	58	18%

In 2012/13 (up to the end of January 2013), the number of appeals upheld, not contested by Roads Service, was 28; and the number of appeals withdrawn by the appellant was 24.

In 2011/12, the number of appeals upheld, not contested by Roads Service, was 29; and the number of appeals withdrawn by the appellant was 28.

Figures are not available for previous years. The most common reason for Roads Service not contesting cases is the provision of additional relevant information or evidence.

Roads Maintenance: Lisburn City Council

Mr Craig asked the Minister for Regional Development to detail (i) the spend in the Lisburn City Council area on roads maintenance in 2012/13 and 2013/14; and (ii) what percentage is earmarked for rural roads.

(AQW 20383/11-15)

Mr Kennedy: Financial information relating to the current financial year, for my Department's Roads Service is not available at present. Details of 2012/13 expenditure, in any council area, will not be available until after the accounts have been scrutinised by the Northern Ireland Audit Office (NIAO) and laid before the Assembly, which is unlikely to be before June 2013.

As the maintenance allocation process, for 2013/14, is still ongoing, unfortunately I am also currently unable to confirm what the initial allocations for each Section Office/Council area will be.

In general terms, the resources available for road maintenance during the 2013/14 financial year will be distributed to the four Roads Service Divisions on the basis of need, using a range of weighted indicators tailored to each maintenance activity, namely, resurfacing, patching, gully emptying and grass cutting. Officials use these indicators when apportioning budgets across Council areas to ensure, as far as possible, an equitable distribution of available funds across Northern Ireland.

Notwithstanding the above, Roads Service does not maintain financial information on the basis of an urban/rural split and therefore is unable to provide details of its planned spend on rural roads.

Footbridge and Subway Expenditure

Mr Weir asked the Minister for Regional Development, pursuant to AQW 17541/11-15, to detail the total expenditure on (i) footbridges; and (ii) subways, in each of the last five years.

(AQW 20417/11-15)

Mr Kennedy: Details of all new footbridge and subway projects completed during the last five years, including expenditure, are provided in the table below:

Scheme	Cost	Year of Construction
Fisher's Lane Footbridge, Comber	£51,000	2008
Ballystockart Footbridge, Comber	£35,000	2008
Swatragh Footbridge	£135,000	2009
City Hospital, Lisburn Station Footbridge Modifications (2009) - NIR Station DDA project	£794,900	2009
Ballinderry Footbridge	£200,000	2010
Newry Station and Park & Ride - New Footbridge	£5,680,000	2007 - 2011
Broadbridge Footbridge	£434,500	2011
Campsey Underpass	£748,000	2011
Fisherman's Walkway Footbridge	£138,000	2012
Pedestrian Underpass Lengthened at Madams Bank Road, Londonderry	£20,000	2012
Irishtown Footbridge, Omagh	£475,000	2012
Cherrymount Public Footbridge, Enniskillen	£150,000	2012
St Michael's College Footbridge, Enniskillen	£150,000	2012
Ballyrainey Footbridge, Comber	£87,200	2012
Creggan Footbridge (B30), Creggan, Newry	£177,000	2012
Ballymoney Station New Footbridge	£745,800	2008 - 2012
Titanic Quarter – Platform extension programme	£550,000	2012
Lurgan Station Footbridge Cladding	£27,300	2012
Maghera Park & Ride, subway provided using side span of existing bridge	£35,000	2012
Portadown Station Refurbishment - New Footbridge	£850,000	2013

Road Safety: Gransha Road, Bangor

Mr Weir asked the Minister for Regional Development what plans his Department has to provide ongoing monitoring of traffic and road safety on the Gransha Road, Bangor.

(AQW 20421/11-15)

Mr Kennedy: My Department's Roads Service receives reports from the PSNI of all road traffic collisions that result in personal injury. Officials review this data with a view to identifying specific locations with poor roads safety records and bringing forward scheme proposals for sites, where it is evident the collisions have common contributory factors that could be addressed by engineering measures. Roads Service will continue to monitor Gransha Road and, if further intervention is deemed to be appropriate, consider the provision of additional measures.

I am, however, aware of public concern regarding road safety on the Gransha Road Roundabout and Roads Service will be commissioning consultants to carry out a feasibility study on the provision of a controlled pedestrian crossing facility at this location.

Northern Ireland Water

Mr Easton asked the Minister for Regional Development how many people are employed by Northern Ireland Water.

(AQW 20433/11-15)

Mr Kennedy: I have been advised by Northern Ireland Water that at 28 February 2013 it employs a total of 1,324 people, 8 of which are currently on career break and 6 of which are employed as Non-Executive Directors.

Northern Ireland Water: Transport Fleet

Mr Easton asked the Minister for Regional Development how many vehicles make up Northern Ireland Water's transport fleet.

(AQW 20434/11-15)

Mr Kennedy: I have been advised by Northern Ireland Water that it currently has 571 vehicles in operational use.

Northern Ireland Water: Transport Fleet

Mr Easton asked the Minister for Regional Development to detail the annual fuel cost of Northern Ireland Water's transport fleet, in each of the last three financial years.

(AQW 20435/11-15)

Mr Kennedy: I have been advised by Northern Ireland Water that the annual fuel cost of its transport fleet in each of the last three financial years is as included in the table below.

Financial Year	2009/10	2010/11	2011/12
FUEL COST £ million	1.3	1.4	1.5

Sewage Pumping Stations

Mr Easton asked the Minister for Regional Development to detail the number of sewage pumping stations.

(AQW 20436/11-15)

Mr Kennedy: I have been advised by Northern Ireland Water that it has responsibility for 1,270 wastewater pumping stations across Northern Ireland. These are broken down by council area as follows:

North Down	46
Ards	85
Down	86
Craigavon	69
Ballymoney	25
Newry & Mourne	87
Larne	25
Limavady	43
Moyle	22
Omagh	34
Lisburn	57

Strabane	40
Fermanagh	87
Dungannon	77
Magherafelt	45
Newtownabbey	26
Belfast	24
Banbridge	39
Antrim	47
Castlereagh	16
Derry	63
Coleraine	62
Cookstown	41
Armagh	75
Carrickfergus	14
Ballymena	35

DRD: Hospitality

Mr Allister asked the Minister for Regional Development to detail the spend by his Department and its arm's length bodies on hospitality in 2011/12.

(AQW 20501/11-15)

Mr Kennedy: The amount spent on hospitality by the Department and its Arm's Length Bodies in 2011/12, and previous years reflecting the information provided to you in response to AQWs 8070/11-15 and 9246/11-15, is detailed below:

Year	Department £'000	NITHC £'000	NI Water £'000	Total Cost £'000
2006 / 07	59	27*	62**	148
2007 / 08	81	27*	63	171
2008 / 09	59	26*	67	152
2009 / 10	44	27	53	125
2010 / 11	40	24	18	82
2011 / 12	33	31	19	83

* The NI Transport Holding Company (NITHC) is the parent company of Northern Ireland Railways, Metro and Ulsterbus all operating as Translink. Expenditure by the holding company is excluded as it transferred to a new accounting system in 2009/10, prior to which hospitality expenditure was not separately identifiable.

** NI Water costs for 2006/07 relate to its predecessor Water Service.

For completeness Translink has advised that there may also be occasions when executives and senior management provide working lunches at meetings which are paid for and claimed back through expenses. These come out of payroll and to extract such detail would involve disproportionate cost.

Translation Costs

Mr Weir asked the Minister for Regional Development to detail the cost of translating departmental letters and documents into (i) Irish; and (ii) each other language, in each of the last five years.

(AQW 20509/11-15)

Mr Kennedy: The table below sets out the costs of translating departmental letters and documents into (i) Irish; and (ii) each other language, in each of the last five years.

Period	Costs of translation into:				
	Irish £	Ulster Scots £	Portuguese £	Polish £	Spanish £
2008/2009	3684.55	91.00	70.50	69.00	0.00
2009/2010	3225.72	0.00	143.40	0.00	0.00
2010/2011	4889.46	0.00	0.00	0.00	40.00
2011/2012	937.00	0.00	0.00	0.00	0.00
2012/2013 (up to 6/3/13)	298.92	185.52	0.00	0.00	0.00

DRD: Overtime

Mr Easton asked the Minister for Regional Development to detail the total overtime payments made to staff in his Department, in each of the last three financial years.

(AQW 20519/11-15)

Mr Kennedy: The amount spent on overtime payments to staff in my Department in each of the last three financial years is detailed below.

Year	2009/10	2010/11	2011/12
Overtime Spend (£000's)	3,586	2,560	2,693

DRD: Claims

Mr Easton asked the Minister for Regional Development how much has been paid to settle claims against his Department, in each of the last three financial years.

(AQW 20558/11-15)

Mr Kennedy: Details of the amount which has been paid to settle claims against my Department, in each of the last three financial years, are shown in the table below.

Year	2009/10	2010/11	2011/12
(£000's)	2,034	2,641	2,435

Of the amounts paid to settle claims 93% relates to public liability claims for personal injury, vehicle damage, and property damage.

Public Car Parks: Millisle

Mr Easton asked the Minister for Regional Development whether there are plans to resurface the public car parks in Millisle.

(AQW 20601/11-15)

Mr Kennedy: My Department's Roads Service inspects public car parks on a regular basis and any defects identified, that require remedial action, are dealt with on a prioritised basis in accordance with established maintenance standards.

Transport Northern Ireland

Mr Dickson asked the Minister for Regional Development how Transport Northern Ireland will help to coordinate and improve the planning, management and delivery of transport across Departments.

(AQW 20613/11-15)

Mr Kennedy: Transport NI will be responsible for planning, managing and regulating public transport service in Northern Ireland. This includes licensing of routes but operator licensing will remain with the Department of Environment. Transport NI does not currently have any statutory or operational remit for the publicly funded passenger services provided by other Departments. Nonetheless, the Department for Regional Development has proactively organised and is currently working with the Department of Health, Social Services & Public Safety, the Department of Education, the Department of Agriculture and Rural Development and other organisations to explore the opportunities for improved integration and efficiency of services through a pilot project in the Dungannon and Cookstown areas. When the pilot project gets underway later this year it will be subject to a period of evaluation to assess the benefits and viability of the wider roll-out of such arrangements. The evaluation will help to determine the degree to which more integrated planning and delivery is possible and the timescales for implementation.

Upgrade of Main Street and Footways: Clady, Co Tyrone

Ms Boyle asked the Minister for Regional Development to detail (i) why Roads Service has postponed its planned works to upgrade the Main Street and footways in Clady village, Co Tyrone; (ii) when this work is likely to commence; and (iii) what other works by Roads Service which had been due to commence have also been postponed for the same reasons.

(AQW 20666/11-15)

Mr Kennedy: I understand that the scheme to which you are referring is the planned resurfacing of the Urney Road, Clady. Unfortunately, these works have been postponed due to contractor resource issues. This has also impacted on the planned resurfacing of the B72 Upper Strabane Road, Castlederg, which had been scheduled to start on Monday 11 March.

Roads Service officials are working to resolve the issue as quickly as possible, and hope that both schemes can be re-programmed for the 2013/14 financial year.

Train Stations

Mr Hussey asked the Minister for Regional Development to list the ten busiest train stations in 2012; and for a comparison of passenger numbers at each station for the last three years.

(AQW 20682/11-15)

Mr Kennedy: Translink has advised that the attached table gives details of the 10 busiest rail station facilities on the NIR network. It also provides information in relation to passenger flows at these locations.

NI Railways Station Passenger Flows

	STATION	2011/12	2010/11	2009/10
1	Great Victoria Street	3,863,661	3,795,766	3,831,643
2	Central	2,052,010	1,938,708	1,878,133
3	Bangor	1,662,540	1,605,843	1,587,508
4	Lisburn	1,271,649	1,201,590	1,179,860
5	Portadown	933,745	869,613	826,477
6	Lurgan	855,796	845,918	817,705
7	Botanic	827,896	805,976	756,460
8	Coleraine	699,802	669,403	590,840
9	Carrickfergus	695,592	659,349	649,030
10	Ballymena	525,001	484,303	452,057

Europa Station

Mr Hussey asked the Minister for Regional Development to detail the total number of (i) bus; and (ii) train passengers that have passed through Europa Great Victoria Street Station in each of the last three years.

(AQW 20683/11-15)

Mr Kennedy: Translink has advised that the table below gives details of the total passenger flows at Great Victoria Street rail station and the Europa Bus Centre in each of the last three years.

	2011/12	2010/11	2009/10
Great Victoria Street Rail Station	3.86m	3.79m	3.83m
Europa Bus Centre	3.74m	3.45m	3.37m

Shop Mobility in Cookstown

Lord Morrow asked the Minister for Regional Development how much funding has been agreed for Shop Mobility in Cookstown; and how much has been provided to date.

(AQW 20701/11-15)

Mr Kennedy: The Department has issued a Letter of Offer to Cookstown Shopmobility for £29,500 which covers the 2012/13 financial year. To date they have been paid £27,014.

Donaghadee Bus Station

Mr Dunne asked the Minister for Regional Development to explain the rationale behind the decision to close the Donaghadee Bus Station without prior public consultation.

(AQW 20752/11-15)

Mr Kennedy: Translink have advised me that their proposal to close Donaghadee bus station followed a review of operations at that location. The review established that the proposal to relocate vehicles and drivers from this sub-depot to its 'home' depot of Newtownards, and potentially Bangor would generate savings and ultimately assist in making front-line bus services more financially sustainable and providing an improved maintenance service. Translink advise that there will be no reduction to services, although there may be some minor timetable changes to accommodate the new operational service patterns.

In week commencing 25 February 2013 Translink issued a communication to political representatives and the Consumer Council for Northern Ireland in order to commence discussion with public representatives and other interested stakeholders. All were invited to contact Translink as part of the process. Local management will be organising a consultation session for bus users in Donaghadee bus station within the next few weeks and arrangements are also being made to attend Newtownards Borough Council to outline proposals. No final decisions will be made until this consultation is completed.

All-Ireland Freight Forum and Steering Group Meeting

Mr McMullan asked the Minister for Regional Development for an update on the (i) All Ireland Freight Forum; and (ii) Steering Group Meeting on 13 March 2012, including new focus areas.

(AQW 20869/11-15)

Mr Kennedy: I refer the member to my statement in the Assembly on 16 October 2012 following the North-South Ministerial Transport Sectoral meeting of 5 October 2012. Minister Varadkar and I had agreed to conclude the work of the All Island Freight Forum as much of its work had finished and sufficient contacts had been made North and South for important issues to be carried forward on a bilateral basis.

Department for Social Development

Voluntary and Community Sector

Mr B McCreagh asked the Minister for Social Development what engagement he has had with key stakeholders in the voluntary and community sector, in the last six months.

(AQW 20256/11-15)

Mr McCausland (The Minister for Social Development): In my role as Minister for Social Development I am continually meeting with key stakeholders within the voluntary and community sector. Within the last six months I have met with a whole range of groups and organisations. In illustration of this engagement a sample of my engagements has included meeting representatives of food banks, meeting with key sector representatives to discuss regional support for women in disadvantaged/rural areas, attending numerous meetings with volunteering organisations, addressing key regional meetings of sectoral organisations such as the Joint Forum and meetings to discuss key issues such as social enterprise.

Housing Executive Properties

Mr Eastwood asked the Minister for Social Development to detail (i) the number of Housing Executive (HE) properties; (ii) the number of HE properties with gas heating; (iii) the (a) number; and (b) percentage of properties with gas heating that were deemed 'no access'; (iv) the cost to the HE of gaining access to 'no access' properties; (v) the procedure for gaining access to these properties; (vi) the cost of each element of this procedure; and (vii) the (a) number; and (b) percentage of properties which the HE was unable to access for an annual gas survey in the last twelve months.

(AQW 20263/11-15)

Mr McCausland: The Housing Executive has provided the information requested in relation to their properties as follows: In relation to

- (i) currently has 88,698 properties;
- (ii) 36,600 have gas heating;
- (iii) (a) During the last 12 months there were 3,527 reports of 'no access' to properties;
- (iii) (b) this represents 9.6% of stock which has gas heating;
- (iv) Specific costs incurred in relation to 'no access' costs consists of administration staff phoning tenants, sending out legal letters and where necessary issuing job requests to cut off gas supplies; however specific costs for this are not available;
- (v) The procedure for 'no access' calls are: -
 - Contractors are issued with address for the annual service 60 days before the annual service is due, and it is they who are responsible for arranging access;

- Contractors notify the tenants in writing and will telephone the tenants to arrange a suitable date and time for the service to take place;
 - If, after writing and telephoning tenants, no response is received from the tenant the contractors' engineers will call with the tenant to arrange access;
 - If, after two attempts the contractor has not been able to obtain access, they will record a 'no access' against the annual service and refer the address back to the Housing Executive for action;
 - All 'no access' addresses are referred to the Housing Executive's Customer Service Unit who will attempt to contact the tenant by telephone to arrange access. If there is no contact made, the tenants are notified in writing of their obligations under their tenancy agreement to allow access to Housing Executive contractors to carry out necessary checks and refusal may result in legal action being taken against the tenant. Tenants are given 7 days to respond;
 - Where the District Office has exhausted all attempts to gain the co-operation of the tenant to complete the annual safety check, the District Manager will arrange for a works order to be issued to cut off the gas supply;
 - In circumstances where the tenant informs the service engineer that they do not use the heating system, the District Office should obtain the consent of the tenant to cap the gas supply.
- (vi) Specific costs associated with each element of the above procedures are not available. (vii) (a) Access has not been obtained to 205 dwelling of the initial 3,527 'no access' reports in the last 12 months (vii) (b) This represents 0.6% of the stock with gas heating, with the consequence that these addresses have either had their gas supply disconnected or legal proceedings have been instigated.

Housing Executive Properties: North Down

Mr Easton asked the Minister for Social Development how many Housing Executive properties in North Down are unoccupied. (AQW 20282/11-15)

Mr McCausland: The information is not available in the format requested as the Housing Executive does not routinely collate data by Parliamentary Constituency.

However, the Housing Executive advises that at 31 January 2013 it had 69 vacant properties within their Bangor District Office area.

The Information provided in this response is governed by the Principles and Protocols of the Code of Practice for Official Statistics. This is enforced by UK Statistics Authority.

Rehousing: North Down

Mr Easton asked the Minister for Social Development how many people in North Down require rehousing. (AQW 20283/11-15)

Mr McCausland: The information is not available in the format requested as the Housing Executive does not routinely collate data by Parliamentary Constituency. However, the Housing Executive has advised that the numbers of people on the waiting list for their Bangor District Office is as follows:

Bangor District Waiting List: 1 February 2013

Applicant Type	Housing Stress		Total
	Yes	No	
Applicant	1,179	1,202	2,381
Housing Executive Transfer	142	137	279
Housing Association Transfer	29	48	77
Total	1,350	1,387	2,737

The Information provided in this response is governed by the Principles and Protocols of the Code of Practice for Official Statistics. This is enforced by UK Statistics Authority.

Homelessness: North Down

Mr Easton asked the Minister for Social Development how many people in North Down are homeless. (AQW 20284/11-15)

Mr McCausland: The information is not available in the format requested as the Housing Executive does not routinely collate data by Parliamentary Constituency. However, the Housing Executive advises that the number of people presenting as homeless to their Bangor District Office at January 2013 is 313.

The Information provided in this response is governed by the Principles and Protocols of the Code of Practice for Official Statistics. This is enforced by UK Statistics Authority.

Average Weekly Rent

Mr Campbell asked the Minister for Social Development what was the average weekly rent in 2012 for (i) Housing Executive; and (ii) Housing Association (a) 1 bed; (b) 2 bed; and (c) 3 bed accommodation.

(AQW 20304/11-15)

Mr McCausland: In relation to (i) the information is not available in the format requested as the Housing Executive does not provide an average weekly rent in relation to the number of bedrooms in their properties. However, they have provided the table below setting out a rent value based on the number of bed spaces in their properties for the year 2012/13:-

Property Type	Bed space		
	1	2	3
Detached House	£56.34	£58.00	£64.62
Semi-detached House	£51.37	£53.02	£59.65
Terrace	£49.71	£51.37	£58.00
Flat/Maisonette (2 storey or less)	£41.43	£43.08	£49.71
Flat/Maisonette (3 storey or more)	£36.45	£38.11	£44.74

In relation to (ii) as of 31 March 2012, the average weekly rent for Housing Association property is as follows (this is the latest information available): -

Type	1 bed	2 bed	3 bed
Average Rent	£51.98	£68.82	£79.32

The Information provided in this response is governed by the Principles and Protocols of the Code of Practice for Official Statistics. This is enforced by UK Statistics Authority.

Social Housing Waiting List: South Belfast

Mr Maskey asked the Minister for Social Development to detail the current social housing waiting list for the South Belfast constituency, broken down by neighbourhood.

(AQW 20317/11-15)

Mr McCausland: Social Housing applicants in housing stress (30 points or more) in the South Belfast Parliamentary Constituency total 1,657 households. Single households comprise the largest group representing 61% of the waiting list, followed by families (28%) and elderly households (11%)

Additional information regarding the Social Housing Development Programme is published on: http://www.nihe.gov.uk/index/services/housing_need.htm

Social Housing: South Belfast Constituency

Mr Maskey asked the Minister for Social Development what plans his Department has for meeting the social housing need in the South Belfast constituency.

(AQW 20318/11-15)

Mr McCausland: Social housing need in the South Belfast constituency is being addressed through the allocation of relets and the construction of new social homes. During the 2012 calendar year there were a total of 550 allocations and the Social Housing Development Programme (SHDP) includes plans for the delivery of 358 new social homes over the next 3 years.

Additional information regarding the Social Housing Development Programme is published on: http://www.nihe.gov.uk/index/services/housing_need.htm

Housing Executive Properties: Gas

Mr Easton asked the Minister for Social Development in which areas of Bangor will mains gas be installed into Housing Executive properties in the next two years.

(AQW 20370/11-15)

Mr McCausland: The Housing Executive advises that, in the next two financial years, it will replace 52 Economy 7 heating systems with gas central heating in the Rathgill and Willowbrook Estates; and will also replace 108 oil heating systems with gas central heating in Rathgill, Kilcooley and Loughview.

Housing Executive Properties: Door Replacements

Mr Easton asked the Minister for Social Development what plans the Housing Executive has to replace the doors in its properties in North Down.

(AQW 20373/11-15)

Mr McCausland: The Housing Executive advises that it does not have a specific external door replacement programme. However, it ensures that defective doors are being addressed through its External Cyclical Maintenance schemes, as well as through response maintenance schemes as the need is identified.

Housing Executive Properties: Double Glazing

Mr Easton asked the Minister for Social Development how many Housing Executive properties in North Down have yet to be double glazed.

(AQW 20374/11-15)

Mr McCausland: The Housing Executive advises that it installed double glazing in 592 dwelling within their Bangor District Office area in 2012/13. There are approximately a further 300 properties that will be included in a new double glazing contract being introduced later this year which will see this work completed by March 2015.

One-bedroom Properties: Foyle

Mr Durkan asked the Minister for Social Development to detail the number of one bed properties available in the Foyle Constituency area.

(AQW 20375/11-15)

Mr McCausland: The information is not available in the format requested as the Housing Executive does not routinely collect data by Parliamentary Constituency. However, the Housing Executive has advised that they have one bedroom properties as follows: -

- Waterside District Office area 176
- Waterloo Place District Office area 365 and 16 bedsits
- Collon Terrace District Office area 201

Housing Associations have advised that they have a total of 337 one bed properties in the Foyle Constituency. It should be noted however that this figure does not include Supported or Sheltered Housing Association's units of accommodation.

The Information provided in this response is governed by the Principles and Protocols of the Code of Practice for Official Statistics. This is enforced by UK Statistics Authority.

DSD: Newbuilds

Mr Durkan asked the Minister for Social Development to detail the number of new builds his Department has planned (i) across Northern Ireland; and (ii) in the Foyle Constituency in 2013-15.

(AQW 20376/11-15)

Mr McCausland: Plans are to start a total of 3,275 new social homes across Northern Ireland over the two year period 2013/14 and 2014/15. This will complete the social housing element of the Programme for Government commitment to deliver 8,000 new social and affordable homes by 2015.

For the Foyle Constituency, the recently published Social Housing Development Programme for the three year period 2013/14 to 2015/16, proposes building 172 new social homes in 2013/14 and 334 new social homes in 2014/15. The individual schemes are published on the Housing Executive's website at http://www.nihe.gov.uk/index/services/housing_need.htm

DSD: Newbuilds

Mr Durkan asked the Minister for Social Development to detail the number of new builds his Department delivered (i) across Northern Ireland; and (ii) in the Foyle Constituency in 2011-2012.

(AQW 20377/11-15)

Mr McCausland: In 2011/12, a total of 1,410 new social homes were delivered across Northern Ireland. Of those, 211 new social homes were located in the Foyle Constituency.

Housing Executive Tenants

Mr Durkan asked the Minister for Social Development how many Housing Executive tenants are on the transfer list in the Foyle Constituency.

(AQW 20378/11-15)

Mr McCausland: The information cannot be provided in the format requested as the Housing Executive does not routinely collate data by Parliamentary constituency.

However, at 1 March 2013 there were 232 transfer cases for their Waterloo Place District Office, 144 cases for their Waterside District Office and 177 cases for their Collon Terrace District Office, giving a total of 553 transfer cases.

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Housing Executive: Underoccupancy Penalty

Mr Copeland asked the Minister for Social Development, in light of the potential impact of the under occupancy penalty, whether the Northern Ireland Housing Executive has changed its policies and practices on property allocation.

(AQW 20441/11-15)

Mr McCausland: The Housing Executive advises that it and Registered Housing Associations (as participating landlords in the Common Selection Scheme) recognise that a comprehensive approach to allocations and housing options is a key element in responding to the introduction of Housing benefit size restrictions for both existing and future tenants. As landlords, the Housing Executive seeks to allocate accommodation to applicants in line with the Housing Benefit size restriction policy to mitigate any adverse impacts on new tenants such as potential financial hardship and risk of arrears incurring when the changes are implemented.

They have identified a number of rules in the Housing Selection Scheme which require consideration in order to make the best use of housing stock in future allocations and the support of existing tenants affected by the changes. This includes: -

Minimum bedroom requirements for allocations

- Bringing the age criteria for children sharing bedrooms into line with Housing Benefit criteria
- Flexibility to allow allocations of an additional bedroom to parents with access to children
- Flexibility to allow allocations in difficult-to-let areas
- Overcrowding rules to bring the age criteria for sharing bedrooms into line with the proposed Housing Benefit size restriction
- Extending management transfer status to give priority to under occupying tenants who need to move to a smaller property
- Allow discretion for landlords to decline consent to a policy succession where the new tenant would be under occupying
- Allowing access to transfers and exchanges for those tenants who are under occupying and impacted by the proposed changes
- Removing the existing 12 month residence requirement for the creation of joint tenancies

The Housing Executive launched a consultation from 15 November 2012 to 24 January 2013 seeking views on these proposals. The consultation was circulated to over 800 groups in the community, voluntary, statutory and political groups as well as being published on the Housing Executive's website and social media pages.

Analysis of the responses to the consultation is being carried out and a report including a summary of response will be produced for the Housing Executive Board and my Department.

An Equality Impact Assessment (EQIA) on the proposed changes has been carried out and, subject to its outcome and approval by the Housing Executive Board and my Department, the intention is to implement the amendments to the Housing Section Scheme to coincide with the introduction of the size restriction in Housing Benefit.

DSD: Hospitality

Mr Allister asked the Minister for Social Development, pursuant to AQW 19630/11-15, (i) whether this figure includes the hospitality spend by departmental arm's-length bodies in 2011/12; and (ii) if not, to provide the amount.

(AQW 20510/11-15)

Mr McCausland: The figure given in response to your previous question did not include the spend by arm's length bodies. Their spend on hospitality in the 2011-12 financial year amounted to £24,270.46

Bedroom Tax

Mr Agnew asked the Minister for Social Development whether his Department will meet the removal costs for people who are on low incomes and who may become subject to the bedroom tax, and forced to downsize as a result.

(AQW 20529/11-15)

Mr McCausland: Discretionary Housing Payments are administered by the Northern Ireland Housing Executive within a limited amount of funding each year.

The Housing Executive will therefore consider each claim for a Discretionary Housing Payment on its own merits. The claimant will be required to show that they are in need of further financial assistance in order to meet essential housing costs. While it may be possible to interpret housing costs as including lump sum payments such as removal costs, this would only be considered on an individual basis and in each case against a background of competing priorities for the limited funding available.

Universal Credit

Mr Girvan asked the Minister for Social Development for an update on the introduction of Universal Credit, including to which household member the payment will be made and the frequency of the payment.

(AQW 20565/11-15)

Mr McCausland: Work is continuing to progress the implementation of Universal Credit in Northern Ireland from April 2014 and my officials are working closely with their counterparts in the Department for Work and Pensions.

The intention is that Universal Credit should reflect the world of work and we need to ensure the benefit system does not create barriers for people moving into employment. However, recognising the challenges brought about by the financial changes under Universal Credit, I have secured flexible payment arrangements, to protect the most vulnerable claimants in Northern Ireland.

Making payments to claimants on a monthly frequency will help smooth the transition into monthly paid work, encourage personal responsibility for finances and support claimants to budget on a monthly basis. In Great Britain 82% of employees are currently paid on a 4 weekly or monthly cycle whilst in Northern Ireland only 68% are paid on a 4 weekly or monthly cycle. Concerns have been raised about the frequency of payment of Universal Credit at various stages of consideration of the Welfare Reform Bill and therefore I am currently reviewing options and designing criteria for claimants to receive more frequent payments.

Under Universal Credit, couples living in the same household will make a joint claim for benefit and it will be for the couple to decide who should receive the Universal Credit payment and whether it should be paid into a joint account. However, I recognise that in certain situations a single payment may lead to finances being controlled by one member of the household who does not have responsibility for managing household finances, in particular, adequately providing for the needs of children. Therefore, I am also considering options in designing criteria for split payments.

I recognise that many in the community and voluntary sectors continue to have concerns about the payment of Universal Credit. In recognition of this I have instructed officials to continue to consult with representatives from the community and voluntary sector to identify possible options for the flexible payment of Universal Credit. This work will inform the development of a set of guidelines for determining the circumstances when the Universal Credit payment should be made on a twice-monthly basis or split between household partners. It is crucial that the criteria for flexibility can be constructed within the core information technology system for Universal Credit to facilitate accurate and timely payments and to minimise manual processing. Officials are also considering the operational details of how direct payments to landlords will be organised.

Welfare Reform Bill: Underoccupancy Penalty

Ms McGahan asked the Minister for Social Development how many additional properties are estimated to be required to address the under occupancy penalty in the Welfare Reform Bill in the (i) Dungannon and South Tyrone District Council area; and (ii) Fermanagh District Council area.

(AQW 20667/11-15)

Mr McCausland: An estimate of how many additional properties required to address under occupancy is dependent on a number of variables including the level of re-lets and the willingness of tenants to move. However, the Housing Executive estimates that the number of households that are likely to be affected by the new Housing Benefit under-occupancy rule/size restriction are as follows: -

- (i) Dungannon and South Tyrone District Council area - 715 social sector households.
- (ii) Fermanagh District Council area - 889 social sector households.

With Welfare Reform, I recognised the potential for under occupation within current housing stock and the need for additional one bed units. I instructed the Housing Executive, who manage the Social Housing Development Programme, to ensure that Housing Associations bring forward additional single units over the next three years. I also intend to put in place housing services that will provide support and assistance for those impacted and I have tasked both the Housing Executive and Housing Association movement to bring forward an action plan to provide a range of support measures to mitigate and support those households affected.

The Information provided in this response is governed by the Principles and Protocols of the Code of Practice for Official Statistics. This is enforced by UK Statistics Authority.

Social Housing

Mr G Kelly asked the Minister for Social Development whether his Department has delivered on its commitment to reduce the number of dwellings failing to meet the agreed standard for social homes.

(AQO 3585/11-15)

Mr McCausland: Figures from the most recent 2011 House Condition Survey show that 96.3% of social housing stock meets the decent homes standard. Whilst the overall standard of social housing stock is among the best in the United Kingdom, it is unacceptable that there continues to be a long standing hard core of Housing Executive homes that fail the decent homes test. The Housing Executive is clearly failing its tenants on this most fundamental of rights.

My recently announced reform of the Housing Executive recognised that the current model is not able to make best use of scarce public resources. If we are to continue to deliver well maintained housing stock change was necessary. The Savills Stock Condition Survey on the Housing Executive's stock estimated that it will require some £5 billion to maintain all Housing Executive stock to decent homes standard for the next 30 years. The new social housing structures will allow for a sustainable financing model for social housing that provides access to private funds to allow for future investment.

Part of the immediate solution will involve transfer of some of the worst of the Housing Executive stock to housing associations for improvement. This has the potential to lever in significant levels of private finance. Alongside this we continue to invest in improving the energy efficiency of social housing, in particular, funding the double glazing of all Housing Executive homes by March 2015.

Welfare Reform Bill: Underoccupancy Penalty

Mr P Ramsey asked the Minister for Social Development for his assessment of the impact that the under-occupancy penalty, contained in the Welfare Reform Bill, will have on the individuals and families.

(AQO 3583/11-15)

Mr McCausland: With your indulgence Mr Speaker, three of the questions tabled for answer today relate to the topic of under-occupancy raised by Mr Hussey, and I would propose that this answer would be taken for all three questions. The related questions are from Pat Ramsey (AQO 3583/11-15) and from Stephen Agnew (AQO 3586/11-15).

The Westminster policy intent behind the under occupancy provision within the draft Welfare Reform Bill is that those in receipt of such assistance should only receive costs essential to their household needs. While I may have some concerns around the details, I support that intent. Whilst it is, of course, reasonable to assist benefit recipients with Housing costs it should always be the case that that assistance is necessary. The taxpayer should not be subsidising individuals or households to live in accommodation which many working, low income households cannot afford and particularly when that accommodation may be bigger than is really required. .

I also support the second policy intent that in endeavouring to incentivise individuals to join or rejoin the labour market and to ensure that work always pays, social mobility is encouraged, and households should take decisions with regard to their accommodation based on their own particular needs and circumstances and taking account of what is reasonable for the Benefits system to pay.

With regard to the member's specific question as to the number of additional properties estimated to be needed to enable tenants to move to accommodation of an appropriate size as a result of the 'under occupancy' provision I can advise that work is ongoing in order to get an accurate picture of the difficulties this particular provision may pose. I would advise that it is estimated that some 32,500 Housing Benefit recipients may be impacted by this provision and that is the starting point for estimating what deficits exist in our existing housing stock and effectively how we address such deficit.

In relation to the Member for Foyle's question I would advise that it is difficult at this time to accurately assess the overall impact of the under occupancy provision. As I have already stated some 32,500 existing Housing Benefit recipients are thought to be impacted but work is ongoing to determine the characteristics and the precise make-up of that group. Members will be aware social security benefits are paid on entitlement which is assessed on an individual case by case basis and the Welfare Reform Bill and indeed existing social security legislation contains some protections e.g. for couples aged over state pension age and in receipt of Housing credit who would remain exempt from the under occupancy provisions. I can however advise Members that based on the introduction of this under occupancy provision in GB those considered to be under occupying properties by one bedroom may lose around £7 per week whilst those under occupying by 2 or more bedrooms may lose around £14 per week.

Turning to the Member for north Down's question as to how much revenue would be deducted from the block grant if the under occupancy provision were not implemented I would advise that ultimately it would be for HM Treasury to decide what, if any penalty were placed on the Northern Ireland Block if it were decided NOT to introduce this provision. Members will be aware of the 'parity' principle with regards to social security on which I have briefed this Assembly on several occasions in relation to the legislative passage of the Welfare Reform Bill. In practical terms 'parity' effectively dictates that an individual here in Northern Ireland receives the same level of social security benefits, subject to the same conditions as an individual elsewhere in GB. Therefore, whilst we may have minor operational flexibilities as to how we implement reform, Members should recognise that to break 'parity' on matters such as under occupancy would have potentially serious financial consequences for Northern Ireland block expenditure and thus jeopardise spending on other Executive priorities as well as incurring additional IT and administrative costs which we would have to fund. Initial estimates as to the 'potential' cost to the block taking current average rent levels, is thought to equate to approximately £17m per annum. This would be a recurring cost.

Homeowners: Major Repairs

Ms S Ramsey asked the Minister for Social Development to outline his Department's progress on proposals to help home owners with major repairs.

(AQO 3582/11-15)

Mr McCausland: The need for a new approach to repair and improvement in the private housing sector was highlighted in the recent Housing Strategy. The current system of grants, each with its own conditions, can mean it is difficult for an individual home owner to meet the eligibility criteria. That is one of the reasons why the consultation "Reviewing Support for Repair and Improvement in the Private Rented Sector" which closed on 29 January 2013, proposes to deregulate the current grants scheme and replace it with a more flexible system of help. Replies to the consultation are currently being analysed, following which my Department's officials will bring forward detailed proposals for the new scheme.

Alcohol: Minimum Unit Price

Mr Allister asked the Minister for Social Development what progress has been made on introducing a minimum unit price for alcohol.

(AQO 3584/11-15)

Mr McCausland: Research has shown that alcohol is 67% more affordable than it was in 1980 and it is estimated that up to 80% of drinkers drink more than the recommended daily limits.

Given the strong evidence of the link between alcohol consumption and harm, Health Minister Poots and I consider that tackling the availability of cheap alcohol is an essential component of any long-term strategic approach to addressing alcohol misuse.

We have been working closely on commissioning research to model the likely impact of minimum unit pricing in Northern Ireland.

This research is essential as it will help inform our future decisions in this area and allow us to bring forward proposals that will have a proportionate and positive impact on physical and mental health well being in Northern Ireland.

Invitations to tender for this important research will be issued within the next few weeks.

Housing-led Regeneration

Miss M McIlveen asked the Minister for Social Development to outline the potential benefits arising from his housing led regeneration initiatives.

(AQO 3587/11-15)

Mr McCausland: Housing led regeneration initiatives can deliver significant benefits to local communities through reversing decline and blight within estates by refurbishment of derelict properties and improvement of infrastructure. By providing new housing on undeveloped land which is already in public ownership then housing need can be met in a manner which demonstrates best value use of limited resources.

Northern Ireland Assembly Commission

Renewable Heat Sources in Parliament Buildings

Mr Flanagan asked the Assembly Commission whether it intends to install renewable heat sources in Parliament Buildings.
(AQW 20270/11-15)

Mr P Ramsey (The Representative of the Assembly Commission): You will be aware that the Assembly Commission is currently planning a major refurbishment of the roof of Parliament Buildings.

While the major focus of this project is to provide a long lasting waterproof solution for ongoing water ingress problems, the Commission is also keen to include appropriate environmental design initiatives. This will include renewable heat sources if a practicable solution can be achieved within the constraints of the building.

The design team is currently working on the technical solution for the project and it is anticipated that the final scheme will be available for approval by early summer 2013 with a likely site start date of late 2013 or early 2014.

I hope that the above information provides the detail that you sought and if you require anything further I would be happy to assist.

Mints Provided in the Assembly Chamber

Mr Allister asked the Assembly Commission what is the annual quantity and cost of the mints provided in the Assembly chamber.
(AQW 20416/11-15)

Mr P Ramsey (The Representative of the Assembly Commission): From April 2009 to present, 1782 rolls of mints have been provided in the Assembly Chamber at a total cost of £980.10. The annual consumption per financial year is illustrated in the table below:

Period	Quantity (rolls)	Cost
Apr 09 - Mar 10	524	£288.20
Apr 10 - Mar 11	445	£244.75
Apr 11 - Mar 12	493	£271.15
Apr 12 - Jan 13	320	£176.00
Total Consumption	1782	£980.10

Horse Meat in Parliament Buildings

Mr Flanagan asked the Assembly Commission (i) what discussions have taken place with Eurest in assessing whether any horse meat has been served within Parliament Buildings; (ii) what foods have been tested; (iii) the results of these tests; (iv) on what dates any contaminated foodstuffs were served; and (v) what measures have been put in place to protect building users from compromised processing standards.

(AQW 20495/11-15)

Mr P Ramsey (The Representative of the Assembly Commission): As a result of the recent mislabelling of meat products within the European food chain, the Assembly Commission has recently sought and received further re-assurances that Compass-Eurest's current Ireland & UK suppliers comply with our required traceability, testing and hygiene processes for this contract. They have also verified that all of our meat products sold in Parliaments Buildings adhere to the required standards and specifications of the contract.

- (i) In keeping with the open and transparent nature of the contract regular communication occurs between Compass-Eurest and the Commission. However, in light of the recent mislabelling of food products and the related media interest, this has been increased and several statements have been issued both internally and externally to confirm that no horse meat has ever been served within Parliament Buildings. The full statements are available from the Support Services Office.
- (ii)(iii) The first product sent forward for DNA testing was the Rangeland 4oz Burger which was recalled from all Compass-Eurest sites on Monday 4 February 2013. This product referenced above is not used at Parliament Buildings.
- The DNA tests conducted returned a positive result for the presence of equine DNA
 - Compass-Eurest subsequently notified the Food Safety Authorities and issued a media statement in relation to our findings
 - The samples in question were also tested for BUTE (a non-steroidal anti-inflammatory drug (NSAID) for the short-term treatment of pain and fever in animals) and returned a negative result.

Compass-Eurest has now initiated a programme of regular DNA testing on all processed meat products (sausage rolls, meatballs, etc) supplied to Compass Group. The tests have all returned a negative result for equine DNA. It is important to note that, within the Northern Ireland Assembly contract, all burgers, meatballs and compound meat dishes are prepared using fresh meat produce.

In light of the results on the Rangeland product, O'Kanes (a Compass-Eurest approved supplier) conducted extensive DNA tests on all of their listed processed beef products – all test results returned a negative result for equine DNA (The Rangeland 4oz burger sold to Compass was sourced by O'Kanes from Rangeland Foods)

Pallas Foods (fresh beef supplier to Compass Foods) conducted DNA testing on all fresh beef products supplied to Compass and all samples tested negative for equine DNA. Pallas has also initiated a "Positive Release" protocol which states that all meat products will not be released to customers until DNA results are issued for the Product Batch. A "positive release" statement will also appear on all Pallas invoices to confirm that the product received has been DNA tested.

- (iv) No contaminated foodstuffs have been served within Parliament Buildings and please be assured that meats used within the contract are sourced from Compass Eurest approved suppliers. Meats are all Farm Quality assured by DARD. Again, all burgers, meatballs and compound meat dishes are prepared on site using fresh meat produce.
- (v) The Assembly Commission recurrently monitors the traceability of all food and produce sold in Parliament Buildings through its current Support Services contract which specifies that the service provider, Compass-Eurest, shall ensure that all foods supplied under the contract meet current UK laws governing the sale and consumption of food. The NIAC requires the Service Provider to adhere, where possible, to the following food certifications:
- Farm Assurance Schemes such as Red Tractor;
 - Fair-trade certification bodies' products are encouraged;
 - Fish from sustainable sources, as approved by the MSC and/or approved fish farm producers;

- Poultry - to Grade 'A' quality standard;
- Eggs, or products containing eggs - must be of Lion Quality 'Class A' or equivalent and fresh eggs must be from free range hens;
- For beef and lamb – Product from Northern Ireland, any other UK or EU country. Originating from a Protected Geographical Indication (PGI) scheme or higher which contains annual, independent farm and processor scheme inspections accredited to European EN45011 standards; and
- For pork, bacon and gammon - Product from Northern Ireland, any other UK or EU country. Originating from a national or regional quality scheme recognised by the EU containing annual, independent farm and processor scheme inspections accredited to European EN45011 standards.

Northern Ireland Assembly

Friday 22 March 2013

Written Answers to Questions

Department of Agriculture and Rural Development

Single Farm Payment Scheme

Mrs Dobson asked the Minister of Agriculture and Rural Development, in relation to Single Farm Payment claims, to outline the rationale as to why marker posts are not accepted as field boundaries when they are acceptable in England and Wales. (AQW 19974/11-15)

Mrs O'Neill (The Minister of Agriculture and Rural Development): It is a matter for each administration to determine what features are accepted as field boundaries and my Department has decided not to recognise marker posts as field boundaries. In making changes to its mapping system to satisfy the Commission's concerns, DARD did not want to include any boundary marking that could give rise to further criticism. The Commission wants to ensure that there is only a single claimant on a field parcel and that the claimant is an active farmer.

To meet the Commission's requirements, land claimed for single Farm Payment and other schemes must have a clearly defined boundary with a stock proof fence if the land is used for grazing. Marker posts would not indicate that a particular piece of land is being managed separately

If there are circumstances where a number of farmers are actively farming a shared field and they can provide us with evidence to demonstrate this, and that sub-dividing that field with a fence is not a feasible option, then the Department will consider allocating notional shares of that field to each farmer in the same way it allocates common land. This will allow farmers who are genuinely carrying out agricultural activity on the land to use their share of that land to claim their SFP entitlements and allow the Department to exercise proper control over such allocations. This will however, be used only in exceptional circumstances where no other reasonable alternatives exist.

Translation Costs

Mr Weir asked the Minister of Agriculture and Rural Development to detail the cost of translating departmental letters and documents into (i) Irish; and (ii) each other language, in each of the last five years. (AQW 20505/11-15)

Mrs O'Neill: The breakdown of expenditure incurred by the Department on translating departmental letters and documents into (i) Irish; and (ii) each other language, in each of the last five years up to end of March 2012 are attached.

DARD Expenditure on Translations Costs Last 5 Financial Years (2007-2012)

Language	2007-2008	2008-2009	2009-2010	2010-2011	2011-12
English - Irish	£4303.75	£1598.44	£2019.92	£5829.70	£3,650.12
Irish - English	Nil	£206.76	Nil	Nil	£40.00
English - Ulster-Scots	£88.54	£278.95	£692.12	£942.84	£1,342.48
English - Russian	£420.30	£595.90	£80.00	£44.00	Nil
English - Czech	£347.30	£115.90	Nil	Nil	Nil
English - Latvian	£580.30	£175.90	£60.00	Nil	Nil
English - Lithuanian	£520.30	£175.90	£60.00	Nil	Nil
English - Mandarin	£427.70	£115.90	Nil	Nil	Nil
English - Slovakian	£347.30	£115.90	Nil	Nil	Nil
English - Polish	£310.00	£242.40	£260.00	£144.00	Nil

Language	2007-2008	2008-2009	2009-2010	2010-2011	2011-12
English - Portuguese	£155.00	£100.90	£60.00	£40.00	Nil
English - Cantonese	£220.00	£160.90	£80.00	Nil	Nil
English - Arabic	£70.00	Nil	Nil	Nil	Nil
English - French	£35.00	Nil	Nil	Nil	£80.00
French - English	Nil	Nil	Nil	97.95	£100.00
English - German	£35.00	Nil	Nil	Nil	Nil
English - Spanish	£35.00	Nil	Nil	Nil	Nil
Norwegian - English	£1513.44	Nil	Nil	Nil	Nil
English - Italian	Nil	£58.75	Nil	Nil	Nil
English - Hungarian	Nil	Nil	Nil	£47.00	Nil

Includes NDPD expenditure

DARD: Overtime

Mr Easton asked the Minister of Agriculture and Rural Development to detail the total overtime payments made to staff in her Department, in each of the last three financial years.

(AQW 20520/11-15)

Mrs O'Neill: Overtime payments made to staff in the Department, including Forest Service and Rivers Agency, for the last three financial years are as follows:

Year	2009/10 £000's	2010-11 £000's	2011-12 £000's
Department	3,093	2,696	2,981
Recoupment	(847)	(778)	(743)
Total	2,246	1,918	2,238

The highest incidence of overtime costs each year is recorded by Veterinary Service Group. The majority of these overtime costs are claimed back from the Food Standards Agency (FSA), as reflected in the recoupment figures above.

Native Trees

Mr Kinahan asked the Minister of Agriculture and Rural Development to outline the action that she is taking to prevent the destruction of native trees by people reducing the overshadowing of grassland in line with the mapping needs of Europe.

(AQW 20538/11-15)

Mrs O'Neill: My Department contributes to the prevention of the destruction of native trees through the administration and delivery of EU funded area-based schemes, such as the Single Farm Payment Scheme, the Less Favoured Areas Compensatory Allowances Scheme and the NI Countryside Management Scheme. These schemes promote sustainable agricultural practices and encourage responsible environmental stewardship of the land. All farmers in these schemes must meet Cross-Compliance requirements including that a farmer must not remove a hedgerow tree without permission from DARD and must not cut a tree inside the closed period (1 March to 31 August). A breach of these requirements may result in a penalty being applied to the farmer's direct agricultural support payments.

There are exceptions to the Cross-Compliance requirements which allows for tree cutting or removal where health and safety is an issue unless a tree preservation order is in place. Hedgerow trees may also be removed on rotation for timber, provided young saplings are left to grow as replacement trees in the hedge. Full details can be found in the Cross-Compliance Verifiable Standards Summary 2013 on the DARD website at

www.dardni.gov.uk/2013-cross-compliance-verifiable-standards-_summary-document_.pdf

The new farm business maps are issued to assist farmers in determining the area of eligible land they can claim under these EU funded area-based schemes. With regard to trees which overshadow grassland, my Department does not capture the canopy of trees if they are in a single line hedge feature, as grass is assumed to be present. If there is eligible grassland under the canopy of other trees which DARD has marked as ineligible, farmers should inform DARD who will apply the change but mark it as 'unverified' until the change is verified.

Where a claim for these area-based schemes is subject to an inspection, DARD Inspectors will assess the eligibility of the area under a tree canopy. Where this is bare soil or leaf litter it may be considered ineligible for area payment.

Central Investigation Service

Mr Swann asked the Minister of Agriculture and Rural Development to whom the Central Investigation Service is accountable when completing work for other Departments, Agencies or Non-Departmental Public Bodies.

(AQW 20589/11-15)

Mrs O'Neill: The Central Investigation Service (CIS) is accountable in the first instance to the Head of Financial Policy & CIS Branch in regard to the achievement of objectives and targets. In undertaking work for other Departments, Agencies and Non-Departmental Public Bodies, the CIS is accountable to the customer as defined in formal Service Level Agreements (SLAs), which clearly set out roles and responsibilities.

DARD: Claims

Mr Easton asked the Minister of Agriculture and Rural Development how much has been paid to settle claims against her Department, in each of the last three financial years.

(AQW 20599/11-15)

Mrs O'Neill:

Financial Year	Amount £
2009-10	240,642
2010-11	204,967
2011-12	93,365

The highest incidence of claims each year is recorded by Central Service Group. These claims are largely in relation to Industrial Employer Liability issues.

DARD: Annual Report and Accounts

Mr Swann asked the Minister of Agriculture and Rural Development, in relation to point 22 of her Department's Annual Report and Accounts for year ending 31 March 2011, to provide details of the suspected fraud cases which were not reported to the Comptroller and Auditor General.

(AQW 20604/11-15)

Mrs O'Neill: During 2010/11 all cases of suspected fraud referred to the Central Investigation Service (CIS) for investigation were registered on the CIS database. However, some were not immediately notified to the Comptroller and Auditor General (C&AG) due to an administrative oversight. The C&AG was subsequently notified, in January 2011, of all cases of suspected fraud referred for investigation during the year and the CIS has fully complied with reporting requirements since that date.

The Department is unable to provide details of the cases that were belatedly notified to the C&AG. It is considered that this information constitutes and contains personal sensitive data relating to third parties of which you are not the data subject. To release this information would breach the first and second principles as set out in schedule 1 of the Data Protection Act 1998. Specifically, it is considered that disclosure would represent unfair processing of the data by the Department.

Small Hill Farmers

Mr Hazzard asked the Minister of Agriculture and Rural Development, in light of the pressures felt by small hill farmers in places such as the Mourne area in South Down, to outline the opportunities that exist to help protect and promote future farming opportunities.

(AQW 20663/11-15)

Mrs O'Neill: The recent farm income figures illustrate the financial pressures farmers are facing right across the north at the moment. They highlighted vividly the importance of CAP direct payments in supporting and protecting our farmers in such difficult times. That is why I am fighting hard to secure a flexible CAP under the current reform negotiations so that we can tailor the support framework in such a way as to best meet the balance of local needs.

Although last year was an extremely difficult one for farmers, I remain optimistic about the future and the possibilities arising from the increasing global demand for livestock products. I hope to take receipt of the Agri-Food Strategy Board report soon and I want to work with industry, the Board and other relevant departments to develop the opportunities identified. This will help shape the new Rural Development Programme (RDP), which also needs to consider the creation of off-farm opportunities for farm families and how these can best be promoted. The experiences of last year serve to emphasise the importance of setting a clear strategic direction and working together to achieve our agreed goals. The new RDP will be fundamental to this process and I hope stakeholders will engage fully with us in shaping the programme so that we can maximise its effectiveness.

Hill Subsidy Review

Mr Hazzard asked the Minister of Agriculture and Rural Development to outline the findings of the Hill Subsidy Review; and for her assessment of the best way to promote young farmers in order to future proof the farming industry.

(AQW 20664/11-15)

Mrs O'Neill: DARD conducted a review of support arrangements for Less Favoured Areas (LFA) and collated an extensive evidence base which was subject to public consultation in 2009, along with options for the future of LFA support.

The evidence from that review at that time pointed to an underpinning rationale for an LFA support mechanism which had a clear focus on contributing, through continued use of agricultural land, to delivering positive environmental outcomes and, in particular, avoiding land abandonment and environmental degradation.

In light of the uncertainties created by the forthcoming CAP reform process and the re-designation of Less Favoured Areas, my predecessor, Minister Gildernew, decided that the architecture of the Less Favoured Area Compensatory Allowances Scheme would remain unchanged until the end of the current Rural Development Programme.

As far as young farmers are concerned, the attractiveness of the agricultural industry as a place to forge a long-term career will be driven to a significant degree by its inherent profitability and long term prospects. These long term prospects are generally regarded as being much more positive now than they were a number of years ago, and that is to be welcomed. The key now is to ensure that the local industry, including young farmers, is best placed to capitalise on these prospects. I very much hope that the analysis and recommendations emerging from the Agri-Food Strategy Board will help create a collective focus on grasping these opportunities. Ensuring that farmers have the necessary skills and knowledge and access to new technologies will certainly play a part in this, and you will be aware of the significant investment my Department makes in this area each year through CAFRE and AFBI. The reform of the CAP also offers the opportunity secure a flexible policy framework which we can tailor best to meet the balance of local needs. That is something I am working hard to achieve.

The design of our next 2014-20 Rural Development Programme also offers the opportunity to create a framework to improve the competitiveness of the agricultural industry, and within that, to consider any specific provision for young farmers. This design is something on which my Department is already engaging with stakeholders and which will be the subject of public consultation later this year.

BBC 'Spotlight' Investigations

Mrs Dobson asked the Minister of Agriculture and Rural Development to outline why she did not take the opportunity to contribute to the BBC Spotlight investigations into the issue of horse meat entering the food chain.

(AQW 20665/11-15)

Mrs O'Neill: I was unavailable.

Horses of Low Value

Mr Allister asked the Minister of Agriculture and Rural Development what steps her Department has taken regarding holding yards for low value horses since concerns were raised in 2009.

(AQW 20671/11-15)

Mrs O'Neill: In 2009, during the consultation of the Welfare of Animals Bill, one welfare organisation raised a general concern about the welfare conditions at holding yards used for horses. No specific complaint was made about any incident or premises.

This response, together with all other consultation responses received at that time, was used to inform the drafting of the Welfare of Animals Bill, and to ensure that sufficient powers were contained within the Bill to address such issues in the future.

The Bill was passed by the Assembly in February 2011 and became the Welfare of Animals Act on 29 March 2011. All the provisions in the Welfare of Animals Act 2011 are now commenced, with the final provision on the docking of dogs' tails commenced on 1 January 2013.

The new Act provides strong powers to deal with any person responsible for an animal who fails to meet the needs of that animal to the extent required by good practice or causes that animal to suffer unnecessarily. This includes any person responsible for horses in so called "holding yards".

The maximum penalty for any person convicted of causing unnecessary suffering is 2 years imprisonment and, or, an unlimited fine.

Since 2 April 2012, these powers have been enforced by Councils in respect of non-farmed animals (domestic pets and equines). Prior to this the PSNI enforced these powers. The delay in transferring these powers to Councils was to honor a commitment given to the Assembly by my predecessor to allow Councils a year to prepare for their implementation following the Act receiving Assent. These powers enable Councils to investigate animal welfare complaints in respect of horses whether privately owned or held in a holding yard.

Since 2 April 2012, Councils have received and investigated over 900 complaints in respect of horse welfare. This has resulted in the Councils' Animal Welfare Officers taking a range of enforcement actions including providing advice to owners, issuing 22 Improvement Notices, seizing 12 animals and humanely destroying 4 equines. Prosecution action is also pending in a number of cases. Such actions would have included concerns about holding yards, if brought to the Councils' attention.

Horse Exports

Mr Allister asked the Minister of Agriculture and Rural Development what action her Department has taken in regard to concerns about horse exports following a meeting in 2011 at Aintree Racecourse.

(AQW 20672/11-15)

Mrs O'Neill: The meeting at Aintree Racecourse in November 2011 was primarily about the welfare of some horses transported from Ireland (north & south) to Britain. The attendees were enforcement and welfare officers from DARD, Defra, English Local Authorities and two animal welfare charities (the Scottish Society for the Protection of Cruelty to Animals and World Horse Welfare). The main concern was the poor condition of some horses, with reports of horses not being fit for transport.

The action DARD took after this meeting was intensifying welfare checks (vehicle and documentary) at the ports and gathering information, sharing intelligence and assisting in investigations undertaken by the Police and other enforcement agencies.

Hedge-cutting: Deadline

Mr D McIlveen asked the Minister of Agriculture and Rural Development what consideration she has given to extending the hedge cutting deadline, in light of poor weather and ground conditions.

(AQW 20686/11-15)

Mrs O'Neill: The closed period for hedge-cutting is one of the Good Agricultural and Environmental Condition (GAEC) requirements under the Cross - Compliance standards. All farmers and landowners wishing to claim under direct aid schemes, including Single Farm Payment, must not cut hedges from 1 March to 31 August. However hedge cutting will be permitted between 1 March and 31 August where health and safety is an issue, for example, roadside hedges.

Hedge-cutting: Deadline

Mr D McIlveen asked the Minister of Agriculture and Rural Development how the 28 February was reached as a deadline for all hedge cutting to be completed; and whether her Department consults regularly with stakeholders with a view to changing the deadline.

(AQW 20687/11-15)

Mrs O'Neill: The closed period for hedge-cutting is one of the Good Agricultural and Environmental Condition (GAEC) requirements under the Cross-Compliance standards. All farmers and landowners wishing to claim under direct aid schemes, including Single Farm Payment, must not cut hedges from 1 March to 31 August. In addition, these dates help those that farm the land to avoid damaging birds, nests or chicks and thereby comply with the Wildlife and Natural Environment Act (NI) 2011 which makes it an offence to intentionally or recklessly take, damage or destroy the nest of any wild bird while it is in use or being built.

The GAEC standards for hedge cutting in the north of Ireland were taken from the verifiable standards in Good Farming Practice (GFP) introduced in 2000 in consultation with stakeholders. The dates aimed to ensure an appropriate level of environmental protection and compliance with the EC Birds Directive (79/409/EEC) and the Wildlife (NI) Order 1985 and were based on the scientific evidence for the nesting periods of hedgerow nesting Priority Species in the north.

Over the past few years my Department has consulted regularly with stakeholders on the subject of hedge cutting dates. Any change to Cross-Compliance hedge cutting dates has to be based on scientific research evidence and the impact of this change on biodiversity and agricultural practices. To date no new evidence has been presented, however DARD will respond to any new evidence as it comes forward.

Horses: Illegal Movements

Mr Swann asked the Minister of Agriculture and Rural Development, pursuant to AQW 19667/11-15, what caused the prevention of movement of the relevant consignment; and whether any prosecution or penalty followed as a result.

(AQW 20693/11-15)

Mrs O'Neill: I refer you to my answer to AQW 20655/11-15.

ARC North West

Mr G Robinson asked the Minister of Agriculture and Rural Development to detail the (i) number of grants (a) approved; and (b) paid by ARC North West; and (ii) the administrative costs to ARC North West of grant applications compared with similar clusters

(AQW 20726/11-15)

Mrs O'Neill:

- (i) (a) To end of February 2013 ARC North West has approved and issued Letters of Offer to 248 projects to the value of £11.8m.
- (i) (b) ARC North West has paid £5.6m to 189 projects.

- (ii) ARC North West has incurred £1.99m in admin spend which equates to 35% of project spend. The compares with the other six Axis 3 clusters as follows:

Cluster	admin / project spend
GROW	31%
NER	30%
LRP	40%
DRAP	46%
SOAR	32%
SWARD	30%

DARD: Fraud Hotline

Mrs Dobson asked Minister of Agriculture and Rural Development, pursuant to AQW 19384/11-15 and AQW 20136/11-15, to detail the total costs incurred by her Department of operating the Fraud Hotline in each of the last three years.

(AQW 20733/11-15)

Mrs O'Neill: The Department does not hold information in relation to operating the Fraud Hotline. The only tangible cost is that which was provided to you in response to AQW 19385/11-15. The Central Investigation Service has responsibility for monitoring Hotline calls and they ensure that anonymous information will be acted upon in a prompt and confidential manner.

ARC North West

Mr G Robinson asked the Minister of Agriculture and Rural Development to outline the reasons for the lack of approved grant applications by ARC North West since August 2012.

(AQW 20735/11-15)

Mrs O'Neill: As the member will be aware the Quality of Life Axis (Axis 3) of the EU Rural Development Programme is delivered through the EU LEADER approach by ARC NW Joint Council Committee (JCC) working in partnership with a Local Action Group (LAG) in the North West (NW) area.

All decisions in respect of calls for applications, processing of applications, and allocation of funds to successful applicants are entirely a matter for the ARC NW Joint Council Committee working with a Local Action Group (LAG) to manage the successful delivery of the Axis across the ARC NW area. ARC NW implementation plans indicate that they remain on course to achieve this.

I am aware that following receipt of over 200 applications across several measures, seeking funding in excess of available budget, ARC NW are now in a position to schedule assessment panels after Easter, with the intention of issuing Letters of Offer in the summer.

Department of Culture, Arts and Leisure

Boxing Clubs

Mr Storey asked the Minister of Culture, Arts and Leisure how the recently announced investment in boxing clubs will be funded within her Department's current budget.

(AQW 13751/11-15)

Ms Ní Chuilín (The Minister of Culture, Arts and Leisure): The recently announced investment in boxing clubs will be funded through Sports Lottery funding over the next 3 years. In addition to this, other sources of possible funding are also being explored, for example, from district councils.

Football, Gaelic Football and Rugby: Participation Rates

Mr Ross asked the Minister of Culture, Arts and Leisure to detail the estimated participation rates of adults playing (i) football; (ii) gaelic football; and (iii) rugby for each of the past five years.

(AQW 17884/11-15)

Ms Ní Chuilín: Estimated participation rates of adults playing football, gaelic football and rugby are available through the Continuous Household Survey (CHS), an annual household survey taken from across the north of Ireland.

The following table sets out the CHS's estimated adult participation rates across Association football, Gaelic football and Rugby up to, and including, 2010/11.

Percentage of adults who participate¹

	2006/07	2007/08	2008/09	2009/10	2010/11
Association Football ²	9	7	7	8	7
Gaelic football	2	2	2	2	2
Rugby	1	1	1	1	1

Source: Continuous Household Survey

Participation rate, at least once, in the last 12 months.
Includes both indoor and outdoor football.

In addition, Sport NI has provided the following figures from its information management system which shows the total number of senior members recorded by the named governing bodies from 2009/10 and detailed below.

Adult Members by Governing Bodies

	2009/10	2010/11	2011/12
Irish Football Association	26,863	27,041	27,041
Gaelic Athletics Association	36,098	71,049	67,500
Ulster Branch, Irish Rugby Football Union	9,316	12,898	16,140

National Museums Northern Ireland: Board Vacancies

Mr Cree asked the Minister of Culture, Arts and Leisure to detail (i) the number of vacancies for Trustees on the Board of National Museums Northern Ireland; (ii) when the vacancies occurred; and (iii) when the vacancies will be filled.
(AQW 19205/11-15)

Ms Ní Chuilín: There are currently eight vacancies for Trustees on the Board of National Museums Northern Ireland.

One vacancy occurred on 1 January 2009, a further vacancy occurred on 6 September 2010 and six vacancies occurred on 1 July 2012.

The vacancies will be filled in the coming months.

Eel Fisheries: EU

Mr Frew asked the Minister of Culture, Arts and Leisure to detail (i) who attended the meeting in the Community Centre at 135a Shore Road, Ballyronan at 11.00am on 21 February 2013; her response to the proposed threat to EU eel fisheries; and (iii) the outcome of the meeting.
(AQW 20289/11-15)

Ms Ní Chuilín: I chaired a meeting of local stakeholder interests at Ballyronan on 21 February in view of the potential threat facing the eel fishery in Lough Neagh. The meeting was attended by the DARD Minister, Lough Neagh commercial fishery stakeholders consisting of representative from the Toome Eel Fishery, Lough Neagh Fishermen's Co operative Society Ltd, Lough Neagh Partnership, local fishermen, a local MLA and representatives from 5 District Councils.

There has been a proposal for the unilateral suspension of eel fishing across Europe. I am not prepared to consider any changes without independent scientific evidence, an appropriate equality impact assessment, consultation with all stakeholder interests and appropriate compensation for fishermen affected during any proposed suspension. I have written to the Minister responsible for Fisheries in the Department of Environment, Food and Rural Affairs to express my concerns and to ensure that these views are conveyed to the European Parliament.

We discussed the threat posed by the proposals and I set out my position. There was total support for the stance that I have taken. The interest of our three MEPs was also welcomed. I advised that I would be monitoring the situation closely and will be engaging with our MEPs in ensuring we reject the proposals in Brussels.

King James I: 400th Anniversary

Mr Allister asked the Minister of Culture, Arts and Leisure what plans her Department has to celebrate the 400th anniversary of King James I granting a Charter to Londonderry.
(AQW 20355/11-15)

Ms Ní Chuilín: There are no specific plans to mark the anniversaries of the award of individual Charters. However, I have approved funding for the Ministerial Advisory Group (MAG) – Ulster Scots Academy to undertake a partnership project with the Ulster Historical Foundation, to research the impact and contribution of the award of Town Charters in the early part of the 17th Century.

This project will have a particular emphasis on the Ulster-Scots dimension to Charters awarded across the island of Ireland. The research will be used to develop a Charters award touring programme in conjunction with the Ulster Scots Agency and Foras na Gaeilge to disseminate the findings across the island.

Department of Education

Savings Delivery Plan

Mr Storey asked the Minister of Education, pursuant to AQW 18553/11-15, what other aspects of the Savings Delivery Plan were monitored in 2011/12; and what levels of savings were achieved in each area.

(AQW 19996/11-15)

Mr O'Dowd (The Minister of Education): All other aspects of my Department's published Savings Delivery Plan were monitored in 2011-12 and continue to be monitored. I shall shortly publish details of the savings delivered during 2011-12 in each of the areas set out in that plan.

Nursery Provision

Mr Weir asked the Minister of Education, pursuant to AQW 17794/11-15, from which constituencies were the (i) 24 applications for children who were left unplaced; (ii) 31 late applications; and (iii) 542 applications which did not express further preferences.

(AQW 20414/11-15)

Mr O'Dowd:

Unplaced children

ELB Area	Parliamentary Constituency	Number of Unplaced Children
BELB	Belfast East	1
	Belfast North	1
	Belfast South	1
WELB	-	0
NEELB	East Antrim	1
	South Antrim	1
SEELB	Lagan Valley	2
	North Down	9
	Belfast West	1
SELB	Mid Ulster	1
	Upper Bann	6

Unplaced late applications

ELB Area	Parliamentary Constituency	Number of Unplaced Children
BELB	Belfast East	2
WELB	Foyle	5
	West Tyrone	4
NEELB	East Antrim	2
	South Antrim	2
	Mid Ulster	1
SEELB	Lagan Valley	1
	North Down	5
	-	1 (child from England)
SELB	Newry & Armagh	3
	Upper Bann	5

Unplaced at end Stage 1 and did not submit further preferences

ELB Area	Parliamentary Constituency	Number of Unplaced Children Who Did Not State Further Preferences At Stage 2
BELB	Belfast East	23
	Belfast North	9
	Belfast South	35
	Belfast West	9
	Lagan Valley	5
	North Down	1
	South Antrim	2
	Strangford	2
WELB	East Derry	1
	Fermanagh & South Tyrone	20
	Foyle	33
	West Tyrone	24
	-	6 (children with Rol addresses)
NEELB	East Antrim	14
	North Antrim	10
	South Antrim	31
	North Belfast	15
	East Derry	18
	Mid Ulster	5
SEELB	Lagan Valley	17
	North Down	27
	South Down	7
	Strangford	10
	Belfast East	17
	Belfast North	1
	Belfast South	13
	Belfast West	7
	South Antrim	6
	Upper Bann	3
	-	2 (children moving from England)
	SELB	Fermanagh & South Tyrone
Lagan Valley		4
Mid Ulster		15
Newry & Armagh		41
South Down		24
Upper Bann		74

DE: Special Adviser

Mr Allister asked the Minister of Education, pursuant to AQW 19246/11-15, whether his Special Adviser has made any declarations of interests.

(AQW 20418/11-15)

Mr O'Dowd: My Special Adviser has not made any declaration of interests.

Voluntary Grammar Sector

Lord Morrow asked the Minister of Education, in light of his statement to the Assembly on 26 February 2013 on Area Planning, when he will meet with representatives from the voluntary grammar sector.

(AQW 20536/11-15)

Mr O'Dowd: To date I have received no requests to meet with representatives of the voluntary grammar sector however should a request be forthcoming I will do my best to accommodate it.

Educational Underachievement: Protestant Working-class Areas

Mr McNarry asked the Minister of Education (i) what action he has taken over the past two years to address the problem of educational under-achievement in protestant working class areas; (ii) what outcomes have developed from these actions; and (iii) what further action he plans to take in the next two years.

(AQW 20617/11-15)

Mr O'Dowd:

- (i) Action over the past two years to address the problem of educational underachievement in Protestant working class areas.

As Minister for Education my focus has been and continues to be on providing coherent, sustained and effective evidence based interventions that break the cycle of deprivation and educational underachievement wherever it exists.

Since coming to office I have continued to implement policies to raise standards and tackle educational underachievement in schools. These policies include the school improvement policy, the literacy and numeracy strategy, the revised curriculum, entitlement framework, the framework for early years education and learning and the SEN and inclusion review.

My Department has also dedicated substantial resources to provide a range of assistance, programmes and services to ensure disadvantaged children have access to and can fully participate in school life, obtain formal qualifications, enhance their employment opportunities and ultimately provide a route out of poverty. These include the provision of Free School Meals and clothing allowances and a range of programmes targeted at socially deprived areas, including Sure Start, extended schools, full service provision, Achieving Belfast and Achieving Derry-Bright Futures and Integrated Services for Children and Young People.

- (ii) Outcomes that have developed from these actions.

These policies and programmes are realising improvements for all our young people. The results of the PIRLS and TIMSS surveys show that our primary school pupils are performing well above the international average in both literacy and numeracy. This also provides evidence that the characteristics of a good school - good teaching and good leadership with strong community engagement and a clear focus on the needs of the pupil - are being embedded in our primary school system across all sectors.

The Achieving Belfast and the Achieving Derry-Bright Futures programmes have realised improved performance in schools in both the controlled and maintained sectors. In the north of Ireland, the percentage of Protestant school leavers entitled to free school meals achieving 5+ GCSEs A*-C (or equivalent) including English and Maths increased from 18.6% in 2006/07 to 23.3% in 2010/11.

In 2012/13, the Extended Schools programme provided £11.8million additional funding that enables those schools that draw pupils from some of the most disadvantaged communities to provide a range of services and programmes outside the traditional school day to help meet the needs, as identified by the schools, of pupils, their families and wider communities.

- (iii) Further action in the next two years.

However, more needs to be done, especially in areas of social deprivation. The key now is to step up the pace of implementation and delivery of these policies and to maintain the focus on raising standards to ensure that every pupil is able to achieve to their full potential.

There is also an important role to be played by Unionist political leaders in raising educational awareness and aspiration in socially deprived communities.

The continued use of academic selection by grammar schools is a barrier to addressing underachievement in disadvantaged communities. It damages children's confidence, their motivation to learn, and lowers their expectations of themselves contributing to the high levels of underachievement we are seeking to tackle. That is why academic selection needs to end now and my Department is working to bring that about.

Sir Robert Salisbury's review of the Common Funding Scheme, which I commissioned, recommended increased levels of formula funding for pupils from deprived backgrounds through the introduction of a pupil premium. I will assess the impact of this recommendation, along with the others in the report, very carefully to inform my own proposals for change, which I intend to bring forward later in the year.

My Department also has a key role in working with other Departments to ensure a coherent approach to proactively tackling disadvantage and improving educational outcomes. This includes the Delivery Social Change project to recruit 230 additional teachers and provide literacy and numeracy support for pupils most at risk of underachieving.

We also need to raise parental aspirations and the value of education within our communities. That is why I launched the 'Education Works' advertising campaign in September 2012 to inform and engage all parents, but in particular those from the most disadvantaged backgrounds, to become more engaged in their child's education.

On the 1 March I announced an additional £3m to be targeted at raising educational standards in each of the next two years. £1m per year will be used in developing literacy and numeracy programmes in disadvantaged areas. A further £2m per year will be used to develop community initiatives to increase family and community involvement in education.

Lisanelly Campus, Omagh

Mr Lunn asked the Minister of Education what representations, on the Lisanelly shared campus, has his Department made to external funding bodies.

(AQW 20689/11-15)

Mr O'Dowd: My Department has not made any official representations to external funding bodies on the Lisanelly Shared Education Campus project.

I will of course wish to explore any potential avenues of funding in support of this flagship project.

Young People: Entrepreneurship

Mr D McIlveen asked the Minister of Education, pursuant to AQW 20399/11-15, what discussions he has had with the Minister of Enterprise, Trade and Investment on encouraging entrepreneurship amongst young people; and what research he has carried out into whether certain schools are better than others at promoting entrepreneurship.

(AQW 20725/11-15)

Mr O'Dowd: Supporting young people in their career decision making to increase their participation in education, training and employment, including self employment, is a key aim of the Preparing for Success careers strategy. The Department of Enterprise Trade and Investment (DETI) was a key stakeholder in the development of this strategy and in the accompanying careers map and guide. My officials, along with DETI colleagues, continue to oversee the full and continuing implementation of the strategy through their joint membership of the careers strategy steering group.

In tandem, I work with ministerial colleagues, including the DETI chair of the Executive Sub-committee on the Economy to highlight the foundation role education plays in helping rebalancing and rebuilding the economy through the provision of a flexible and responsive skills system that provides young people with clear progression routes to become the employees, employers and entrepreneurs of the future.

My Department has not commissioned research into whether certain schools are better than others at promoting entrepreneurship and has not asked the Education and Training Inspectorate (ETI) to inspect Entrepreneurship in schools, per se, as it is not on the curriculum as a subject. However lessons on entrepreneurship are a part of Learning for Life and Work in which there is some focus on entrepreneurship and entrepreneurs and this is subject to ETI inspection in schools.

Sport: Coaching Lessons

Mrs Dobson asked Minister of Education what consideration his Department has given to the provision of sports coaching lessons to students in the final year of teacher training courses.

(AQW 20732/11-15)

Mr O'Dowd: My officials have not had discussions with the Minister of Health, Social Services and Public Safety or the Minister for Employment and Learning regarding the benefits to the pupils of students in their final year of teacher training courses, being provided with sports coaching lessons.

I recognise the importance of physical activity and the contribution that keeping physically active can make to the health and wellbeing of our young people. Taking part in sport can be a valuable and enjoyable way of building a young person's self-esteem and increasing their motivation to learn and achieve to their full potential. Physical Education is therefore a compulsory element of the revised curriculum at all key stages.

In addition, my Department funds the Curriculum Sports Programme which is delivered by coaches from the Gaelic Athletic Association and the Irish Football Association. While the key focus of the Programme is to develop the physical literacy skills of our youngest pupils (Years 1-4), it also contributes to the professional development of teachers through the transfer of skills from the coach to the teacher which raises the confidence and skills of teachers in delivering Physical Education.

In Stranmillis University College students on initial teacher education courses have the choice of enrolling for a module in Fundamental Movement Skills which provides them with the appropriate pedagogical approaches and practical experiences in planning, teaching, assessing and evaluating the performance of children in movement skills which are the essential building blocks for sports performance. A wide range extra-curricular courses related to sport is also offered. In St Marys University College, all students have sports coaching lessons in the first three years of their programme. In addition, students who take Physical Education as a specialist subject, receive training in the provision of sports coaching lessons in each of the four years of their programme.

Sport: Coaching Lessons

Mrs Dobson asked the Minister of Education what discussions his officials have had with the Minister of Health, Social Services and Public Safety or the Minister for Employment and Learning regarding the benefits to the pupils of students in their final year of teacher training courses, being provided with sports coaching lessons.

(AQW 20734/11-15)

Mr O'Dowd: My officials have not had discussions with the Minister of Health, Social Services and Public Safety or the Minister for Employment and Learning regarding the benefits to the pupils of students in their final year of teacher training courses, being provided with sports coaching lessons.

I recognise the importance of physical activity and the contribution that keeping physically active can make to the health and wellbeing of our young people. Taking part in sport can be a valuable and enjoyable way of building a young person's self-esteem and increasing their motivation to learn and achieve to their full potential. Physical Education is therefore a compulsory element of the revised curriculum at all key stages.

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Irish-medium Nurture Units

Mr Durkan asked the Minister of Education whether there are any plans to create Irish-Medium nurture units.
(AQW 20792/11-15)

Mr O'Dowd: The Signature Project under the Delivering Social Change Programme will allow the establishment of 20 additional nurture units. Locations for these new units will be identified using objective criteria which will focus on social need.

During the life of the Signature Project a major evaluation of nurture group provision and its impact will be undertaken and the findings used to inform an evidenced based policy position. This will include the criteria for identifying schools for any future expansion of nurture group provision.

Schools: Grammar and Voluntary Sector

Mr Kinahan asked the Minister of Education what criteria must be met to establish a representative body for the whole of the grammar and voluntary sector.
(AQW 20805/11-15)

Mr O'Dowd: I have no plans to establish such a body.

Key Stage Assessment Levels

Mrs Dobson asked the Minister of Education for his assessment of the impact of the lack of standardisation in the application of End of Key Stage Assessment levels, particularly the view of school leaders that applying the assessment levels honestly and fairly may lead to the appearance of underperformance when compared to the Northern Ireland average.
(AQW 20813/11-15)

Mr O'Dowd: I know from consultation and feedback that schools did not have confidence in the outcomes resulting from the previous assessment arrangements. I also recognise that schools have expressed concerns about the lack of standardisation of data this year, due in part to the fact that moderation is voluntary in the Primary sector in 2012/13.

My Department's policy, decided after consultation and engagement across the education sector, is that the most effective way to gain confidence in outcomes is to adopt a robust model of moderated teacher assessment. This model recognises the primacy and professionalism of teachers as those best able to assess the progress of their pupils and at the same time provides a level of consistency and rigour.

I recognise that schools will need time to adjust to the new moderation arrangements and will require flexibility and support over the coming years. In 2012/13 (and 2013/14) the focus is on capacity building and embedding of assessment standards and requirements within the system. It will take time for the new system of assessment to bed down and for reliable data to be established and collected.

With any use of data from these first years of implementation, for example in monitoring school performance against targets, there is a potential variance of outcomes wider than in previous years. This will be kept under continuous review to ensure that all stakeholders have a full understanding of the nature of the assessment data and how it is to be used. I will ensure that my Department, the ETI, CCEA, the ELBs and CCMS are aware of the transition to the new arrangements and the impact that this will have on the nature of the data available at school and system level.

Key Stage Assessment Levels

Mrs Dobson asked the Minister of Education for his assessment of the concerns raised by school leaders with the Council for the Curriculum, Examinations and Assessment on the application of End of Key Stage Assessment levels; and what action he will take to address these concerns and work towards the standardisation of these levels.
(AQW 20816/11-15)

Mr O'Dowd: I know from consultation and feedback that schools did not have confidence in the outcomes resulting from the previous assessment arrangements. I also recognise that schools have expressed concerns about the lack of standardisation of data this year, due in part to the fact that moderation is voluntary in the Primary sector in 2012/13.

My Department's policy, decided after consultation and engagement across the education sector, is that the most effective way to gain confidence in outcomes is to adopt a robust model of moderated teacher assessment. This model recognises the primacy and professionalism of teachers as those best able to assess the progress of their pupils and at the same time provides a level of consistency and rigour.

I recognise that schools will need time to adjust to the new moderation arrangements and will require flexibility and support over the coming years. In 2012/13 (and 2013/14) the focus is on capacity building and embedding of assessment standards and requirements within the system. It will take time for the new system of assessment to bed down and for reliable data to be established and collected.

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Key Stage Assessment Levels

Mrs Dobson asked the Minister of Education to outline the mechanisms his Department will use to ensure that all End of Key Stage Assessment Levels are applied in a fair and consistent manner; and what action his Department will take to rectify the situation when this is found not to have been the case.

(AQW 20818/11-15)

Mr O'Dowd: I know from consultation and feedback that schools did not have confidence in the outcomes resulting from the previous assessment arrangements. I also recognise that schools have expressed concerns about the lack of standardisation of data this year, due in part to the fact that moderation is voluntary in the Primary sector in 2012/13.

My Department's policy, decided after consultation and engagement across the education sector, is that the most effective way to gain confidence in outcomes is to adopt a robust model of moderated teacher assessment. This model recognises the primacy and professionalism of teachers as those best able to assess the progress of their pupils and at the same time provides a level of consistency and rigour.

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Capital Works Projects

Mr McGlone asked the Minister of Education what capital works projects are currently being considered by his Department.
(AQW 20908/11-15)

Mr O'Dowd: Eleven major capital projects were on site at the beginning of the current financial year representing a capital investment of over £81m.

These projects were:

- | | |
|-------------------------------------|---------------------------|
| ■ Bangor GS | ■ Strathearn Grammar |
| ■ Carrick PS Warrenpoint | ■ St. Colmans PS Lambeg |
| ■ Dromintee PS | ■ St. Columbas PS Straw |
| ■ Lagan College | ■ St. Marys PS Newcastle |
| ■ Magherafelt PS and Nursery School | ■ Torbank Special School. |
| ■ Scoil na Fuisceoige Belfast | |

In June 2012 I announced investment to 18 new school builds:

- | | |
|--|--|
| ■ Coláiste Feirste, Belfast | ■ Ebrington Controlled Primary School, Derry |
| ■ St Clare's Convent & St Colman's Abbey Primary School, Newry | ■ Foyle College, Derry |
| ■ St Joseph's Convent Primary School, Newry | ■ St Teresa's Primary School, Lurgan |
| ■ Dromore Central Primary School | ■ Victoria Park Primary School, Belfast |
| ■ Eglinton Primary School | ■ Enniskillen Model Primary School |
| ■ Tannaghmore Primary School, Lurgan | ■ St Mary's Primary School, Banbridge |
| | ■ Bunscoil Bheann Mhadagáin, Belfast |

- Belmont House Special School, Derry
- Rossmar Special School, Limavady
- Castletower, Ballymena
- St Gerard's Resource Centre
- Arvalee Special School.

In my statement to the Assembly on 22 January 2013 I confirmed that 22 primary and post-primary schools would be advanced in planning:

- Islandmagee PS solution
- St Joseph & St James PS, Poyntzpass
- Gaelscoil Ui Dhochartaigh, Strabane
- Gaelscoil Ui Neill, Coalisland
- St Bronagh's Primary School, Rostrevor
- St Mary's PS/Glenravel P
- Omagh Integrated Primary School
- Braidside Integrated PS
- Portadown Integrated PS
- Craigbrack PS/ Mullabuoy PS/ Listress PS
- Corran Integrated PS
- Elmgrove Primary School
- Glenwood Primary School / Edenderry Nursery
- Holy Trinity College, Cookstown
- Strabane Academy
- St Patrick's Academy, Dungannon
- St Mary's, St Paul's & St Michael's Grammar School, Lurgan
- Parkhall Integrated College, Antrim
- Devenish College / Lisnaskea, Enniskillen
- Portora Royal / Collegiate, Enniskillen
- Down High School

I have also committed £730k to the refurbishment of the old Dungiven Primary School for Gaelscoil Neachtain.

In total I have committed some £435m to these projects.

DE: Postage Costs

Mr Easton asked the Minister of Education how much his Department has spent on postage in each of the last three financial years.

(AQW 20912/11-15)

Mr O'Dowd: The table below sets out how much my Department has spent on postage in each of the last three financial years.

Financial Year	Total £'000
2009-10	151
2010-11	150
2011-12	148

Knockbreda High School, Belfast: Feeder Schools

Mr Copeland asked the Minister of Education to detail each of the feeder schools for Knockbreda High School, Belfast; and how many first preference choices for school places were received from each feeder school, over the last two years.

(AQW 20934/11-15)

Mr O'Dowd: The feeder primary schools to Knockbreda High School as listed in the school's published admissions criteria for admissions in September 2013, are as follows:

Academy PS, Alexander Dickson PS, Beechlawn (Reading Unit), Belvoir PS, Bloomfield College Prep, Braniel PS, Brooklands PS, Cabin Hill Prep, Carr PS, Cairnshill PS, Carryduff PS, Cregagh PS, Dundonald PS, Elmgrove PS, Euston St PS, Gilnahirk PS, Harding Memorial PS, Inchmarlo Prep, Knockbreda PS, Leadhill PS, Lisnasharragh PS, Moneyrea PS, Nettlefield PS, Orangefield PS, Rosetta PS, Strandtown PS, Tullycarnet PS

The number of first preference applications received by Knockbreda High School from each feeder (and other) school for the last two years are set out in the following table:

Feeder School	2011/12	2012/13
Avoniel PS	1	0
Belvoir Park PS	2	0
Botanic PS	0	1
Braniel PS	0	1
Cairnshill PS	0	1
Cottown Reading Unit	3	0
Cregagh PS	2	0

Feeder School	2011/12	2012/13
Donegall Road PS	0	2
Elmgrove PS	1	1
Euston St PS	12	6
Fane St PS	1	0
Gilnahirk PS	1	0
Harding Memorial PS	3	1
Holy Rosary PS	1	0
Knockbreda PS	2	0
Lisnasharragh PS	2	1
Nettlefield PS	8	5
Orangefield PS	0	1
Rosetta PS	1	1
Outside NI	4	0
Total	44	21

Translation Costs

Mr Weir asked the Minister of Education to detail the cost of translating departmental letters and documents into (i) Irish; and (ii) each other language, in each of the last five years.

(AQW 20960/11-15)

Mr O'Dowd: The cost for translating my Department's letters and documents into (i) Irish; and (ii) each other language in the last 5 financial years is detailed in the table below.

Language	2007-08	2008-09	2009-10	2010-11	2011-12
Irish	13273.87	47061.97	39370.45	37659.00	36834.49
Albanian	82.25				
Arabic	70.50			45.00	
Bengali				45.00	
Bulgarian	70.50				
Cantonese	621.58	1167.24	1492.04	656.55	
Chinese (Simplified)					597.94
Chinese (Traditional)					597.94
Czech	70.50				
Farsi		94.00		230.00	
Filipino		372.60	277.40		
Fijan	82.25				
French	235.00	105.75			
Hindi	82.25			45.00	
Hungarian	364.25			525.21	491.17
Italian	458.25				
Latvian	479.42		710.00	525.21	491.17
Lithuanian	1007.59	973.29	1194.62	565.21	491.17
Malayalam	82.25				
Malaysian	82.25				

Language	2007-08	2008-09	2009-10	2010-11	2011-12
Mandarin	842.54	256.82	925.00	656.55	
Nepalese	82.25				
Philipino	82.25				
Polish	2886.06	936.49	1080.62	565.21	700.17
Portuguese	840.99	893.22	986.92	473.87	629.65
Punjabi				45.00	
Romanian	94.00	82.25			
Russian	188.00				
Shona	82.25				
Slovak	70.50	111.55	256.22	565.21	491.17
Spanish	293.75	10.07			50.40
Swahili	82.25				
Tagalog	82.25	607.01	334.20	40.00	
Thai	94.00				
Turkish			710.00	525.21	
Ulster Scots	107.66	260.61	35.00		
Urdu	82.25	10.07		45.00	
Totals	22973.71	52942.94	47372.47	43212.23	41375.27

Schools: Integrated Status

Mr Easton asked the Minister of Education how many maintained sector schools have transferred to integrated status over the last four years.

(AQW 20981/11-15)

Mr O'Dowd: Under Article 68 of the 1989 Education Reform Order, any existing grant-aided school, apart from a special school, is eligible to transform to integrated status. The decision to pursue integrated status for any school is a matter for the parents and for the wider school community. There is guidance and practical help available for those who decide to do so. However, to date, no maintained school has transformed.

Primary School Counselling Services

Mr Lyttle asked the Minister of Education for his assessment of the provision of counselling services at primary school level and its impact on children; and what measures his Department is taking to appropriate adequate funds to meet the counselling needs of primary school pupils.

(AQW 21009/11-15)

Mr O'Dowd: The Department does not make provision for counselling support, which is independent of the school, on a universal access basis in primary schools.

However counselling support through the Independent Counselling Service for Schools is made available to primary age pupils as part of the response to a critical incident.

Schools, including primary schools, can provide counselling support from within their own resources. Some primary schools have used funding from other sources, such as, the Extended Schools Initiative, the Big Lottery or Neighbourhood Renewal to purchase counselling support.

Counselling is a reflective process and evaluation of the impact of the intervention is an on-going part of process. The Department does not collect information from primary schools about the provision made or its impact.

Any expansion of the Independent Counselling Service for Schools into the primary sector would require significant additional resources which are not available at present.

Department for Employment and Learning

DEL: Claims

Mr Easton asked the Minister for Employment and Learning how much has been paid to settle claims against his Department, in each of the three financial years.

(AQW 20560/11-15)

Dr Farry (The Minister for Employment and Learning): The total amounts paid to settle claims against the Department, in each of the last three financial years, were as follows:

2009/10	Nil
2010/11	£10,470
2011/12	Nil

University of Ulster, Magee Campus: Day Care Facilities

Mr P Ramsey asked the Minister for Employment and Learning to detail the (i) financial deficit of the daycare facilities at the Jordanstown campus of the University of Ulster over the last ten years; (ii) the total rent and overheads the University of Ulster has charged the Magee and Jordanstown campuses daycare facilities during this period; and (iii) the amount his Department has allocated to the University for Widening Access.

(AQW 20708/11-15)

Dr Farry: My Department does not hold all of the information requested. However, my officials have contacted the University of Ulster and were advised that the financial deficit for the day care facility at the Jordanstown campus for each of the last ten years was as follows:

02/03	(£26,471)
03/04	(£39,001)
04/05	(£28,113)
05/06	(£38,006)
06/07	(£67,536)
07/08	(£84,380)
08/09	(£90,923)
09/10	(£104,737)
10/11	(£80,027)
11/12	(£73,918)

* Figures in brackets represent a deficit

The University has advised that no rent or overheads were charged to either the Magee or Jordanstown day care facilities over the last 10 years.

The University has confirmed that the only other charges during this period were for additional services provided such as, postage, telephone, catering, printing and photocopying, and repairs and maintenance. The total additional charges to the child care facility at the Jordanstown campus was £29,691.71 and for Magee the total was £32,809.12 over the ten year period.

My Department makes two types of premium funding available to higher education institutions to widen participation from disadvantaged students and to widen access for disabled students. In addition, my Department also funds the Step-Up Magee and Belfast programmes to promote widening participation in higher education. The total payments to the University of Ulster over the last ten years are listed below.

	Widening Participation	Widening Access	Step-Up Magee	Step-Up Belfast
2003/04	£696,540	£181,728	£86,195	-
2004/05	£729,144	£198,058	£133,793	-
2005/06	£762,009	£199,740	£156,702	-
2006/07	£782,964	£244,610	£170,385	£449,871
2007/08	£804,496	£236,216	£178,172	£237,956

	Widening Participation	Widening Access	Step-Up Magee	Step-Up Belfast
2008/09	£826,620	£171,925	£183,210	£281,088
2009/10	£843,152	£171,038	£183,210	£282,771
2010/11	£843,152	£169,526	£183,210	£312,061
2011/12	£792,563	£160,286	£183,210	£293,219
2012/13	£745,009	£146,121	£183,210	£307,733
Total	£7,825,649	£1,879,248	£1,641,297	£2,913,801

University of Ulster, Magee Campus: Day Care Facilities

Mr Mitchel McLaughlin asked the Minister for Employment and Learning what consultation took place on the proposal to close the crèche facilities at University of Ulster.

(AQW 20719/11-15)

Dr Farry: The University of Ulster is an autonomous body and as such decisions relating to the operation of student services at the University are a matter for the management of the University. However, my officials have raised this issue with the University and have been advised that the decision to close the university managed childcare facilities at the Magee and Jordanstown campuses from 31 July 2013, was taken because the childcare provision has continued to sustain a significant annual deficit of approximately £114k and is no longer considered economically viable by the university.

The University has stated that it is making this change with the support of its Student Union and also that it held discussions on the proposal with key stakeholders. The University has advised that in line with agreed procedures when any possible restructuring or closure is being considered, the first meeting took place with the relevant Trade Unions on 30 January 2013. This was followed by meetings the same day with staff in the day care nurseries and staff from Social Services, the body which has an oversight role in this area. The University reports that at that stage the discussion centred on the proposed closure pending the completion of an equality screening exercise. The University has stated that all parents with children in the nurseries were informed of the proposed closure by letter on 30 January.

The University further advises that on completion of the equality screening exercise follow up meetings were held with the Trade Unions on 7 February 2013 and with the staff in the nurseries on 8 February at which time the decision to close the nurseries was communicated. The University states that on 8 February parents received a second letter advising them of the decision and that a meeting was subsequently held with parents on 14 February to discuss the decision and the alternatives open to them. The University argues that it was not possible to meet with parents until it had met with the Trade Unions and informed the nursery staff in the first instance.

On 8th February 2013 the University of Ulster confirmed its decision to close its university managed childcare facilities in the Magee and Jordanstown campuses from 31 July 2013.

University Transfers

Mr Weir asked the Minister for Employment and Learning how many undergraduate students have transferred from universities in (i) England; (ii) Scotland; and (iii) Wales to universities in Northern Ireland, in each of the last five years.

(AQW 20724/11-15)

Dr Farry: As my Department does not hold the information requested, departmental officials contacted the universities and university colleges.

The University of Ulster has advised that it does not collect this information and Stranmillis University College has confirmed that, in the last five years, one student transferred from an English University to an undergraduate course at the College. Information provided by Queen's University Belfast and St. Mary's University College is attached at Annex A.

Queen's University Belfast

Annex A

Queen's University only holds data for students who transfer to Queen's with credit and this information is set out below.

Credit Transfers to Queen's from Universities in England, Scotland and Wales 2008-2012

	2008	2009	2010	2011	2012	Total
England	8	10	4	12	11	45
Scotland	6	3	1	1	2	13
Wales	0	0	1	0	2	3
Total	14	13	6	13	15	61

St. Mary's University College

	2008	2009	2010	2011	2012	Total
England	1	3	1	2	0	7
Scotland	1		1			2
Wales						0
Total Transfers to Year 1	2	3	2	2	0	9

University of Ulster, Magee Campus: Day Care Facilities

Mr P Ramsey asked the Minister for Employment and Learning, pursuant to AQW 20714/11-15, whether his Department has received an application for change of use of the buildings.
(AQW 20969/11-15)

Dr Farry: Initial contact has been made with the Department and it is likely that a meeting will take place in the near future for an initial discussion on the matter. As yet, no application for a change of use of the buildings has been received.

Access to Work Scheme

Mr Allister asked the Minister for Employment and Learning how many profoundly deaf people are supported in employment by the Access to Work Scheme.
(AQW 20975/11-15)

Dr Farry: There are currently 92 people with profound hearing loss being supported in employment through the Access to Work Scheme.

Department of Enterprise, Trade and Investment**Invest NI: Hospitality Expenses**

Mr Allister asked the Minister of Enterprise, Trade and Investment to detail the spend by InvestNI on hospitality in 2011/12.
(AQW 20502/11-15)

Mrs Foster (The Minister of Enterprise, Trade and Investment): The spend on hospitality for 2011/12 was £511,699.

This included enhanced expenditure on three major golf tournaments, the Irish Open at Royal Portrush, the US Open and the Ryder Cup, following specific requests from Ministers and other elected representatives, to capitalise on the surge in interest in Northern Ireland following the success of our three golf Major winners and to maximise these as opportunities to build and develop relationships with potential inward investors.

Electricity Theft

Ms Lo asked the Minister of Enterprise, Trade and Investment, given the recent BBC NI Spotlight programme on electricity theft, to outline the steps that are being taken to prevent this.
(AQW 20602/11-15)

Mrs Foster: My Department is responsible for the development of energy policy, but has no role in the policing of the market. Procedures for the detection and protection of theft, damage and meter interference are conditions in the licences of electricity suppliers in Northern Ireland. The Utility Regulator monitors licence conditions and undertakes investigation if there is reason to believe that a licence condition has been breached. Where suppliers identify theft of electricity, damage to equipment or evidence of meter tampering they are obliged to report details to NIE as owner of the electricity network. NIE has advised that it has a dedicated team which has been in place since 2000 and which investigates meters following receipt of information from electricity suppliers, the PSNI, the general public and its own staff.

Trade Missions

Mr P Ramsey asked the Minister of Enterprise, Trade and Investment to outline all planned overseas trade missions in 2013.
(AQO 3656/11-15)

Mrs Foster: Information on planned trade missions and events can be found in the trade calendar on Invest NIs website at www.investni.com/tradecalendar.

Invest NI: Job Creation

Mr McCartney asked the Minister of Enterprise, Trade and Investment how many jobs have been created as a direct result of InvestNI intervention since April 2012 compared with the targets set out in the Programme for Government.

(AQO 3650/11-15)

Mrs Foster: Invest NI reports on the number of jobs promoted by assisted projects, in line with the targets set in the Programme for Government. Results for the year will be published following validation of the full year figures and will be laid before the NI Assembly in early July, before summer recess, as part of the organisation's Annual Report.

Housing: Renewable Energy

Mr Irwin asked the Minister of Enterprise, Trade and Investment to outline the financial assistance available for the purchase and installation of renewable energy sources for homes.

(AQO 3651/11-15)

Mrs Foster: My Department currently provides householders with grant support of up to £3,500 under the Renewable Heat Premium Payment Scheme to purchase and install renewable heating technologies.

In addition, households can benefit from the Northern Ireland Renewables Obligation which provides a revenue stream for renewable electricity generated.

Information Economy Strategy

Mr D Bradley asked the Minister of Enterprise, Trade and Investment what discussions she has had with the British Government on the development of the proposed information economy strategy.

(AQO 3652/11-15)

Mrs Foster: My officials have had discussions with the Department for Business, Innovation and Skills on the development of its wider Industrial Strategy, of which the information economy strategy will form a strand. To date no specific discussions have taken place with our Government on the development of the proposed information economy strategy.

Employment Law: Business

Mr Swann asked the Minister of Enterprise, Trade and Investment to outline how she is working with the Minister for Employment and Learning to ensure that the voice of business is heard in relation to the reform of employment law.

(AQO 3653/11-15)

Mrs Foster: I meet regularly with the Employment and Learning Minister to discuss a range of issues of mutual interest. When we have discussed the current Employment Law review, I have used the opportunity to emphasise the importance of reducing the regulatory burden on business, while recognising the need to protect employees.

I understand DEL officials are fully engaged with a wide range of stakeholders, including business organisations, as the review progresses.

Licensed Premises: Opening Hours

Mr F McCann asked the Minister of Enterprise, Trade and Investment whether the Northern Ireland Tourist Board supports the extension of opening hours for licensed premises.

(AQO 3654/11-15)

Mrs Foster: The Northern Ireland Tourist Board supports the proposal, which was put forward by the Department of Social Development in its consultation, to introduce occasional additional late opening hours for licensed premises, where entertainment or food is being served. This will allow such premises, in particular pubs, to benefit from key events.

Invest NI: Job Creation

Mr Cree asked the Minister of Enterprise, Trade and Investment for her assessment of the conversion rate between jobs promoted by InvestNI and jobs created in the last three years.

(AQO 3655/11-15)

Mrs Foster: Invest NI measures the number of jobs promoted by assisted projects, in line with Programme for Government targets. The recent Northern Ireland Audit Office report on Invest NI quoted a conversion rate of 75% although this does not specifically relate to the last three year period. The current evaluation of Selective Financial Assistance, due for completion in June this year, should provide a more up to date figure.

Department of the Environment

Unfinished Developments

Mr Molloy asked the Minister of the Environment what enforcement action he intends to take against developers who leave developments unfinished or in a state of disrepair.

(AQW 6645/11-15)

Mr Attwood (The Minister of the Environment): I have made a case in point in relation to developers leaving developments unfinished or in a state of disrepair. The response to this issue has to be multifaceted. It shall include short term financial interventions for developers to improve sites, with a clawback clause requiring developers to pay back monies.

First, DOE will also use its own powers against developers where possible. Whilst the Department does not have any powers to make developers implement a grant of planning permission or to force the completion of any building works that have begun on site, Article 37 of the Planning (Northern Ireland) Order 1991 enables the Department to terminate a planning permission in certain circumstances.

Second, Other Departments/ agencies/ bodies may too have powers to act in such circumstances. The response to this problem will therefore include building up the capacity in councils to deploy the legislative powers they hold to deal with dangerous or sites in decay. Belfast City Council, for example, has a vigorous programme around the use of existing power to deal with sites and properties where issues exist. Other Councils should adopt the same approach.

Third, if there is a need for further power and law beyond these measures, I will consider how to proceed.

Divisional Planning Office

Mr Wells asked the Minister of the Environment whether the PSNI are currently investigating allegations of bribery at a Divisional Planning office.

(AQW 19319/11-15)

Mr Attwood: I cannot comment on any individual case, particularly when the disciplinary process has not yet been completed. The Department would refer a case to the PSNI if there appeared to be any grounds for suspecting that a crime had been committed.

Wind Turbine Development

Ms Boyle asked the Minister of the Environment, in light of the Landscaped Architects report commissioned by Planning Service in 2008 which stated that West Tyrone was already at a point of near capacity and there was only limited scope for further wind turbine development, why this position has been superseded by further planning approvals and applications pending.

(AQW 19542/11-15)

Mr Attwood: The West Tyrone Study undertaken by the Department's landscape architects, at the request of Planning Service, was a review of the existing planning approvals and planning applications then under consideration. This was in response to an unprecedented number of separate planning applications being submitted in the West Tyrone area at that time.

Its purpose was to inform the subsequent decision making process in relation to planning applications under consideration at the time. The views expressed in the study were the professional assessment of the Department's landscape architects. They represent a material consideration, one among the range of material considerations, which inform the Department's final decision on individual planning applications.

The content of the study has status as one of guidance. It does not represent the Department's policy position, which is contained in PPS 18. Decisions on subsequent planning applications were, and are being, taken on their individual planning merits having regard to the development plan, so far as material to the application, and to any other material considerations.

However, I have requested a further update on this issue.

Wind Farms: Complaints

Ms Boyle asked the Minister of the Environment whether there has been an increase in the number of complaints to local councils concerning wind farms over the last five years.

(AQW 19580/11-15)

Mr Attwood: The Department holds information only in relation to noise complaints made to councils. Councils report noise complaints statistics to the Department under the following six categories: industrial; commercial and leisure; domestic; transport; noise in the street; and construction. Therefore the Department is not able to disaggregate those in relation to wind farms. The latest Noise Complaint Statistics report (2011/12) is available on the Department's noise website, www.noiseni.co.uk.

Individual District Councils are responsible for dealing with complaints about noise under their own Environmental Health legislation.

Where a wind farm operation is found to be in breach of planning conditions the case will be referred to Planning.

However, I have asked Councils to identify the number of complaints on windfarms in the last 5 years and shall advise in due course.

Wind Farms

Ms Boyle asked the Minister of the Environment what mitigating measures are contained in planning policy for residents and councils affected by wind farms.

(AQW 19603/11-15)

Mr Attwood: The main planning policy for the assessment of a planning application for wind energy is contained within Planning Policy Statement 18 'Renewable Energy'. Policy RE1 requires the Department to ensure that the proposal will not result in an adverse impact on public safety, human health and residential amenity.

In assessing applications for wind turbines, the impact of the proposed development on adjacent occupied properties is a material consideration that the Department will take into account in reaching a balanced judgement.

To mitigate against any adverse impacts, for windfarm development PPS 18 will require the application of a separation distance of 10 times the rotor diameter to occupied property with a minimum distance of not less than 500m.

In addition, as part of its consideration of a planning application, and in order to further inform the decision making process, the Department will consult with the Environmental Health Department of the District Council, who will provide expert advice in relation to planning related matters such as the potential noise impact of the proposed development on an adjacent occupied property.

In these and other ways, the issue of windfarm impact is addressed. That said, in meeting resident and community objectors and applicants, I am aware of the arguments. I will discuss this issue further at the next meeting of the renewables sub group of the planning forum on 1st May 2013.

DE: Hospitality Expenses

Mr Allister asked the Minister of the Environment what was the total spend on hospitality by his Department in 2011/12.

(AQW 19626/11-15)

Mr Attwood: The table below provides the expenditure on hospitality by the Department for 2011/12 as well as the two previous years 2009/10 and 2010/11.

Business Area	2009/10 £	2010/11 £	2011/12 £
Department (excluding agencies)	61,365	21,951	6,881
Northern Ireland Environment Agency	31,635	10,652	17,376
Driver and Vehicle Agency	9,009	2,353	1,720
Total	102,009	34,956	25,977

The Department has critically reviewed, and continues to explore, all opportunities for minimising areas of discretionary spend. As a consequence, expenditure on hospitality has decreased by almost 75% between 2009-10 and 2011-12.

The reason for the increase of £6,724 in NIEA hospitality costs from 2010-11 to 2011-12 is due mainly to the transfer of the budget and expenditure for the Statutory Advisory Councils (CNCC, HBC and HMC) from the Environmental Policy Division to NIEA. The expenditure would have previously been shown within the Departmental line, excluding agencies. There was also a small number of one off events in 2011-12, e.g. Invasive Species Forum, which contributed to the increase.

Foyle Estuary

Ms Maeve McLaughlin asked the Minister of the Environment why the Foyle Estuary was designated as coastal rather than estuarine waters.

(AQW 19686/11-15)

Mr Attwood: The Foyle estuary limit in Lough Foyle was established in 1994 according to the definition set out in the Urban Waste Water Treatment Regulations (Northern Ireland) 1995, regulation 2 which followed the UK Guidance on this issue. A copy of the relevant section of the Guidance Note Issued by DOE on implementation of the Urban Waste Water Treatment Directive has been placed in the Assembly Library. The delineation was confirmed through the Water Framework Directive characterisation process carried out in 2004-2005 following which followed the Guidance issued by the UK Technical Advisory Group. A copy of this guidance entitled, 'Guidance on Typology for Coastal & Transitional Waters of the UK and Republic of Ireland has also been placed in the Assembly Library.

There was no requirement to consult on the delineation of the estuary in 1994 under the Urban Waste Water Treatment Directive, nor on the initial characterisation of water bodies under the Water Framework Directive (WFD). However, the WFD characterisation was reviewed in 2005 and the 'WFD Summary Report of the Characterisation and Impact Analysis Required

by Article 5 Northern Ireland' was posted on the NIEA website in March 2005. This document along with the draft River Basin Management Plan published in December 2008 was opened for 6 months consultation, following which no issues were raised about the delineation of the Foyle estuary or the Faughan and Roe estuaries, nor the characterisation of the northern end of Lough Foyle as a coastal water.

Shale Gas

Mr Agnew asked the Minister of the Environment on which issues relating to shale gas has he sought legal advice.
(AQW 19907/11-15)

Mr Attwood: I would first wish to advise of the general policy that applies in relation to legal advice to Ministers. The concept of legal professional privilege safeguards the rights of a person or organisation, including the Department, to obtain legal advice on a confidential basis and to refuse to disclose such information in the interests of the wider administration of justice. It has been the settled view that in this context, legal advice is not disclosed.

I can confirm that any legal advice which I believe has been necessary – or may become necessary - has or shall be sought. This is to ensure that all planning and environmental and other requirements are fulfilled. That is and will remain the case.

Supplier Invoices

Mr Ross asked the Minister of the Environment to detail the number of invoices his Department paid within (i) 10 working days; (ii) 20 working days; and (iii) 30 working days of receipt of the supplier's invoice, broken down by council area, in each of the last five years.
(AQW 20060/11-15)

Mr Attwood: My Department is committed to the prompt payment of valid invoices and monitors performance against prompt payment targets of 30 calendar days and 10 working days.

In the last five years, the total number of invoices actually paid, the number of invoices which were paid within the Department's 30 day and 10 day prompt payment targets are detailed below.

	2007-08	2008-09	2009-10	2010-11	2011-12
Total Number of Invoices Paid	49,480	51,559	54,504	42,148	37,386
Number paid within 30 Days	47,904	49,891	48,426	39,913	36,164
Number paid within 10 Days	N/A	N/A	35,014	34,767	33,677

Whilst there is no central system for recording the Department's prompt payment statistics by council area, the Department monitors prompt payment performance for all suppliers irrespective of locations and is acutely aware of the importance of cashflow to suppliers, particularly in the current economic climate.

I have asked officials to create a challenging month to month target to have the amount of invoices paid in 10 days increased and to provide a 2 monthly update on progress.

DOE: Unpaid Invoices

Mr Ross asked the Minister of the Environment to detail the number of invoices his Department did not pay within 30 working days of receipt of the supplier's invoice, broken down by council area, in each of the last five years.
(AQW 20061/11-15)

Mr Attwood: In the last five years, the total number of invoices actually paid, and the number of invoices which were not paid within 30 working days of receipt are detailed below.

	2007-08	2008-09	2009-10	2010-11	2011-12
Total Number of Invoices Paid	49,480	51,559	54,50	42,148	37,386
Number of invoices not paid within 30 Days	1,576	1,66	6,078	2,235	1,222

Late payments increased in 2009-10 following the implementation of a new accounting system (Account NI). Thereafter, the Department had deployed a number of mechanisms and practices to monitor and improve payment performance including:

- Provision of training;
- Dissemination of monthly prompt payment performance statistics; and
- Quarterly reporting to senior management.

Whilst there is no central system for recording the Department's prompt payment statistics by council area, the Department monitors prompt payment performance for all suppliers irrespective of location and is acutely aware of the importance of cashflow for suppliers, particularly in the current economic climate.

I have requested a senior official to create a month to month target to have the amount of invoices not paid in 30 days reduced to 2.5% in 6 months and to provide a 2 monthly report in the interim.

National Parks

Mr McMullan asked the Minister of the Environment, pursuant to AQW 17841/11-15, to list all the groups, including councils, with which he has met with in relation to National Parks; and the dates of these meetings.

(AQW 20342/11-15)

Mr Attwood: According to my records, I have met with groups to discuss national parks as follows: the Ulster Farmers' Union on 30th January, 20th August and 4th December 2012; the Ulster Society for the Protection of the Countryside on 17th August 2011 and 13th November 2012; Mourne Heritage Trust on 26th July 2011 and 9th October 2012; the Northern Ireland Tourist Board on 19th January 2012 and 6th February 2013; the National Beef Association on 16th February and 11th September 2012; the Institute of Directors on 9th October 2012; the Council for Nature Conservation and the Countryside on 15th November 2011; Causeway Coast and Glens Heritage Trust on 29th November 2012; and Newcastle Chamber of Commerce on 8th February 2013. I have attended a great many meetings in my tenure as Minister, and there are others, not listed above, at which the issue of national parks was discussed.

Non-article 31 Planning Applications

Mr Boylan asked the Minister of the Environment, pursuant to AQW 19029/11-15, to detail in which non-Article 31 planning applications he has intervened since May 2011.

(AQW 20353/11-15)

Mr Attwood: As I have stated previously, during the processing of planning applications I regularly correspond with MLAs who have written on behalf of constituents and objectors in connection with certain planning applications. I have also met multiple delegations involving members of all political parties in the Assembly and made inquiries in relation to a number of applications. That is the legitimate exercise of my functions and, as members of all parties will know is exercised judiciously and properly

To provide details would require an unreasonable period of staff time, combing through planning files manually etc.

Scrap Metal Trade

Mr Copeland asked the Minister of the Environment whether he intends to introduce legislation to regulate the scrap metal trade further.

(AQW 20442/11-15)

Mr Attwood: Regulation of the scrap metal trade as an industry falls outwith the powers of the Department of the Environment, although this is being further checked with DOJ.

An imminent Private Member's Bill, which will strengthen legislation in England and Wales alone, is currently going through Parliament. Mr Roy Beggs, MLA, is considering proposing a similar Private Member's Bill here in NI.

The England and Wales Private Member's Bill deals, primarily, with metal theft and how the industry itself operates. The Home Office is the department responsible for this legislation and, on this basis, it would be for the Department of Justice (DOJ) to comment on any similar legislative proposals here. However, both Departments are working together to try to tackle this issue.

What the DOE does do is regulate the waste/environmental activities carried out by scrap metal dealers. While environmental measures will not address fully the problem of metal theft, it is considered that they will be useful to assist in dealing with the problem, since it has been identified that environmental legislation has a role to play in tackling the issue of metal theft, as metal thieves often also commit environmental offences.

Consequently, I am already taking steps to introduce stronger legislation to regulate against environmental crime, which will have the knock-on effect of helping to address metal theft. The Department is proposing to amend some existing environmental legislation to ensure that statutory provision is as effective as possible and in particular facilitates the investigation and successful prosecution of offenders against environmental law.

Specifically, a number of Articles contained within the Waste (Amendment) (Northern Ireland) Order 2007 and the Waste and Contaminated Land (Amendment) Act (NI) 2011 were commenced on 11 and 12 March 2013 respectively. These provisions give further powers which will assist in combating environmental crime.

A number of these Primary provisions will require further subordinate legislation and work on this has already commenced.

In addition, other proposals include amending the Duty of Care Regulations to remove the 7-days grace for waste carriers/holders to produce documentation to the Department upon request. The intention of this amendment is to make it a requirement to carry/hold the appropriate documentation with the waste to which it refers and make it an offence not to do so. This will allow authorised officers or the police to 'weed out' illegal transfer of wastes, including metal. Consultation on these proposed changes commenced on 4 February 2013. The consultation closes on 26 April 2013.

I support, in principle, further legislation. But in any case, escalation of enforcement and imposition of robust penalties by the courts is essential. This is one of the reasons why the Environmental Crime Unit is expanding and why DOE provided an extensive matrix to the Judicial Studies Board covering penalties laid down by the courts further to prosecutions.

Scrap Metal Dealers Bill

Mr Copeland asked the Minister of the Environment whether there are elements in the Scrap Metal Dealers Bill at Westminster that could be implemented in Northern Ireland.

(AQW 20443/11-15)

Mr Attwood: The powers and controls being brought forward in England and Wales are not aimed at the environmental effects of metal theft but on how to manage the industry. They will put in place controls for how the industry should manage its business. This falls to another Department, although this issue of competence is being rechecked.

I believe in the need for further legislation and regulation. That is why I have brought forward new powers on the issue of scrap metal and shall bring forward more in the future.

Mr Roy Beggs, MLA, is considering proposing a similar Private Member's Bill here in NI. The Department of Justice is the lead Department in relation to these proposals.

I have been in touch with the Minister for Justice and his officials and mine are working together through various working groups, and in liaison with industry and those affected by metal theft, to ensure that any legislation brought forward by the Department of Justice is assisted, where possible, by the environmental controls for which this Department is responsible.

Translation Costs

Mr Weir asked the Minister of the Environment to detail the cost of translating departmental letters and documents into (i) Irish; and (ii) each other language, in each of the last five years.

(AQW 20504/11-15)

Mr Attwood: The table below details the Irish and other translation costs for the last 5 years 2007/08 to 2011/12. The large costs associated with 2008-09 are in relation to the Department developing a road safety Foreign Language Pack and the production of the Highway Code in various foreign languages.

Language	2007/08 £	2008/09 £	2009/10 £	2010/11 £	2011/12 £
Irish	1,313	4,798	276	766	100
Cantonese	275	370	-	-	-
French	-	370	-	-	-
Italian	-	370	-	-	-
Lithuanian	-	31,552	-	-	150
Mandarin	-	34,076	-	-	-
Polish	-	32,141	-	-	150
Portuguese	-	31,178	-	-	150
Russian	-	9,060	-	-	-
Spanish	-	370	-	-	-
Ulster Scots	-	370	-	-	-
Total Costs	1,588	144,655	276	766	550

Allotments

Mr D McIlveen asked the Minister of the Environment what consideration his Department has given to imposing a statutory obligation on councils to provide allotments.

(AQW 20840/11-15)

Mr Attwood: I have looked at the possibility of using a range of further mechanisms including legislative ones which could encourage and support councils in providing allotments.

The process to develop and agree legislative proposals for the introduction of a specific duty on councils to provide allotments cannot be completed in a timeframe that would allow for its inclusion in current environmental legislation in process. However, I am keeping the matter under review.

Allotments

Mr D McIlveen asked the Minister of the Environment what discussions he has had with the Northern Ireland Local Government Association and the Society of Local Authority Chief Executives to encourage local councils to improve allotment provision. (AQW 20842/11-15)

Mr Attwood: To date, the Northern Ireland Local Government Association nor the Society of Local Authority Chief Executives has requested a meeting with me to discuss this subject.

I will consider how to take this forward as part of an ongoing assessment of the future opportunities for allotments.

Unanswered Question: AQW 16871/11-15

Mr Frew asked the Minister of the Environment why AQW 16871/11-15, which was tabled on 16 November 2012, has not yet been answered. (AQW 20860/11-15)

Mr Attwood: The response to AQW 16871/11-15 issued on 14 March 2013.

Minerals Applications

Mr Agnew asked the Minister of the Environment, pursuant to AQW 17534/11-15, to outline the measures he can take to rectify any shortcomings uncovered as a result of the review of the 120 current and recently approved minerals applications. (AQW 20988/11-15)

Mr Attwood: The legal challenge to recent permissions at Cavanacaw Gold Mine identified shortcomings in the determination process of under the EIA Regulations. In light of this I asked for recent approvals and current cases to be checked to ensure compliance with the EIA Regulations. As I stated in my response to AQW 20450/11-15, this was an exercise by staff in the Minerals Team with assistance from the Development Management Guidance Team, where required, to check that EIA screening was done properly and was not a formal review.

Measures such as advice and guidance for staff are in place as standard practice. However, an additional measure now includes a programme of additional EIA training being drawn up by senior officials in the Strategic Planning Division. This will be delivered to all DOE operational planning staff and is due to commence shortly.

Department of Finance and Personnel

Peace III Funding

Mr Allister asked the Minister of Finance and Personnel, pursuant to AQWs 10359/11-15, 11227/11-15, and 11475/11-15, to detail precisely how much Peace III funding went to (i) ex-prisoner groups; and (ii) groups made up exclusively of innocent victims. (AQW 19199/11-15)

Mr Wilson (The Minister of Finance and Personnel): The PEACE III Operational Programme names several target beneficiary groups, including both (i) ex-prisoners and their families and (ii) victims of the conflict.

The programme adheres to the legislative definition of a victim, and does not record data against the term "innocent victims". Neither does the programme categorise grant recipients under the terms "victims groups" or "ex-prisoners groups". For this reason, comprehensive details of funding awarded to target beneficiary groups cannot be readily provided.

It is possible, however, to estimate funding awarded based on the focus of projects discerned from the organisation name, project title and project description fields recorded on the Systems 2007 EU funding database. The figures presented in the following paragraphs are based on this methodology.

PEACE III funding of £14,258,305.43 has been awarded to groups targeting ex-prisoners and their families.

PEACE III Theme 1.2, Acknowledging and Dealing with the Past, has a particular focus on addressing the issues of the past, including the needs of victims and survivors. To date under this Theme projects specifically targeting victims have been awarded funding of £19,067,354.17. In addition, under Theme 1.1, Building Positive Relations, funding of £520,316.36 has been awarded to projects which identify themselves as targeting victims and survivors.

Northern Ireland Civil Service: Vancanices in the North-west

Mr Eastwood asked the Minister of Finance and Personnel to detail the current Staff Officer vacancies within the Northern Ireland Civil Service based in the North West. (AQW 20052/11-15)

Mr Wilson: At 20 February 2013, the Northern Ireland Civil Service had 3 vacancies at Staff Officer level in the North West Area. For the purpose of this response, the North West is defined as the District Council Areas of Derry, Strabane and Limavady.

Rate Relief

Mr McKay asked the Minister of Finance and Personnel how much each of the bodies listed on Article 41A of the Rates (NI) Order 1977 has saved in rate relief, in each year since 2006.

(AQW 20525/11-15)

Mr Wilson: The table below details how much each of the bodies listed on Article 41A of the Rates (NI) Order 1977 is estimated to have saved in rate relief since the Article's introduction from April 2006. A further £104,790 has been awarded in rate relief which cannot be assigned to a specific group.

Estimated Savings through Exemption under Article 41A

Financial Year	Grand Orange Lodge of Ireland	Grand Lodge of Freemasons of Ireland	The Ancient Order of Hibernians	Royal Black Institution	Apprentice Boys of Derry	Independent Loyal Orange Institution	Royal Antediluvian Order of Buffaloes
2006/07	£575,361	£180,757	£21,647	£6,791	£10,458	£4,656	£2,214
2007/08	£595,979	£187,328	£22,515	£7,006	£10,901	£4,874	£2,337
2008/09	£618,843	£194,534	£23,323	£7,257	£11,377	£5,058	£2,440
2009/10	£632,617	£212,468	£23,624	£7,424	£11,514	£5,217	£2,500
2010/11	£678,346	£229,270	£24,398	£9,135	£12,025	£5,452	£0
2011/12	£716,937	£247,388	£24,865	£9,339	£12,199	£5,591	£0
2012/13	£720,478	£231,301	£24,625	£9,051	£12,456	£5,731	£0
Total*	£4,538,559	£1,483,046	£164,998	£56,004	£80,930	£36,579	£9,491

*Total may not add due to rounding

European Funding Streams

Mrs Cochrane asked the Minister of Finance and Personnel (i) what his Department is doing to encourage the increased uptake of underused European funding streams; and (ii) what support structures are being established to (a) improve the capability of businesses to draw down such funding; and (b) maximise collaboration opportunities between suitable small and medium-sized enterprises.

(AQW 20567/11-15)

Mr Wilson: Following the establishment of the European Commission Task Force for Northern Ireland, the Northern Ireland Executive agreed to increase Northern Ireland's Transnational and Interregional participation.

Northern Ireland is eligible for funding under INTERREG IVB transnational programmes (Atlantic Area, Northern Periphery and North West Europe) as well as the EU – wide INTERREG IVC interregional programme. Eligible regions receive no automatic allocation of funding under these programmes as funding is allocated competitively based on the quality of applications submitted.

In the current 2007- 2013 EU programming period, DFP has worked to increase Northern Ireland's participation in these programmes. Some of the actions undertaken include greater participation in the programme management structures including directly in the management of the Atlantic Area and Northern Periphery programmes and also representing the regional perspective at UK level.

DFP also appointed the Special EU Programmes Body to co-ordinate project development and promotion of the transnational and interregional Programmes on a North-South basis. This necessitates the Body to work closely with the Northern Ireland and Republic of Ireland potential applicants in their project development role.

As a result of this, 59 projects, with a value of £8.8 million, involving Northern Ireland partners have been approved to date, meaning that we have tripled the number of successful projects achieved during the 2000-06 programme period (17).

Treasury Total Expenditure on Services Framework

Mr McKay asked the Minister of Finance and Personnel to outline the proportion of finance attached through the Treasury Total Expenditure on Services Framework, that is employed by his departmental officials in the Net Fiscal Balance Report, published in November 2012, and which is administered through local structures.

(AQW 20579/11-15)

Mr Wilson: As outlined in my response to AQW 18708/11-15, 89% of identifiable expenditure is managed by the NI Executive.

Northern Ireland Prison Service: Code of Conduct and Discipline

Lord Morrow asked the Minister of Finance and Personnel on what date his Department indicated to the Prison Service that it was not content with the proposal to introduce a separate disciplinary system for prison staff; and on what date his Department first received correspondence from the Prison Service regarding the new proposed Code of Conduct and Discipline.

(AQW 20614/11-15)

Mr Wilson: Corporate HR (CHR), the directorate within the Department of Finance and Personnel (DFP) responsible for developing HR policy on behalf of NI Civil Service Departments, first received correspondence regarding the NIPS draft Code of Conduct and Discipline from prison service officials on 19 October 2012.

NIPS and Department of Justice (DOJ) officials consulted CHR at a meeting on the 23 November when NIPS officials set out their reasons for issuing a Code of Conduct including prison legislation, the Ower's review of the Northern Ireland Prison Service and the NIPS Strategic Efficiency and Effectiveness change programme in which a revised code of conduct was taken forward as one of the key strands.

On 27 November, Corporate HR wrote to NIPS highlighting that NIPS, as part of the NICS should ensure consistency with NICS corporate policies. It was agreed however that there may be situations where NIPS wishes to develop its own protocols or procedures to complement the NICS policies.

Fraud Awareness Training

Mr Swann asked the Minister of Finance and Personnel which Departments or arm's-length bodies have used the Chartered Institute of Public Finance and Accountancy to provide Fraud Awareness Training.

(AQW 20694/11-15)

Mr Wilson: CIPFA was awarded the contract in September 2011 and since that date has delivered a total of 16 training courses. To date only NICS staff have availed of the training and all Departments have been represented on courses.

Peace III Funding

Mr Easton asked the Minister of Finance and Personnel what role his Department has in monitoring Peace III funding through the Special EU Programmes Body.

(AQW 20728/11-15)

Mr Wilson: The Department of Finance and Personnel (DFP) is the Northern Ireland sponsor department for the Special EU Programmes Body (SEUPB) and fulfils the UK Member State role in respect of the PEACE III Programme. Several formal mechanisms enable the department to monitor the programme's progress and performance.

SEUPB reports to Ministers via the North South Ministerial Council (NSMC) in Special EU Programmes sectoral format. I attend these meetings, which consider detailed reports on programme progress. Following each, I make a statement to the Assembly.

The Programme Monitoring Committee, whose membership includes representation from DFP, was set up to ensure the effectiveness and quality of the PEACE III Programme's implementation. SEUPB provides extensive progress reports on all aspects of the programme's delivery to the Monitoring Committee for scrutiny. The Committee meets twice per year.

DFP also participates on the Monitoring Committee's Monitoring and Evaluation Working Group, on the Steering Committees responsible for project selection, and is represented on SEUPB's Audit Committee.

Programme expenditure against the European Commission's annual "N+2" spending targets is monitored by the department via regular reports from SEUPB.

Agricultural Property Relief

Mr D McIlveen asked the Minister of Finance and Personnel how many properties have lost their entitlement to agricultural property relief in each of the last five years.

(AQW 20741/11-15)

Mr Wilson: Agricultural Property Relief is a matter for Her Majesty's Revenue & Customs (HMRC) under Inheritance Tax legislation. Land and Property Services has a role in establishing the use and characteristics of a property but entitlement to the relief is determined by HMRC.

Agricultural Property Relief

Mr D McIlveen asked the Minister of Finance and Personnel how many properties have been awarded agricultural property relief in each of the last five years.

(AQW 20742/11-15)

Mr Wilson: Agricultural Property Relief is a matter for Her Majesty's Revenue & Customs (HMRC) under Inheritance Tax legislation. Land and Property Services has a role in establishing the use and characteristics of a property but entitlement to the relief is determined by HMRC.

First Trust Bank

Mr Dunne asked the Minister of Finance and Personnel what consultation he has had with the First Trust Bank following its decision to close several branches.

(AQW 20754/11-15)

Mr Wilson: I have not have had any direct contact with the First Trust since it announced in February that it would close a number of branches in Northern Ireland. However, the ETI Minister and I recently met with all the main banks, including the First Trust in December 2012.

While the focus of these discussions centred on access to finance and business lending, general issues around bank restructuring and its impact were raised. And while I fully recognise the challenges banks are facing as they seek to recapitalise and restructure, I am concerned about the impact branch closures will have on the network in Northern Ireland, staff and the wider community.

I also met with Mr Larry Broderick (General Secretary, Irish Bank Officials Association) earlier this month to discuss the potential impact of branch closures. While, it has to be recognised that these are ultimately commercial decisions, I will be monitoring this situation closely and plan to meet with each of the main banks again in the coming months.

Rate Debt: Ards and North Down Borough Councils

Mr Weir asked the Minister of Finance and Personnel to detail the rate debt in the (i) Ards; and (ii) North Down Borough Council areas, in each of the last five years.

(AQW 20898/11-15)

Mr Wilson: Information on the amount of rate debt in the Ards and North Down Borough Council Areas in each of the last five years is not available. Information is available for the last three financial years.

The table overleaf shows the rate debt in the Ards and North Down Borough Council Areas at the end of each rating year from 2009/10 to 2011/12. The figures for the year ended 31st March 2012 include debt arising from empty homes which became liable for rates on 1st October 2011. They are therefore not directly comparable with previous years.

Rating Debt at End of Year

Financial Year Ending:	Ards Borough Council	North Down Borough Council
31st March 2010	£5,534,913	£7,199,681
31st March 2011	£5,496,584	£6,905,538
31st March 2012	£5,390,018	£7,158,087

Savings Delivery Plans

Dr McDonnell asked the Minister of Finance and Personnel whether he can provide assurances that the shortcomings identified in the Audit Office report on the Efficiency Programme are not being replicated in the Savings Delivery Plans for the current budget period.

(AQO 3672/11-15)

Mr Wilson: In line with the Efficiency Delivery Programme operated during the last budget period, the Savings Delivery Programme in the current budget period places responsibility for identification, publication and delivery of savings measures with individual Ministers. Of course a key element of both programmes is that there should be transparency to allow Assembly Committees and the public to scrutinise plans and ensure that savings are being delivered without having a detrimental impact on priority frontline public services. Transparency in this area is something that I have called for on many occasions.

Despite my department having provided guidance in this area, I continue to have concerns regarding the level of transparency offered to this Assembly and the public in relation to how some departments are delivering their savings.

DFF: New Initiatives and Capital Works Projects

Mr McGlone asked the Minister of Finance and Personnel what new initiatives and capital works projects, that could assist the construction industry, are currently being pursued.

(AQW 20906/11-15)

Mr Wilson: Following the last meeting of the Procurement Board in October 2012, I announced a range of initiatives to assist the construction industry, and subcontractors in particular. I wrote to my Executive colleagues to highlight these initiatives and asked for their support in implementing them across Departments and Centres of Procurement Expertise (CoPEs).

The initiatives are as follows:

- ensuring that contractors are paid within 10 days of the date of their invoice;

- ensuring that all contractors are signed up to the Construction Industry Forum for Northern Ireland (CIFNI) Fair Payment Charter;
- ensuring that Project Managers check that subcontractors and suppliers are being paid promptly;
- ensuring that government contracts are not awarded to contractors who are in administration;
- ensuring that government contracts are not awarded to contractors who habitually fail to pay their subcontractors and suppliers promptly;
- ensuring that government contracts are not awarded to contractors who submit abnormally low tenders or sub-economic tenders; and
- ensuring that all new construction contracts tendered by Central Procurement Directorate that have an estimated value of over £1million and a significant subcontracting element are to use a Project Bank Account.

Central Procurement Directorate (CPD) has engaged with CoPEs to put a process in place which enables the Departments and CoPEs to apply these initiatives consistently and to report on compliance and outcomes. CPD will continue to monitor their implementation.

Capital works projects currently being pursued by Properties Division within my Department for 2013/14 and 2014/15 include the following:

- refurbishment of office accommodation at Castle Court;
- refurbishment of office accommodation at Adelaide House, Belfast;
- refurbishment of office accommodation for DSD, Downpatrick;
- refurbishment of office accommodation at the Library Building, County Hall, Coleraine;
- refurbishment of office accommodation at DARD Direct, Academy House, Ballymena;
- refurbishment of office accommodation for LPS, The Sidings, Lisburn;
- refurbishment of office accommodation for LPS, Boaz House, Omagh;
- replacement lifts at Clarence Court, Belfast;
- replacement windows at Foyle Jobs and Benefits Office;
- new office accommodation for DARD North West office; and
- new office accommodation for DSD North Belfast office.

The above projects for DSD and DARD for new office accommodation will be dependant on finding suitable locations/buildings.

Northern Ireland Civil Service: Equal Pay Settlement

Mr Hussey asked the Minister of Finance and Personnel why his Department will not be initiating a process to claim back the money that was paid mistakenly under the agreed 2009 Civil Service Equal Pay Settlement.

(AQW 21047/11-15)

Mr Wilson: It was not possible to reclaim equal pay lump sum payments which were made in error to a small number of staff as the individuals concerned and the Department had signed legally binding conciliated agreements.

Rates: Town Centre Businesses

Mr G Kelly asked the Minister of Finance and Personnel what efforts his Department has made to assist businesses in town centres with rates, in an attempt to rejuvenate town centres.

(AQO 3673/11-15)

Mr Wilson: Over the past couple of years my Department has introduced a series of measures to assist local businesses through the rating system and many of these will play a part in helping to sustain and rejuvenate town centres.

The empty shops rates concession which I introduced in April 2012 with the objective of getting empty retail premises back onto use and to revitalise our town centres has been recently extended for a further two year period. We are on track for almost 100 new businesses across Northern Ireland receiving this concession for the important first year of trading. A policy copied by the Scottish Government and included in the recommendations of the Mary Portas Report.

I have also introduced a 'rates disregard' for the use of empty shop windows for non commercial purposes so that full rates are not charged and this helps brighten these areas up.

Additionally, and perhaps most significantly, the Executive has recently agreed to a further expansion of the small business rate relief to include properties with an NAV of up to £15,000. This measure will ensure that over 24,000 business ratepayers will now receive relief as part of the scheme. Many more shops will be brought into the scheme this year through increasing the limits and targeting the scheme better.

As you will recall the expansion of this scheme has been part funded from the large shops levy. Although that includes some of the very largest city centre stores, the burden falls mainly on edge of town and out of town retail centres and superstores. This has helped to rebalance the rating system in favour of town centres.

All in all, the Executive currently provides extensive help to businesses across Northern Ireland. Over 50% of non-domestic properties in Northern Ireland will receive some form of support from a variety of rating reliefs and exemptions. They are not confined to town centres – support is needed outside our urban areas too - but as you will have gathered, it is town centres that are benefitting the most.

Rates are not a magic solution, if we are to arrest the decline in the heart of many of our towns. It will require joined up, creative thinking and action from a number of Departments, working alongside the business community.

Public Service Pensions Bill: Trade Unions

Mr McDevitt asked the Minister of Finance and Personnel what arrangements have been made to engage all Departments in negotiations with Trade Unions on the Pensions Bill.

(AQO 3674/11-15)

Mr Wilson: I assume the member is referring to the proposed Public Service Pensions Bill. My Department is co-ordinating consultation (not negotiation) between each of the Northern Ireland Ministerial Departments with sponsor responsibilities for devolved public service pension schemes and a collective trade union grouping representing public service employees in those schemes. Sponsoring Departments include Environment, Education, Health, Social Services and Public Safety, Justice, and Finance and Personnel.

DFP Officials in follow up sessions to the Committee have already pointed out that “consultation” is the appropriate term. “Negotiation” is used in the context of pay. “Consultation” is the term that is used in pension legislation and is the appropriate term for us to continue to use. It is the term that is used throughout public sector pension legislation. The Northern Ireland Committee of the Irish Congress of Trade Unions (NIC-ICTU) is providing central representation for the trade unions and also some non-affiliated bodies.

I would remind members that this Bill gives legislative effect to core provisions for pension reform in line with the changes which will apply for the equivalent public service schemes in Great Britain. This policy was agreed by the Executive in March 2012. For this reason the Bill is being drafted to reflect the final policy content of the Westminster Public Service Pensions Bill. We must press ahead with this as failure to implement by the HMT deadline of April 2015 will, as I have already advised members, cost around £260 m for each year's delay.

Savings Delivery Plans

Mr Weir asked the Minister of Finance and Personnel, in light of the Audit Office report on the effectiveness of efficiency savings, to outline the level of cooperation between his Department and other Departments to ensure the effective scrutiny of departmental savings proposals.

(AQO 3682/11-15)

Mr Wilson: In line with the Efficiency Delivery Programme operated during the last budget period, the Savings Delivery Programme in the current budget period places responsibility for identification, publication and delivery of savings measures with individual Ministers. Of course a key element of both programmes is that there should be transparency to allow Assembly Committees and the public to scrutinise plans and ensure that savings are being delivered without having a detrimental impact on priority frontline public services. Transparency in this area is something that I have called for on many occasions.

In terms of engagement with departments, there is regular engagement at official level to identify risks relating to the delivery of departmental savings plans. My department also seeks a formal update from departments twice a year in order that I can provide a report to the Executive on implementation of Savings Delivery Plans. However as I have highlighted previously to this Assembly, the Minister for Education has advised that his department will not be participating in this monitoring process.

Despite my department having provided guidance in this area, I continue to have concerns regarding the level of transparency offered to this Assembly and the public in relation to how some departments are delivering their savings.

Budget: Overcommitment

Mr Gardiner asked the Minister of Finance and Personnel to outline the latest estimate of over commitment in the current budget.

(AQO 3683/11-15)

Mr Wilson: At the end of the Monitoring exercise and the Budget technical exercise in January 2013 the overcommitment position was as follows:

In 2012-13 we have an effective non-ring-fenced Resource overcommitment of £8 million and a zero Capital overcommitment.

In 2013-14 we will start the year with an overcommitment in Resource of £51.4 million and uncommitted Capital of £70.9 million.

In 2014-15 we have an overcommitment of £83 million in Resource and an overcommitment of £22.5 million in Capital.

This position was reported to both the Executive and the Finance Committee.

It is of course to be noted that there will be changes to these numbers if the Chancellor's Budget changes allocations for Northern Ireland or as new issues emerge and are dealt with by the Executive.

Budget: Barnett Formula

Mr Moutray asked the Minister of Finance and Personnel to outline why the UK budget allocation of capital under the Barnett Formula is particularly welcome.

(AQO 3685/11-15)

Mr Wilson: As the Member will be aware the Executive got additional Capital DEL allocations of £53.7 million in 2013-14 and £76.9 million in 2014-15 as part of the 2012 UK Autumn Statement.

This significant injection of capital funding is very welcome and can help to provide a short term stimulus to the local economy. The Executive will consider allocation of this funding as part of the monitoring round process in the respective years and in the context of the overall Block position. Any additional capital projects that may be taken forward will not only benefit the local economy but also provide a much needed boost for the local construction industry.

VAT and Duty Levels

Mr Boylan asked the Minister of Finance and Personnel to outline the rationale for estimating the amount of VAT, tobacco, alcohol and betting and gaming duty based on a survey which obtained a response from 147 households.

(AQO 3686/11-15)

Mr Wilson: The Net Fiscal Balance Report 2009-10 and 2010-11 was developed applying the methodology originally designed to produce the "Government Expenditure and Revenue in Scotland" (GERS) publication which uses the results of the Living Costs and Food Survey - also referred to as the Family Spending Survey - to estimate the revenues identified by the Member.

This is a UK-wide survey and the current annual sample size in Northern Ireland is proportionate to its population relative to the UK. Furthermore, the Member should note that while 147 households responded in 2010, the regional expenditure figures reported in the annual 'Family Spending' publication are based on the average of the three most recent survey years i.e. 2008, 2009, and 2010. The Member should also be aware, that the sample size for this survey was 'boosted' in Northern Ireland up to, and including 2009, to allow separate more detailed regional analysis to be carried out. Consequently the regional expenditure figures for Northern Ireland in the 2011 edition of the report are based on a total sample of 1323 households over those three survey years.

I would re-iterate to the Member that the purpose of the Net Fiscal Balance Report 2009-10 and 2010-11 is to provide an overview of public sector finances. It is not intended to provide an accurate estimate of individual expenditure or revenue items. Rather the report provides an overall assessment of Northern Ireland's aggregate fiscal position, and as such, the report indicates that individual estimates should be interpreted with caution.

Department of Health, Social Services and Public Safety

Waiting Times

Mr Beggs asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 19307/11-15, whether he would make a copy of the waiting times for individual procedures available in the Assembly Library.

(AQW 19946/11-15)

Mr Poots (The Minister of Health, Social Services and Public Safety): My Department publishes inpatient waiting time figures on a quarterly basis in the Northern Ireland Inpatient Waiting Times publication on the basis of clinical specialty, available at the following link:

http://www.dhsspsni.gov.uk/index/stats_research/hospital-stats/waiting_times_main/stats-waiting-times.htm

Data is not routinely published on the basis of individual procedure type, given the volume of procedure types that patients may be waiting for. However, in response to this request, the waiting times at 30th September 2012, for individual procedures with a waiting list greater than eight weeks, have been placed in the Assembly Library.

GP Practices: Minimum Practice Income Guarantee

Mr Allister asked the Minister of Health, Social Services and Public Safety what analysis his Department has conducted on the impact that the proposed removal of the Minimum Practice Income Guarantee would have on the sustainability of GP practices. **(AQW 20507/11-15)**

Mr Poots: There is currently a wide variation in the Global Sum payments Practices receive under the GMS Contract. In Northern Ireland General Medical Services (GMS) Practices, this income varies from £51 price per weighted patient (PPwP) to £79 PPwP at 2011/12.

One of the proposals out for consultation currently on changes to the GMS Contract relates to the aim of equitable funding for all GP Practices with the phased withdrawal of Minimum Practice Income Guarantee (MPIG) over a seven year period from 2014/15 to 2020/21. This proposal aims to ensure funding is targeted to those areas of greatest need. On the basis of a distribution of current levels of GMS Global Sum, withdrawing MPIG as proposed would lead to approximately 59% of practices seeing an increase in their PPwP over the seven year period. The maximum decrease to the PPwP of a practice in any one year would be around 6%, but for 95% of practices who have a decrease in PPwP, the decrease would be less than

3%. The intention is to ensure that finite resources are targeted to meet need as effectively as possible, via the same price per weighted patient for every Practice.

GP Contracts

Mr Hussey asked the Minister of Health, Social Services and Public Safety for his assessment of the concerns of the Chairman of the British Medical Association in Northern Ireland about the new GP Contract.

(AQW 20570/11-15)

Mr Poots: Dr Paul Darragh, Chairman of the BMA in Northern Ireland, has not raised any specific concerns about the proposed changes to the 2013/14 GMS contract with my Department.

Although an agreed settlement with the General Practitioners Committee (GPC) of the BMA NI to the contract has not been forthcoming at this point, the concerns of the Chairman will be considered as part of the consultation process on proposed revisions to the General Medical Services Contract for 2013/14. The consultation is due to close on 22nd March. My Department remains ready to continue dialogue with the BMA Northern Ireland about proposed changes in an effort to reach an acceptable agreement.

GP Contracts

Mr Hussey asked the Minister of Health, Social Services and Public Safety whether the implications of the new GP Contract will be assessed against the health and safety needs of the general public.

(AQW 20572/11-15)

Mr Poots: Within the context of the drivers for change the challenge is to enhance the health of the Northern Ireland population and deliver high quality and sustainable care whilst ensuring that resources are used as effectively and efficiently as possible.

The proposed changes to the GMS Contract include new evidence-based indicators, recommended by the National Institute for Health and Clinical Excellence (NICE), aimed at delivering more patients to benefit, therefore improving health outcomes and saving more lives.

Provision of safe, sustainable healthcare for patients is my primary focus.

Sleep Apnoea

Mr D McIlveen asked the Minister of Health, Social Services and Public Safety (i) what assistance his Department offers people diagnosed with sleep apnoea; (ii) how many sleep clinics are currently operational; (iii) what assistance is available for patients who are travelling to sleep clinics; (iv) how many people have been diagnosed with sleep apnoea in each of the last five years; and (v) what discussions his Department has had with the British Lung Foundation on sleep apnoea and chronic obstructive pulmonary disease.

(AQW 20574/11-15)

Mr Poots: Patients with suspected obstructive sleep apnoea (OSA) are usually referred to a consultant in a respiratory out-patients clinic or the main Regional Respiratory Clinic at Belfast City Hospital. Once a diagnosis of OSA has been confirmed the patient may be referred for Continuous Positive Airway Pressure (CPAP) treatment.

The Regional Respiratory Clinic provides diagnostic testing and reporting for OSA, including Oximetry and Limited Polysomnography (sleep study), as well as CPAP treatment and subsequent monitoring and review for complex and non-complex patients.

The Belfast Trust provides 3 Consultant-led sleep clinics per week with a further 10 clinics that have sleep patients and other Respiratory conditions; 14 clinics per week are currently operational throughout the Southern Trust and the Western Trust operates two clinics per week in Altnagelvin Hospital and two clinics per month in South West Acute Hospital. The Northern and South Eastern Trusts do not provide dedicated Sleep Clinics.

The Hospital Travel Costs Scheme provides help with travel costs to hospital for health service treatment for people and their dependants who are in receipt of Income Support, Employment and Support Allowance (Income-related), Jobseeker's allowance (Income Based), Guarantee Pension Credit, Working Tax Credit and/or Child Tax Credit; or who are on a low income. Details about who can claim and how to claim are set out in leaflet HC11 Help with health costs, available from hospitals, Social Security Offices and Jobs and Benefits Offices and on my Department's website at: www.dhsspsni.gov.uk/hc11_help_with_health_costs.pdf.

Information on the number of people diagnosed with sleep apnoea is not available. It is however possible to identify the number of admissions to hospital in each of the last five years where sleep apnoea was recorded as the primary diagnosis and this is shown in the table below.

	Number of Admissions				
	2007/08	2008/09	2009/10	2010/11	2011/12
Northern Ireland	408	361	311	392	81

Source: Hospital Inpatient System

Figures do not include patients who attended an Accident and Emergency Department and were not subsequently admitted. Deaths and discharges have been used to approximate admissions.

My Department has not had any direct discussions with the British Lung Foundation regarding Sleep Apnoea or COPD services however they are currently working with the Health and Social Care Board and Public Health Agency as part of the respiratory framework.

Lagan Valley Hospital Accident and Emergency Unit

Mr McNarry asked the Minister of Health, Social Services and Public Safety, given that local residents have to travel to Belfast, Dundonald or Craigavon to access Accident and Emergency services after 9.00pm, whether the Lagan Valley Hospital will be returning to 24 hour Accident and Emergency services; and when this will happen.

(AQW 20580/11-15)

Mr Poots: The Emergency Department at Lagan Valley Hospital currently operates from 9am to 8pm daily. For medical emergencies outside these hours, people can phone 999 or contact the GP Out of Hours service.

Following a public consultation in 2012, the South Eastern Health and Social Care Trust has proposed moving to a model of care which would see the Lagan Valley Hospital Emergency Department opening from 8am to 8pm daily, with an enhanced GP Out of Hours service including direct admissions to the hospital from 8pm to 8am. My Department has conveyed to the Trust my agreement to proceed with these changes.

Son-Rise Home-based Autism Programme

Mr D Bradley asked the Minister of Health, Social Services and Public Safety how many families are funded directly for the Son-Rise Homebased Autism programme, broken down by Health and Social Care Trust area.

(AQW 20581/11-15)

Mr Poots: Health and Social Care Trusts do not currently provide individual funding to any families for home-based autism programmes such as the Son-Rise programme.

Dental Provision

Mrs Dobson asked the Minister of Health, Social Services and Public Safety for his assessment of the changes in dental provision over the last five years; and to detail the steps which he has taken, and plans to take, to improve oral health, especially amongst young children.

(AQW 20582/11-15)

Mr Poots: Over the last five years, my Department has successfully introduced additional dental services for 57,000 patients throughout Northern Ireland who were previously unable to access health service treatment and care. Minimum Standards for Dental Care and Treatment were published in March 2011. The standards along with the Oral Health Strategy which was published in June 2007, sets out the Department's direction for assuring high quality dental services and improving the oral health of our population. There has also been year on year growth in the General Dental Services budget in recent years.

My Department has also been proactive in introducing evidence based programmes to improve the oral health of the population. For maximum effect these are mainly directed at children but schemes are also targeted at adults from deprived areas and elderly patients in residential homes. These programmes include:

- fluoride toothpaste schemes for young children in the most deprived areas;
- preventive fissure sealant scheme delivered through the General Dental Services for young people;
- enhanced capitation and continuing care payments for dentists providing care to children and adults from certain deprived areas;
- supporting a large research trial to investigate the clinical and cost-effectiveness of using fluoride varnish and fluoride toothpaste to prevent decay in young children;
- focusing the work of the Community Dental Service on improving the oral health of those with special care needs such as children from socially disadvantaged areas, the learning disabled, housebound patients and residents in nursing and residential homes; and
- providing a number of healthy eating initiatives, smoking cessation and alcohol reduction programmes through the Public Health Agency to improve both general and dental health.

These programmes have led to a significant improvement in oral health with large reductions in the number of extractions under general anaesthetic and fillings carried out in children. My Department will continue to use these evidence based programmes to improve the oral health of the population of Northern Ireland.

The 2007 Oral Health Strategy stated that the greatest oral health gain is likely to be achieved through community water fluoridation. Water fluoridation ensures delivery of fluoride to 'hard-to-reach' groups such as those of lower socioeconomic status who are more likely to experience dental disease. I am giving consideration to fluoridation of the water supplies at present.

Belfast Health and Social Care Trust: Finance Procurement and Logistics System

Mr Allister asked the Minister of Health, Social Services and Public Safety for his assessment of the functionality to date of the Finance Procurement and Logistics System within the Belfast Health and Social Care Trust.

(AQW 20608/11-15)

Mr Poots: The Finance Procurement and Logistics (FPL) IT system was introduced in Belfast HSC Trust in November 2012, as part of the Business Services Transformation Programme. While many elements of the system are working satisfactorily, the Trust is encountering some implementation difficulties. The project team is working in partnership with the FPL system supplier, and is currently developing a robust 'replan' to deal with the outstanding issues.

Such problems are not, of course, unheard of in the implementation of large ICT projects, and I am confident that the remaining problems will be resolved. I am confident, too, that the FPL system will make a lasting contribution to the shared service network which will yield major savings for redeployment to frontline health and social care.

Slievemore Nursing Unit, Derry

Mr Eastwood asked the Minister of Health, Social Services and Public Safety, in relation to the recent Regulation and Quality Improvement Authority's inspection of Slievemore Nursing Unit, to detail the concerns raised regarding (i) the model of service provision; (ii) registration status; and (iii) the facility's environmental requirements.

(AQW 20610/11-15)

Mr Poots: Following inspection in January 2013, the Regulation and Quality Improvement Authority (RQIA) concluded that the model of service provision at Slievemore Nursing Unit does not differ substantially from that of a nursing home. This is based on the inspector's observations of services provided, daily routines and the fact that nursing care is provided to patients by registered nurses outside of a hospital setting.

The Health and Personal Social Services (Quality, Improvement and Regulation) Order 2003 requires nursing homes to register with the RQIA. The Unit is not currently registered with RQIA.

During inspection, whilst there were no issues with the quality of care provided, RQIA identified concerns regarding the quality of the environment at Slievemore Nursing Unit. These included concerns in relation to absence of risk assessments of fire safety, legionella, and asbestos and ligature risks throughout the premises. Concerns were also noted in relation to the poor condition of plasterwork and paintwork within the Unit. Bedroom sizes do not meet the current minimum standards.

Childminders

Mr McClarty asked the Minister of Health, Social Services and Public Safety whether he has considered increasing the maximum number of children that can be minded by a childminder with an assistant at the discretion of the appropriate Health and Social Care Trust (i) in rural areas where childcare provision is limited; or (ii) where the Trust is satisfied with the provision offered.

(AQW 20616/11-15)

Mr Poots: The minimum standards for childminding and day care for children under age 12 were published in July 2012 and state that a childminder who employs an assistant may look after a maximum of eight children. There are no plans to increase this number at present, although standards provide (in exceptional cases and with the agreement of the registering Trust) for a higher number of children to ensure continuity of care for example for siblings.

A sub-group of the Early Years Implementation Group has been set up to deal with issues arising from the introduction of the HSC Board guidance developed to support the standards and is currently considering matters relating to childminders who employ an assistant, including the total numbers of children under and above statutory school age that can be looked after in such settings.

Prisoner Healthcare

Lord Morrow asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 19979/11-15, how many prisoners (i) were treated in prison health facilities; (ii) required treatment in an outside hospital; (iii) suffered long-term health damage; and (iv) did not recover.

(AQW 20630/11-15)

Mr Poots: The information to answer this question is set out in the table below.

	2008	2009	2010	2011	2012
No of prisoners treated in prison health facilities for the effects of taking illegal drugs	1	2	5	2	9
No of prisoners who required treatment in an outside hospital for the effects of taking illegal drugs	2	3	0	7	11
No of prisoners who have suffered long term health damage as a result of taking illegal drugs	0	0	0	0	0

	2008	2009	2010	2011	2012
No of prisoners who did not recover from the effects of taking illegal drugs	0	0	0	0	0

Cycling

Mr Weir asked the Minister of Health, Social Services and Public Safety how much his Department has spent encouraging people to become healthier through cycling, in each of the last five years.

(AQW 20633/11-15)

Mr Poots: My Department recognises the importance of participating in quality physical activity and the beneficial impacts it can have on the overall health and wellbeing of an individual and the population as a whole.

The Public Health Agency promotes the uptake of cycling through a range of initiatives, which the Agency supports, and/or directly funds. Many of these initiatives are taken forward by other partners working in conjunction with the PHA such as Trusts, Councils, Schools, community and voluntary sector organisations and lead bodies such as Sustrans.

The following provides a summary of the direct resources allocated to support cycling (not including the resources to the Physical Activity Coordinators in Trust areas) by the PHA in 2010/11, 2011/12 and 2012/13. (Information on resources spent on cycling is only available in the last three years.)

Year	Resource £
2010/11	6,000
2011/12	66,576
2012/13	175,211

Retirement: Average Age

Mr McKay asked the Minister of Health, Social Services and Public Safety what is the average age of retirement for (i) male; and (ii) female firefighters; and how many ill health retirements there have been in each of the last five years, broken down by age. **(AQW 20637/11-15)**

Mr Poots: The tables below detail average retirement ages for Firefighters over the last six tax years and the numbers of ill health retirements since 1 April 2008:

Firefighter retirements

Tax Year	Average Age
2007-2008	52.64
2008-2009	51.98
2009-2010	52.63
2010-2011	52.24
2011-2012	52.60
2012-2013	53.06

Note: all retirements were male: no female firefighters retired other than through ill health. The figures exclude ill health retirements.

Year	No. Ill Health Retirements	Age Range
2008	10	30-55 years
2009	6	35-55 years
2010	6	40-65 years
2011	7	45-60 years
2012	24	30-60 years

Note: individual ages have not been presented due to the risk of personal disclosure, where it may be possible to identify an individual from the data provided.

Bexsero Vaccine

Mr Agnew asked the Minister of Health, Social Services and Public Safety for his assessment of the Bexsero vaccine for meningococcal B meningitis and septicaemia; and whether his Department has any plans to introduce the vaccine.

(AQW 20652/11-15)

Mr Poots: I refer the member to my previous answer to AQW 19220/11-15 which was published on 14 February.

As I said then, vaccination policy in Northern Ireland and the rest of the UK is guided by the recommendations of the Joint Committee on Vaccination and Immunisation (JCVI), an independent expert advisory committee that advises the four UK Health Ministers on matters relating to the provision of vaccination and immunisation services. JCVI considers all the available medical and scientific evidence before recommending which vaccines should be offered.

The JCVI has begun an evaluation of the impact and cost-effectiveness of possible meningitis B vaccination strategies. This evaluation requires a complex analysis and final JCVI advice is not expected until later in the year. I will consider the JCVI recommendation when I have received it.

Speech Therapy Services

Mr Lyttle asked the Minister of Health, Social Services and Public Safety whether there are any differences in the provision of speech therapy services given to patients in each Health and Social Care Trust.

(AQW 20668/11-15)

Mr Poots: Whilst speech and language therapy services are commissioned in the same way across Northern Ireland, the 5 Trusts may deliver services using various service delivery models delivered within regionally agreed clinical care pathways. This approach aims to maximise access and secure the same outcomes for patients.

Each year the Health and Social Care Board and the Public Health Agency produce a joint Commissioning Plan which details commissioning intentions for the year. This is developed in response to the Commissioning Directions of DHSSPS which detail specific targets to be achieved one of which refers to the delivery of AHP services. Within the current financial year and from April 2013, this specifies that "no patient should wait longer than nine weeks from referral to commencement of AHP treatment."

Regarding the provision of speech and language therapy services offered to patients in each Health and Social Care Trust, this is provided on an individual basis related to the assessed needs of each patient. Services are also delivered on the basis of regionally agreed care pathways, based on best practice endorsed by the professional body the Royal College of Speech and Language Therapists and if relevant within guidelines set by the National Institute of Clinical Excellence.

Physiotherapy Services

Mr Lyttle asked the Minister of Health, Social Services and Public Safety whether there are any differences in the provision of physiotherapy services given to patients in each Health and Social Care Trust.

(AQW 20669/11-15)

Mr Poots: Whilst Physiotherapy services are commissioned in the same way across Northern Ireland, the 5 Trusts may deliver services using various service delivery models delivered within regionally agreed clinical care pathways. This approach aims to maximise access and secure the same outcomes for patients.

Each year the Health and Social Care Board and the Public Health Agency produce a joint Commissioning Plan which details commissioning intentions for the year. This is developed in response to the Commissioning Directions of DHSSPS which detail specific targets to be achieved one of which refers to the delivery of AHP services. Within the current financial year and from April 2013, this specifies that "no patient should wait longer than nine weeks from referral to commencement of AHP treatment."

Regarding the provision of physiotherapy services offered to patients in each Health and Social Care Trust, this is provided on an individual basis related to the assessed needs of each patient. Services are also delivered on the basis of regionally agreed care pathways, based on best practice endorsed by the professional body the Chartered Society of Physiotherapists and if relevant within guidelines set by the National Institute of Clinical Excellence.

Business Services Organisation

Mr Allister asked the Minister of Health, Social Services and Public Safety under which circumstances the Business Services Organisation pays for services in advance.

(AQW 20674/11-15)

Mr Poots: In line with practice elsewhere in the public sector, the Business Services Organisation (BSO) pays for some services in advance. Routine examples of this include rental of accommodation, charges for maintenance of equipment and membership/subscription fees.

The practice obtains relatively frequently in ICT. Thus the technical support terms and conditions for certain worldwide industry standard software products are governed by the manufacturer and may include prepayment.

Similarly, the BSO utilises UK-wide public sector arrangements in ICT set up by the Cabinet Office; drawing on these discounted pricing regimes may entail prepayment.

Miscellaneous instances of advance payment include the rental component of data communications circuits supplied by telecoms' providers, maintenance of specialist software for HSC pensions software and maintenance of Family Practitioner Services scanners for scanning claim forms from practitioners.

Surgical Gloves: Tenders

Mr D Bradley asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 20098/11-15, to detail the (i) supplier; and (ii) unit price for Lot 1, the Latex General Surgery - Latex Under Glove awarded under tender NP569/11. **(AQW 20799/11-15)**

Mr Poots: The information requested is shown in the table below. It should be noted that, until it is known which gloves in each lot will be used by each Health & Social Care Trust, the exact prices payable cannot be determined.

Lot 1 – Latex Undergloves

Supplier	Glove	Unit Price £
Ansell	Encore Under Glove	0.45
PH Medisavers	Profeel Sensitive	0.38
Medline	Aleo Touch Green	0.52

Addictions Service: Downpatrick

Mr Hazzard asked the Minister of Health, Social Services and Public Safety to outline the rationale for a major new addictions service based in Downpatrick; and for an update on the progress of such a proposal. **(AQW 20807/11-15)**

Mr Poots: While my Department has overall responsibility for the cross-sectoral strategy to address the harm related to alcohol and drug misuse in Northern Ireland, responsibility for commissioning alcohol and drug related services rests with the Health and Social Care Board (HSCB) and the Public Health Agency (PHA). The HSCB and the PHA have informed me that they are not aware of a major new addiction service being developed in Downpatrick. The existing range of specialist community substance misuse services and in-patient treatment/rehabilitation service currently available across the South Eastern Health & Social Care Trust area is being maintained.

With regard to future service provision across the whole of Northern Ireland, the HSCB and the PHA have recently issued a draft Alcohol and Drug Commissioning Framework for consultation. The draft Framework sets out the wider range of service provision elements comprising prevention/health promotion, early intervention and specialist treatment services that should be available throughout Northern Ireland. HSCB/PHA is currently seeking comment and feedback regarding the Framework which is available at the following link:

<http://www.publichealth.hscni.net/directorate-operations/alcohol-and-drug-commissioning-framework-northern-ireland-2013-16>

The draft framework has taken due account of all the latest evidence in respect of commissioning and delivering addiction services to provide the best outcomes for individuals. I believe that this work will ultimately increase consistency across Northern Ireland, and will deliver the best possible outcomes for those suffering from addiction.

European Working Directive: General Practitioners

Mr Copeland asked the Minister of Health, Social Services and Public Safety whether the European Working Directive applies to General Practitioners. **(AQW 20847/11-15)**

Mr Poots: The European Working Time Directive seeks to place obligations on employers and gives right to employees by laying down minimum conditions relating to weekly working time, rest entitlements and annual leave. General Practitioners (GPs) do not normally fall within the remit of the Directive as they tend to be self-employed GP Partners. Only 5% are employed as salaried GPs and the Directive applies to them.

Samaritans

Mr Agnew asked the Minister of Health, Social Services and Public Safety what consideration his Department has given to providing either project funding or core funding to the Samaritans. **(AQW 20852/11-15)**

Mr Poots: My Department currently provides annual core funding to the Samaritans, which in 2012/13 amounted to £16,538.

Multiagency Support Teams for Schools

Mr Beggs asked the Minister of Health, Social Services and Public Safety to detail the number of multi-agency support teams for schools that (i) are supported; (ii) have applied to join; and (iii) have not applied to join, broken down by (a) Education and Library Board; and (b) District Council area.

(AQW 20856/11-15)

Mr Poots: The Department does not hold the information in the precise form requested however, data currently held on the number of schools supported by Multi-Agency Support Teams for Schools (or equivalent) in each Health and Social Care (HSC) Trust is detailed below, with additional information on the equivalent Education and Library Boards (ELB), and those District Councils who come within the HSC Trust and ELB boundaries:

	South Eastern HSC Trust	Western HSC Trust	Northern HSC Trust	Southern HSC Trust	Belfast HSC Trust
Schools currently supported	122	177 18: number of referrals for children not attending a school nursery	148	All mainstream schools and 5 Special Schools in Trust area	184
Schools that have applied to join	2	Available to 458 schools within the area	50	As above	96
Schools that have not applied to join	9	Information not available	53	Zero - Open to all schools	Information not available
Education & Library Board	South Eastern ELB	Western ELB	North Eastern ELB	Southern ELB	Belfast ELB
District Council	Down, North Down, Lisburn, Ards & Castlereagh	Limavady, Derry, Strabane, Omagh & Fermanagh NB. Figures as at July 2012	Antrim, Ballymena, Ballymoney, Carrickfergus, Coleraine, Larne, Magherafelt, Moyle & Newtownabbey	Armagh, Dungannon, Newry & Mourne, Craigavon, Banbridge & Cookstown	Belfast

Electrophysiological Treatment

Mrs Dobson asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 20033/11-15 and AQW 17786/11-15, what plans are in place to address the lengthening waiting times for the patients affected; and for his assessment of the timescale for all patients to receive electrophysiological treatment.

(AQW 20902/11-15)

Mr Poots: It is unacceptable that any patient should wait longer than is necessary for treatment. That is why I have set a target from April 2012, that at least 50% of inpatients and daycases, which includes electrophysiological (EP) procedures, are treated within 13 weeks with no one waiting longer than 36 weeks, increasing to 60% by March 2013, and no patient waiting longer than 30 weeks for treatment.

The Health and Social Care Board (HSCB) recognises that the current waiting time for EP studies is too long in the Southern Health and Social Care Trust. To address this issue the HSCB has been funding additional sessions in the Southern Trust and additional capacity has also been secured from the Independent Sector. The Trust is working with the Health and Social Care Board to retain and further expand this capacity during 2013/14.

Bamford Action Plan

Mr Kinahan asked the Minister of Health, Social Services and Public Safety to detail the 76 actions that are mentioned in his Written Ministerial Statement of 12 March 2013 on the Bamford Action Plan.

(AQW 20987/11-15)

Mr Poots: The Bamford Action Plan 2012-15 was published on the DHSSPS website on 12 March 2013. This can be accessed at the following: <http://www.dhsspsni.gov.uk/2012-2015-bamford-action-plan.pdf>

The 76 actions are listed in Section B of the Bamford Action Plan, pages 30-62.

Arrangements have also been made to place copies of the Bamford Action Plan in the Assembly library.

Fire and Rescue Service: Capital Builds

Mr McDevitt asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 20867/11-15, to list, in order of priority, the capital builds within the Fire and Rescue Service for the current budget period and the next budget period.
(AQW 21093/11-15)

Mr Poots: The capital allocation for Northern Ireland Fire & Rescue Service (NIFRS) must cover a range of areas including:

- Red fleet
- ICT
- Estate (both maintenance and new build)

In terms of new build facilities NIFRS has a range of priorities. However the focus is on those currently underway such as Omagh and “must do” priorities such as the One Stop Shop and Dunmurry – the latter scheme is subject to the outcome of a feasibility study.

The longer term priorities for NIFRS going into the next budget period will continue to be reviewed taking cognisance of the challenging situation with regard to funding.

Eye Care

Mr Humphrey asked the Minister of Health, Social Services and Public Safety what action he is taking to promote high quality eye care.
(AQO 3695/11-15)

Mr Poots: In October 2012 I launched a new strategy “Developing Eye Care Partnerships; improving the commissioning and provision of eye care in Northern Ireland”. This strategy set out the direction of travel for eye care provision in Northern Ireland over the next five years.

This policy contains 12 Objectives, each designed to improve the promotion of, the provision of, and the access to, eye care at both primary and secondary care level and, importantly, across the interface. The HSC Board and the Public Health Agency have been asked to lead on the implementation of these objectives, with annual appraisals on progress over the 5 year lifespan of the strategy.

A Project Board is being established and work streams identified to address these objectives. This Project Board and the task groups will involve stakeholders, including the voluntary and community sectors, to deliver the objectives. Early manifestations are the development of regional Macular and Glaucoma Services, and the piloting of Acute Eye programmes, allowing eye care to be accessed readily, with improved pathways leading to better outcomes, and enhanced patient journeys.

Supported Housing

Ms McCorley asked the Minister of Health, Social Services and Public Safety what discussions he has had with the Minister for Social Development on the recommendations in the Bamford Report on supported housing.
(AQO 3696/11-15)

Mr Poots: In March 2012, I met with the Minister for Social Development to discuss supported housing, the joint DSD/DHSSPS “Bamford” Resettlement Budget, Regulation and Inspection of Supported Living Schemes and the delivery of future accommodation and associated services for the elderly.

Supporting people to live independent lives is a key theme within the Executive’s Bamford Action Plan which I launched on 13 March 2013. Whilst the lead for taking Supported Housing forward, as part of that Action Plan, lies with the Department for Social Development, my Department and HSC collaborate fully in the process to enhance access to suitable, safe and supported housing for some of the most vulnerable in our society. In addition, and on behalf of the Executive,

both Departments launched a consultation document on housing adaptation services in February 2013.

Cross departmental implementation of the most recent Bamford Action Plan will continue to be facilitated through an Inter-ministerial Group, and departmental officials will continue to meet.

The most recent meeting between DSD and DHSSPS officials on supported living took place in February 2013.

Transforming Your Care

Mr McCarthy asked the Minister of Health, Social Services and Public Safety for an update on the implementation of Transforming Your Care.
(AQO 3697/11-15)

Mr Poots: The consultation ‘Transforming Your Care: Vision to Action’ closed on 15 January 2013, having received a total of 2,242 written responses. I am very pleased that so many people across Northern Ireland have taken this opportunity to ensure that their voices are heard on these important proposals for the future of Health and Social Care in Northern Ireland.

The consultation responses showed clear support for the need to change our health and social care services in order to meet the needs of the community and promote health and well being through prevention and early intervention.

My Statement to the Assembly this morning set out the details of the consultation findings and provided a full update on the implementation of 'Transforming Your Care'. As implementation proceeds, significant service changes, such as the change of use for a facility or a change to the way services are delivered locally will be subject to separate public consultation focussed on that specific change.

Given that consultees have endorsed the need for change, it will now be important to make sure that this change takes place. We all need to work together now to take forward implementation to ensure the provision of safe, sustainable and resilient services for the population of Northern Ireland into the future.

Surgical Services: Outsourcing

Mrs McKeivitt asked the Minister of Health, Social Services and Public Safety to outline the total costs of outsourcing surgical services to the private sector since the beginning of 2012.

(AQO 3698/11-15)

Mr Poots: This information is not available as it is not possible to separate out the costs of surgery from assessment and non-surgical treatment. The Health Service in Northern Ireland refers patients to the Independent Sector: either as an Extra Contractual Referral (ECR) where a clinician can demonstrate an exceptional clinical need to do so; or where it is not possible (for clinical reasons) to deliver a local service; or under the Elective Reform Initiative (Waiting List Initiatives) where there is a gap between the demand for a service and the capacity a Health and Social Care Trust can offer.

Under the Elective Reform Initiative, funding for transfers to Independent Sector providers in 2011/12 was £52.6m.

The anticipated spend with independent sector providers in 2012/13 is £53.6million. This will procure around 71,000 assessments and treatments in the independent sector.

Downe Hospital, Downpatrick

Mr Wells asked the Minister of Health, Social Services and Public Safety to outline his plans for the future use of the former Downe Hospital site in Downpatrick.

(AQO 3699/11-15)

Mr Poots: It is envisaged that the property will be put on the open market by May 2013.

On 30 July 2012 planning approval was granted for mixed use development including residential, offices, retail, guest house and restaurant, on the site of the old Downe Hospital in Downpatrick.

In November 2012, BTW Shiells was appointed as the selling agent for the site and a disposal group was established to assist the South Eastern Health and Social Care Trust with the disposal of old Downe Hospital site.

Out-of-hours GP Services

Mr Lyttle asked the Minister of Health, Social Services and Public Safety what steps are being taken to promote out of hours GP services as an alternative to Accident and Emergency departments.

(AQO 3700/11-15)

Mr Poots: There is a continuing process of increasing public awareness of GP Out-of-Hours through various forms of media.

The use of OOH GPs services across Northern Ireland is extensive. Over 605,000 people contacted GP Out-of-Hours services in Northern Ireland in 2012.

The phone numbers for all GP Out-of-Hours services have been put in the Yellow Pages, on www.yell.com and in the front section of the BT Phonebook. A dedicated website for GP Out-of-Hours has also been setup.

GP practices inform their patients of the GP Out-of-Hours services in various ways e.g. for some it maybe on their telephone answering machine, practice leaflet or website.

It is important to emphasise that A&E services should only be used for emergency situations.

Department of Justice

Northern Ireland Prison Service

Lord Morrow asked the Minister of Justice, pursuant to AQW 19622/11-15, whether he will provide a revised and definitive cost of treatment for the prisoner and his wife.

(AQW 20498/11-15)

Mr Ford (The Minister of Justice): An ongoing Prison Service review has established that the cost to provide joint treatment was £4800.

Northern Ireland Prison Service: Staff

Lord Morrow asked the Minister of Justice, pursuant to AQW 19546/11-15 and AQW 17980/11-15 and the recommendations at 13.5 and 13.6 in the Ackah and Deane Report, whether he intends to review his answer in order to clarify (i) when the PSNI will commence investigation technique training for staff that work in the Professional Standards Unit; (ii) the frequency of training sessions; (iii) whether training will be given for all levels of officers; and (iv) whether representatives from the Prison Officers' Association will be trained.

(AQW 20499/11-15)

Mr Ford: As stated in my response to AQW/17980/11-15, the Police Service of Northern Ireland (PSNI) will provide training for staff working in the new Unit following their appointment. The training will be provided to those staff responsible for investigations and will be a five day Investigative Skills course based on the PSNI's existing Investigative Skills Course.

All officers who will need to have a working knowledge of the new disciplinary system will be trained internally in its use.

Prisoner Release

Lord Morrow asked the Minister of Justice, in relation to Kenneth Douglas and with the exception of release immediately prior to his arrest and charge dating from October 2012, to detail (i) any other date when he was released from custody; and (ii) the date and reasons why he was re-arrested and returned to custody.

(AQW 20500/11-15)

Mr Ford: Mr Douglas was also released from custody on 12 March 2009.

Mr Douglas was returned to custody on 12 November 2010 after being arrested by the PSNI on 11 November 2010. He was charged with nine offences including possession of an offensive weapon, common assault, possession of controlled drugs and driving unfit through drink or drugs

Translation Costs

Mr Weir asked the Minister of Justice to detail the cost of translating departmental letters and documents into (i) Irish; and (ii) each other language, in each of the last five years.

(AQW 20506/11-15)

Mr Ford: The cost to the Department of Justice, since its formation in April 2010, including its Agencies but not its arm's length bodies, of translating departmental letters and documents into Irish and other languages in each of the last two financial years is shown in the table below:

	2010/11	2011/12
Irish	-	£1,321
Arabic	-	£77
Chinese	£1,457	£852
French	£80	-
German	£80	-
Hungarian	£110	£132
Latvian	£509	£51
Lithuanian	£2,157	£397
Polish	£685	£126
Portuguese	£426	£102
Romanian	£408	£69
Russian	£193	£337
Slovak	£193	£126
Somali	-	£123
Spanish	£144	-
Ukrainian	£80	-

G4S

Lord Morrow asked the Minister of Justice, in relation to his Department's contract with G4S, to detail (i) the services supplied; (ii) the cost to date; and (iii) the estimated total cost for the duration of the contract.

(AQW 20522/11-15)

Mr Ford: The Department of Justice currently has two contracts with G4S. The first, Security and Ancillary Services is part of the wider NICS contract and the second, Security and Electronic Tagging is specific to this Department.

The cost to date and estimated total cost for the duration of the contract for these services is detailed below:

	Cost to date	Total Cost
Security and Electronic Tagging	£4.14M	£5.4M
Security and Ancillary Services	£105.9K	£133.4K

Northern Ireland Prison Service: Disciplinary Action

Lord Morrow asked the Minister of Justice, pursuant to AQW 19382/11-15, why the Northern Ireland Prison Service is unable to provide the exact number of senior officers who were disciplined.

(AQW 20523/11-15)

Mr Ford: The Northern Ireland Prison Service is unable to provide the exact number of senior officers who were disciplined as disclosure would be likely to lead to the identification of individuals which would be contrary to the principles of the Data Protection Act 1998.

Northern Ireland Prison Service

Lord Morrow asked the Minister of Justice whether the proposed Professional Standards Unit for the Northern Ireland Prison Service will be in uniformity with HM Prison Service in relation to establishing the Unit to receive, develop and analyse intelligence on wrongdoing in the Service; and whether there will be a telephone service within the Unit to enable staff to report any wrongdoing.

(AQW 20544/11-15)

Mr Ford: The Professional Standards Unit will have access to all relevant information relating to its work. It would be inappropriate for me to comment any further on intelligence related matters.

In terms of reporting wrongdoing, staff will be able to speak directly to the team in the Professional Standards Unit by telephone if they wish. However, there will not be a dedicated anonymous telephone line for this purpose.

Prisoner Costs

Lord Morrow asked the Minister of Justice for a breakdown of costs in the case of Aidan Quinn since his arrest and conviction, including all subsequent appeals.

(AQW 20546/11-15)

Mr Ford: The estimated costs to date are given in the table below:

Cost Type	Estimated Cost £
PSNI 1	5,793
PPS Prosecution ²	16,266
Defence (Legal Aid Costs) ³	12,249
Court (Judiciary and Staff Costs)	5,570
Facilities (e.g. Courtroom Accommodation)	570
Total	40,448

- 1 The PSNI figure is for additional costs. Other duty associated with this case was pre-detailed duty and no additional costs were incurred.
- 2 This figure represents the PPS costs paid to date in respect of fees for counsel. All costs in relation to individual cases are not identifiable.
- 3 This represents actual cost for Magistrates' Court fees and estimated costs for Crown Court fees provided by the Legal Services Commission. Claims have been received but are still to be assessed in this case.

Legal Aid

Mr Weir asked the Minister of Justice how much has been paid from Legal Aid on very high cost cases, in each of the last five years.

(AQW 20548/11-15)

Mr Ford: The total amount of expenditure on legal aid funding for very high cost cases in the past five years is:

■ 2007/08	£6.5m
■ 2008/09	£17.5m
■ 2009/10	£28.4m
■ 2010/11	£12.5m
■ 2011/12	£6.3m

DOJ: Claims

Mr Easton asked the Minister of Justice how much has been paid to settle claims against his Department, in each of the last three financial years.

(AQW 20557/11-15)

Mr Ford: The cost of settling claims against the Department of Justice, since its formation in April 2010, is shown in the table below.

2010/11	2011/12
£774,502	£1,162,662

These costs include the Department's Agencies but not its arm's length bodies. However, they exclude:

- the Northern Ireland Courts and Tribunals Service as the cost of settling claims cannot be separated from total legal costs; and
- expenditure on statutory compensation schemes.

Northern Ireland Prison Service

Lord Morrow asked the Minister of Justice, pursuant to AQW 19324/11-15, why a copy has not yet been placed in the Assembly Library and when this will be available.

(AQW 20561/11-15)

Mr Ford: Due to an administrative error, a copy of the disposal schedule was not placed in the Assembly Library. This has now been rectified.

Northern Ireland Prison Service: Vehicles

Mr Allister asked the Minister of Justice to detail if any Northern Ireland Prison Service vehicles have been deployed during the flag protests and, if so, to detail (i) when and where they were used; and (ii) any precedent for their use.

(AQW 20564/11-15)

Mr Ford: No vehicles have been deployed by the Northern Ireland Prison Service during the flag protests, other than for normal operational requirements.

Northern Ireland Prison Service

Lord Morrow asked the Minister of Justice to detail (i) whether the Prison Service, in conjunction with the Civil Service, has issued trawl notices to recruit staff to the Prison Service Professional Standards Unit; (ii) how many staff have been recruited and at what grades; (iii) whether training dates have been confirmed with the PSNI; and (iv) when the unit will be operational.

(AQW 20578/11-15)

Mr Ford: Apart from the Head of the Professional Standards Unit, no staff have been recruited to date. Two investigator posts at Unit Manager and Staff Officer level will be filled by means of Vacancy Bulletins. These Vacancy Bulletins have issued to staff. While the Unit is expected to be established by June 2013, dates have not yet been established for training.

Newry Crown Court

Lord Morrow asked the Minister of Justice to outline why Person A's case was transferred to Newry Crown Court when the offence occurred and was originally heard in the county court division of Fermanagh and Tyrone.

(AQW 20593/11-15)

Mr Ford: Crown Court business may be conducted at any courthouse in Northern Ireland and is not restricted to where an offence was committed.

A recent case was transferred to Newry Crown Court to ensure the same judge could continue to deal with the case.

Northern Ireland Prison Service

Lord Morrow asked the Minister of Justice, pursuant to AQW 19601/11-15 and given the amount of legislation, policy and guidance available, including the Information Commissioner's office policy guidance issued to Government Departments, to detail (i) why he considers there to be no legislative basis or policy requiring the information to be held; (ii) whether the Northern Ireland Prison Service is making the best use of computer technology with regards to the retention and retrieval of information and best practice; and (iii) whether senior management of the Northern Ireland Prison Service carries out reviews on staff members absent from work due to illness.

(AQW 20594/11-15)

Mr Ford: The Northern Ireland Prison Service (NIPS) does hold the information requested however it is not held in a central database. The information is held on individual files to facilitate case management. Holding the information in this way fulfils NIPS' obligations under both employment law and data protection legislation and there is no requirement to hold it in any other format.

NIPS is making the best use of computer technology in order to carry out its business needs and to comply with relevant legislation. As at (i) above, it is not possible to anticipate every request for information and it would be disproportionate to attempt to do so.

NIPS staff who report sick are managed under the Northern Ireland Civil Service Sickness Absence Policy and management at various levels are involved as appropriate.

Northern Ireland Prison Service: Code of Conduct and Discipline

Lord Morrow asked the Minister of Justice, pursuant to AQW 19755/11-15, to explain the reason why it is inappropriate to comment on the Code of Conduct and Discipline operating within prison counterparts in Great Britain when he is expending a significant amount in bringing change managers from outside Northern Ireland.

(AQW 20595/11-15)

Mr Ford: I refer the Member to the answers I gave to AQW 19755/11-15 and AQW 18877/11-15. The Northern Ireland Prison Service Code of Conduct and Discipline is not related to the appointment of staff to work on the Change Programme.

Penalties for Assaults on Public Sector Workers

Mr D McIlveen asked the Minister of Justice whether he has any plans to introduce tougher penalties for people who assault public sector workers in the course of their duties.

(AQW 20625/11-15)

Mr Ford: Assaults against public servants in the course of their duties are particularly reprehensible. In the Justice Act (Northern Ireland) 2011 I increased the maximum penalty available in magistrates' courts for common assault from three to six months' imprisonment. Judges can also treat the fact that the victim was providing a public service as an aggravating factor when sentencing. Given the recent increase in the penalty I have no plans at present to change the law further in this area though I do keep these matters under review.

Legal Costs

Lord Morrow asked the Minister of Justice, in the case of the defendant as heard at Dungannon Magistrates Court on 22 February 2013, to detail (i) all costs, including Legal Aid; and (ii) the circumstances which led to the breach of probation charges and appeals in the lead up to the most recent disposal.

(AQW 20631/11-15)

Mr Ford: Following clarification of the cases referred to, the estimated costs to date are given in the table below:

Cost Type	Estimated Cost £
PSNI1	Not Available
PPS Prosecution2	Not Available
PBNI2	155
Defence (Legal Aid Costs)3	2,291
Court (Judiciary and Staff Costs)4	703
Facilities (e.g. Courtroom Accommodation)4	85
Total	3,234

1 The PSNI have incurred no additional costs over those associated with detailed duties relating to the investigation.

- 2 The PPS Public Prosecutor dealt with the initial stages of the case and PPS are not able to determine what costs were incurred with regard to this as a percentage of their overall total workload. Probation prosecuted the breach of community based orders.
- 3 This figure provided by the Legal Services Commission represents actual cost for Magistrates' Court fees in respect of two cases and estimated costs in respect of the breach of community based order cases at the Magistrates' Court. No appeal court appearances have yet occurred.
- 4 Figures for NICTS relate only to Magistrates' Court appearances. No appeal court appearances have yet occurred.

There are appeal proceedings in this case in respect of the breach of community based orders. These are still pending before the court and it would not be appropriate to comment further on the circumstances of the case at this time.

Northern Ireland Prison Service: Internal Investigation

Lord Morrow asked the Minister of Justice, pursuant to AQW 19550/11-15, and in terms of his response that the Prisoner Ombudsman may recommend that the Northern Ireland Prison Service considers conducting an internal discipline investigation into a staff member's actions where the outcome of investigation would warrant it, to detail (i) whether he plans to review his answer given that the Minister, the Prisoner Ombudsman and senior management of the Northern Ireland Prison Service may be seen to be prejudging the guilt of a staff member prior to that member being afforded his/her rights of fairness, natural justice and the opportunity to provide an explanation through due process and; (ii) whether in any case during the last five years that staff members have been similarly judged, dismissed from the Northern Ireland Prison Service and had an appeal against dismissal to the NI Civil Service Appeals Board overturned.

(AQW 20634/11-15)

Mr Ford:

- (i) I do not plan to review my answer. The Code of Conduct and Discipline (prison grades) and Discipline chapter of the NICS HR Handbook (non-prison grades) provide for summary dismissal in cases of a very serious nature.
- (ii) There have been fewer than five disciplinary cases within the NIPS during the last five years where a member of staff has been summarily dismissed and the Civil Service Appeal Board has upheld the appeal.

Northern Ireland Prison Service: Staff Dismissed

Lord Morrow asked the Minister of Justice, pursuant to AQW 19807/11-15, to detail (i) the total number of staff, broken down by gender, that were dismissed for disciplinary offences only under the Code of Conduct and Discipline; (ii) the number that appealed to the Northern Ireland Prison Service; (iii) the number that included procedural failings by the Northern Ireland Prison Service in the statement of grounds of appeal and; (iv) in respect of the six appeals determined by the Northern Ireland Civil Service Appeals Board, in how many cases did the Board find that both dismissal was unfair and procedures were not followed by the Northern Ireland Prison Service.

(AQW 20636/11-15)

Mr Ford: Since 1 January 2005, 18 staff have been dismissed from the Northern Ireland Prison Service (NIPS) for disciplinary reasons. The breakdown by gender is 12 male and six female.

Of the 18 staff dismissed, 13 appealed to NIPS, 11 of whom alleged procedural failings. There were, however, no successful appeals.

Less than five of the six appeals determined by the Civil Service Appeal Board were found to have been unfair and that proper procedures had not been followed. The actual number has been withheld to protect the identity of the individuals concerned as disclosure would be contrary to the Data Protection Act 1998.

National Crime Agency

Mr Elliott asked the Minister of Justice to outline his ongoing attempts to ensure that the National Crime Agency becomes fully operational.

(AQW 20647/11-15)

Mr Ford: Once established later this year, the National Crime Agency (NCA) will be operational in Northern Ireland in non-devolved areas (for example, tackling organised and complex immigration and customs crime). As it stands, the NCA will not have a role in Northern Ireland in the transferred field. That is despite my sustained efforts to secure agreement for its extension to support our organised crime fighting effort. Obviously its devolved role here would need to have been subject to appropriate safeguards.

Departmental officials are now working to manage the transition. The aim is to ensure that Northern Ireland will benefit as much as possible from the NCA, preserving the important operational relationship between the NCA and law enforcement agencies in Northern Ireland, for instance through the continued ability to share information, provide advice and expertise. At the same time officials are chairing a group with representatives from law enforcement agencies and others, to assess and address the gaps created by the inability of NCA to provide support operationally or as a result of the restrictions on its civil recovery activity. There are, for instance, legal and resources issues to consider.

On 13 March 2013 the Crime and Courts Bill was amended in the House of Commons to include a new Schedule (the NCA: Northern Ireland) setting out the provisions which will no longer apply to Northern Ireland and providing a series of order-making powers to legislate for the possible future extension of the NCA in the transferred field, subject to the agreement of the Northern Ireland Assembly. I will continue to advocate that the NCA should become fully operational in Northern Ireland.

National Crime Agency

Mr Elliott asked the Minister of Justice to outline the increased budgetary requirements of the Police Service of Northern Ireland should the National Crime Agency not become fully operational in Northern Ireland.

(AQW 20648/11-15)

Mr Ford: Once established later this year, the National Crime Agency (NCA) will be operational in Northern Ireland in non-devolved areas (for example, tackling organised and complex immigration and customs crime). As it stands, the NCA will not have a role in Northern Ireland in the transferred field. That is despite my sustained efforts to secure agreement for its extension to support our organised crime fighting effort. Obviously its devolved role here would need to have been subject to appropriate safeguards.

Departmental officials are now working to manage the transition. The aim is to ensure that Northern Ireland will benefit as much as possible from the NCA, preserving the important operational relationship between the NCA and law enforcement agencies in Northern Ireland, for instance through the continued ability to share information, provide advice and expertise. At the same time officials are chairing a group with representatives from law enforcement agencies and others, to assess and address the gaps created by the inability of NCA to provide support operationally or as a result of the restrictions on its civil recovery activity. There are, for instance, legal and resources issues to consider.

On 13 March 2013 the Crime and Courts Bill was amended in the House of Commons to include a new Schedule (the NCA: Northern Ireland) setting out the provisions which will no longer apply to Northern Ireland and providing a series of order-making powers to legislate for the possible future extension of the NCA in the transferred field, subject to the agreement of the Northern Ireland Assembly. I will continue to advocate that the NCA should become fully operational in Northern Ireland.

G8 Summit

Mr Elliott asked the Minister of Justice for an estimate of the number of people that would be needed to process criminal activity during the G8 summit 2013.

(AQW 20650/11-15)

Mr Ford: Detailed consideration is being given to the processing of those responsible for any criminal activity during the G8 summit. That work is taking account of a range of scenarios and will require a flexible approach to respond to events. The potential impact falls on a number of organisations and they are engaged in the discussions. It is not possible to estimate the numbers of people needed to process criminal activity separately from other functions.

Justice (Northern Ireland) Act 2002

Mr Swann asked the Minister of Justice who selected the organisations listed in Section 46 (1) of the Justice (Northern Ireland) Act 2002.

(AQW 20654/11-15)

Mr Ford: I am unable to answer the question as the list of organisations in section 46 (1) of the Justice (Northern Ireland) Act 2002 was prepared prior to the devolution of policing and justice matters in April 2010.

I can advise that I plan to review the existing list of organisations as detailed in Section 46 (1) of the Justice (Northern Ireland) Act 2002 with Executive colleagues.

Money Laundering Task Force

Mr D McIlveen asked the Minister of Justice whether his Department has a dedicated Money Laundering Task Force to determine the strategy for combating organised crime, using such tools as the Proceeds of Crime legislation.

(AQW 20688/11-15)

Mr Ford: I am Chair of the Organised Crime Task Force (OCTF) which comprises law enforcement agencies as well as statutory and non-statutory bodies. The Northern Ireland Organised Crime Strategy 2012-2014 outlines a framework for the work of the OCTF partners. This is to ensure that the resources, information and powers of the OCTF partners are used to maximum effect to disrupt and dismantle organised crime gangs, bring them before the courts, prosecute, remove their assets and support those affected by organised crime.

The OCTF has a number of sub groups including one on criminal finance. The remit of this sub group covers money laundering and issues relating to the operation of the Proceeds of Crime Act 2002 in Northern Ireland. The membership of the group includes representatives from the PSNI, the Serious Organised Crime Agency, the Public Prosecution Service, HM Revenue and Customs and my Department.

Police Cells: Total Capacity

Mr Elliott asked the Minister of Justice to detail the total capacity of police cells in the Fermanagh area.
(AQW 20758/11-15)

Mr Ford: The capacity of police cells in the Fermanagh area 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.

You may therefore wish to direct your question to the PSNI.

Police Cells: Total Number

Mr Elliott asked the Minister of Justice to detail the total number of police cells broken down by policing district.
(AQW 20759/11-15)

Mr Ford: The number of police cells 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.

You may therefore wish to direct your question to the PSNI.

G8 Summit

Mr Elliott asked the Minister of Justice what provision he has made for additional police cell capacity in Fermanagh during the G8 summit 2013.
(AQW 20760/11-15)

Mr Ford: The provision of additional police cell capacity 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.

You may therefore wish to direct your question to the PSNI.

Organised Crime Task Force

Mr Irwin asked the Minister of Justice whether the Organised Crime Task Force will discuss the possibility of insider information being passed to suspects prior to raids by HM Revenue and Customs as part of Operation Loft.
(AQW 21152/11-15)

Mr Ford: The operation in question was led by the authorities in the Republic of Ireland who were supported by agencies in this jurisdiction and therefore, it will be for them to lead the review or debrief exercise as is normal practice. In this context, I understand that the Garda Síochána are arranging a meeting of senior representatives of all the agencies involved to consider all the circumstances.

The operation and attendant publicity was raised at a meeting of the Organised Crime Task Force Stakeholder Group on 20 March.

Department for Regional Development

Translink

Mr Dallat asked the Minister for Regional Development to detail (i) all outstanding claims against Translink in relation to alleged underpayment of pensions; and (ii) whether he intends to make a statement on the anticipated cost of the claims.
(AQW 19762/11-15)

Mr Kennedy (The Minister for Regional Development): Translink has advised that there is a current legal challenge, which dates back a number of years regarding the historical calculation of a number of Ulsterbus employee pensions. As of yet there is no firm date for a court hearing but Translink, advise that it is scheduled for Court hearing in May 2013.

As this case is currently sub-judice, Translink is not in a position to comment on the detail pertaining to this matter ahead of the High Court hearing.

For the reasons set out above, I do not think it would be appropriate to make a statement on potential costs at this time.

Cycling

Mr Weir asked the Minister for Regional Development how much his Department has spent on promoting cycling, in each of the last five years.
(AQW 20547/11-15)

Mr Kennedy: My Department through its Travelwise NI initiative has spent approximately £371k over the last five years hosting various sustainable events to encourage people to take up cycling as a realistic transport option. The total costs of the initiatives are set out in the table below:

Year	2007/08	2008/09	2009/10	2010/11	2011/12
Cycling promotion Expenditure by Travelwise	£10k	£40k	£42k	£123k	£156k

DRD also continues to fund a scheme to enable staff to hire cycles as part of the NICS to Work scheme.

Roads Service has spent approximately £4809k on cycling infrastructure measures over the past five financial years with a view to making traffic conditions more suitable for cyclists. A breakdown of annual costs is shown in the table below:

Year	2007/08	2008/09	2009/10	2010/11	2011/12
Expenditure on Cycling Measures	£1,056k	£1,360k	£981k	£311k	£1,101k

This includes the provision of 96km of cycle lanes.

Vandalised Road Signs

Mr Campbell asked the Minister for Regional Development whether he intends to commission a review of vandalised road signs to ensure that replacement signs are restored and put in place in such a way as to deter future vandalism.

(AQW 20555/11-15)

Mr Kennedy: In the majority of cases damaged road signs are identified by my Department's Roads Service officials, as part of their routine inspections, and prioritised for replacement or repair, as necessary.

It is an offence under Article 33 of the Road Traffic (NI) Order 1981 for a person to unlawfully and intentionally interfere with or damage a traffic sign and anyone caught defacing road signs will be prosecuted.

In terms of other developments in relation to signs, there are a number of methods that can be used when dealing with vandalism of signs. Signs can be manufactured with an anti-graffiti coating, which helps prevent defacing, or can be made with a composite aluminium/polyethylene backing sheet, which is used to deter theft. When faced with persistent problems in relation to either graffiti or theft, Roads Service engineers have the facility through its current procurement contract to order signs that incorporate these additional countermeasures.

Roads Service officials consider the existing arrangements are adequate and on that basis do not consider there is a need to commission a review into the vandalism of signs at this time.

Road Gritting

Mr Ó hOisín asked the Minister for Regional Development whether any new types of road grit have been acquired or used during the recent winter period.

(AQW 20596/11-15)

Mr Kennedy: For the purposes of this response, it has been assumed that your question relates to rock salt, which is the primary material used for de-icing the roads during the Winter Service programme.

Roads Service currently sources this rock salt from mines in Carrickfergus, Co Antrim. I can confirm that this material remains the primary material used for de-icing roads and that Roads Service has not acquired, or used, any new types of rock salt for this purpose during the recent winter period.

Road Resurfacing: Donaghadee to Millisle

Mr Easton asked the Minister for Regional Development whether there are plans to resurface the road from Donaghadee to Millisle.

(AQW 20600/11-15)

Mr Kennedy: AQW 20600/11-15

My Department's Roads Service has advised that the road from Donaghadee to Millisle is in a safe condition and does not require resurfacing at this time. Officials will continue to inspect this road periodically and any defects identified will be dealt with on a prioritised basis in accordance with the Roads Service Maintenance Standards.

Roads Service: Expenditure on Rural Roads

Mr Weir asked the Minister for Regional Development to detail the proposed Roads Service expenditure on rural roads in North Down in 2013/14.

(AQW 20618/11-15)

Mr Kennedy: As the budget allocation process for 2013/14 is still ongoing, I am unable to confirm what the proposed Roads Service expenditure for the North Down Council area will be.

In general terms, the resources available for road maintenance during the 2013/14 financial year will be distributed to the four Roads Service Divisions on the basis of need, using a range of weighted indicators tailored to each maintenance activity, namely, resurfacing, patching, gully emptying and grass cutting. Officials use these indicators when apportioning budgets across Council areas to ensure, as far as possible, an equitable distribution of available funds across Northern Ireland.

Notwithstanding the above, Roads Service does not maintain financial information on the basis of an urban/rural split and therefore is unable to provide details of its planned spend on rural roads.

Junction Improvement Scheme: Craigantlet Crossroads

Mr Dunne asked the Minister for Regional Development for an update on the junction improvement scheme at the Craigantlet crossroads.

(AQW 20623/11-15)

Mr Kennedy: As you will be aware, local residents have proposed a number of alternative scheme layouts and I have asked my Department's Roads Service to consider all of the proposals. This work will take into account the relative merits of each option, including the benefits in terms of traffic progression and road safety, as well as cost and the likely impact on the environment.

I can advise that the assessment of these alternative proposals is still ongoing. Whilst it was initially anticipated this study would have been completed by the end of January, additional field and design work was required to assess additional proposals put forward by the local residents during the intervening period.

It is now expected this study will be completed by the end of April 2013 and I can confirm that no decisions relating to the proposed scheme will be taken until the outcome of this study is known.

Cycling

Mr Weir asked the Minister for Regional Development to detail the percentage of his Department's budget that will be spend on cycling in 2013/14.

(AQW 20638/11-15)

Mr Kennedy: AQW 20638/11-15

At present 2.7% of the transport revenue expenditure budget (excluding payments to Translink and on roads) is scheduled to be spent on cycling promotion in 2013/14. 4.7% of the relevant capital expenditure budget (Local Transport and Safety Measures) is due to be spent on cycling infrastructure in 2013/14.

Public Paths: Belfast

Mr Weir asked the Minister for Regional Development to detail what measures are in place to ensure that public paths in Belfast are kept clean and free from debris.

(AQW 20639/11-15)

Mr Kennedy: Article 7 of the Litter (NI) Order 1994, as amended by the Clean Neighbourhoods and Environment Act (Northern Ireland) 2011, places a duty on councils in relation to the cleaning of roads.

You may wish to contact Belfast City Council regarding this issue.

Cycling Infrastructure

Mr Weir asked the Minister for Regional Development to detail the measures that are being taken to ensure that the cycling infrastructure in Belfast is of an equal standard to other cities, such as Bristol.

(AQW 20641/11-15)

Mr Kennedy: My Department's is committed to providing safer roads for vulnerable road users, such as pedestrians and cyclists. This is facilitated by the use of a range of measures, which include road safety engineering and traffic calming, as well as the enhancement of the pedestrian and cycling network.

The main objective is to maximise the return from the resources which my Department has available for cycling provision. In fact, in the 10 year period, including last financial year, my Department has invested almost £9 million in the provision of 230km of cycle lanes.

In the greater Belfast area, Roads Service has provided, on average, over 12 km of cycle lanes and invested over £400,000 in each of the last five years. Last financial year, my Department invested £1.1 million across Northern Ireland for the provision of cycling measures, of which £606,000 was allocated to the greater Belfast area. Roads Service continues to implement, in so far as available resources permit, the outline cycling infrastructure as set out in the Belfast Metropolitan Transport Plan 2015 (BMTP), details of which can be found in chapter four and viewed online at the following web address: <http://www.drndni.gov.uk/index/bmtp/reports.htm>.

In addition, proposals in the Belfast Traffic Masterplan, which includes the 'Belfast on the Move' project, also increase the priority for cyclists, pedestrians and public transport. This will provide an additional 2.6km of new bus lanes, which will also accommodate cyclists, 1km of new dedicated cycle lanes and 20 new controlled pedestrian crossing points. This plan can be viewed at the following web address: http://www.drdni.gov.uk/botm_updated_final_leaflet.pdf.

Potholes: Beechfield Estate, North Down

Mr Easton asked the Minister for Regional Development how many potholes have been reported in Beechfield Estate, North Down in the last three years.

(AQW 20658/11-15)

Mr Kennedy: My Department's Roads Service has received only one report relating to potholes in the Beechfield Estate in Donaghadee during the last three years.

However, through Roads Service's routine cyclic inspection regime, 105 potholes have been noted and repaired during the same period.

Traffic: Cannyreagh Road, Donaghadee

Mr Easton asked the Minister for Regional Development how his Department plans to resolve the traffic flow problems on the Cannyreagh Road, Donaghadee.

(AQW 20659/11-15)

Mr Kennedy: Roads Service officials have recently carried out an assessment of the Cannyreagh Road and are aware that there may on occasions be traffic progression issues at this location.

I understand that concerns relating to traffic progression and congestion have been raised as far back as 2006, which were largely due to the restricted width and on-street parking patterns, along the nearby Northfield Road, which links the Cannyreagh Road to the Killaughey Road. In response to these concerns, Roads Service carried out technical assessments, surveys and studies to consider widening the entire Northfield Road. Unfortunately, due to prohibitive costs and its relatively low priority in comparison to other similar schemes within the Ards Council area, a scheme has not been included within the Minor Works programme. It should also be noted that due to the injurious affection on the local cricket club, there would be little prospect of securing the additional lands required to progress with a road widening scheme.

However, the adopted 2015 Ards and Down Area Plan includes a section of land between the Newtownards Road and the Cannyreagh Road, which is zoned for housing. One of the key design criteria for the development of this land is that any developer should construct a new distributor road linking the A48 Newtownards Road to the Cannyreagh Road. This major link, if constructed, would undoubtedly help with traffic flows to the local housing estates on the Cannyreagh Road, as it would represent a viable alternative route.

Road Infrastructure: Donaghadee

Mr Easton asked the Minister for Regional Development how much has been spent on the road infrastructure in Donaghadee, in the last three financial years.

(AQW 20660/11-15)

Mr Kennedy: Mr Department's Roads Service's budget is allocated on a District Council basis and it does not maintain details of expenditure for individual towns within the Council area.

I would remind the Member that information on completed and proposed road schemes 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.drdni.gov.uk/index/publications/publications-details.htm?docid=8571>

Northern Ireland Water Chairman

Mr Allister asked the Minister for Regional Development to provide details of the more than twenty five years senior management experience in the private sector of the Chairman of NI Water, as claimed on the NI Water website.

(AQW 20673/11-15)

Mr Kennedy: I understand this summary is referred to on the Northern Ireland Water website. If you are interested in greater detail of the person's experience you may wish to contact the individual directly.

Road System: Beechfield Estate, Donaghadee and Millisle

Mr Easton asked the Minister for Regional Development whether he will visit the Beechfield Estate, Donaghadee and Millisle, North Down to see at first hand the road system.

(AQW 20678/11-15)

Mr Kennedy: I would welcome the opportunity to visit these locations and discuss any roads related issues the Member may have.

Flood Protection Barriers

Mr McMullan asked the Minister for Regional Development whether he will consider a pilot project to purchase flood protection barriers for external doors on properties in the Glens of Antrim, and in particular Cushendall, which are affected by regular flooding.

(AQW 20690/11-15)

Mr Kennedy: Following a flooding event in October 2012, the flooding agencies, Roads Service, Rivers Agency and Northern Ireland Water (NIW) investigated and identified measures to improve resilience to flooding in Cushendall. My Department's Roads Service agreed to implement measures including the provision of additional road drainage on Layde Road to prevent surface water flowing down to Shore Street. In addition, and following negotiations with local landowners, Roads Service also agreed to provide a catchment and outfall for drainage to deal with water at the bottom of a private laneway. These works are now almost complete. The success of these measures will be closely monitored.

NIW has advised that the new proposed overflow pipe from Mill Street to the River Dall would add little benefit and is not now to be undertaken. However, it confirms it is looking at a storm separation project to extend the storm sewers on Mill Street and High Street. Modelling assessment of the combined sewer is also being undertaken.

As part of the implementation of the EU Floods Directive, the provision of property level flood protection measures has been under consideration. The PEDU report into the flooding, which occurred on 27 and 28 June 2012, highlighted this issue and recommended this work is completed and incorporated into a comprehensive strategy for consideration by the Executive. I understand the scoping work is at an advance stage and the findings are due to be discussed with Ministers shortly.

Door-2-Door Scheme

Mr Weir asked the Minister for Regional Development what measures will be taken to ensure that there is no drop in the quality of the service in the Door-2-Door scheme when the current contract expires.

(AQW 20720/11-15)

Mr Kennedy: I refer to my statement to the House. There will be no cut to the budget for the delivery of services under the interim arrangement planned and it would be my expectation that the quality of services will be improved and maintained.

Donaghadee Bus Station

Mr Dunne asked the Minister for Regional Development what provision will be made for people who rely on the Donaghadee Bus Station.

(AQW 20753/11-15)

Mr Kennedy: I would refer to the answer to AQW 20752/11-15.

Train Timetable: Coleraine to Derry

Mr Eastwood asked the Minister for Regional Development in relation to the proposed Coleraine to Derry train timetable (i) to detail the departure time of trains from Coleraine to Derry; and (ii) if the timetable properly accommodates commuters who work in Coleraine and finish at approximately 5.00pm.

(AQW 20776/11-15)

Mr Kennedy: Translink has advised that trains from Belfast to Coleraine will connect onward to Londonderry at 07:43, 08:43 and at 2-hour intervals thereafter until 22:43 (07:43, 08:43, 10:43, 12:43, 14:43, 16:43, 18:43, 20:43, 22:43). No train service will operate from Coleraine from 17:00 to 17:30 however on weekdays Translink will operate Express bus services around these times, i.e. 17:30 ex Coleraine, arriving in Londonderry at 18:35. In addition, Translink are operating flexible ticketing arrangements on the relevant bus and rail services, where rail services will accept appropriate bus tickets and bus services will accept appropriate rail tickets.

Due to the single line nature of track between Coleraine-Castlerock and Londonderry only one train is permitted to operate at any time between Castlerock-Londonderry-Castlerock. It is not possible to delay the 16:43 train from Coleraine to Londonderry without implications for the 17:33 departing Londonderry and subsequent timetabling problems and delays on the 18:19 train from Coleraine to Belfast. However on completion of the Coleraine/Londonderry line upgrade, which includes the installation of a passing loop, an hourly frequency can be achieved. It is anticipated that Phase II should be completed during 2015.

Bus Stations

Mr Weir asked the Minister for Regional Development what assessment is made of user numbers is carried out when deciding whether a bus station should remain open.

(AQW 20811/11-15)

Mr Kennedy: Decisions regarding the closure of bus stations are an operational matter for Translink but normally do require local consultation where possible. Translink has advised that user numbers form one part of the rationale for retention or otherwise of any Translink facility.

Other factors which may be considered include: financial implications, service delivery and customer needs (including the suitability of alternative boarding/alighting locations),

safety/security, environmental (compliance with relevant legislation), alignment/fit with Translink's Business Plan and with Regional Development Strategy/Regional Transportation Strategy, and stakeholder expectations.

This list is not exhaustive and the weighting of any given aspect will depend entirely on the nature and location of the facility under consideration.

Bus Stations

Mr Weir asked the Minister for Regional Development to outline the factors, other than user numbers, considered when assessing whether a bus station should remain open and what weight is given to each of these factors.

(AQW 20815/11-15)

Mr Kennedy: I would refer you to the answer given to AQW 20811/11-15.

Roads Infrastructure: Millisle

Mr Easton asked the Minister for Regional Development how much has been spent on roads infrastructure in Millisle, in the last three financial years.

(AQW 20826/11-15)

Mr Kennedy: My Department's Roads Service budget is allocated on a District Council basis and it does not maintain details of expenditure for individual towns within the Council area.

Information on completed and proposed road schemes 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 address.

<http://www.drdni.gov.uk/index/publications-details.htm?docid=8571>

Footpaths: Millisle

Mr Easton asked the Minister for Regional Development how much has been spent on footpath infrastructure in Millisle, over the last three financial years.

(AQW 20827/11-15)

Mr Kennedy: I would refer the Member to the answer I provided to AQW 20826/11-15.

Roadworks: Temporary Speed Limits

Mr Ross asked the Minister for Regional Development to detail the discussions that Roads Service has had with the PSNI on the introduction of reduced or temporary speed limits in areas where roadworks are due to begin.

(AQW 20889/11-15)

Mr Kennedy: Reduced speed limits are often used during roadworks to assist in providing a safe work environment to protect both the contractor's work force and the travelling public. Guidance on the circumstances when a reduced speed limit may be required and the degree of the reduction is contained within Chapter 8 of the Traffic Signs Manual.

Representatives from the PSNI Road Policing Unit are usually in attendance during discussions relating to reduced speed limits at proposed street and road works. In addition, written confirmation is required from the PSNI before a Temporary Traffic Regulation for a temporary speed limit is processed.

DRD: Postage Costs

Mr Easton asked the Minister for Regional Development how much his Department has spent on postage, in the last three financial years.

(AQW 20920/11-15)

Mr Kennedy: In the last three years my Department has spent the following amounts on postage:

Year	Spend (£000's)
2009/10	196
2010/11	197
2011/12	176

Sewers: North Down

Mr Weir asked the Minister for Regional Development which sewers in the North Down constituency will be adopted in the next six months.

(AQW 21021/11-15)

Mr Kennedy: I have been advised by Northern Ireland Water (NIW) that since the adoption process for sewerage systems is developer driven, it is unable to identify or predict which sewers in the North Down constituency will be adopted in the next six months.

NIW continues to work with my Department's Roads Service to take forward several enforcement actions involving the adoption of sewers in developments, but it can take time to liaise with developer's successors and assignees, identify options, agree solutions and arrange for completion of the work required to bring sewerage systems to an adoptable standard. For these reasons it is difficult to provide a timescale for this work or to predict if sewers will be adopted within the next six months. Inspections are on-going at several development sites which may eventually result in a number of sewer adoptions within the North Down constituency.

Sewage Problems: Castlemara Drive, Carrickfergus

Mr Hilditch asked the Minister for Regional Development for an update on the sewage problems at Castlemara Drive, Carrickfergus.

(AQW 21159/11-15)

Mr Kennedy: I have been advised by Northern Ireland Water (NIW) that in January this year it undertook an investigation of the sewerage system in the Castlemara Drive area and no obvious problems or defects were found.

However in response to a further report last weekend, NIW cleared a blockage in the public sewer and although it is now operating normally, a possible defect was identified and further investigations will be undertaken within the next week to resolve this issue.

Belfast on the Move

Mr Copeland asked the Minister for Regional Development for an update on the second phase of Belfast on the Move.

(AQO 3663/11-15)

Mr Kennedy: The second phase of Belfast on the Move works began on 28 January. The works are progressing well, in line with my Department's programme. Carriageway widening and lane alterations have been completed on College Avenue and College Square East. The new road layouts, including a new southbound bus lane, will be introduced following resurfacing which is due to take place in the next few weeks.

Today is a good opportunity for me to make people aware of these impending changes and to remind motorists to take extra care in the initial weeks of the new road layouts.

Initial works are progressing on Grosvenor Road and Great Victoria Street through to Wellington Place. The new road layouts, including a new northbound bus lane on Great Victoria Street through to Wellington Place, will be introduced following resurfacing which is due to be completed in early April.

After Easter work will commence on Wellington Place, Donegall Square North, Donegall Square East and Chichester Street. The phase 2 works are scheduled to be completed in June of this year.

Cycle Lanes

Mr McCarthy asked the Minister for Regional Development what plans Roads Service has to develop a network of segregated cycle lanes.

(AQO 3664/11-15)

Mr Kennedy: My Department's Roads Service provides cycle lanes in Northern Ireland through its programme of Local Transport and Safety Measures, in accordance with the Regional Transportation Strategy (RTS) and the Belfast Metropolitan Transport Plan (BMTP). These transport plans build on the Northern Ireland Cycling Strategy and recognise that cycling is an ideal form of transport for short journeys.

For example, it has worked in conjunction with Sustrans, Northern Ireland Cycling Initiative and other interested stakeholders, to provide 2.12 kms of physical segregated cycle lane within the Belfast Metropolitan area, and other stretches such as the 11 kilometre section on the Comber Greenway. It has also invested over £9.4m over the last 10 years, to provide approximately 220 kms of cycle paths, that are shared between pedestrians and public transport.

Although it is recognised that dedicated and segregated cycle paths are more desirable for cyclists, complete physical segregation is not always possible or practicable in many situations. Unfortunately, there are many roads where there is simply not enough space to provide segregated cycle lanes without removing a general traffic running lane, which would precipitate a further increase in congestion and journey times. This is the primary reason why Roads Service officials are frequently unable to provide more extensive, dedicated and continuous cycle facilities, despite their best efforts.

Roads Service will, however, continue to consider segregated measures taking account of the local circumstances and the overall level of funding available for cycling measures.

Roads: Surface Dressing

Mr Clarke asked the Minister for Regional Development how much has been spent on surface dressing roads in the last five years. (AQO 3665/11-15)

Mr Kennedy: Surface dressing comprises the laying of a thin film of bitumen upon which stone chippings are spread and is just one of a number of structural maintenance activities used to maintain the integrity of the road structure. It is an essential element of the overall structural maintenance programme and is seen as a good value planned maintenance activity.

Expenditure by my Department's Roads Service in respect of the surfacing dressing of roads in the last five financial years is as follows:

- 2007/08 - £8.7million;
- 2008/09 - £7.4million;
- 2009/10 - £9.4million;
- 2010/11 - £9.1million; and in
- 2011/12 - £11.1million

(Final outturn figures for 2012/13 are not yet available)

In total, this equates to a total spend of some £45.7million over the last five financial years, which represents a significant investment by my Department in the road network across Northern Ireland and also provides a vital boost to the local construction industry.

Roads: North Antrim

Mr Swann asked the Minister for Regional Development what targets have been set for making progress on unadopted roads across North Antrim. (AQO 3666/11-15)

Mr Kennedy: My Department's Roads Service has an annual target to reduce the backlog number of unadopted Private Street Sites across Northern Ireland by 240 each year. This currently equates to 60 for each of the four Roads Service Divisions. There is no specific target for North Antrim but the overall target of 60 for Northern Division, which covers eight Council areas, has been met this financial year.

Road Safety: Gransha Road Roundabout, Bangor

Mr Weir asked the Minister for Regional Development for an update on producing proposals to improve road safety at the Gransha Road roundabout, Bangor. (AQO 3667/11-15)

Mr Kennedy: As I advised the Member, in my response to his recent similar Assembly Question, AQW 20421/11-15, regarding road safety at the Gransha Road roundabout, my Department's Roads Service will be commissioning consultants to carry out a feasibility study on the provision of a controlled pedestrian crossing facility at this location.

In the interim, as discussed with the Member, other public representatives and Council officials during a site meeting on 20 February 2013, Roads Service has cut-back overgrowth at the junction of the Old Gransha Road with the East Circular Road to improve drivers' sightlines.

Railways: Belfast to Dublin Enterprise

Mr D Bradley asked the Minister for Regional Development for his assessment of the rolling stock of the Enterprise Train sets. (AQO 3668/11-15)

Mr Kennedy: Translink has advised that Enterprise carriages are now in their 16th year of service. To date they have had two mechanical overhauls (brake equipment and wheel sets) and one refurbishment programme comprising replacement of interior seat upholstery and carpeting, as well as repainting of external bodywork. They are now approaching the need for a mid-life overhaul.

NI Railways are currently in consultation with service partners Irish Rail to agree the scope, timing and funding arrangements for this programme of work. Subject to budgets an overhaul programme will begin in 2013/14 with the first phase of this expected to cost £1.2m.

Public Transport: Segregated Communities

Mrs Cochrane asked the Minister for Regional Development whether he will conduct an examination of the costs involved in providing public transport within the context of segregated communities.

(AQO 3669/11-15)

Mr Kennedy: Public transport services in Northern Ireland are organised taking account of settlement and travel patterns. They are operated by Translink on a commercial basis and are not planned in a segregated way. Furthermore, expenditure per head on public transport in Northern Ireland is broadly in line with that in the other United Kingdom devolved regions.

As a consequence, there is no evidence of additional costs which would merit further examination by my Department.

Translink: Passenger Numbers

Mr Gardiner asked the Minister for Regional Development how passenger numbers for Translink in 2013 to date compare to the same period last year.

(AQO 3670/11-15)

Mr Kennedy: Translink passenger journeys for the first 2 periods of 2013 (January and February) are up by 11,456 journeys when compared to the same period last year, (11,787,107 journeys this year compared to 11,775,651 in 2012).

Year on year Translink passenger journeys remain encouraging with 70.3 million journeys in this financial year so far compared to just over 69 million for the same period in 2011/12, a welcome increase of over 1 million journeys. This increase is not only in concessionary fare passengers, but also in fare paying passengers.

Translink has been involved in a number of promotions in support of the Backin' Belfast campaign including the Metro love Saturdays £2 day ticket, the Goldline 1/3 off day return on selected routes and free park & ride services in February. In addition, with the re-opening of the Londonderry to Coleraine railway line later this month and my recent announcement of extra funding for the Translink bus fleet replacement programme it is hoped that the trend of increased use of public transport will continue.

A37 Limavady to Coleraine

Mr G Robinson asked the Minister for Regional Development whether the A37 Limavady to Coleraine road is on the schedule for resurfacing due to its rapidly deteriorating surface condition.

(AQO 3671/11-15)

Mr Kennedy: Resurfacing works on the trunk road network are assessed on a Northern Ireland wide basis, using a range of information, including data from specialist road test machinery, to identify the schemes with the highest priority which are to be included in the trunk road resurfacing programme. As other schemes were considered to be of higher priority, the A37 Broad Road was not included within the 2013/14 works programme. However, this scheme will remain under consideration, along with others across Northern Ireland, for potential inclusion in future works programmes.

My Department's Roads Service will continue to inspect the carriageway and repair any actionable defects on a prioritised basis, in accordance with established maintenance standards.

Department for Social Development

Homelessness

Mr D McIlveen asked the Minister for Social Development how many people are registered as homeless; and what steps his Department is taking to address this problem.

(AQW 20125/11-15)

Mr McCausland (The Minister for Social Development): In the current financial year the Housing Executive has received 16,072 homeless applications. Of these 8,060 (50%) households have been accepted as meeting the statutory homelessness criteria. In 2,300 of the cases accepted as homeless the homelessness duty has been discharged. In other words the applicant has been re-housed or has refused reasonable offers of re-housing.

In May 2012 the Housing Executive launched its strategy to tackle homelessness in Northern Ireland. The new Homelessness Strategy for Northern Ireland 2012 – 2017 aims to eliminate long term homelessness and rough sleeping across Northern Ireland by 2020. The new integrated approach includes a range of initiatives from support services to prevent homelessness to the introduction of a province-wide private rented sector access scheme.

As regards the definition of homelessness it is important to remember the legislative context as to how it is defined. The statutory definition of homelessness and threatened homelessness is at Article 3 of the Housing (NI) Order 1988 (as amended) and reads as follows:

- 3 (1) A person is homeless if he has no accommodation available for his occupation in the United Kingdom or elsewhere.

- (2) A person shall be treated as having no accommodation if there is no accommodation which he, together with any other person who normally resides with him as a member of his family or in circumstances in which it is reasonable for that person to reside with him
- is entitled to occupy by virtue of an interest in it or by virtue of an order of a court, or
 - has an expressed or implied licence to occupy, or
 - occupies as a residence by virtue of any enactment or rule of law giving him the right to remain in occupation or restricting the right of another person to recover possession.
- (3) A person shall not be treated as having accommodation unless it is accommodation which it would be reasonable for him to continue to occupy.
- (4) Regard may be had in determining whether it would be reasonable for a person to continue to occupy accommodation, to the general circumstances prevailing in relation to housing in Northern Ireland.
- (5) A person is also homeless if he has accommodation but –
- he cannot secure entry to it, or
 - it is probable that occupation of it will lead to violence from some other person residing in it or to threats of violence from some other person residing in it and likely to carry out the threats, or
 - it consists of a movable structure, vehicle or vessel designed or adapted for human habitation and there is no place where he is entitled or permitted to place it and to reside in it.
- (6) A person is threatened with homelessness if it is likely that he will become homeless within 28 days from the day on which he gives written notice to the Executive that he is threatened with homelessness.

The Information provided in this response is governed by the Principles and Protocols of the Code of Practice for Official Statistics. This is enforced by UK Statistics Authority.

Translation Costs

Mr Weir asked the Minister for Social Development to detail the cost of translating departmental letters and documents into (i) Irish; and (ii) each other language, in each of the last five years.

(AQW 20454/11-15)

Mr McCausland: Information is not available broken down into the categories requested. However the information that is available has been provided in the table below.

	(i) Costs for translation into Irish	(ii) Costs for translation into other languages	*Other Translation Costs
2007-08	Nil	£65.00	£23.50
2008-09	Nil	Nil	£163.75
2009-10	Nil	£46.00	£310.93
2010-11	£40.00	£1066.21	£6,930.76
2011-12	£42.00	£105.48	£1,843.31

* It has not been possible to break these other translation costs down further.

Independent Living Fund

Mr Agnew asked the Minister for Social Development when he will publish his response to the consultation on the Independent Living Fund.

(AQW 20527/11-15)

Mr McCausland: The consultation on the Independent Living Fund was conducted by Department for Work & Pensions (DWP) on a UK wide basis.

DWP published its response to this consultation on 18 December 2012, confirming that the ILF will close in 2015 with funding being devolved to Local Authorities in England and to the Devolved Administrations. The announcement also made clear that it would be for the Assembly in Northern Ireland to decide how current ILF users would be supported from April 2015.

The Department of Health, Social Services & Public Safety will be responsible for the support of current ILF users from April 2015.

Bedroom Tax

Mr Agnew asked the Minister for Social Development who will be responsible for the eviction of a person who cannot meet their housing costs following the introduction of the bedroom tax; and whether people faced with eviction as a consequence of the bedroom tax will be entitled to legal aid.

(AQW 20530/11-15)

Mr McCausland: The introduction of the bedroom tax will not change landlord and tenant law. Landlords will remain responsible for the collection of rent which will include collecting any arrears that may accrue as a result of the under-occupation charge.

The Housing Executive adopts an incremental approach to rent arrears which includes a series of warning letters, personal contact and the offer of independent specialist money advice. In some instances arrears are deducted from ongoing benefit entitlement where tenants do not enter into a voluntary agreement to repay arrears.

Housing Associations are working with government, the Housing Executive and tenants to help minimise and mitigate the impact of the bedroom tax. The Associations are committed to doing all they can to avoid an increase in evictions as a result of the benefit changes, such as through debt and money advice programmes.

My priority remains doing all I can to prevent evictions and tenants being declared homeless and I have asked social landlords to ensure that, as far as is possible, all options are explored to prevent social tenants from being evicted from their homes.

Advice and assistance on housing options will also be given to tenants, which will include details of how they can find accommodation which meets their household requirements.

With regard to legal aid, the granting of Civil Legal Aid is determined by the Northern Ireland Legal Services Commission and is usually subject to a financial eligibility test and may require the applicant to pay some contribution.

Social Housing

Mrs McKeivitt asked the Minister for Social Development to detail the number of new social houses (i) built; and (ii) purchased by housing associations, in each of the last five financial years, broken down by constituency.

(AQW 20584/11-15)

Mr McCausland: The Housing Executive has detailed in the attached table the new social houses (i) built; and (ii) purchased by housing associations, in each of the last five financial years, and the current year 2012/13 broken down by constituency.

Parliamentary Constituency	2007/08		2008/09		2009/10		2010/11		2011/12		2012/13 (year to date)	
	Built	Purchased	Built	Purchased								
East Antrim		6	18	2	36		6		34			
North Antrim		3	5	5	53	4	16		68			47
South Antrim		1	4	1	5		133			56	18	
Upper Bann	7	20	25	32	42	79	61	56	3	15		
East Belfast	198	22	8	57	53	4	115	14	76	6		4
North Belfast	194	127	196	55	108	46	277	45	92	9	36	
South Belfast	53	53	12	2	70	62	248	58	95	22		
West Belfast	131	80	8	19	305	13	124	42	151	43	30	
North Down	72	7	71	20	111		10	15	50			
South Down	14	10	17	19	49	26	176	43	42	13	9	
Fermanagh & South Tyrone	23	41		30	83	89	83	21	56	12	14	
Foyle	31	110	94	66	141	56	214	48	137	74	6	11
Lagan Valley	96	42	48	131	13	26	230	25	56	59		3
East Londonderry	11	5		2		43	6	5	38	2		
Mid Ulster	3	4		1		73	30	35	18	4		
Newry & Armagh	29	34	16	70	44	7	86	55	53	45	88	2

Parliamentary Constituency	2007/08		2008/09		2009/10		2010/11		2011/12		2012/13 (year to date)	
	Built	Purchased	Built	Purchased								
Strangford	100	26	70	9	170	14	83	30	57	18	2	1
West Tyrone	20	22	22	1	12	1	27	1		6		
Total	982	613	614	522	1295	543	1925	493	1026	384	203	68
	1595		1136		1838		2418		1410		271	

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One-bedroom Properties

Mr Weir asked the Minister for Social Development how many one bedroom properties there are in North Down. (AQW 20586/11-15)

Mr McCausland: The information is not available in the format requested as the Housing Executive does not routinely collate information on the basis of Parliamentary Constituency. However, they advise that they currently have 498 one bed properties within their Bangor District Office area.

Information from Housing Associations advises that they have a total of 73 one bed properties in their stock across the North Down Constituency. Two Housing Associations do not collate their stock by Parliamentary Constituency and therefore their information included in this figure refers to the North Down District Council area.

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Housing Executive Transfers

Mr Weir asked the Minister for Social Development how many Housing Executive transfers with regions outside Northern Ireland have been arranged, in each of the last five years. (AQW 20587/11-15)

Mr McCausland: The Housing Executive advises that there have been no transfers with regions outside Northern Ireland in each of the last five years. They advise that, under Rule 71 of the Housing Selection Scheme, a transfer only takes place when a tenant moves from one dwelling to another either within the Landlord's own stock or to a dwelling belonging to another Participating Landlord. As the Housing Selection Scheme Rules do not extend outside Northern Ireland, it is not possible for a tenant to transfer to another social housing provider outside Northern Ireland.

However, Rule 71 allows further provision for Direct Applications where a person living outside Northern Ireland can apply for social housing in Northern Ireland and, subject to them being eligible under the Rules of the Selection Scheme, be assessed and placed on the Waiting List.

Tenants who live in social housing in Northern Ireland and who want to move outside Northern Ireland would have to apply directly to the relevant council area or social housing provider. Their application would be subject to the eligibility criteria used by that provider in order to determine if they would accept the application.

Boiler Replacement Scheme

Mr Flanagan asked the Minister for Social Development to detail the average time taken by the administration team on the Boiler Replacement Scheme to respond to initial letters of application from customers. (AQW 20611/11-15)

Mr McCausland: To date the Housing Executive has issued more than 27,000 application forms for the Boiler replacement Scheme. As at the 8th March it is taking just over 6 days to issue an application form in response to an initial contact.

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Boiler Replacement Scheme

Mr Flanagan asked the Minister for Social Development to detail the average time taken by the administration team on the Boiler Replacement Scheme to issue letters of approval. (AQW 20612/11-15)

Mr McCausland: To date the Housing Executive has issued 6,170 approvals to commence boiler replacements works. As at the 8th March it is taking on average 11 days to issue an approval once the applicant has submitted all the necessary documents.

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Housing Adaptation Grants

Mr Durkan asked the Minister for Social Development to detail the number of grants for housing adaptations that were (i) applied for; (ii) approved; and (iii) completed, in each of the last three years, broken down by constituency.

(AQW 20626/11-15)

Mr McCausland: The information is not available in the format requested as the Housing Executive does not routinely collate data by Parliamentary Constituency. However, the tables below detail the position regarding Disabled Facilities Grants by District Council Area, for each of the last three years: -

Table 1: Disabled Facilities Grants applications:

Council Area	2009-10	2010-11	2011-12
Antrim	47	37	45
Ards	123	85	83
Armagh	76	65	74
Ballymena	84	69	69
Ballymoney	29	38	35
Banbridge	48	45	31
Belfast	264	308	240
Carrickfergus	49	45	53
Castlereagh	95	73	76
Coleraine	61	55	68
Cookstown	79	58	52
Craigavon	145	95	95
Londonderry	185	137	139
Down	131	86	85
Dungannon	104	78	80
Fermanagh	136	116	81
Larne	38	32	34
Limavady	39	37	47
Lisburn	106	116	109
Magherafelt	55	58	40
Moyle	14	16	18
Newtownabbey	109	153	127
Newry & Mourne	232	121	94
North Down	103	66	85
Omagh	59	67	66
Strabane	78	75	78
Total	2,489	2,131	2,004

Table 2: Disabled Facilities Grants approvals:

Council Area	2009-10	2010-11	2011-12
Antrim	22	19	18
Ards	53	32	54
Armagh	61	31	43
Ballymena	39	27	27
Ballymoney	26	13	17
Banbridge	27	22	23
Belfast	168	192	183
Carrickfergus	25	24	36
Castlereagh	30	25	31
Coleraine	34	34	27
Cookstown	58	42	44
Craigavon	90	62	79
Londonderry	136	73	110
Down	69	58	36
Dungannon	73	47	60
Fermanagh	106	58	91
Larne	35	14	23
Limavady	40	26	24
Lisburn	94	66	66
Magherafelt	53	26	37
Moyle	13	10	12
Newtownabbey	83	56	77
Newry & Mourne	151	105	79
North Down	68	23	33
Omagh	60	31	44
Strabane	61	27	63
Total	1,675	1,143	1,337

Table 3: Disabled Facilities Grants completed:

Council Area	2009-10	2010-11	2011-12
Antrim	40	28	23
Ards	58	39	38
Armagh	67	43	24
Ballymena	35	46	39
Ballymoney	26	31	14
Banbridge	22	21	30
Belfast	201	231	196
Carrickfergus	34	25	32
Castlereagh	33	39	18
Coleraine	32	54	33

Council Area	2009-10	2010-11	2011-12
Cookstown	57	60	42
Craigavon	113	66	67
Londonderry	152	123	82
Down	67	59	48
Dungannon	70	52	44
Fermanagh	108	78	69
Larne	36	32	12
Limavady	41	48	36
Lisburn	93	83	53
Magherafelt	47	36	35
Moyle	15	16	24
Newtownabbey	103	76	66
Newry & Mourne	155	105	94
North Down	58	47	27
Omagh	62	52	42
Strabane	76	57	43
Total	1,801	1,547	1,231

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Double Glazing Window Replacement Schemes

Mr Spratt asked the Minister for Social Development to detail the Housing Executive's planned double glazing window replacement schemes, including the start dates, for the next three years, broken down by constituency. (AQW 20676/11-15)

Mr McCausland: The information is not available in the format requested as the Housing Executive does not routinely collate data by Parliamentary Constituency. However, the table below provides details of the Housing Executive's anticipated double glazing schemes by their District Office areas and, in line with the Programme for Government target, it is planned that this will be completed by 2015. However, as the new Low Rise Double Glazing contract has not yet been awarded it is not possible to provide start dates for individual schemes at this stage.

District Office Area	No of dwellings
North Belfast	1,280
South Belfast	2,683
East Belfast	350
West Belfast	897
Shankill	252
Antrim	711
Ballymena	308
Ballymoney	104
Carrickfergus	546
Coleraine	300
Larne	303
Newtownabbey	387
Armagh	157

District Office Area	No of dwellings
Banbridge	511
Dungannon	126
Fermanagh	623
Lurgan/Brownlow	1,180
Newry	150
Portadown	368
Bangor	142
Castlereagh	507
Downpatrick	647
Lisburn Antrim Street	452
Lisburn Dairy Farm	88
Newtownards	86
Collon Terrace	806
Limavady	266
Magherafelt	77
Omagh	77
Waterside	24
Total	14,408

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Window Replacement Schemes: Donegall Pass, South Belfast

Mr Spratt asked the Minister for Social Development to detail the reasons for the changes to the start dates for the window replacement scheme in Donegall Pass, south Belfast.

(AQW 20677/11-15)

Mr McCausland: The Housing Executive advises that it had originally programmed the double glazing scheme in Donegall Pass for March 2013. However, this timetable has been amended to allow for a new procurement for double glazing, which is now being advertised with an expected on site date of Autumn 2013. The scheme for Donegall Pass is likely to start after that date.

Warm Home Discount in England, Scotland and Wales

Mrs Cochrane asked the Minister for Social Development for his assessment of the Warm Home Discount in England, Scotland and Wales; and whether he plans to introduce a similar discount for pensioners who are in receipt of Guaranteed Pension Credit, and not Savings Credit.

(AQW 20707/11-15)

Mr McCausland: The Warm Home Discount Scheme is a four-year scheme operating in Great Britain which commenced in April 2011 and is scheduled to run to March 2015. The purpose of the scheme is to help low-income and vulnerable households with energy costs. The Scheme requires participating energy suppliers to give a rebate on their electricity bill to a specified group of their older customers on low incomes. The UK Government informs suppliers which households to support through sharing limited data between the Department for Work and Pensions and the energy suppliers.

The Warm Homes Discount Scheme is covered by legislation which does not apply in Northern Ireland. The introduction of such a scheme is akin to a social tariff as energy companies in Northern Ireland would almost certainly be entitled to pass the cost of such a scheme on to other customers (as they are in Great Britain). As such, the full implications of introducing such a scheme in Northern Ireland would need to be endorsed by the Northern Ireland Executive. Aside from requiring legislation, careful consideration would also have to be given to the proportion of customers to benefit from such a scheme and which customers would pay more as a result. There may also be issues around administration costs and data protection that would need to be explored.

The Department of Enterprise, Trade and Investment has consulted on an Energy Bill which includes discussion on an energy efficiency obligation. Any decision about an energy efficiency obligation for suppliers in Northern Ireland will be a matter for the Department of Enterprise, Trade and Investment.

Housing Benefit Fraud

Mr Spratt asked the Minister for Social Development how many people in each constituency have been convicted of housing benefit fraud in each of the last three years.

(AQW 20743/11-15)

Mr McCausland: The Social Security Agency cannot provide separate information in relation to individuals convicted solely of housing benefit fraud. However, it does hold details of the overall number of individuals convicted of benefit fraud by constituency in each of the last three years and this information is provided in the table below. Information is available for the 2011/2012 year showing how many of the individuals convicted in that year had an overpayment in respect of housing benefit. This information is not available for earlier years.

Constituency	Financial Year			Convictions which included a Housing Benefit overpayment in 2011/2012 year
	2009/2010	2010/2011	2011/2012	
Belfast East	31	21	24	12
Belfast North	78	100	77	26
Belfast South	34	39	41	16
Belfast West	87	93	86	29
East Antrim	18	22	15	10
East Londonderry	12	16	23	10
Fermanagh And South Tyrone	11	16	14	3
Foyle	27	40	49	23
Lagan Valley	12	20	25	6
Mid Ulster	17	16	8	6
Newry And Armagh	21	28	17	8
North Antrim	20	22	11	6
North Down	5	8	17	8
South Antrim	6	23	17	9
South Down	11	12	26	6
Strangford	6	5	8	6
Upper Bann	22	27	42	17
West Tyrone	21	19	10	6
(Blank)*	16	15	9	1
Total	455	542	519	208

* These particular cases cannot be attributed to one particular constituency

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Housing Benefit Fraud

Mr Spratt asked the Minister for Social Development to detail the cost of housing benefit fraud in each of the last three years, broken down by constituency.

(AQW 20744/11-15)

Mr McCausland: The most recently published information for the estimated cost of Housing Benefit fraud is set out in the table below. The estimated levels of benefit fraud are shown in terms of losses and also expressed as a percentage of benefit expenditure.

Housing Benefit Fraud

2009			2010			2011		
Benefit Expend £m	Estimated Benefit Fraud £m	Estimated Benefit Fraud %	Benefit Expend £m	Estimated Benefit Fraud £m	Estimated Benefit Fraud %	Benefit Expend £m	Estimated Benefit Fraud £m	Estimated Benefit Fraud %
£538.5	£5.0	0.9	£606.8	£1.7	0.3	£598.5	£3.2	0.5

The figures above are set out in calendar years; figures for 2012 are currently not available. Benefit Fraud figures are derived from statistical estimates and recorded at a Northern Ireland level. The figures are therefore not available at constituency level.

Housing Benefit Fraud Hotline

Mr Spratt asked the Minister for Social Development to detail the number of telephone calls received by the Benefit Fraud Hotline which related to housing benefit fraud in each of the last three years.

(AQW 20745/11-15)

Mr McCausland: The Social Security Agency is unable to provide a breakdown of the number of calls specifically involving Housing Benefit. However, the table below sets out the overall number of calls received to the Benefit Fraud Hotline in each of the last three years. These figures include calls where the allegation was solely in respect of Housing Benefit or a combination of Housing Benefit and another benefit(s).

Financial Year	Number of calls
2009-10	1,751
2010-11	2,302
2011-12	2,464

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Employment and Support Allowance

Mr Durkan asked the Minister for Social Development how many people in each constituency had their Employment Support Allowance application disallowed in each of the last twelve months.

(AQW 20750/11-15)

Mr McCausland: The information requested is not available by parliamentary constituency due to system limitations. The table below details the total number of Employment Support Allowance claims that have had a Work Capability Assessment disallowance in the last twelve months:

Month	WCA Disallowance
March 2012	1,213
April 2012	1,191
May 2012	1,991
June 2012	1,135
July 2012	1,283
August 2012	1,622
September 2012	807
October 2012	980
November 2012	935
December 2012	749
January 2013	1,246
February 2013	1,432
Total	14,584

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Employment and Support Allowance

Mr Durkan asked the Minister for Social Development how many people in each constituency have appealed an Employment Support Allowance refusal in each of the last 12 months.

(AQW 20751/11-15)

Mr McCausland: The information requested is not available by parliamentary constituency. The table below details the total number of Employment and Support Allowance appeals received in each of the last 12 months. This figure includes appeals from claimants who have applied for Employment and Support Allowance, and from those claimants previously in receipt of Incapacity Benefit, Severe Disablement Allowance and Income Support (paid on grounds of incapacity for work) who have appealed following the reassessment process determining eligibility for Employment and Support Allowance.

Month	Appeals received
March 2012	1256
April 2012	1357
May 2012	1515
June 2012	1523
July 2012	1555
August 2012	2538
September 2012	2079
October 2012	1961
November 2012	1658
December 2012	918
January 2013	1306
February 2013	1287
Total	18953

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Caravans Act (Northern Ireland) 2011

Mr Easton asked the Minister for Social Development whether his Department is responsible for enforcing the Caravans Act (Northern Ireland) 2011.

(AQW 20780/11-15)

Mr McCausland: No. My Department is responsible for the policy underpinning Parts 1 and 3 of The Caravan Act which deal specifically with the rights of a resident living in a caravan as their main home. My Department is also responsible for the monitoring of the effectiveness of the legislation in relation to the residential sector and has a legislative requirement to review the implied terms as laid down in Parts 1 and 2 of the Schedule to the Act within a five year period.

The Department for Enterprise, Trade and Investment is responsible for the policy behind Part 2 of the Caravan Act which deals with the holiday sector.

The site owner or resident can agree to the use of an arbitrator where they cannot settle a dispute or to take court action via the county court.

Where there is evidence that the resident is being harassed or threatened with illegal eviction, a resident can approach the local Council which may instigate court proceedings against a site owner. The county court can impose fines and/or jail terms if it is proven that the site owner is guilty of such an offence.

Caravans Act (Northern Ireland) 2011

Mr Easton asked the Minister for Social Development whether any owners of caravan sites have been prosecuted for breaches of the Caravans Act (Northern Ireland) 2011.

(AQW 20781/11-15)

Mr McCausland: Since the Caravans Act came into effect on the 16 September 2011 no site owner has faced prosecution proceedings in relation to either harassment or illegal eviction.

Prosecution under the Act is principally a matter between the site owner, the resident and the local council.

My Department will continue to monitor the impact of Parts 1 and 3 of the Act.

Boiler Replacement Scheme

Mr Easton asked the Minister for Social Development how many applications have been received for the Boiler Replacement Scheme in the last twelve months.

(AQW 20782/11-15)

Mr McCausland: The Boiler Replacement Scheme has been operational since September 2012 and as of the 8th March 2013, 12,533 application forms have been received.

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Caravans Act (Northern Ireland) 2011

Mr Easton asked the Minister for Social Development to outline the range of penalties that can be imposed on the owners of caravan sites for breaches of the Caravans Act (Northern Ireland) 2011.

(AQW 20783/11-15)

Mr McCausland: Where there is evidence that the resident is being harassed or threatened with illegal eviction they can approach a district council which may instigate court proceedings against a site owner. The county court can impose fines and/or jail terms if it is proven that the site owner is guilty of such an offence. Specific provisions are set out in Sections 12, 13 and 14 of the Act.

Warm Homes Scheme

Mr Easton asked the Minister for Social Development how many people have applied to the Warm Homes Scheme in each of the last three financial years.

(AQW 20784/11-15)

Mr McCausland: There have been a total of 138,489 enquiries made to the Warm Homes Scheme managers from its inception on 1st July 2009 to 31st January 2013. This is broken down as follows:

- 2009/10 38,636 enquiries
- 2010/11 35,820 enquiries
- 2011/12 36,111 enquiries
- 2012/13 27,922 enquiries (at 31/01/13)

All enquiries are treated as applications by the Warm Homes Scheme managers.

Boiler Replacement Scheme

Mr Durkan asked the Minister for Social Development how much has been paid out on Boiler Replacement Scheme grants since the commencement of the new scheme.

(AQW 20788/11-15)

Mr McCausland: The amount of money paid out is not a true reflection of the progress of the scheme to date. To date the following figures are relevant to the Boiler replacement Scheme;

- Formal approvals to commence work issued 6,170. Approximate value of these approvals £4.32m
- Number of completions to date is 2,223, approximate value of these completions is £1.56m.
- Actual payments made to date 1,387, value of these payments £971k.

You need to be aware that between the completion of the works and payment being made, the householder needs to submit relevant documents including confirmation of Building Control Approval for the completed work.

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Housing Benefit and Pension Credit

Mr P Ramsey asked the Minister for Social Development, in circumstances in which a child turns 19, and their parent is in receipt of Housing Benefit or Pension Credit, whether that young person is then classed as a non-dependant; and what effect this has on the parent's benefits.

(AQW 20796/11-15)

Mr McCausland: For Housing Benefit purposes a non-dependant is someone who normally resides with the claimant on a non-commercial basis and typical examples include adult sons and daughters.

The assumption is made that non-dependants will contribute to the claimant's rent and/or rates and this contribution is known as the non-dependant deduction as it is deducted from the eligible rent in the calculation of maximum Housing Benefit.

Having a non-dependant in the house has no effect on the amount of Pension Credit payable unless the claimant is entitled to the severe disability premium addition. If there is a non-dependant in the house then the severe disability premium is no longer appropriate and the Pension Credit would be reassessed.

Winter Fuel Allowance

Mr Kinahan asked the Minister for Social Development when this year's winter fuel allowance will be paid to pensioners.
(AQW 20804/11-15)

Mr McCausland: A Winter Fuel Payment is paid to eligible claimants each winter to provide help with fuel bills. Payments commenced on the 3 November 2012 and continued through to the 18 November 2012, crediting to claimants accounts by 27 November 2012. The specific payment dates are determined by the benefit the claimant is entitled to.

For the small number of claimants applying for the payment for the first time, and who made their claim before the 21 September 2012, payments were made during the period the 17 November 2012 to the 9 December 2012. For applications received after the 21 September 2012 and before the closing date of the 31 March 2013, payments will be issued during the period the 9 February to the 2 May 2013.

Housing Association Complaints

Mr Flanagan asked the Minister for Social Development to detail the number of complaints received about each Housing Association, in each of the last three years.
(AQW 20866/11-15)

Mr McCausland: The Department does not hold the information requested. Each Registered Housing Association is required to have a formal complaints procedure in place whereby tenants, and others, can have their concerns about the Association investigated. If, however, they are not satisfied with the outcome of this they can then ask the Northern Ireland Ombudsman to investigate.

Homeswapper.co.uk Website

Mr Eastwood asked the Minister for Social Development what action his Department has taken to promote the use of the homeswapper.co.uk website.
(AQW 20914/11-15)

Mr McCausland: At my request both the Housing Executive and the Housing Association movement have brought forward detailed action plans providing a range of support measures to mitigate and support those households affected by welfare reforms. Homeswapper is one of these and is being used to help current tenants to access properties more suitable to their needs. Details of the Homeswapper scheme are included on the Housing Executive's website and the Housing Executive also promotes Homeswapper regularly through other social media such as Facebook and Twitter. There are currently 173 tenants registered, 59 logged onto the website this week and over 1,500 people have read news stories about Homeswapper this month.

The Housing Executive's staff in its local offices has been trained and they are promoting the scheme locally with posters and leaflets. In addition, Homeswapper has been widely promoted in print and broadcast media, with plans to publicise it in the Housing Executive's magazine which will issue to tenants in the coming weeks.

The Northern Ireland Federation of Housing Associations (NIFHA) advises that it has been working closely with its members and the Housing Executive to ensure that all Housing Associations participate in the Homeswapper pilot which should increase mobility across the social sector in Northern Ireland, especially among tenants affected by the under occupation size criteria.

NIFHA has supplied the Housing Executive with details of a named lead responsible for implementing this online portal in each Association and who have been trained in its use. They have also produced a leaflet about the changes to housing benefit which highlights the likely impacts for tenants and offers advice on the options available to them. The leaflet recommends that tenants get in touch with their Association about transferring to a smaller home and Homeswapper would be one of the available options for achieving this. They add that recent discussions with their member Associations indicates that a number of tenants have already registered on the system.

Woodvale Park: Development

Mr Humphrey asked the Minister for Social Development what progress is being made on the development of Woodvale Park; and what is the estimated completion date.
(AQW 20930/11-15)

Mr McCausland: Work commenced on the redevelopment of Woodvale Park in June 2012. The work is being completed by contractors Clive Richardson Limited under contract from Belfast City Council. The expected completion date is June 2013 with the park re-opening in early summer.

Grant-aided Energy Efficiency Schemes

Mr Eastwood asked the Minister for Social Development what grant-aided energy efficiency schemes are available to homeowners who are not in receipt of benefits.

(AQW 20933/11-15)

Mr McCausland: The Boiler Replacement Scheme, which is administered by the Northern Ireland Housing Executive, is open to owner occupiers with a gross household income of less than £40,000 per year who have an inefficient boiler of at least 15 years old. A grant of up to £1,000 depending on household gross income is available to assist in replacing an inefficient boiler for a more energy efficient condensing oil or gas boiler, switching from oil to gas, or switching to a wood pellet boiler. The amount of grant payable will depend on total gross income. For those earning less than £20,000 the grant is £700 to replace the boiler but will rise to £1,000 grant if controls are also being installed or switching from oil to gas. For those earning £20,000 but less than £40,000 the grant is £400 for the boiler but will rise to £500 if controls are installed or switching from oil to gas. Householders who receive benefits can also apply to the Boiler Replacement Scheme.

The Northern Ireland Sustainable Energy Programme (NISEP) is an annual energy saving programme that concentrates on energy efficiency and to a small extent some renewables. Energy Savings Trust evaluates proposals from bidders for schemes and makes recommendations to the Utility Regulator for approval. The 2013-14 NISEP, due to commence on 1st April 2013, will provide £6,542,226 in funding for priority energy efficiency schemes to help householders on low-incomes who are not eligible for the Department's Warm Homes Scheme. None of the NISEP schemes use 'in receipt of benefits' as a qualifying criteria. Since 2002, due to the high levels of fuel poverty, 80% of the NISEP funding has been directed towards vulnerable customers.

Underoccupancy Penalties

Mr Copeland asked the Minister for Social Development whether he will make exemptions for under occupancy penalties similar to those proposed in the rest of the UK; and whether this will have an impact on the level of resources available for Discretionary Housing Payments.

(AQW 21040/11-15)

Mr McCausland: I welcome Ian Duncan Smith's Written Ministerial Statement of 12 March 2013.

You will be aware that I have already expressed my own concerns as to how this particular measure might be implemented here in Northern Ireland. However, the 'parity' principle effectively dictates that an individual in Northern Ireland should receive the same level of social security benefit, subject to the same conditions as an individual elsewhere in GB and on that basis I would envisage that where exemptions are available elsewhere in the UK households in Northern Ireland would similarly be able to avail of such exemptions.

I have not yet had time to fully consider the detail of Ian Duncan Smith's proposals in respect of exemptions as to how they might impact here in Northern Ireland. I am conscious however that because of the potential difficulties this under occupancy measure could have here, that the additional resources for Discretionary Housing Payments previously announced will be a major factor in ensuring that the provisions could be implemented here. In my ongoing discussions on Welfare Reform with Lord Freud among others, I will be seeking to ensure that there are sufficient Discretionary Housing Payments available.

Northern Ireland Assembly

Friday 29 March 2013

Written Answers to Questions

Office of the First Minister and deputy First Minister

Institutional Abuse Victims

Mr McDevitt asked the First Minister and deputy First Minister what support services are available for victims of institutional abuse; and what support there is for victims who present at the Acknowledgement Forum as part of the Inquiry into Institutional Abuse.

(AQW 17178/11-15)

Mr P Robinson and Mr M McGuinness (The First Minister and deputy First Minister): OFMDFM listened to victims' concerns about the need for support services for victims and survivors and as a result ensured that, in January 2012, arrangements were put in place for victims and survivors of historical institutional abuse to make full use of the counselling support services provided by Lifeline.

Lifeline operates a free, in confidence telephone line which can be contacted 24 hours a day, 7 days a week. Lifeline will provide up to six full counselling sessions with victims and survivors depending on their individual needs. This can be extended further in exceptional circumstances.

Victims and survivors are also provided with the contact details for the Nexus Institute, which provides free counselling and support services to people who have experienced sexual abuse.

In October 2012, at the request of SAVIA, OFMDFM funded WAVE Trauma Centre to provide a drop in and counselling facility for victims and survivors in Derry/Londonderry. The meeting place is available from 10am-12pm every Friday morning and a qualified Trauma counsellor is on hand.

A similar meeting place had been provided in Belfast City Centre, but as it was not used, it was discontinued at the end of January 2013.

OFMDFM invited tenders for a broader service for victims and survivors with a closing date of 24 January 2013. Work on this is ongoing.

The Historical Institutional Abuse Inquiry is independent from the Office of the First Minister and deputy First Minister, so we cannot answer questions on its behalf about the support which is available as part of the Inquiry. This is a matter for the Chairman of the Inquiry.

Ilex

Mr McCartney asked the First Minister and deputy First Minister for an update on the Ilex Urban Regeneration Company.
(AQO 2967/11-15)

Mr P Robinson and Mr M McGuinness: Ilex is an Arms Length Body of OFMDFM and DSD with responsibility for regeneration of the Ebrington and Fort George sites and co-ordination and delivery of the One Plan.

Ebrington Square was completed and opened to the public in February 2012. Work on a number of other capital projects at Ebrington are now underway. This includes buildings 80/81 which should be complete by this summer and will have an interim use as the venue for the Turner Prize as part of the City of Culture programme. Following this, it will become a digital cultural industries hub which will bring economic and cultural benefits for the city. In addition, work is also underway on the underground car park which will allow for 216 parking spaces and will facilitate the provision of office type accommodation on the site.

Work will begin shortly on the Development Framework for Ebrington to determine legacy usage, ensuring that the development of the site addresses the needs of the city and adds value in terms of activities and jobs. However, pending this Framework, Ilex has developed an interim use policy and has tested market demand for the site to determine potential uses and interests for the other buildings.

The Department for Social Development owns the Fort George site and has been in discussions with Ilex on the most effective way forward for the physical development and marketing of the site.

Ilex is a partner in the co-ordination of the One Plan and progress is being made across the eleven catalyst programmes. The One Plan Strategy Group conducted an 18-month review of progress in December 2012 and agreed five near term priorities to be progressed in the next 18 months. These are: the promotion of jobs in 2012/13 and 2013/14; expansion of University of Ulster Magee campus by 1,000 maximum student numbers; City of Culture 2013 and its legacy; integrated transport; and enabling medium/longer term financing/funding of regeneration. The Interdepartmental Co-ordination Group continues to work with Ilex and the Derry / Londonderry Strategy Board to ensure continuing progress against the One Plan.

The recruitment process for the Chair and new Directors has commenced and interviews are due to take place in April 2013. A process to appoint a new Chief Executive is ongoing.

Northern Ireland Human Rights Commission

Mr Allister asked the First Minister and deputy First Minister for their assessment of the compatibility between the fulfilment of the role of Chief Commissioner of the Northern Ireland Human Rights Commission, on a salary of £77,000 per annum, by Michael O'Flaherty and his role as professor in the National University in Ireland, Galway.

(AQW 17804/11-15)

Mr P Robinson and Mr M McGuinness: The Northern Ireland Human Rights Commission is an independent public agency established in March 1999. It is a non-departmental public body funded through the Northern Ireland Office.

Northern Ireland Human Rights Commission

Mr Allister asked the First Minister and deputy First Minister how many hours per week is the Northern Ireland Human Rights Commissioner expected to work in Northern Ireland, in return for his £77,000 pa salary.

(AQW 17939/11-15)

Mr P Robinson and Mr M McGuinness: The Northern Ireland Human Rights Commission is an independent public agency established in March 1999. It is a non-departmental public body funded through the Northern Ireland Office.

Delivering Social Change Framework

Ms Fearon asked the First Minister and deputy First Minister how they will utilise the Delivering Social Change framework to co-ordinate responses to the United Nations Convention on the Rights of the Child before the next reporting period.

(AQO 3346/11-15)

Mr P Robinson and Mr M McGuinness: Improving our children and young people's health, wellbeing and life opportunities, and ensuring that their rights are promoted and observed, is a priority for the Executive.

Through the Delivering Social Change framework we are seeking to address the key issues of poverty and deprivation across all ages, so that our society becomes a much better one, and our children have a more positive and prosperous future.

As part of our obligations under the UNCRC we will be providing input to the UK State Party Report which is due to be submitted to the UN Committee on the Rights of the Child by January 2014. The Report will provide an update on the work which has been carried out to progress the UNCRC since the Committee last reported in 2008.

The Delivering Social Change framework should support progress against the UNCRC. The Delivering Social Change Programme Board and the Ministerial Sub-Committee on Children and Young People will be advised of the progress and findings of the Northern Ireland input to the report as appropriate.

Social Investment Fund

Mr Lynch asked the First Minister and deputy First Minister to outline how funding will be allocated to each Investment Zone within the Social Investment Fund.

(AQO 3352/11-15)

Mr P Robinson and Mr M McGuinness: The Social Investment Fund was established to tackle poverty, unemployment and physical deterioration in targeted areas based on evidence of objective need.

Delivery will be through strategic interventions of significant scale, incorporated within an area plan for each of the nine social investment zones. Final area plans were submitted by established steering groups to the Department on 28 February 2013 and each contains 9-10 strategic projects.

The projects proposed within each plan are now being subject to verification and quality assurance and to the full economic appraisal process.

We will then take decisions on the projects within the plans to be funded in each Social Investment Zone.

Roma Integration

Mr Lyttle asked the First Minister and deputy First Minister how their Department has progressed the EU Commission's recommendation to set realistic, achievable goals for Roma integration in employment, education, housing and health.

(AQW 20173/11-15)

Mr P Robinson and Mr M McGuinness: The Department for Social Development (DSD), Department of Health, Social Services & Public Safety (DHSSPS), the Department of Education (DE), and the Department for Employment and Learning (DEL) have developed a range of SMART¹ activities for Roma, Gypsy and Traveller integration. Activities range from the DEL's Migrant Workers Employment Rights project to DHSSPS's employment of a Roma community liaison officer.

The European Commission monitors the progress of such integration work across Member States. As a result, OFMDFM regularly co-ordinates input for inclusion in the UK Report. The latest UK Report (March 2012) can be found at http://ec.europa.eu/justice/discrimination/roma/national-strategies/index_en.htm. A further UK Report on progress, particularly on education, health, housing and employment is imminent and OFMDFM will again co-ordinate the local response.

Child Poverty

Mr Dunne asked the First Minister and deputy First Minister what their Department is doing to tackle the significant levels of child poverty.

(AQW 20178/11-15)

Mr P Robinson and Mr M McGuinness: The Child Poverty Act 2010 requires the Executive to publish a Child Poverty Strategy and to measure how actions it takes impact on the numbers of children living in poverty. The Act details four statutory measures against which progress has to be measured and reported on annually. The overall target is the eradication of child poverty in the UK by 2020.

To support the delivery of these targets, our Department commissioned work by the National Children's Bureau to develop a Child Poverty Outcomes Model to help better understand the role of each Department in addressing the issue of child poverty.

The early work taken forward under the Delivering Social Change Framework is focusing on the needs of children and families in order to ensure that the most urgent and significant problems in our society are addressed, including deprivation, social exclusion and disadvantage. We have also developed a number of signature projects as part of our Delivering Social Change programme that we announced in October 2012 which will contribute to the delivery of the Child Poverty Strategy.

We are keen that further such programmes are identified as a rolling programme of initiatives and are currently giving consideration to a range of possible future signature programmes for a second phase of work to be taken forward. This may include the development of further interventions to specifically tackle the issue of child poverty.

We are pleased with the progress that has been made in respect of child poverty and look forward to further progress in line with our commitments in the Programme for Government. The next annual report on the delivery of the Child Poverty Strategy is scheduled to be laid before the Assembly in March 2013.

Children and Young People's Strategy

Mr Agnew asked the First Minister and deputy First Minister whether the child poverty outcomes in the new model will correspond with the six high level outcomes identified in the Executive's Ten Year Strategy for Children and Young People.

(AQW 20273/11-15)

Mr P Robinson and Mr M McGuinness: The Child Poverty Act 2010 requires the Executive to publish a Child Poverty Strategy and to measure how actions it takes impact on the numbers of children living in poverty. The Act details four statutory measures against which progress has to be measured and reported on annually. The overall target is the eradication of child poverty in the UK by 2020.

To support the delivery of these targets, our Department commissioned work by the National Children's Bureau to develop a Child Poverty Outcomes Model to help better understand the role of each department in addressing the issue of child poverty.

The Child Poverty Outcomes Model indicators will overlap with some of the six high level outcomes identified in the Executive's Ten Year Strategy for Children and Young People. The Strategy covers a wider range of objectives than just the eradication of Child Poverty and therefore the indicators in the Outcomes Model will not be entirely synonymous.

Childcare Consultation

Mr Agnew asked the First Minister and deputy First Minister how they have engaged with children and young people to gain their views on the Childcare Consultation; and whether a child-friendly version of the consultation document has been produced.

(AQW 20449/11-15)

Mr P Robinson and Mr M McGuinness: A series of public consultation events has been held to enable the public and childcare stakeholders to engage directly in the development of the Childcare Strategy. In addition to these events, a separate consultation is being organised on behalf of the Department by PlayBoard to obtain the views of children and young people. Child-friendly consultation questions are being produced. This additional consultation exercise will be run in mid-March and will report before Easter. Although it comes after the formal close of public consultation, its findings will be taken fully into account during the development of the Strategy.

1 Specific, Measurable, Achievable, Realistic and Time-bound.

Social Investment Fund

Mr Easton asked the First Minister and deputy First Minister whether the Social Investment Fund could be used to create further capacity for training facilities for job training.

(AQW 20474/11-15)

Mr P Robinson and Mr M McGuinness: One of the four strategic objectives of the Social Investment Fund is to support communities to build pathways to employment by tackling educational under-achievement and barriers to employment; tackling skills deficits and promoting jobs brokerage, widening access to the labour market, promoting business start up and increasing sustainability through social enterprise.

Therefore, where steering groups, in partnership with communities, have identified job training and facilities as a key priority and included relevant proposals in the strategic area plan, these can be considered for funding against the agreed criteria for the Fund.

Final area plans for each of the nine zones were received on 28 February 2013 and proposed projects are now undergoing appraisal before final decisions on funding are made.

Victims' Commissioner: Welfare Reform

Mr P Ramsey asked the First Minister and deputy First Minister what consultations they have had with the Commissioner for Victims and Survivors around the potential impacts of Welfare Reform.

(AQO 3546/11-15)

Mr P Robinson and Mr M McGuinness: The principal role of the Commission for Victims and Survivors is to promote the interests of victims and survivors. As part of this role, the Commission advises the Department on matters affecting victims and survivors.

We approved the Commission's Comprehensive Needs Assessment in November 2012. The report looked in detail at Welfare Reform issues and reinforced the importance of the provision of good welfare advice to the victims and survivors sector given the impending changes to the welfare system.

The Commission's advice, including that relating to the welfare reform, has proven invaluable in shaping the new Victims and Survivors Programme for 2013-15.

We understand that people are concerned about how welfare reform will affect them but we can assure the public that we are constantly reviewing the impact of welfare reform on key services and will continue to monitor this to ensure the best service possible is provided to those most vulnerable in society.

We will continue to provide and improve the assistance we provide to victims and survivors, taking into account existing statutory provision, including that provided by the welfare system both currently and in the future.

Parades Commission

Mr Campbell asked the First Minister and deputy First Minister whether their Department provides advice to the Parades Commission on the venues it chooses for consultations on parades and related matters.

(AQW 20552/11-15)

Mr P Robinson and Mr M McGuinness: Our Department has not provided advice to the Parades Commission on venues for such consultations.

Children: Internet Safety

Mr Easton asked the First Minister and deputy First Minister what funding their Department provides for increasing children's awareness of internet safety.

(AQW 20731/11-15)

Mr P Robinson and Mr M McGuinness: Our Department works with relevant departments and other agencies which have a remit for policing, regulation and raising public awareness around internet use in order to protect children and young people online.

The Department does not have a specific budget line for increasing children's awareness of internet safety. However, it works on a cross departmental basis as well as with a number of national bodies, charities and regional organisations who promote internet safety. These include: the National Society for the Prevention of Cruelty to Children (NSPCC), the Safeguarding Board for NI (SBNI) and the UK Council for Child Internet Safety (UKCCIS).

OFMDFM officials worked with the UK Safer Internet Centre to promote Safer Internet Day on 5 February 2013. An event was organised which was attended by Junior Minister Bell and was promoted in the local press.

Social Investment Fund

Mr Clarke asked the First Minister and deputy First Minister for an update on the Social Investment Fund.
(AQO 3558/11-15)

Mr P Robinson and Mr M McGuinness: Since October 2012, our officials have been working alongside steering groups to ensure communities across all nine social investment zones are engaged in the process to identify objective needs and potential projects to tackle those needs. Following that engagement, steering groups have drafted and submitted final area plans, encompassing prioritised projects aimed at addressing the key objectives of the Fund.

The final plans for all nine zones were received on 28 February and are now being subject to a quality assurance review, including the completion of the economic appraisal process for each proposed project. This process will assess the individual projects within the plans against set criteria to ensure the most robust projects are recommended, to maximise impact on the ground.

Following appraisal, we will take decisions on the final projects to be funded and the most appropriate delivery mechanism, with a view to projects commencing in communities soon afterwards.

Education Bill

Mr Kinahan asked the First Minister and deputy First Minister, pursuant to AQW 20468/11-15, when draft regulations will be published for consultation and submitted to the Assembly for approval.
(AQW 21051/11-15)

Mr P Robinson and Mr M McGuinness: We aim, by the early summer, to issue a draft of the regulations envisaged under Clause 62 of the Education Bill for consultation, with a view to bringing finalised regulations to the Assembly for approval by affirmative resolution after the Bill has been enacted.

Department of Agriculture and Rural Development

Better Regulation Action Plan

Mr Swann asked the Minister of Agriculture and Rural Development, given that the target date of 31 March 2013 set in the Better Regulation Action Plan for a 25 percent reduction in the administrative burden on farmers is nearly passed and the target has not yet been met, whether her Department is working to a new target; and what is the revised target.
(AQW 20712/11-15)

Mrs O'Neill (The Minister of Agriculture and Rural Development): The current Better Regulation Action Plan ends at 31 March 2013. Officials will then re-measure the restricted list of regulations which were baselined in 2010 using a very complex and resource intensive method called the Standard Cost Methodology. While this assessment does serve as an indicator to show the impact on the regulations measured, officials have found it to be a blunt tool and one which does not reflect the changing nature of the regulatory environment in which the Department must operate.

Officials are currently developing a further simplification Action Plan for 2013/14 which will contain a broader range of actions from across the Department's business areas. DARD stakeholders will be involved in developing this new plan which will look at the formal regulatory environment and the methods used to deliver the associated services. Working in conjunction with all business areas, future targets will be set around the delivery of the key actions identified and challenging specific areas of work, in a timely way, which will benefit our stakeholders.

I remain committed to the drive for proportionate regulation which aims to reduce the administrative burden while ensuring that the appropriate level of safeguards and control remain in place for the protection of the industry and the safety of the general public.

College of Agriculture, Food and Rural Enterprise: Food Business Incubation Centre

Mrs Cochrane asked the Minister of Agriculture and Rural Development, in relation to the Food Business Incubation Centre of the College of Agriculture, Food and Rural Enterprise, (i) how many start-up entrepreneurs it has supported in the past five years; (ii) how many established food businesses it has supported in the past five years; and (iii) what consideration her Department has given to delivering composite schemes at the Enniskillen and Greenmount campuses.
(AQW 20717/11-15)

Mrs O'Neill: In the past five years the Food Business Incubation Centre (FBIC) has provided manufacturing facilities for six start-up entrepreneurs and five established businesses.

My Department is not currently considering composite schemes at the Enniskillen and Greenmount campuses.

Farm Safety

Mr Easton asked the Minister of Agriculture and Rural Development what funding her Department provides for increasing schools children's awareness of farm safety.

(AQW 20730/11-15)

Mrs O'Neill: The Farm Safety Partnership of which my Department is a partner published its Action Plan in November last year. Two of the action points relate to increasing the awareness of school children to the matter of farm safety. These action points are being led by the Health and Safety Executive NI (HSENI). The HSENI will deliver key farm safety messages to 90 rural primary schools throughout the north and will hold a Child Safety on Farms poster competition in June on an annual basis. While my Department does not provide any direct funding for these specific action points it is providing £150k to HSENI to help fund a Multi Media Campaign to be launched on 25 March 2013. This campaign is targeted at farmers and those who influence them including children of school age.

Veterinary Medicines Directorate

Mr Agnew asked the Minister of Agriculture and Rural Development whether the Veterinary Medicines Directorate applies in Northern Ireland and whether it prohibits vets from issuing human medicines.

(AQW 20757/11-15)

Mrs O'Neill: The Veterinary Medicines Directorate (VMD) is an executive agency of the Department of Environment, Food and Rural Affairs (DEFRA). It has responsibility for assuring the safety, quality and efficacy of veterinary medicines in Britain and the north of Ireland.

Under powers contained within the Veterinary Medicines Regulations 2011, the VMD inspects certain businesses located here such as Veterinary Practice Premises, Wholesale Dealer's Authorisation holder's premises and premises approved for the retail supply of veterinary medicinal products by Suitably Qualified Persons. The arrangements are set out in a Service Level Agreement signed by the Department of Health and Social Services and Public Safety (DHSSPS) and VMD. These arrangements are linked to a Memorandum of Understanding between my Department and DHSSPS for enforcement of the Veterinary Medicines Regulations here.

The Cascade system, which is a legislative provision, contained in Schedule 4(1) of the Veterinary Medicines Regulations 2011, allows veterinary surgeons to legally prescribe authorised human medicines for animals if there are no authorised veterinary medicines for treating the disease. The veterinary surgeon responsible for an animal may, to avoid unacceptable suffering, treat the animal with human medicines.

A medicine prescribed in accordance with the Cascade system may be administered by the prescribing veterinary surgeon or by a person acting under the veterinary surgeon's direction. The responsibility for the prescription and use of the medicine remains with the prescribing veterinary surgeon.

DARD: Red Tape

Mr Swann asked the Minister of Agriculture and Rural Development, what action she has taken since becoming aware that the amount of red tape in her Department has only reduced by 4.3 per cent against a base line of 2007 and a target of 25 per cent. **(AQW 20765/11-15)**

Mrs O'Neill: Over the last number of years my Department has been taking forward a programme of regulatory investigation and analysis with the key goal being to reduce the amount of administrative burden that the agri-food industry in NI has to comply with.

Officials briefed the ARD Committee in November 2011 on the outcome of the interim re-measurement which showed a 4.3% reduction in the administrative burden from the baseline set in 2007 against a target to reduce the administrative burden on the agri-food sector by 25% by 2013, with an interim target of 15% by 2011.

The 4.3% re-measurement figure was an interim figure which was included to give an indication of progress made to that date. Since then my Department has been continuing to implement the Better Regulation Action Plan which finishes at the end of March 2013. The Action Plan has a total of 63 recommendations put forward by an Independent Panel which were accepted or accepted in principle. Officials in the Better Regulation Advisory Unit have also managed to broaden the scope of the simplification work by attending a series of events such as stakeholder roadshows and agriculture events to talk to customers about their concerns. Unfortunately the response so far has been minimal but the Department is committed to keeping similar channels of communication open should an individual or business wish to make any helpful suggestions.

The progress made to date has been slower than I would have wanted to see. This is due mainly to the nature of the key actions which the Action Plan highlights to be delivered, the vast majority of which are based on EU Regulations. As we continue to move forward my Department wants to work closely with industry to develop further Action Plans to deal with any excessive regulatory and administrative burdens identified to ensure that the regulatory environment in which we operate has the appropriate level of governance without being unduly burdensome but at the same time maintains our high quality standards. I feel it is vitally important that we make every effort to reduce red tape where possible for the future prosperity of the industry in the North.

Farmers: Additional Bureaucracy

Mr Swann asked the Minister of Agriculture and Rural Development, using the same criteria that was used to measure the reduction of red tape using 2007 as a base line, how much additional bureaucracy has been placed farmers.

(AQW 20766/11-15)

Mrs O'Neill: In 2007 an independent panel was asked to review the regulations that apply in the agri-food sector in the north of Ireland with a view to simplifying and reducing the administrative burden placed on farmers and the industry generally. The NI Agri-Food Better Regulations and Simplification Review was published in April 2009 and both Departments took time to consider and respond to each of the 85 recommendations contained in the Review.

The method used to first measure and create a baseline measurement of what were considered to be the ten most burdensome areas of regulation is called Standard Cost Methodology. It is a complex and highly resource intensive method of calculating the administrative burden associated with complying with regulations. The areas relevant to DARD business included:-

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| ■ Animal Disease Control | ■ Veterinary Medicines |
| ■ Livestock Identification, Registration and Movement | ■ Trade in Animals and Animal Products |
| ■ Single Farm Payment and Cross Compliance | ■ Animal Welfare |
| ■ Nitrates Action programme and Phosphorus Use in Agriculture | ■ Pesticides |
| | ■ Agri-Environment |

A re-measurement was completed in 2011 which indicated a 4.3% net reduction in the administrative burden of those areas baselined. While this did not achieve the aspirational 15% target set, it did however indicate a reduction in the administrative burden being placed on the industry in these areas. This reduction has been verified by the Ulster Farmers' Union and the NI Agricultural Producers' Association.

As we are now coming to the end of the current three year Action Plan, a final re-measurement will take place again involving industry representatives and officials will brief the ARD Committee when that work has been completed.

Horses: County Armagh Slaughter Plant

Lord Morrow asked the Minister of Agriculture and Rural Development, pursuant to AQW 20059/11-15 and prior to the cessation of the slaughter of equine animals in the County Armagh plant on 25 January 2013, to detail whether equine meat was being processed for use in the human food chain either in Northern Ireland, the Republic of Ireland or outside the jurisdiction, and if so, where was it being sent.

(AQW 20872/11-15)

Mrs O'Neill: The Food Standards Agency is the Competent Authority responsible for the approval of slaughterhouses, cutting plants and game handling establishments here DARD is responsible for delivery of meat hygiene official controls in approved slaughterhouses, cutting plants and game handling establishments on behalf of the FSA.

While a small number of horses were slaughtered for human consumption in the approved establishment in Co Armagh, up until January 2013, the output was all exported to the Continent in carcase form.

It is legal to slaughter and sell horse meat in Britain and Ireland, provided it is from an approved abattoir, and the meat carries the official stamp declaring it is fit for human consumption. However, no Cutting Premises here are, or have been, specifically approved by FSA to cut horse meat.

Industry bodies here have indicated that none of their members – which includes a number of the major cutting plants - process horse meat, nor to the best of their knowledge have used it in any way as an ingredient in the manufacture of value added product.

Horse is processed in the South, in Britain and elsewhere. DARD has no knowledge of approvals granted by Competent Authorities in other jurisdictions.

Livestock: Anti-microbial Usage

Mr Agnew asked the Minister of Agriculture and Rural Development, pursuant to AQW 2586/11-15, to detail (i) who has responsibility for the level of anti-microbial usage on livestock; and (ii) what work departmental officials have undertaken to raise awareness of the significance of the development of antibiotic resistance.

(AQW 20875/11-15)

Mrs O'Neill:

- (i) The Department of Health, Social Services and Public Safety (DHSSPS) lead on the regulation of antimicrobial usage here in the north of Ireland. From a veterinary perspective this function is implemented by the Veterinary Medicines Directorate, an executive agency of the Department of Environment, Food and Rural Affairs (DEFRA), whose remit covers Britain and the north of Ireland. My Department does not have a statutory role in controlling the volume of antimicrobial usage in farm animals.

- (ii) While my Department does not have a statutory role, officials have worked with other government and non-government bodies in order to raise awareness of the significance of anti-microbial resistance.

My Department has recently commissioned the Agri-Food and Biosciences Institute (AFBI) to bring forward a research proposal to carry out investigations into antimicrobial resistance and veterinary antimicrobial prescribing here in the north.

I also recently endorsed a Responsible Medicine Campaign launched by Farmers Weekly.

Badger Baiting

Mr Craig asked the Minister of Agriculture and Rural Development, given that there are a considerable number of gangs engaged in badger baiting, to detail (i) how many incidents her Department is aware of in each Council area in each of the last five years; and (ii) what action is being taken by her Department, in co-operation with the Ulster Society for Prevention of Cruelty to Animals and the PSNI, to bring those involved to justice.

(AQW 20880/11-15)

Mrs O'Neill: My Department does not hold data in relation to incidents of badger baiting. The Department of the Environment is responsible for the Wildlife Order 1985 and the Wildlife and Natural Environment Act 2011 in relation to the killing, injuring, disturbing, taking or selling of a badger.

The PSNI undertakes any wildlife crime investigations. Animal fighting, including badger baiting, is an offence under Section 8 of the Welfare of Animals Act 2011. The PSNI has enforcement responsibility for Section 8 in relation to animal fighting which is defined as an occasion on which a protected animal is placed with an animal or with a human for the purpose of fighting, wrestling or baiting. This means that an animal fight can be deemed to have taken place, even if both animals are wild animals, as protected animal includes any animal under the control of man, whether on a permanent or temporary basis. The 2011 Act has robust provisions to deal with animal fighting.

In May last year, I met the Badger Group and the Ulster Society for the Prevention of Cruelty to Animals (USPCA) to discuss a number of issues surrounding the protection of badgers, resulting from media coverage at that time. The meeting was very positive with both organisations commending the tough fines and penalties contained within the Welfare of Animals Act 2011 for dealing with cruelty to badgers. Following this meeting I wrote to, and subsequently met, the Chief Constable to discuss a range of issues regarding rural and wildlife crime, including incidents involving badgers. One of the actions coming out of this meeting was to publicise a contact point for reporting wildlife crimes under the relevant wildlife legislation. This was in response to a request from the Badger Group and the USPCA to have a central contact point to enable the public and others to report wildlife crime concerns. I also wrote to the Environment Minister, on the matter.

I totally deplore the horrific and sickening images that I have seen in news reports regarding badger baiting and I applaud the efforts of the USPCA and the PSNI in trying to bring to justice those responsible. I would urge the public to play their part in reporting wildlife crime to the PSNI so that prompt action can be taken against alleged perpetrators.

Single Farm Payment Scheme

Mrs Dobson asked the Minister of Agriculture and Rural Development when her Department first made farmers aware that areas prevalent in gorse should not be included within Single Farm Payment applications.

(AQW 20881/11-15)

Mrs O'Neill: At the introduction of the Single Farm Payment Scheme in 2005, farmers were advised that scrub land used for grazing was eligible for SFP if more than 50% of the area was capable of being grazed and was managed in accordance with good agricultural and environmental condition requirements.

This advice has since been significantly updated in the light of Commission audits and further clarification from the Commission and the latest version of the guidance for 2013 is on the Departmental website.

Field Boundary Management

Mr Swann asked the Minister of Agriculture and Rural Development what legal standing the Northern Ireland Countryside Management 2007-2013 Information Booklet, often referred to as the Agreement Document, has between farmers and the Department in relation to field boundary management.

(AQW 20890/11-15)

Mrs O'Neill: Prior to signing their agreement, NI Countryside Management Scheme (NICMS) participants receive a copy of the Countryside Management Scheme (CMS) 2007-2013 Information Booklet which is issued with the scheme information pack. Participants sign a receipt to confirm that they have received the booklet and to acknowledge that they understand that it forms part of their legal agreement with DARD. Participants are asked to retain the booklet for the duration of their agreement.

When a participant signs their NICMS Agreement they agree to 'comply with the requirements and management prescriptions of Whole Farm Management, Farmland Habitats and Features, Habitat Enhancement Options, Minimum Entry Environmental Benefit, Enhancement Measures and Special Environmental Projects as set out in the Rural Development Programme, the Countryside Management Scheme 2007-2013 Information Booklet, the Commitments Schedule, Agreement and the NICMS Management maps'. They also agree to adhere to the rules detailed within the Countryside Management Regulations (NI) 2008, and Regulation (EC) No. 1975/2006.

If a participant has agreed to undertake field boundary management work as a Habitat Enhancement Option, then by signing their agreement, they have made a legal agreement with DARD to carry out this work according to the management requirements set out in the CMS 2007 – 2013 Information Booklet.

Field Boundary Management: Agrienvironment Training Programme Document

Mr Swann asked the Minister of Agriculture and Rural Development what legal standing the Field Boundary Management Agri-Environment Training Programme document has between farmers and the Department in relation to field boundary management.

(AQW 20892/11-15)

Mrs O'Neill: The Field Boundary Agri-Environment Training Programme booklet has been provided as a general guide to good practice for scheme participants and it does not form part of the legal agreement with DARD.

Field Boundary Restoration Work

Mr Swann asked the Minister of Agriculture and Rural Development to detail any differences to the instructions to individuals completing field boundary restoration work, contained in the original Northern Ireland Countryside Management 2007-13 Information booklet and the recently published Field Boundary Management Agri-Environment Training Programme document.

(AQW 20893/11-15)

Mrs O'Neill: Detailed information on agri-environment field boundary management requirements, field boundary restoration management requirements and restored field boundary protective fencing conditions and standards are found in the Countryside Management Scheme (CMS) 2007-2013 Information Booklet.

The Field Boundary Management Agri-Environment Training Programme booklet covers the general management of all on-farm boundaries found on the farm such as hedges, stone walls, stone banks, earth banks, sheughs, waterways and fences, including hedge restoration and how to plant a new hedge.

The training booklet is a general guide to good practice. It is to be used in conjunction with the CMS 2007-2013 Information Booklet and is not intended to replace it.

Field Boundary Schemes

Mr Swann asked the Minister of Agriculture and Rural Development, in relation to field boundary schemes, to clarify what is meant when her Department refers to ground that is not too wet or not too dry, and how a farmer or contractor should measure this.

(AQW 20895/11-15)

Mrs O'Neill: The Countryside Management Scheme (CMS) 2007-2013 Information Booklet provides detailed information on agri-environment field boundary management requirements. Supplementary field boundary management guidance in the areas of management of hedges including hedge restoration and planting new hedges is contained in the Field Boundary Management Agri-Environment Training Programme Booklet which makes reference to 'ground that is not too wet or not too dry' when considering suitable soil conditions for hedgerow planting.

The CMS 2007-2013 Information Booklet advises to 'plant hedges during periods of dry weather between October and March. Avoid planting in very wet or frosty weather. Avoid planting on waterlogged sites and when planting on a bank plant consider planting at the base of the bank to avoid the plants from suffering from drought'

Further planting advice given in the Field Boundary Management Agri-Environment Training Programme booklet states, boundaries not suitable for hedge planting include areas that are liable to flooding, areas which are very wet and those which are very dry.

A farmer or contractor should draw on this guidance when assessing the suitability of a site for planting a hedgerow.

Ash Dieback

Mr Swann asked the Minister of Agriculture and Rural Development, pursuant to AQW 20063/11-15, why the document does not refer to ash dieback disease, as mentioned in her answer.

(AQW 20897/11-15)

Mrs O'Neill: The Field Boundary Management Agri-Environment Training Programme booklet does not make any reference to ash dieback disease, as the booklet was produced before the first confirmed outbreak of the disease in the north in November 2012. However, at all subsequent training courses a verbal update was provided to course participants about the situation pertaining to ash dieback disease.

The document referred to in AQW 20063/11-15 was an addendum to the Countryside Management Scheme 2007-2013 Information Booklet which was issued to new participants. This contained guidance on Ash Dieback disease.

Horses: County Armagh Slaughter Plant

Lord Morrow asked the Minister of Agriculture and Rural Development, pursuant to AQW 20059/11-15, to detail (i) why the County Armagh slaughter plant ceased slaughtering equine animals on 25 January 2013; and (ii) whether this was a voluntary decision by the company.

(AQW 20941/11-15)

Mrs O'Neill: There was one slaughter plant in Co Armagh approved by the Food Standards Agency (FSA) for equine slaughter. This establishment is also approved for the slaughter of cattle and sheep. It ceased slaughtering horses completely on 25th January 2013 and have asked the FSA to completely remove their authorisation to slaughter equines.

I understand that the decision to cease slaughtering equines at Oakdale Meats was taken for the company's own commercial and business reasons.

Eurostock Foods, Craigavon

Mr Allister asked the Minister of Agriculture and Rural Development to outline when the Eurostock Foods factory in Craigavon was subject to inspection and the precise nature of each such inspection, including whether content of product was tested, over the last three years .

(AQW 20972/11-15)

Mrs O'Neill: Food businesses such as Eurostock Foods are subject to official controls such as audits, inspections and sampling in respect of food safety, food standards composition and labelling and beef labelling.

The Food Standards Agency (FSA) is the Central Competent Authority in matters of food safety and authenticity here and in Britain. DARD is responsible for the delivery of meat hygiene official controls on behalf of the FSA in the north of Ireland. DARD also enforces the Beef Labelling Regulations in the factory insofar as they pertain to fresh and frozen cuts of beef and mince. Enforcement of food safety, food composition and labelling requirements are conducted by District Council Environmental Health Departments who carry out food hygiene and food standards composition and labelling inspections. District Councils are also responsible for the Beef Labelling controls at retail level and of processed beef products.

Veterinary Service's delivery of Official Controls in stand-alone Meat Cutting Premises such as Eurostock takes the form of regular risk-based audits. Since January 2010, six routine audits of the Eurostock premises have been completed. The audit process included nine additional informal visits to close off the audits and verify the Food Business Operator's compliance.

In addition Veterinary Service staff carried out three separate visits to follow up on information provided by other agencies. These concerned import health certification, consumer complaint and an anonymous complaint. All these issues were resolved to the satisfaction of the Veterinary Service inspectors by Eurostock management.

No samples for testing were taken as part of this process.

DARD has also carried out 12 Beef Labelling inspections at Eurostock at approximately quarterly intervals since February 2010. No samples for testing were taken.

Craigavon Borough Council has carried out a total of 16 food hygiene and food standards (composition and labelling) inspections and visits since March 2010.

As part of the process of approving Eurostock for the re-wrapping of fishery products, Craigavon Borough Council carried out two food hygiene inspection visits during 2012. One of these visits also included a food standards inspection.

Since the publication of the FSAI survey findings on 14th January 2013, Environmental Health Officers from Craigavon Borough Council have carried out a further 13 inspections and visits focussing on species declaration. Formal samples were taken during two of those inspections.

Transgender Community

Ms Maeve McLaughlin asked the Minister of Agriculture and Rural Development, in terms of its legal obligation under Section 75 of the Northern Ireland Act, how her Department consults with the transgender community.

(AQW 20983/11-15)

Mrs O'Neill: The Department recognises the importance of consultation in all aspects of the implementation of its statutory equality duties. Our Equality Scheme (2011) commits us to seeking the views of those directly affected by the matter / policy in question and a list of our current consultees is included in our Equality Scheme at <http://www.dardni.gov.uk/index/agenda-for-equality/agenda-for-equality-dard-equality-scheme-2011.htm>

Our current list of Section 75 consultees includes the Rainbow Project, who works to improve the physical, mental & emotional health of gay, lesbian, bisexual and/or transgender people and their families in the North; and Cara-friend an organisation dedicated to supporting, empowering, educating, and offering friendship to everyone in the LGBT community.

Equality Unit is represented on the LGB&T Consultative Forum and have met on a number of occasions with the Equality Officer with the Rainbow Project, who has also addressed the Department's Equality Steering Group. An offer had been made by the Department for the LGB&T sector to use the DARD regional premises across the North for the promotion of LGB&T Issues and support services.

Two members of the Equality Unit attended a recent seminar titled; 'Transgender Issues, Good Practice in Employment, for employers and employees organised by the Trans Community in partnership with the Equality Commission, Youthnet and Transgender NI.

DARD's Equality Branch Intranet site has dedicated pages on Sexual Orientation and Transgender issues. These pages provide useful information for our staff and policy makers on a range of issues; such as latest Equality Commission publications, research material and statistical information; links to recent reports such as the Yogyakarta Principles, and contact details of LGB and Trans (T) organisations. The Branch also issues a regular e-zine to business areas with information about LGB&T issues and links to latest e-bulletins such as E-Male Matters.

G83 Connection Agreement

Mr Swann asked the Minister of Agriculture and Rural Development why the prerequisite to provide a G83 connection agreement from Northern Ireland Electricity, under Appendix 25 of the departmental operating rules for Axis 3 Measure 3.1 of the Rural Development Program, has not been removed from the eligibility criteria.

(AQW 21016/11-15)

Mrs O'Neill: At time of application an applicant is only required to provide confirmation that the project has been registered with NIE and that a generator application pack has been received. The requirement to have a G83 connection agreement is a post application requirement in that no grant will be paid out until it is in place.

Farm Animals: Illegal Dumping

Mr Weir asked the Minister of Agriculture and Rural Development how many successful prosecutions have been pursued in each of the last five years for the illegal dumping of fallen farm animals.

(AQW 21022/11-15)

Mrs O'Neill: The number of successful convictions associated with the illegal dumping of fallen farm animals is:

Year	Number
2008/9	2
2009/10	2
2010/11	4
2011/12	7
2012/13	4

DARD: Public Consultations

Mr Nesbitt asked the Minister of Agriculture and Rural Development to detail (i) the number of public consultations undertaken by her Department, in each year since 2007; (ii) the type of consultation; and (iii) the total cost of each consultation.

(AQW 21045/11-15)

Mrs O'Neill: A total of 324 consultations have been undertaken by my Department since 2007. A list of consultations, broken down by financial year, is attached at Annex A.

The Section 75 statutory duties make equality and good relations central to the whole range of public policy decision-making. Therefore the cost of carrying out Equality Impact Assessments (EQIA) are not normally maintained separately and may not be readily disaggregated. However, where possible, costs for individual EQIA consultations have been included. The attached figures also exclude staff costs, as the Department does not routinely collect information on staff costs associated with the production of consultation documents.

Northern Ireland Electricity

Mr Swann asked the Minister of Agriculture and Rural Development whether her Department has considered applying the requirement to provide a G83 connection agreement from Northern Ireland Electricity, under Appendix 25 of the operating rules for Axis 3 measure 3.1 of the Rural Development Program, as a post-condition by a successful applicant for grant aid.

(AQW 21071/11-15)

Mrs O'Neill: Presently a G83 connection agreement is a post application requirement in that no Grant will be paid out until it is in place. At time of application an applicant is only required to provide confirmation that the project has been registered with NIE and that a generator application pack has been received.

Farm Diversification Scheme: Measure 3.1

Mr Frew asked the Minister of Agriculture and Rural Development, pursuant to AQW 20099/11-15, whether she would consider transferring uncommitted funds in Measure 3.1 of Farm Diversification Scheme from the areas that are finding it difficult to spend funds, to other areas that have almost exhausted their funds and could commit to using the funds on Farm Diversification.

(AQW 21243/11-15)

Mrs O'Neill: Axis 3 allocations were competitively awarded to empower local people under the 'LEADER methodology' to make local decisions to benefit their local community. Under LEADER it is within the gift of Joint Council Committee's (JCC's) and Local Action Groups (LAG's) to determine how they manage their allocations subject to proper and good governance.

I understand that five groups have now indicated that they will be moving funds from measure 3.1. They have stated that they want to ensure that 100% of allocated funds are used in the area. Also there is a concern about being unable to fully commit 3.1 funds given the record of previous calls for applications and the final out turn.

The economic environment has changed and Groups have made various adjustments to their Plans to better locally address their changing situation. In some areas the uptake of some of the measures is below original projection's, however these Clusters have identified other projects across the measures that could benefit from funding and help improve the quality of life and economic sustainability of their areas.

Department of Culture, Arts and Leisure

Eel Fishing

Mr Allister asked the Minister of Culture, Arts and Leisure in light of her written statement on 18 February 2013, and tets for considering any reduction in eel fishing in Lough Neagh, how this differs from her Department's stance when eel fishing was prohibited on Lough Erne.

(AQW 19965/11-15)

Ms Ní Chuilín (The Minister of Culture, Arts and Leisure): The North West Eel Management Plan was submitted to the EU in December 2008 and approved by the Commission on 4th March 2010. The plan showed that the eel stock in Lough Erne was below safe biological limits and therefore it was necessary to introduce a cessation of the commercial eel fishery on the Lough.

The Neagh Bann Eel Management Plan, which was approved at the same time, allowed for a restricted continuation of commercial eel fishing in Lough Neagh, given the different circumstances prevailing there.

A draft report has been recently submitted to the European Parliament Fisheries Committee, proposing amendments to the EU Eel Regulations, including an immediate suspension of all commercial eel fishing across the EU, if the status of the European eel stock continues to be classed as critical.

I have opposed the various amendments and it is unlikely that the amendments on eel fishing will be agreed by the EP.

Eel Fishermen: Lough Erne

Mr Allister asked the Minister of Culture, Arts and Leisure why compensation was not offered to eel fishermen on Lough Erne when their fishery was closed, in view of the Department establishing such as a prerequisite to any such change in respect of Lough Neagh eel fishing.

(AQW 19966/11-15)

Ms Ní Chuilín: There was no provision for compensation in the NW Eel Management Plan or under Council Regulation (EC) No 1100 / 2007 which established measures for the recovery of the European eel stock.

The potential suspension in the future of all commercial eel fishing across the EU would present a different set of circumstances in relation to the consideration of compensation from Europe.

Eel Fishery: Lough Erne

Mr Allister asked the Minister of Culture, Arts and Leisure what equality impact assessment was conducted before the Lough Erne eel fishery was closed, given that the Department now expects an assessment before any change in respect of Lough Neagh.

(AQW 19967/11-15)

Ms Ní Chuilín: An Equality Impact Assessment and a Regulatory Impact Assessment were carried out on the draft legislation that introduced a prohibition of eel fishing on all waters in the DCAL jurisdiction except Lough Neagh.

Assembly Questions for Priority Written Answer

Mr Ross asked the Minister of Culture, Arts and Leisure to detail the average number of days it takes her Department to answer an Assembly question for priority written answer, in the last year.

(AQW 20883/11-15)

Ms Ní Chuilín: The average number of working days taken by my Department to answer priority Assembly Written Questions in the last year was 9.

Assembly Questions for Priority Written Answer

Mr Ross asked the Minister of Culture, Arts and Leisure to detail the average number of days it takes her Department to answer an Assembly question for ordinary written answer, in the last year.

(AQW 20885/11-15)

Ms Ní Chuilín: The average number of working days taken by my Department to answer ordinary Assembly Written Questions in the last year was 9.

Department of Education

Education and Skills Authority

Mr Kinahan asked the Minister of Education to detail the cost of the Education and Skills Authority since 2005/06.

(AQW 19080/11-15)

Mr O'Dowd (The Minister of Education): The total cost of expenditure in establishing the Education Skills Authority from 2005/06 to December 2012/13 is £14,967,179.15

Educational Underachievement

Mr Storey asked Minister of Education, pursuant to AQW15328/11-15, for an update on the current situation.

(AQW 19584/11-15)

Mr O'Dowd: I am committed to progressing with the project to tackle educational underachievement in the Greater Belfast area.

My Department is currently working with its delivery partners to determine the most effective means of using and distributing this funding to improve educational outcomes in the most educationally disadvantaged areas. This is in line with my policies for raising standards and tackling educational underachievement.

In addition to this, I also announced on 1 March an additional £3m to be targeted at raising educational standards in each of the next two years. £1m per year will be used in developing literacy and numeracy programmes in disadvantaged areas. A further £2m per year will be used to develop community education initiatives.

Kirkinriola Primary School, Ballymena

Mr Allister asked the Minister of Education, given the positive follow-up inspection report, why Kirkinriola Primary School is still in formal intervention.

(AQW 20787/11-15)

Mr O'Dowd: While the recent follow up inspection of Kirkinriola Primary School found that, in most areas inspected, the quality of education provided by the school was satisfactory it also identified areas of improvement in standards, learning and teaching and in leadership, management and governance. These still need to be addressed if the needs of all the children are to be met more effectively.

In particular, the ETI reported that having personnel in an acting capacity at a senior leadership level within the school, and within the Board of Governors, needs to be resolved as a matter of priority.

The school continues to need focused support to address these and other issues and it will remain in the Formal Intervention Process to ensure that it receives the necessary support, guidance and encouragement from the NEELB to improve and address the areas of concern.

The ETI will conduct a further inspection within 12 months of the date of the follow up inspection.

Irish-medium Schools

Mr D Bradley asked the Minister of Education to outline the good practice used in the inspection of Irish Medium schools that was agreed between the inspectorates in the two jurisdictions.

(AQW 20958/11-15)

Mr O'Dowd: For approximately ten years, inspectors from the Education and Training Inspectorate (ETI) in the North have been working alongside inspectors from the Department of Education and Skills (DES) in the South to refresh their Irish language skills. Over the past five years, there have been round table professional discussions between the two inspectorates on how best to inspect Irish medium schools; however, there is no formal written agreement.

In addition, inspectors from both jurisdictions participate in an exchange programme, which allows inspectors to share good practice in general terms. In 2008, one such exchange afforded inspectors the opportunity to share good practice explicitly relating to the evaluation of the teaching and learning of Irish in two schools; one in the North and one in the South.

Transgender Community

Ms Maeve McLaughlin asked the Minister of Education, in terms of its legal obligation under Section 75 of the Northern Ireland Act, how his Department consults with the transgender community.

(AQW 20985/11-15)

Mr O'Dowd: The Equality Scheme, sited on the department's website, lists all organisations etc who wish to be currently consulted. This includes representation from the transgender community.

The list is reviewed on an annual basis to ensure it remains relevant to the Department's functions and policies. The Equality Scheme also gives information as to how an organisation can be added or removed from the consultation list.

In addition to formal documentation the Department's consultation process can also include meetings, focus groups, surveys and questionnaires.

Rural Schools

Mr D McIlveen asked the Minister of Education what plans he has to promote the job opportunities in rural schools better and to encourage principals to take up positions in rural schools.

(AQW 20997/11-15)

Mr O'Dowd: Employing Authorities manage the recruitment of school staff and do not report any particular difficulties in recruiting school staff and principals for rural schools. Vacancies are widely advertised and the number of applicants for each post will vary from post to post. The decision to apply for a particular vacancy, be it in a rural or urban school, rests with the individual and will depend on their personal circumstances, experience and the nature of the post. I recognise that effective leadership and high-quality teaching are central to delivering improvement in all schools and I am developing a new strategy for teacher education which will focus on developing and supporting teachers throughout their career.

Primary Schools: Curriculum

Mr Allister asked the Minister of Education for his assessment of the need for a curriculum change in primary schools to better promote science, technology, engineering and maths.

(AQW 21011/11-15)

Mr O'Dowd: The Revised Curriculum, which is now in place in all grant aided primary schools, provides much greater freedom for teachers to explore STEM-related learning with pupils. The revised Primary Curriculum contains a number of statutory 'Areas of Learning' and emphasises the development of the 'Cross-Curricular Skills' and the 'Thinking Skills and Personal Capabilities'. Mathematics, Science and Technology are compulsory elements of the revised primary curriculum.

Since the publication of the Report of the STEM Review, my Department has been and continues to take significant action on a number of fronts aimed specifically at primary schools to engage primary pupils with STEM in an interesting and exciting way. These include: annual funding to Sentinus to deliver a suite of primary STEM programmes, including the successful annual Sentinus Young Innovators event; a new pilot programme 'Smart Gear' to enhance STEM based learning at Key Stage 2 involving over 2000 pupils from 75 primary schools; 'Promoting STEM in Primary Schools' project which has developed a series of Key Stage 2 case studies and thematic units to improve teachers' and pupils' understanding of connections between STEM school-based learning and the STEM 'world of work'; and a 'STEM Primary Professional Development Project' which enables primary school teachers to act as 'STEM Teacher Developers' trained to provide a range of STEM professional development activities for teachers across a cluster of local primary schools.

The results from the recently published Trends in International Mathematics and Science (TIMSS) show that our primary school pupils are performing well above the international average in numeracy, where our pupils are ranked 6th out of 50 countries surveyed and in science, where they are ranked 21st, also scoring significantly above the international average.

I believe that the revised curriculum is having a positive effect on how our children are learning and have no plans at this moment to seek a comprehensive review of the primary curriculum.

Primary School Teachers: Professional Development

Mr Allister asked the Minister of Education what steps are being taken to ensure that there is adequate continuing professional development for primary school teachers in science, technology, engineering and maths.

(AQW 21012/11-15)

Mr O'Dowd: Teachers' continuing professional development (CPD) is one of the main priority areas for action within the STEM Strategy "Success through STEM".

I recognise the importance of STEM subjects to our future economic growth and as Education Minister I am committed to ensuring that teachers are equipped to deliver excellence in teaching STEM subjects.

CPD for all school teachers (including primary school teachers) in STEM subjects is provided by the Education and Library Boards (ELBs) and its STEM partner organisations. The following are examples of support provided:-

Primary STEM Teacher Developer Project – funded by the Department and delivered by the ELBs, this province wide project has trained 27 primary teachers as ‘expert teacher developers’ whose role it is to go to schools to model the teaching of primary science and technology. In the last three years this project has reached more than 19,000 pupils and 800 teachers in 268 primary schools.

Primary Technology Challenge/Young Innovators’ Day – an annual event jointly run and organised by the ELBs and Sentinus, which showcases excellent practice in science and technology in schools.

ELB/Science Partner Support – The ELBs in conjunction with a range of partners (including The National Science Learning Centre (NSLC), Sentinus, Royal Society for the Protection of Birds (RSPB), the Association for Science Education (ASE), Eco-Schools and UNESCO) provide teacher professional development opportunities for pupils to develop and practice skills within the context of award schemes and competitions.

Consortium of Local Education Authorities Supporting Practical Science and Technology – this organisation issues bulletins three times a year containing information support and practical ideas, offers a telephone health and safety helpline which all schools can access and provides an extensive website which offers access to a range of courses for teachers and technicians.

Web-based Support – material designed to enhance and support the teaching of science and technology, and mathematics and numeracy, are posted on ELB websites and Virtual Learning Environments, such as clounagh.org. This particular site is widely known and used by teachers to support science teaching.

‘Smart Gear’ science programme - The Department sponsors the ‘Smart Gear’ science programme which engages pupils from 75 primary schools, their class teachers along with 85 student teachers from St Mary’s University College, Stranmillis University College and the University of Ulster. This annual 10 week programme, based on modern sensor technology, supports the continuing professional development of non-science specialist primary teachers and the professional development of student teachers following STEM specialisms.

Telephone and E-mail Support –ELBs provide telephone and e-mail support and advice to science/World Around Us co-ordinators and teachers.

Centre-based Courses - ELBs provide support for science/World Around Us co-ordinators through centre-based courses, aimed at supporting them to develop whole school science and technology within their school.

Improvement of mathematics and numeracy - ELBs also provide support for the improvement of mathematics and numeracy in primary schools which have been identified as requiring support. This support includes provision of high quality bespoke professional development for teachers.

With the establishment of a single Education and Skills Authority to support the delivery of education in the north, I will change and enhance how we provide training, support and development for our teachers. In doing so, I will be taking appropriate action to ensure that all of our teachers, including those in our primary schools, continue to receive the necessary support in terms of continuing professional development in STEM subject areas.

Dundonald High School

Mr Agnew asked the Minister of Education for his assessment of the impact that the South Eastern Education and Library Board’s announcement on the future of Dundonald High School may have on the number of pupils selecting Dundonald High School as a preferred school this year.

(AQW 21054/11-15)

Mr O’Dowd: Responsibility for planning the Controlled schools’ estate is a matter for the Education & Library Boards in the first instance. In the case of Dundonald High School (HS) this is the South-Eastern Education & Library Board (SEELB).

I understand that at present the Board is conducting a pre-publication consultation on the possible closure of Dundonald HS. The Board will decide whether or not to publish a Development Proposal (DP) following this consultation.

Should the Board decide to publish a DP, this will be followed by a statutory 2-month consultation. Following this, my role is to decide whether or not to approve the DP taking account of all relevant information and comments received. Hence I have made no assessment of the impact that this action may have on applications for places at Dundonald HS for 2013/14.

Dundonald High School

Mr Agnew asked the Minister of Education why the South Eastern Education and Library Board made its announcement on the future of Dundonald High School a few days before the deadline for Primary 7 pupils to select their preferred schools for next year.

(AQW 21055/11-15)

Mr O’Dowd: Responsibility for planning the Controlled schools’ estate is a matter for the Education & Library Boards in the first instance. In the case of Dundonald High School (HS) this is the South-Eastern Education & Library Board (SEELB).

I understand that at present the Board is conducting a pre-publication consultation on the possible closure of Dundonald HS. The Board will decide whether or not to publish a Development Proposal (DP) following this consultation.

Should the Board decide to publish a DP, this will be followed by a statutory 2-month consultation. Following this, my role is to decide whether or not to approve the DP taking account of all relevant information and comments received. Hence I have made no assessment of the impact that this action may have on applications for places at Dundonald HS for 2013/14.

Dundonald High School

Mr Agnew asked the Minister of Education to detail the level of capital expenditure by Dundonald High School in each of the last 15 years.

(AQW 21056/11-15)

Mr O'Dowd: As Dundonald High School is a controlled school the South Eastern Education and Library Board (SEELB) has provided details in relation to capital expenditure. The SEELB has advised that expenditure is only readily available from 2001/02 and is detailed by financial year in the table below.

Financial Year	£s
2001-02	13,100
2002-03	245,067
2003-04	24,908
2004-05	12,128
2005-06	129
2006-07	9,898
2007-08	158,108
2008-09	491,096
2009-10	505,685
2010-11	105,461
2011-12	91,054
2012-13 to 28/02/13	501
Total	1,657,135

School Curriculum: Civics

Mr Weir asked the Minister of Education what provision exists, or is planned, to teach civics to pupils.

(AQW 21096/11-15)

Mr O'Dowd: Civics is embedded in Personal Development and Mutual Understanding (PDMU) in primary schools, and Local and Global Citizenship in post-primary schools. Both subjects contribute to the curriculum objective of developing the young person as a contributor to society and have been statutory elements of the revised curriculum since 2007.

At Foundation Stage and Key Stage 1 and 2 there is a focus on building relationships in the school and community, respect for diversity and how to respond to conflict. Pupils' learning experience of PDMU at primary school provides a foundation for developing their skills, knowledge and deeper understanding of Local and Global Citizenship at Key Stages 3 and 4.

At Key Stage 3 and Key Stage 4 Local and Global Citizenship aims to prepare pupils for playing an active role in society. Knowledge and understanding are covered under four key concepts: Diversity and Inclusion; Equality and Social Justice; Democracy and Participation; and Human Rights and Social Responsibility.

A GCSE qualification is available at Key Stage 4 in Learning for Life and Work and Local and Global Citizenship is a GCSE component module.

School Meals

Mr Agnew asked the Minister of Education what is the average spend on a (i) primary; and (ii) post-primary school meal in each Education and Library Board area.

(AQW 21115/11-15)

Mr O'Dowd: I refer the member to AQW 20169/11-15 tabled by Michael Copeland MLA published in the Official Report on 1 March 2013.

AQW 20169/11-15 refers to the “average cost” of a school meal whilst this question refers to the “average spend” on a school meal. School meals are a demand led service, therefore, expenditure (spend) is equivalent to cost. The information previously provided by the Education and Library Boards (ELBs) reflects the cost of providing a school meal in terms of the expenditure that has been incurred by the ELBs in this regard.

Catholic Primary Schools

Mr McDevitt asked the Minister of Education what action is being taken to help catholic children in south and east Belfast whose parents have been told that there are no Primary 1 places in catholic primary schools within their area for commencement this September.

(AQW 21126/11-15)

Mr O’Dowd: I am committed to ensuring that all children of compulsory school age will obtain a primary 1 place in a school of their preferred type within a reasonable distance of their home address.

The process for admissions to primary schools for 2013/14 is ongoing and does not complete until 17 April 2013 when letters are issued advising parents of the school to which their child has been admitted. Until then school placements are not final. During this process, parents of children who have not secured a place in their nominated schools will be asked to nominate further preferences.

The relevant Education and Library Board(s) are responsible for administering the admissions process, and if due to oversubscription within an area children remain unplaced, the Board and my Department will work with parents to ensure that all children are allocated a place in their appropriate sector.

Schoolteachers

Mr Kinahan asked the Minister of Education to outline his plans for the efficient discharge of school teachers, now that the funding for such has been allocated elsewhere.

(AQW 21128/11-15)

Mr O’Dowd: No funding has previously been set aside for an efficient discharge scheme nor will funding be allocated in advance of completing the formal approval processes involved in taking forward schemes of this nature.

Primary Schools: Results

Mr Kinahan asked the Minister of Education to detail the results achieved by each primary school in (i) achievements and standards; (ii) quality of provision; and (iii) leadership and management, following inspections in each of the last three years; and the time taken between the initial inspection and publication of the final report in each case.

(AQW 21129/11-15)

Mr O’Dowd: The table below summarises, for each primary school inspected during the academic years 2010/11 and 2011/12, the:

- performance levels for achievements and standards;
- performance level for the quality of provision;
- performance level for leadership and management; and
- date of inspection and date of publication of the report on the ETI’s and DE’s website.

Note: prior to the academic year 2010/11, performance levels were not reported formally in all inspection reports. Inspection reports are not generally published during a holiday period. For example, the report for a primary school inspected on 18 May 2010 was published on 22 September 2010.

Institution Name.	Inspection Date	Date of Publication	Leadership and Management	Quality of Provision	Achievements and Standards
Abercorn Primary School	16/04/2012	18/05/2012	Satisfactory	Satisfactory	Good
Aghadrumsee Primary School	20/02/2012	27/04/2012	Very Good	Very Good	Good
Aghavilly Primary School	21/03/2011	11/05/2011	Satisfactory	Satisfactory	Satisfactory
All Childrens Integrated Primary School	26/09/2011	18/11/2011	Good	Good	Good
Ashlea Primary School	22/11/2010	23/02/2011	Satisfactory	Good	Satisfactory
Aughamullan Primary School	20/02/2012	30/03/2012	Very Good	Very Good	Very Good
Avoniel Primary School	07/03/2011	18/05/2011	Good	Satisfactory	Satisfactory
Ballycarry Primary School	24/10/2011	28/11/2011	Satisfactory	Satisfactory	Satisfactory

Institution Name.	Inspection Date	Date of Publication	Leadership and Management	Quality of Provision	Achievements and Standards
Ballykelly Primary School	11/10/2010	10/01/2011	Satisfactory	Satisfactory	Satisfactory
Ballymagee Primary School	06/06/2011	24/06/2011	Outstanding	Outstanding	Outstanding
Ballytrea Primary School	20/03/2012	27/04/2012	Good	Good	Good
Ballyvester Primary School	06/02/2012	13/03/2012	Very Good	Good	Very Good
Balnamore Primary School	04/04/2011	06/06/2011	Good	Good	Good
Bangor Central Primary School	23/05/2011	30/06/2011	Very Good	Very Good	Good
Barnish Primary School	07/11/2011	16/01/2012	Very Good	Very Good	Good
Belmont Primary School	01/06/2011	27/06/2011	Outstanding	Outstanding	Outstanding
Birches Primary School	05/03/2012	03/05/2012	Very Good	Outstanding	Outstanding
Botanic Primary School	21/05/2012	22/06/2012	Very Good	Very Good	Very Good
Braniel Primary School	21/02/2011	20/05/2011	Good	Good	Good
Bridge Integrated Primary School	30/01/2012	23/03/2012	Good	Good	Good
Brownlee Primary School	03/10/2011	18/11/2011	Very Good	Very Good	Very Good
Buick Memorial Primary School	23/04/2012	12/06/2012	Inadequate	Satisfactory	Satisfactory
Bunscoil an luir	18/10/2010	10/01/2011	Inadequate	Satisfactory	Inadequate
Bush Primary School	30/01/2012	30/03/2012	Outstanding	Very Good	Very Good
Campbell College Junior School	27/09/2010	09/11/2010	Good	Good	Very Good
Camphill Primary School	28/02/2011	14/03/2011	Outstanding	Very Good	Very Good
Carniny Primary School	26/09/2011	17/10/2011	Very Good	Good	Very Good
Carrick Primary School	21/03/2011	18/05/2011	Very Good	Very Good	Very Good
Carrick Primary School	30/01/2012	14/05/2012	Satisfactory	Good	Good
Carrickfergus Model Primary School	11/10/2010	08/11/2010	Very Good	Very Good	Very Good
Carrowdore Primary School	16/04/2012	15/06/2012	Good	Good	Good
Carrowreagh Primary School	14/05/2012	22/06/2012	Satisfactory	Good	Good
Carr's Glen Primary School	15/11/2010	12/01/2011	Good	Good	Good
Castleroe Primary School	04/10/2010	01/11/2010	Outstanding	Outstanding	Very Good
Cedar Integrated Primary School	21/03/2012	27/04/2012	Very Good	Good	Good
Clandeboye Primary School	26/03/2012	27/04/2012	Very Good	Very Good	Good
Clough Primary School	24/11/2010	11/01/2011	Good	Very Good	Very Good
Cloughmills Primary School	08/02/2012	09/03/2012	Very Good	Very Good	Very Good
Cortamlet Primary School	10/11/2010	03/12/2010	Very Good	Very Good	Very Good
Cranmore Integrated Primary School	04/10/2010	22/11/2010	Very Good	Very Good	Good
Cregagh Primary School	24/10/2011	07/12/2011	Good	Good	Good
Crumlin Controlled Intergrated Primary School	12/03/2012	22/05/2012	Very Good	Very Good	Good
Culcrow Primary School	15/05/2012	13/06/2012	Good	Good	Very Good
Darkley Primary School	12/01/2011	14/02/2011	Good	Very Good	Good

Institution Name.	Inspection Date	Date of Publication	Leadership and Management	Quality of Provision	Achievements and Standards
Denamona Primary School	07/03/2011	09/05/2011	Very Good	Very Good	Very Good
Derrylatinee Primary School	08/11/2010	03/12/2010	Outstanding	Outstanding	Very Good
Downey House School	31/01/2011	31/05/2011	Good	Good	Very Good
Downpatrick Primary School	03/10/2011	19/11/2011	Satisfactory	Satisfactory	Satisfactory
Dromore Road Primary School	27/02/2012	03/05/2012	Good	Good	Good
Drumard Primary School	20/02/2012	29/06/2012	Satisfactory	Satisfactory	Good
Drumduff Primary School	05/12/2011	07/02/2012	Satisfactory	Satisfactory	Satisfactory
Drumsallen Primary School	07/02/2011	10/03/2011	Very Good	Very Good	Very Good
Dunmullan Primary School	02/05/2012	12/06/2012	Satisfactory	Good	Satisfactory
Dunmurry Primary School	07/11/2011	11/01/2012	Outstanding	Outstanding	Very Good
Earlview Primary School	08/11/2010	12/01/2011	Good	Very Good	Good
Eden Primary School	16/05/2011	14/06/2011	Good	Good	Good
Edendork Primary School	07/11/2011	09/12/2011	Outstanding	Outstanding	Very Good
Edmund Rice (CB) Primary School	28/02/2011	10/05/2011	Very Good	Good	Good
Enniskillen Integrated Primary School	23/03/2011	16/05/2011	Outstanding	Outstanding	Very Good
Enniskillen Model Primary School	21/10/2010	06/12/2010	Very Good	Very Good	Very Good
Faughanvale Primary School	05/12/2011	30/01/2012	Very Good	Very Good	Good
Foley County Primary School	10/10/2011	19/01/2012	Inadequate	Inadequate	Inadequate
Forth River Primary School	31/01/2011	08/03/2011	Very Good	Good	Satisfactory
Fountain Primary School	27/09/2010	24/11/2010	Satisfactory	Satisfactory	Satisfactory
Friend's School	09/03/2011	19/04/2011	Very Good	Very Good	Outstanding
Gaelscoil Na Bhfal	21/03/2011	08/09/2011	Satisfactory	Good	Good
Glendermott Primary School	21/03/2011	26/05/2011	Good	Satisfactory	Satisfactory
Glynn Primary School	21/03/2012	15/05/2012	Very Good	Very Good	Very Good
Grange Park Primary School	23/01/2012	17/02/2012	Good	Good	Very Good
Greenlough Primary School (St Mary's)	05/12/2011	09/02/2012	Satisfactory	Good	Satisfactory
Groggan Primary School	09/05/2012	12/06/2012	Very Good	Very Good	Good
Hamiltonsbawn Primary School	17/10/2011	23/11/2011	Very Good	Very Good	Very Good
Hardy Memorial Primary School	07/11/2011	19/01/2012	Good	Good	Good
Harryville Primary School	06/06/2011	23/11/2012	Inadequate	Inadequate	Inadequate
Holy Child Primary School	07/11/2011	19/12/2011	Satisfactory	Satisfactory	Good
Holy Family Primary School	08/11/2010	17/12/2010	Outstanding	Outstanding	Outstanding
Howard Primary School	09/05/2011	22/06/2011	Very Good	Very Good	Good
Inchmarlo	22/11/2010	13/01/2011	Satisfactory	Good	Outstanding
Irvinestown Primary School	28/11/2011	30/01/2012	Outstanding	Very Good	Good
Kesh Primary School	21/02/2011	16/05/2011	Good	Good	Very Good
Kilcooley Primary School	30/01/2012	06/03/2012	Very Good	Good	Satisfactory

Institution Name.	Inspection Date	Date of Publication	Leadership and Management	Quality of Provision	Achievements and Standards
Killen Primary School	05/12/2011	11/01/2012	Very Good	Very Good	Very Good
Killyhommon Primary School	04/10/2010	17/11/2010	Very Good	Very Good	Very Good
Killyleagh Primary School	29/11/2010	23/02/2011	Satisfactory	Satisfactory	Satisfactory
King's Park Primary School	24/01/2011	02/03/2011	Satisfactory	Satisfactory	Satisfactory
Kingsmills Primary School	21/11/2011	19/01/2012	Very Good	Very Good	Very Good
Kirkinriola Primary School	28/03/2011	26/05/2011	Inadequate	Inadequate	Inadequate
Knockmore Primary School	18/10/2010	11/01/2011	Very Good	Good	Good
Knocknagor Primary School	09/05/2011	24/06/2011	Good	Good	Satisfactory
Laghey Primary School	21/03/2012	03/05/2012	Good	Good	Good
Lead Hill Primary School	05/12/2011	30/01/2012	Very Good	Very Good	Very Good
Lisnagelvin Primary School	04/04/2011	08/06/2011	Very Good	Very Good	Good
Loughries Primary School	21/03/2012	27/04/2012	Inadequate	Satisfactory	Satisfactory
Loughview Integrated Primary School	28/03/2011	24/05/2011	Very Good	Very Good	Very Good
Lowwood Primary School	14/11/2011	19/01/2012	Outstanding	Very Good	Very Good
Maguiresbridge Primary School	26/09/2011	02/11/2011	Very Good	Very Good	Very Good
Malvern Primary School	26/03/2012	13/06/2012	Inadequate	Satisfactory	Inadequate
Meadow Bridge Primary School	06/06/2011	30/06/2011	Good	Good	Very Good
Millennium Integrated Primary School	29/11/2010	21/02/2011	Outstanding	Outstanding	Outstanding
Millennium Integrated Primary School	29/11/2010	21/02/2011	Very Good	Very Good	Very Good
Millstrand Integrated Primary School	27/02/2012	28/05/2012	Good	Good	Good
Milltown Primary School	12/03/2012	27/04/2012	Very Good	Very Good	Very Good
Moat Primary School	21/11/2011	11/01/2012	Outstanding	Outstanding	Outstanding
Mossgrove Primary School	26/09/2011	22/11/2011	Good	Good	Satisfactory
Mount St Catherine's Primary School	10/01/2011	24/02/2011	Very Good	Very Good	Good
Moy Regional Primary School	24/10/2011	03/12/2011	Good	Satisfactory	Good
Moyallon Primary School	16/04/2012	30/05/2012	Very Good	Very Good	Very Good
Mullaglass Primary School	12/03/2012	03/05/2012	Very Good	Very Good	Very Good
Nazareth House Primary School	21/02/2011	30/03/2011	Good	Very Good	Very Good
Newcastle Primary School	21/05/2012	21/08/2012	Good	Satisfactory	Good
Oakwood Integrated Primary School	17/01/2011	05/04/2011	Outstanding	Outstanding	Outstanding
Olderfleet Primary School	06/02/2012	09/03/2012	Good	Good	Good
Orchard County Primary School	22/11/2010	13/01/2011	Very Good	Very Good	Very Good
Our Lady of Lourdes Primary School	22/11/2010	11/01/2011	Very Good	Very Good	Very Good
Our Lady's Girls' Primary School	28/03/2011	31/05/2011	Outstanding	Outstanding	Outstanding

Institution Name.	Inspection Date	Date of Publication	Leadership and Management	Quality of Provision	Achievements and Standards
Our Lady's Primary School	29/11/2010	24/01/2011	Very Good	Very Good	Very Good
Parkgate Primary School	21/05/2012	26/09/2012	Satisfactory	Good	Good
Portaferry Integrated Primary School	01/05/2012	27/06/2012	Good	Satisfactory	Satisfactory
Portavogie Primary School	27/09/2010	10/11/2010	Satisfactory	Good	Good
Portglenone Primary School	06/10/2010	09/11/2010	Good	Good	Very Good
Queen Elizabeth II (Pomeroy) Primary School	26/09/2011	26/10/2011	Very Good	Very Good	Good
Queen Elizabeth II Primary School	05/12/2011	11/01/2012	Outstanding	Outstanding	Outstanding
Randalstown Central Primary School	21/03/2011	11/05/2011	Good	Very Good	Very Good
Scarva Primary School	26/09/2011	27/10/2011	Good	Satisfactory	Good
Seaview Primary School	14/11/2011	16/01/2012	Good	Satisfactory	Satisfactory
Silverstream Primary School	17/04/2012	01/06/2012	Very Good	Very Good	Good
Springhill Primary School	07/03/2011	01/06/2011	Inadequate	Satisfactory	Inadequate
St Anne's Primary School	24/01/2011	30/03/2011	Outstanding	Outstanding	Outstanding
St Anne's Primary School	17/04/2012	13/06/2012	Satisfactory	Satisfactory	Satisfactory
St Anthony's Primary School	21/11/2011	19/01/2012	Very Good	Very Good	Very Good
St Brigid's Primary School	09/05/2011	14/06/2011	Very Good	Very Good	Good
St Brigid's Primary School	09/05/2011	23/06/2011	Very Good	Very Good	Very Good
St Clare's Convent Primary School	28/09/2011	29/11/2011	Outstanding	Very Good	Very Good
St Colman's Abbey Primary School	28/11/2011	10/02/2012	Satisfactory	Inadequate	Satisfactory
St Colman's Primary School	10/10/2011	09/12/2011	Good	Satisfactory	Good
St Colmcille's Primary School	06/06/2011	09/09/2011	Good	Good	Good
St Colmcille's Primary School	05/12/2011	09/02/2012	Very Good	Very Good	Good
St Columbkille's Primary School	05/12/2011	25/01/2012	Very Good	Very Good	Very Good
St Columb's Primary School (Cullion)	20/03/2012	15/05/2012	Satisfactory	Good	Good
St Eoghan's Primary School	22/11/2010	11/01/2011	Very Good	Very Good	Very Good
St Finlough's Primary School, Sistrakeel	21/02/2011	24/03/2011	Very Good	Very Good	Good
St John's Eglis(1) Primary School	01/05/2012	14/06/2012	Satisfactory	Satisfactory	Satisfactory
St John's Primary School	27/09/2010	09/11/2010	Very Good	Very Good	Very Good
St John's Primary School	08/11/2010	16/12/2010	Very Good	Very Good	Good
St Josephs and St James Primary School	07/11/2011	16/12/2011	Very Good	Very Good	Very Good
St Joseph's Primary School	24/01/2011	05/04/2011	Satisfactory	Satisfactory	Satisfactory
St Joseph's Primary School	07/02/2011	24/03/2011	Very Good	Very Good	Very Good
St Joseph's Primary School	09/05/2011	29/06/2011	Satisfactory	Satisfactory	Satisfactory

Institution Name.	Inspection Date	Date of Publication	Leadership and Management	Quality of Provision	Achievements and Standards
St Joseph's Primary School	17/10/2011	25/11/2011	Good	Very Good	Very Good
St Luke's Primary School	08/11/2010	30/11/2010	Very Good	Very Good	Very Good
St Macartan's Primary School	06/06/2011	09/09/2011	Very Good	Very Good	Very Good
St Macnissi's Primary School	04/04/2011	06/05/2011	Very Good	Very Good	Very Good
St Malachy's Primary School	26/09/2011	26/10/2011	Good	Good	Good
St Malachy's Primary School	26/10/2011	19/01/2012	Outstanding	Very Good	Very Good
St Malachy's Primary School	05/12/2011	02/02/2012	Outstanding	Very Good	Very Good
St Martin's Primary School	26/09/2011	14/10/2011	Good	Good	Good
St Mary's Girls' Primary School	29/11/2010	23/02/2011	Outstanding	Outstanding	Outstanding
St Mary's Primary School	10/01/2011	24/03/2011	Satisfactory	Satisfactory	Satisfactory
St Mary's Primary School	03/10/2011	02/11/2011	Good	Good	Satisfactory
St Mary's Primary School	07/11/2011	19/01/2012	Very Good	Good	Good
St Mary's Primary School	09/01/2012	07/03/2012	Good	Good	Satisfactory
St Mary's Primary School	09/01/2012	21/02/2012	Outstanding	Outstanding	Outstanding
St Mary's Primary School	20/02/2012	20/04/2012	Very Good	Very Good	Very Good
St Mary's Primary School	06/06/2012	05/07/2012	Very Good	Very Good	Very Good
St Mary's Primary School (Glenview)	21/03/2011	23/05/2011	Very Good	Very Good	Very Good
St Mary's Primary School , Aughnacloy	26/09/2011	14/10/2011	Very Good	Very Good	Very Good
St Mary's Primary School Glenravel	07/12/2011	24/01/2012	Good	Good	Good
St Mary's Star of the Sea Primary School	16/05/2011	19/09/2011	Inadequate	Satisfactory	Satisfactory
St Matthew's Primary School	06/06/2011	09/09/2011	Outstanding	Very Good	Very Good
St Ninnidh's Primary School	15/11/2010	13/01/2011	Satisfactory	Good	Good
St Oliver Plunkett Primary School	17/10/2011	03/12/2011	Good	Good	Good
St Patrick's Primary School	11/10/2010	13/12/2010	Inadequate	Inadequate	Inadequate
St Patrick's Primary School	10/01/2011	11/02/2011	Satisfactory	Satisfactory	Satisfactory
St Patrick's Primary School	06/06/2011	15/09/2011	Very Good	Satisfactory	Good
St Patrick's Primary School	03/10/2011	02/11/2011	Very Good	Very Good	Very Good
St Patrick's Primary School	24/10/2011	16/12/2011	Very Good	Very Good	Very Good
St Patrick's Primary School	23/01/2012	22/02/2012	Good	Very Good	Good
St Patrick's Primary School	06/02/2012	09/07/2012	Outstanding	Outstanding	Outstanding
St Patrick's Primary School	20/02/2012	16/03/2012	Very Good	Very Good	Very Good
St Patrick's Primary School	26/03/2012	03/05/2012	Very Good	Very Good	Outstanding
St Patrick's Primary School	30/04/2012	29/06/2012	Very Good	Very Good	Very Good
St Paul's Primary School	28/09/2011	26/10/2011	Very Good	Very Good	Good
St Peter's Primary School	28/03/2011	16/05/2011	Outstanding	Outstanding	Outstanding
St Peter's Primary School	23/05/2011	04/06/2011	Good	Good	Good

Institution Name.	Inspection Date	Date of Publication	Leadership and Management	Quality of Provision	Achievements and Standards
St Ronan's Primary School	01/06/2011	23/06/2011	Outstanding	Very Good	Outstanding
St Teresa's Primary School	06/02/2012	13/03/2012	Satisfactory	Satisfactory	Satisfactory
St Vincent de Paul Primary School	21/05/2012	04/07/2012	Very Good	Good	Good
Straid Primary School	03/10/2011	14/11/2011	Very Good	Very Good	Very Good
Straidbilly Primary School	22/11/2010	03/12/2010	Outstanding	Very Good	Outstanding
Tandragee Primary School	05/12/2011	02/02/2012	Very Good	Very Good	Very Good
Taughmonagh Primary School	08/11/2010	11/01/2011	Satisfactory	Satisfactory	Satisfactory
The Cope Primary School	06/02/2012	27/04/2012	Good	Very Good	Very Good
The Holy Family Primary School	15/11/2010	13/01/2011	Outstanding	Very Good	Very Good
Thompson Primary School	23/05/2011	05/09/2011	Good	Good	Good
Towerview Primary School	26/03/2012	12/06/2012	Very Good	Very Good	Very Good
Tullygally Primary School	28/02/2011	03/06/2011	Inadequate	Inadequate	Inadequate
Tummery Primary School	21/03/2011	16/05/2011	Good	Very Good	Very Good
Victoria Park Primary School	10/01/2011	11/02/2011	Very Good	Good	Satisfactory
Victoria Primary School	17/10/2011	23/12/2011	Satisfactory	Good	Good
Waringstown Primary School	23/04/2012	30/05/2012	Outstanding	Outstanding	Outstanding
West Winds Primary School	28/05/2012	07/09/2012	Very Good	Good	Good
Wheatfield Primary School	18/10/2010	06/12/2010	Good	Satisfactory	Satisfactory
Woods Primary School	20/03/2012	14/05/2012	Very Good	Very Good	Very Good

Education: Post-primary and Primary Schools

Mr Kinahan asked the Minister of Education, pursuant to AQW 20367/11-15, what action he is taking to ensure that there is greater engagement, clarity and consistency in Area Planning in post-primary and primary school education.

(AQW 21138/11-15)

Mr O'Dowd: As I outlined in my statement to the Assembly on 26 February, I have written to the Chairpersons of the Boards and highlighted a number of areas where I wish to see action.

My officials met the Chief Executive of every Board and CCMS during March to discuss the draft area plans published on 26 February and where further work is needed.

I said also that I intended to establish an area planning steering group which will meet for the first time on 8 April. The group will support my Department's work to advance the plans, embed a single approach to area planning and identify priority areas for action in the short to medium term.

Integrated Education

Mr Agnew asked the Minister of Education how integrated education is defined in law.[R]

(AQW 21170/11-15)

Mr O'Dowd: Under Article 64 (1) of The Education Reform (NI) Order 1989, integrated education is defined as "the education together at school of Protestant and Roman Catholic pupils."

Lisanelly Campus, Omagh

Mr Agnew asked the Minister of Education whether the Lisanelly campus concept is one of a shared education campus or an integrated campus. [R]

(AQW 21171/11-15)

Mr O'Dowd: The Lisanelly Shared Education Campus will be based on a shared approach to educational provision. It will bring together pupils from a number of schools sectors on one geographical location, allowing children and young people from differing communities to be educated together in an atmosphere of mutual respect for the cultural identity of others.

Plans being developed envisage a series of core schools that will ensure the individual ethos and values of differing sectors and educational models can be respected and retained, together with a series of shared centres where pupils from all schools can learn together in state of the art educational facilities.

Lisanelly is about delivering a world class educational experience to young people and I do not believe it is necessary to put any particular label on it.

Segregation in Education

Mr Agnew asked the Minister of Education what progress has been made by his Department to address the problem of segregation in education, as identified by the United Nations Committee on the Rights of the Child in its most recent compliance report. [R]

(AQW 21172/11-15)

Mr O'Dowd: Much work has been undertaken to tackle segregation in the education system as identified by the UNCRC.

The terms of reference for Area Planning specifically require the planning authorities to consider and bring forward proposals for shared education where it is appropriate. School managing authorities for the first time are required to plan together and it is the intention that this approach provides opportunities to consider shared provision to protect local access to high quality education.

The Education and Skills Authority (ESA) will be required to maximise opportunities for integrating education within a system of sustainable schools and the Sustainable School Policy has, at its heart, a recognition that "new opportunities for collaboration and sharing in education should be pursued".

There is already much good sharing practice within education, including excellent work within area learning communities. These provisions enable schools to build on that good practice, to the benefit of all.

The application of and commitment to the Department's statutory duty to encourage and facilitate integrated education has seen the number of integrated schools increase from 33 in 1997 to 62 in 2012, and the number of pupils attending integrated schools has more than doubled to over 21,500 in the same period.

The Executive's Programme for Government 2011-15 contains four key commitments, from my Department, on shared education. One of the key commitments was to establish a Ministerial Advisory Group to explore and bring forward recommendations to advance shared education. I have taken receipt of the Executive Summary and will be receiving a full report later this month. The Report will be a catalyst for public debate on advancing shared education.

Primary Schools: Places Deficit

Ms Lo asked the Minister of Education what action his Department will take to address the deficit in primary school places in the Carryduff and Drumbo parish area who are for children entering primary 1.

(AQW 21174/11-15)

Mr O'Dowd: The process for admissions to primary schools for 2013/14 is ongoing and does not complete until 17 April 2013 when letters are issued advising parents of the school to which their child has been admitted. Until then school placements are not final. It is therefore premature to say if there is a deficit in the number of primary 1 places available in the area to which you refer.

The relevant Education and Library Board(s) are responsible for administering the admissions process, and if a problem due to oversubscription in any particular area is identified, the Board and my Department will work with parents to ensure that all children are allocated a place in their appropriate sector.

Schools: Oversubscription

Ms Lo asked the Minister of Education, given the oversubscription of places in schools such as St. Ita's Primary School, Carryduff, what assistance can be provided to enable schools to meet demand.

(AQW 21175/11-15)

Mr O'Dowd: I am committed to ensuring that all children of compulsory school age will obtain a primary 1 place in a school of their preferred type within a reasonable distance of their home address.

The process for admissions to primary schools for 2013/14 is ongoing and does not complete until 17 April 2013 when letters are issued advising parents of the school to which their child has been admitted. Until then school placements are not final.

The relevant Education and Library Board(s) are responsible for administering the admissions process, and if due to oversubscription within an area children remain unplaced, the Board and my Department will work with parents to ensure that all children are allocated a place.

Education and Training Inspectorate

Mr Kinahan asked the Minister of Education to detail the number of pupils, at each stage of the statementing process, in each school on which the Education and Training Inspectorate has published an inspection report in the last three years.

(AQW 21181/11-15)

Mr O'Dowd: The information requested has been placed in the Assembly Library.

Free School Meals

Mr Kinahan asked the Minister of Education to detail the percentage of pupils entitled to free school meals in each Primary School that has been reported on by Education and Training Inspectorate in the last three years.

(AQW 21182/11-15)

Mr O'Dowd: The information requested has been placed in the Assembly Library.

Maintained Primary Schools: Ballymena

Mr Beggs asked the Minister of Education, pursuant to AQW 19810/11-15, to identify the two Ballymena Maintained Primary Schools; and how the £5million was broken down between the two schools.

(AQW 21205/11-15)

Mr O'Dowd: The two Ballymena maintained schools are St Colmcille's and St Brigid's Primary Schools. The £5million detailed in AQW 19810/11-15 was a target construction cost for both schools and a breakdown for this figure is not available. I can however, advise that following consideration of the final account the final construction costs for each school are £2.6m and £2 million respectively.

Religious Education Certificate

Mr Ross asked the Minister of Education whether his Department will consider providing funding for teachers who have already qualified, and for people who are studying at initial teacher training colleges, to enable them to obtain the Certificate of Religious Education.

(AQW 21245/11-15)

Mr O'Dowd: The Council for Catholic Maintained Schools (CCMS) requirement to possess a Certificate in Religious Education for all those seeking appointment to a permanent teaching position applies to Catholic Maintained Primary and Nursery schools only.

Initial Teacher Education (ITE) for the primary sector (BEd or Primary PGCE) is provided locally by 3 Higher Education Institutions: St Mary's University College, Stranmillis University College and the University of Ulster (UU). Presently, students undertaking ITE at UU will automatically study for and obtain the Certificate as an integral part of their degree course. Those at St Mary's can elect to take the Certificate course as part of their ITE. At Stranmillis, the Certificate can be obtained through a distance learning course and the Department for Employment and Learning provides funding to reimburse students for costs associated with this course.

Qualified teachers who did not opt to undertake the Certificate as part of their ITE can obtain the Certificate through a distance learning course. There are currently no plans to provide funding to cover associated costs.

Skin Cancer Awareness

Mr Agnew asked the Minister of Education, given that skin cancer is the most common form of cancer and one of the fastest growing forms of cancer, whether schools are required to teach children skin cancer awareness and sun safety; and whether he has any plans to introduce skin cancer awareness and sun safety into the curriculum.

(AQW 21250/11-15)

Mr O'Dowd: While there is no statutory requirement to teach children skin cancer awareness and sun safety, the revised curriculum does provide teachers with opportunities to cover these issues in the classroom.

The revised curriculum which has been taught to all pupils of compulsory school age since 2009/10 is less prescriptive than before. Legislation sets out the minimum content to be taught in schools as Areas of Learning (AOLs) for each Key Stage and teachers have flexibility to make decisions on how best to interpret and combine minimum requirements to provide a broad and balanced curriculum and adapt their teaching to meet the needs of individual pupils. The specifics of what is taught, and how it is taught, under each Area of Learning, is a matter for each teacher/school.

Areas of Learning which provide teachers with the opportunity to cover skin cancer awareness and sun safety include Personal Development and Mutual Understanding (PDMU) at primary level and Learning for Life and Work (LLW) at Post-Primary level.

I am aware of the Department of Health and Social Services and Public Safety Skin Cancer Prevention Strategy which includes an action to develop and co-ordinate resources for schools to deliver the care in the sun message. While the Department of Education does not prescribe the resources that teachers should use in their delivery of the curriculum, the

Council for Curriculum, Examinations and Assessment (CCEA) is represented on the DHSSPS working group taking this action forward. The Department of Education has offered to disseminate any resources developed, to schools, via the C2k service, the managed ICT service provided for all grant-aided schools.

Religious Education Certificate

Mr Ross asked the Minister of Education whether he has any plans to review the Certificate in Religious Education.
(AQW 21265/11-15)

Mr O'Dowd: The Department has very recently undertaken a review of Employment Opportunities for Teaching Staff in relation to the impact of the Council for Catholic Maintained Schools (CCMS) requirement to possess a Certificate in Religious Education for all those seeking appointment to permanent teaching positions in Catholic Maintained Primary and Nursery schools.

I plan to publish this report in the near future and have asked my officials to arrange for the implementation of all of the recommendations within the report.

PGCE: St Mary's University College, Belfast

Mr Buchanan asked the Minister of Education why students wishing to sit a PGCE Course at St Mary's University College, Belfast must have a high level of written and oral Irish; and what action he proposes to take to address the discriminatory nature of the course at St Mary's.
(AQW 21293/11-15)

Mr O'Dowd: The PGCE offered by St Mary's College is an Irish Medium course which is taught substantially through the medium of Irish and is intended particularly for graduates who wish to teach in Irish-Medium primary schools.

The course content is based on the requirements of the Curriculum and students have the opportunity to gain meaningful insights into educational issues relevant to immersion education.

It is therefore essential that students wishing to sit this particular course have a high level of written and oral Irish.

Alternative English-Medium PGCE Primary programmes are available at the University of Ulster and, with specific regard to early years, at Stranmillis University College.

Education Bill

Mr Kinahan asked the Minister of Education to list the statutory requirements as referred to in Part I clause 5(4) of the Education Bill; and how such statutory requirements can change in the future.
(AQW 21294/11-15)

Mr O'Dowd: The statutory requirements are defined in Clause 4(7), and set out in full in Clauses 4(2)(a), and 4(5)(a), (b), and (c). They may be summarised as:

- i. a requirement to comply with Schedule 2 to the Bill;
- ii. a requirement to be consistent with the Education Orders and any other statutory provision;
- iii. a requirement to be consistent with any instrument of government and scheme of management for the school in question; and
- iv. a requirement to be prepared having regard to guidance issued by my Department under the provisions in Clause 5(2).

The Bill provides that my Department may amend Schedule 2 by order. The Education Orders and other statutory provisions may be changed by the Assembly, or by the use of any modifying power contained within the particular statute.

Controlled Sector Schools: Land and Buildings

Mr Kinahan asked the Minister of Education to list the land and buildings of controlled sector schools which are wholly or partly owned by individuals or organisations outside the existing education bodies.
(AQW 21300/11-15)

Mr O'Dowd: Land and buildings of controlled sector schools which are wholly or partly owned by individuals or organisations outside the existing education bodies are listed below.

North Eastern Education & Library Board

Name of Property	Name of Owner
Carnalbanagh Primary School Land to Site Mobile Use of Church Hall	Cairnalbana Presbyterian Church

Name of Property	Name of Owner
Carnalridge Primary School Land for Playground	John Campbell Taylor
Carhill Primary School Access to School	Mr J R M Glass
Creavery Primary School Building Land for Playground	The Right Honourable Raymond Arthur Clanaboy Baron O'Neill and Shane's Castle Estates Company Ltd
Crumlin Primary School Building	Joan Boyd, Samuel John Ballance, Maud Elizabeth Robinson, Samuel Washington Robinson
Culnady Primary School Use of Church Hall Use of Church Car Park	Culnady Presbyterian Church
Longstone Primary School Building	The Right Honourable Raymond Arthur Clanaboy Baron O'Neill and Shanes Castle Estates Company Ltd
Straid Primary School Land for Play Area Land for Mobile Use of Church Hall	Denis Gilmore Boyd Straid Congregational Church Straid Congregational Church
Parkgate Primary School Use of Church Hall	1st Donegore Presbyterian Church

South Eastern Education & Library Board

Ballyvester Primary School	Presbyterian Church
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Western Education & Library Board

McClintock Primary School Land and building	Ms Xenia P Lewis
Lisnagelvin Primary School Land only (playground)	Derry City Council
Dunmullan Primary School Land only (playground)	Ms J R Elliott

Southern Education & Library Board

Armstrong Primary School	Armagh Observatory
City of Armagh High School Playing Fields	The Governors and Guardians of the Library, Church of Ireland
Maralin Village Primary School	Magheralin Parish Church
The Cope Primary School	Loughgall Parish Church

Belfast Education & Library Board

Nil	Not Applicable
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Early Years Capital Funding Scheme

Mr Storey asked the Minister of Education when payment will be made on the applications received to the Early Years Capital funding scheme.

(AQW 21343/11-15)

Mr O'Dowd: The Department is required to ensure full accountability and value for money for all expenditure. Officials are seeking to ensure that the necessary processes are completed as quickly as possible in order to ensure that payments can be made to local groups.

Department for Employment and Learning

Incubation and Innovation Centres

Mrs Cochrane asked the Minister for Employment and Learning (i) what role his Department has in encouraging and developing incubation and innovation centres within further and higher educational facilities; and (ii) what discussions he has had with further and higher educational representatives with a view to emulating and building upon the successes of the Food Business Incubation Centre of the College of Agriculture, Food and Rural Enterprise and the Southern Regional College's Greenshoots Business Incubation Centre.

(AQW 20715/11-15)

Dr Farry (The Minister for Employment and Learning): The policy lead for innovation policy in Northern Ireland is DETI, implemented via Invest NI. Accordingly, DETI is currently leading on the drafting of a new Innovation Strategy for Northern Ireland, per the commitment in the Economic Strategy, in close consultation with other Executive Departments and stakeholders. DEL, in particular, is closely involved in this process and my officials have already facilitated the initial engagement of DETI with senior representatives from both the Higher and Further Education sectors. I understand incubation policy, and the associated issue of venture capital availability, have been raised at an early stage by both sectors and DETI is planning further follow-up meetings to allow these, and other issues, to be developed further with a view to being reflected in the final document to be published later this year.

Under "Graduating to Success" – a Higher Education Strategy for Northern Ireland – I am committed to creating a Higher Education sector that is more responsive to the needs of the economy. In Northern Ireland, we are fortunate to have two leading, research-active universities which are wholly committed to the successful commercial exploitation of the local research base, through both effective Knowledge Exchange and also spin-out activity.

The research base represented by Queen's University and the University of Ulster receives almost £50 million per annum core investment from DEL through "Quality-related Research" (QR) funding. This core investment, as well as promoting research excellence, is also the bedrock which underpins the universities' spin-out / start-up activities. With respect to spin-out activity, Northern Ireland continues to lead the way with the latest figures revealing that the total number of spin-offs still active after 3 years here was 49, accounting for a relatively large (4.9%) proportion of the UK total number of university spin-off companies.

The pipeline of new spin-outs is also healthy thanks to organisations such as QUBIS and Innovation Ulster Ltd, the University of Ulster's technology venturing company.

As well as reflecting the substantial QR investment from my Department highlighted above, this success also reflects my commitment to the mainstream core funding of the universities' business and community facing activities (through the Higher Education Innovation Fund), so that these activities are given the strategic priority they deserve alongside the traditional priorities of teaching and research.

I am aware that, in the past, there were a number of incubation facilities at the University of Ulster's campuses at Magee, Coleraine and Jordanstown. However, Invest NI has advised that these were closed a number of years ago. In the meantime, the University of Ulster has continued to spin-out companies which it is servicing directly across the three campuses above, with the more mature companies then taking advantage of the facilities on offer at the Northern Ireland Science Park which provides rentable accommodation and other services for high-tech start-ups and other businesses, although it is not an incubator. However, the Science Park's anchor tenant, the Institute of Electronics, Communications and Information Technology (ECIT) houses a dedicated cyber security unit (the Centre for Secure Information Technologies - CSIT) which provides hot-housing and incubation facilities to encourage and support the establishment and development of new spin-off and spin-in companies.

The Further Education (FE) sector in Northern Ireland, which is directly accountable to my Department, has established a number of innovation and incubation centres. For instance, the South West College (SWC) has three industry innovation centres which provide Research and Development (R&D) support to Small and Medium-sized Enterprises (SMEs) across Northern Ireland: the Innotech Centre (Cookstown), the Image Centre (Enniskillen) and the Idea Centre (Omagh).

SWC has also recently secured EU Interreg funding of £2.9 million to develop a new Centre for Renewable Energy and Sustainable Technologies (CREST) at its Enniskillen Technology and Skills Centre Campus.

Belfast Metropolitan College (BMC) has an Incubation and Innovation Facility located in the e3 building on the Springvale Campus in west Belfast and North West Regional College (NWRC) has a Digital Media Incubation Unit plus a Technical and Innovation Centre.

With respect to the second part of your question regarding the Food Business Incubation Centre of the College of Agriculture, Food and Rural Enterprise (CAFRE) and the Southern Regional College's Greenshoots Business Incubation Centre, I can comment as follows:

As a highly successful partnership between the Southern Regional College and the University of Ulster, and the first Incubation Centre in the FE sector in Northern Ireland, the successful and highly innovative Greenshoots project is well known to me. My officials on the FE side are already engaged with DETI as part of its stakeholder engagement on the Executive's forthcoming Innovation Strategy, as are senior colleagues from the Southern Regional College. The successful exemplar represented by Greenshoots is therefore something which I fully expect will be highlighted to DETI as part of this process.

The Food Business and Incubation Centre (FBIC) at CAFRE, however, is not within my Department's remit. However, I understand from DARD officials that its eight rental units are currently fully occupied with a waiting list. I therefore have little doubt that they will be raising FBIC too as an exemplar in their discussions with DETI in formulating the Innovation Strategy.

I trust the above information is helpful in your consideration of these strategically important issues.

DEL-funded Apprenticeships with Bombardier

Mr Swann asked the Minister for Employment and Learning to outline the application criteria for the departmental funded apprenticeship with Bombardier which results in a National Vocational Qualification level 3 certificate in aeronautical engineering.

(AQW 20762/11-15)

Dr Farry: The application criteria for recruitment to job vacancies are set at the discretion of the employer. In the case of Bombardier apprenticeships, this includes a criterion relating to eligibility for ApprenticeshipsNI funding.

The eligibility criteria for ApprenticeshipsNI funding are as follows.

An apprentice must:

- have attained the minimum school leaving age;
- be in permanent remunerative employment with a Northern Ireland-based company and be contracted to work a minimum of 21 hours per week (including day release/off-the-job training) with one employer;
- have the potential to successfully complete all the requirements of the appropriate Level 2/Level 3 ApprenticeshipsNI framework;
- meet any health requirements (e.g. colour vision) specific to the occupation of their choice;
- have achieved any minimum entry academic qualifications (e.g. GCSE) determined by the relevant sector for the Apprenticeship and approved by the Department; and
- pass any entry tests specified by the relevant sector/employer and approved by the Department.

In addition, a person who has previously achieved a recognised vocational qualification at Level 2/Level 3 or equivalent can only receive funding for a Level 2/3 apprenticeship which is both unrelated to their qualification and classified as a priority skill area.

To meet their business needs Bombardier has chosen the 'Level 2 framework en route to Level 3 framework' ApprenticeshipsNI funding model. This will result in successful apprentices achieving the ApprenticeshipsNI Engineering framework Level 2 and Level 3 (Aeronautical Pathway).

DEL-funded Schemes and Apprenticeships

Mr Swann asked the Minister for Employment and Learning to outline why people with level 2 or above vocational qualifications in subjects relating to engineering are excluded from application to the departmental funded apprenticeship with Bombardier.

(AQW 20763/11-15)

Dr Farry: The ApprenticeshipsNI funding eligibility criteria are not intended to exclude people unnecessarily from following an apprenticeship but funding is from the public purse and eligibility criteria must take account of the potential for double funding.

In the case of the Bombardier apprenticeship scheme, a candidate is ineligible for funding when he/she holds a qualification that is deemed equivalent to the NVQ Level 3 in Engineering. The principle of avoiding double funding is not specific or unique to the Bombardier situation. All applications for ApprenticeshipsNI funding are considered in this context.

I recently announced plans to undertake a review of apprenticeships and youth training. My intention is to make the review process inclusive and to engage with all the relevant stakeholders. The review will include consideration of progression routes for learners, including lateral progression, whilst avoiding any duplication. The review findings will be reported in the autumn of this year.

DEL-funded Schemes and Apprenticeships

Mr Swann asked the Minister for Employment and Learning to outline the departmental funded schemes and apprenticeships that are available to those with level 2 or above vocational qualifications in subjects relating to engineering.

(AQW 20764/11-15)

Dr Farry: ApprenticeshipsNI provides participants with the opportunity to achieve a Level 3 engineering framework qualification following one of 13 different pathways ranging from Aeronautical Engineering to Mechanical Manufacturing Engineering. The apprentice must: be in paid employment from day one; work a minimum of 21 contracted hours per week;

and work towards completing an industry-approved framework, which includes a relevant competence based qualification at Level 3, Essential Skills and a knowledge based qualification.

For those aged under 25, the full cost of directed training is met by my Department. For those aged 25 and over, there is a 50% contribution for those following a framework in the sectors which are a priority for the rebalancing of the Northern Ireland economy.

For those who hold an equivalent qualification to the ApprenticeshipsNI engineering framework qualification, funding is available to follow an ApprenticeshipsNI framework in another priority area.

The Department also funds further education colleges to deliver a range of courses related to engineering at Level 3 and above. Detailed information regarding these courses can be obtained directly from the colleges' prospectuses or from their websites. All vocational qualifications offered by colleges, including those in the engineering technologies sector above level 2, are on regulated qualifications frameworks.

Queen's University Belfast: Student Progression

Mr D McIlveen asked the Minister for Employment and Learning how many students have progressed to year two of (i) BSc Honours in Mental Health Nursing; (ii) BSc Honours in Adult Nursing; (iii) BSc Honours in Children's Nursing; and (iv) BSc Honours in Learning Disability Nursing at Queen's University Belfast, in each of the last five years.

(AQW 20845/11-15)

Dr Farry: The table overleaf details the number of students that have progressed to year two of (i) BSc Honours in Mental Health Nursing; (ii) BSc Honours in Adult Nursing; (iii) BSc Honours in Children's Nursing; and (iv) BSc Honours in Learning Disability Nursing, at Queen's University Belfast over each of the last five years for which data are available.

	2007/08	2008/09	2009/10	2010/11	2011/12
Mental Health Nursing	45	40	50	55	60
Adult Nursing	380	340	395	420	370
Children's Nursing	55	45	55	55	55
Learning Disability Nursing	25	25	20	40	30

Sources: Queen's University Belfast and Higher Education Statistics Agency (HESA)

Notes: Figures in the table are rounded to the nearest 5.

DEL-supported Apprenticeships

Mr McGlone asked the Minister for Employment and Learning, in relation to departmental supported apprenticeships, to detail (i) the number supported in the last five years; and (ii) the planned number to be supported in the next five years.

(AQW 20963/11-15)

Dr Farry: ApprenticeshipsNI is my Department's flagship training programme for those in employment. It is demand led, based on the needs of employers, which means that apprentice numbers are determined by employers themselves, recruiting and nominating apprentices on to the programme in line with their business and skills requirements.

The table below details the number of apprenticeships my Department has supported over the past five years:

Year	Number of Apprenticeship Starts
2008	7,138
2009	7,297
2010	8,384
2011	9,619
2012	7,657

(Depending on the occupational area, an apprenticeship framework can take between two to four years to complete)

You will be aware that in February of this year I launched a major review of apprenticeships and youth training. I want the Review to ensure that apprenticeship training is more closely matched to the growth sectors in the economy and the needs of businesses in those sectors.

The review will conclude in the autumn of this year. It is likely that we will then proceed to formal public consultation and thereafter move to policy formalisation and implementation as appropriate.

Within the parameters of a demand led programme and the context of the current review it is not possible to provide a detailed forecast of the likely number of departmental supported apprenticeships over the next five years.

Youth Unemployment Levels

Mr Easton asked the Minister for Employment and Learning what schemes or work programmes are available in the North Down area to help reduce youth unemployment levels.

(AQW 20971/11-15)

Dr Farry: I would refer the Member to my previous answer to AQO 3619/11-15 (Oral No. 5) on the same subject. (<http://www.niassembly.gov.uk/Assembly-Business/Official-Report/Reports-12-13/12-March-2013/#5>)

Profoundly Deaf Students

Mr Allister asked the Minister for Employment and Learning how many profoundly deaf students are enrolled in each of university and how this compares with five years ago.

(AQW 20973/11-15)

Dr Farry: It is not possible to determine the number of profoundly deaf students enrolled at NI Higher Education Institutions. As a proxy however, the table below details the number of students who declared having a disability relating to being deaf based upon their own self assessment, enrolled at each NI Higher Education Institution in 2011/12 compared to 2006/07.

	Queen's University of Belfast	University of Ulster	Stranmillis University College	St Mary's University College
2006/07	60	185	5	0
2011/12	40	55	0	0

Source: Higher Education Statistics Agency (HESA)

Notes: Figures in the table are rounded to the nearest 5.

The latest available data are for 2011/12.

Information on disability is collected on the basis of a student's self assessment.

It should be noted that the years cannot be directly compared as HESA's coding frame changed between the two years i.e. in 2006/07 the figures relate to those who were self-assessed as "deaf/having a hearing impairment" whereas in 2011/12 the figures relate to those who were self-assessed as either "deaf/having a hearing impairment" or "deaf or a having a serious hearing impairment".

Profoundly Deaf Students

Mr Allister asked the Minister for Employment and Learning to outline the schemes of assistance available to help Further and Higher Education Colleges maximise their enrolment of profoundly deaf students and how assistance has changed over recent years.

(AQW 20974/11-15)

Dr Farry: My Department has a number of initiatives in place to support students with learning difficulties and/or disabilities (SLDD) including those students enrolled in Further and Higher Education provision who are profoundly deaf.

Further Education

My Department provides a ring-fenced sum of £3.5 million per annum to Further Education (FE) colleges to help deliver courses and provide support and assistance to SLDD including those students who are profoundly deaf.

Students declaring a learning difficulty and/or disability are assessed to determine the level of support required to meet their additional needs. For profoundly deaf students, adjustments may include the provision of interpreters, assistive technologies, modified exam papers or one-to-one support.

Recent initiatives (within the last three years) undertaken by FE colleges to support students who are profoundly deaf include:

- working with Action on Hearing Loss to create bespoke courses for students, including discussions regarding the piloting of lip reading classes;
- research into the development of the iCommunicator system for use with British and Irish Sign Language (this enables effective two-way communication for people who are deaf or hard-of-hearing);
- the use of the sign video system in Northern Ireland which is an on-line live BSL video interpreting service;
- participation in the Sensory Engagement Project which provides sensory awareness training to improve service provision and raise awareness of sensory disabilities; and
- the introduction of additional support for profoundly deaf students in the form of proof reading and organisational support for assignments as English is considered a second language for profoundly deaf students.

My Department has also supported the delivery of staff training and deaf awareness sessions, delivered by Action on Hearing Loss, to lecturers and learning support staff in FE colleges, outlining the needs of profoundly deaf students.

Higher Education

Through the Disabled Students Allowances (DSA) my Department provides funding to meet the costs of a Disability Needs Assessment for each student who presents with a disability. This is an assessment of the support needs of the student including their specialist equipment requirements and non-medical support provider needs.

When a student with a disability applies for a Higher Education course, they are encouraged to apply for DSA, to cover the extra costs of any support they may require throughout their course as a direct result of their disability

Through the DSA, my Department also provides funding to meet the administration costs of a Register of Support Providers in each of the two Northern Ireland universities.

The Register of Support Providers is a unique service which provides one-to-one personal support to disabled students, including those students with severe hearing impairments, registered on recognised higher education courses at any of the colleges or universities in Northern Ireland. The Registers maintain and develop a resource of freelance professional and non-professional support providers, who act in specialist roles to support disabled students. The support providers include audio-typists, note-takers, dyslexia coaches, study skills mentors, sign language interpreters and campus assistants.

My Department is providing funding for 20 deaf tutors to undertake a specially tailored programme at Belfast Metropolitan College (BMC) and the University of Ulster (UU), which will enable them to teach in the Further Education sector. In the coming months, the tutors will obtain NVQ Level 6 in British or Irish Sign Language at BMC, in order to commence a two year Postgraduate Certificate in Education (Further Education) (PGCE-FE) course at UU in January 2014.

Transgender Community

Ms Maeve McLaughlin asked the Minister for Employment and Learning, in terms of its legal obligation under Section 75 of the Northern Ireland Act, how his Department consults with the transgender community.

(AQW 20986/11-15)

Dr Farry: My Department recognises the importance of consultation in all aspects of the implementation of our statutory equality duties. It consults on its equality scheme, action measures, equality impact assessments and other matters relevant to the Section 75 statutory duties.

All consultations seek the views of those directly affected by the matter/policy, including: the Equality Commission; representative groups of Section 75 categories; other public authorities; voluntary and community groups; our staff and their trade unions; and such other groups who have legitimate interest in the matter, whether or not they have direct economic or personal interest.

Initially all consultees, as a matter of course will be notified (by post or e-mail) of the matter/policy being consulted upon to ensure they are aware of all consultations. The Belfast Butterfly Club, a support network for transgendered people and their families, is included in the Department's Section 75 consultation list under the heading of gender.

Employment Law Review

Mr Swann asked the Minister for Employment and Learning how the review of employment law will take into account the protection of workers in the course of their duties.

(AQW 21073/11-15)

Dr Farry: The purpose of my Department's review of employment law, a key target in the Executive's Economic Strategy, is to establish an employment law system that works in the interests of business, helps our economy to grow, attracts investment, encourages companies to recruit new staff and, at the same time, protects the employment rights of employees, with opportunities for redress.

Responsibility for enforcement and issues relating to the safety, health and welfare of workers in the course of their duties is primarily a matter for the Health and Safety Executive and local councils (depending on the type of business); and the Police Service of Northern Ireland, which responds to and investigates any incidents of criminality against workers, and pro-actively promotes the prevention of harm to workers through advice.

Penalties for Assaults on Workers

Mr Swann asked the Minister for Employment and Learning what discussions he has had with the Minister of Justice on the creation of an additional penalty for those who assault workers in the course of their duties.

(AQW 21077/11-15)

Dr Farry: I have not had any direct discussions with my Executive colleague on the issue of creating an additional penalty. The issue of assault on workers is a very serious crime, and is addressed through the criminal justice system, which falls within the remit of the Department of Justice.

DEL: Public Consultations

Mr Nesbitt asked the Minister for Employment and Learning to detail (i) the number of public consultations undertaken by his Department, in each year since 2007; (ii) the type of consultation; and (iii) the total cost of each consultation.

(AQW 21122/11-15)

Dr Farry: A total of 41 public consultations have been undertaken by my Department since 2007 at a cost of £97,000, excluding staff costs. A detailed breakdown of these figures has been placed in the Assembly Library and on the DEL website at <http://www.delni.gov.uk/>

Education Maintenance Allowance

Mr Agnew asked the Minister for Employment and Learning how much the proposed changes to Education Maintenance Allowance are projected to save in the 2013/14 academic year. [R]

(AQW 21173/11-15)

Dr Farry: I can advise that for forecasting and budgeting purposes, financial years rather than academic years have been used by my Department and for the financial year 2013/14, if no changes are made to the Education Maintenance Allowance scheme, the forecast costs are £30.8m. The forecast costs for the financial year 2013/14 when the proposed changes are to be introduced are £25.8m. This represents a saving of £5.0m in respect of the anticipated costs if no changes are introduced and a saving of £0.9m against my Department's baseline budget of £26.7m for the Education Maintenance Allowance scheme.

Educational Guidance Service for Adults

Ms McGahan asked the Minister for Employment and Learning how he intends to meet the educational guidance needs of adults who are seeking to re-train, or have been made redundant due to the recession, in light of the removal of funding and consequent closure of the Educational Guidance Service for Adults.

(AQW 21215/11-15)

Dr Farry: My Department's Careers Service and Employment Service offer advice and guidance through the network of Jobs and Benefits Offices, JobCentres and Careers Offices in Northern Ireland. This service is available to all, including those facing redundancy or who have been made redundant, and those seeking to re-train.

The Educational Guidance Service for Adults (EGSA) went into voluntary liquidation on 22 February 2013. The organisation was contracted by my Department until May 2013 to deliver a guidance service to hard to reach clients in neighbourhood renewal areas and to provide advice and guidance to those under threat of redundancy. Arrangements have been put in place to ensure that these services continue to be provided. There is now a range of community and voluntary organisations offering support to the hardest to reach clients in their communities for example through the Collaboration and Innovation Fund and the Local Employment Intermediary Service (LEMIS).

In addition, the Department's Careers Service is working alongside the Employment Service to support people who are under notice of redundancy.

The Careers Service has over 100 professionally qualified careers advisers who provide guidance on education, training and employment opportunities to young people and adults. Careers advisers work with clients to help them access and analyse relevant labour market information about current and future employment opportunities; determine the occupations that best suit their personal aptitudes, interests and skills; identify relevant training; and support these clients to develop appropriate career plans.

Within my Department's Redundancy Advisory Service, the Careers Service participates in redundancy clinics and offers one to one careers guidance interviews to individuals facing redundancy where an employer has requested this service for their employees.

Steps 2 Success: South West College

Ms McGahan asked the Minister for Employment and Learning what impact the removal of the Steps to Work programme to the Steps to Success Scheme will have on students and staff at the South West College.

(AQW 21316/11-15)

Dr Farry: Steps 2 Success (NI) is the Department's new employment programme which will commence in 2014, replacing Steps to Work. The design of the new programme is being prepared at present and when finalised a two stage procurement process will commence. The management in South West College may then decide if they intend to bid to deliver the new programme either as a lead or sub-contractor.

Any potential impact from the introduction of Steps 2 Success (NI) on staff at the South West College will depend on the outcome of the procurement process. The procurement process will be competitive and there can be no guarantee that any organisation will be successful. If any organisation presently delivering Steps to Work is unsuccessful in the Steps 2 Success (NI) procurement they will need to decide on how to deal with the practical implications that may arise at that time.

There will be no direct impact on students at the South West College from the introduction of Steps 2 Success (NI).

Lisburn City Council

Mr P Ramsey asked the Minister for Employment and Learning to detail the total cost for each of the last five financial years, in the Lisburn City Council area, (i) Training for Success (Skills for Life/Skills for Work/Programme Led Apprenticeships); (ii) ApprenticeshipsNI levels two and three; and (iii) all strands of Steps to Work and the total for the programmes.

(AQW 21335/11-15)

Dr Farry: My Department currently contracts with training suppliers for the delivery of Training for Success (TfS) which incorporates the Skills for Your Life, Skills for Work, and Programme Led Apprenticeships (PLA) strands. Separate contracts are held for the delivery of ApprenticeshipsNI (AppsNI).

It is not possible to identify the Training for Success and ApprenticeshipsNI programme costs specifically for the Lisburn City Council area. The following figures reflect the total paid to suppliers contracted to deliver in the Lisburn area during the period in question. The figures include payments made for participants in other areas also covered by the suppliers' contracts.

Financial Year	Spend £M	
	TfS/PLA	AppsNI
2008-09	£4.85m	£5.37m
2009-10	£5.75m	£12.45m
2010-11	£7.51m	£15.50m
2011-12	£9.22m	£23.47m
2012-13 to date	£9.50m	£18.21m

* Breakdown of AppsNI L2 / L3

	AppsNI L2	AppsNI L3
2008-09	£4.71m	£0.67m
2009-10	£10.76m	£1.69m
2010-11	£12.99m	£2.51m
2011-12	£17.18m	£6.29m
2012-13 to date	£12.61m	£5.60m

Steps to Work

The Steps to Work (StW) programme, which commenced at the end of September 2008, is delivered by a network of 8 Lead Contractors spread over 10 contract areas throughout Northern Ireland. Expenditure on the StW programme is only available by contract area.

It is not possible to identify the StW programme costs specifically for the Lisburn City Council area. Expenditure on the StW programme in the South Eastern Contract Area, which includes Lisburn, is set out in the table below. It should be noted that in addition to Lisburn the South Eastern contract area also covers the Banbridge, Kilkeel, Ballynahinch, Downpatrick and Newcastle Job Centre/Jobs and Benefit Office areas.

In addition participants on Step 2 provision in receipt of JobSeekers Allowance (JSA) are paid Benefit Based Training Allowance (BBTA) equivalent to their JSA plus a weekly top-up of £15.38. BBTA is paid by the Department of Social Development and recovered from the Department for Employment and Learning. This aspect of programme expenditure is only available for the whole of Northern Ireland and is shown separately in the table below.

Financial Year	Spend £M	
	StW	BBTA
2008-09 (from Oct 2008)	£0.08m	£0.92m
2009-10	£0.73m	£6.02m
2010-11	£1.39m	£9.39m
2011-12	£2.49m	£12.71m
2012-13 (To end Feb 2013)	£1.91m	£12.17m

Department of Enterprise, Trade and Investment

Hotel and Bed-and-breakfast Sectors: South Down

Mr Hazzard asked the Minister of Enterprise, Trade and Investment what plans are in place to develop the hotel and bed and breakfast sectors in South Down.

(AQW 20542/11-15)

Mrs Foster (The Minister of Enterprise, Trade and Investment): Invest NI is currently awaiting the outcome of a review commissioned by NITB to consider current accommodation provision and with a view to providing guidance on future needs.

While the responsibility for bringing forward specific projects lies with the private sector, Invest NI may support and encourage the development of projects by way of capital grant.

Invest NI is also committed to the development of the capability of businesses and as such offers a range of developmental support aimed at encouraging companies to become more competitive. Tourism accommodation businesses, including hotels and B&B's, may, subject to meeting the conditions specific to the assistance, avail of the full range of Invest support.

Titanic Replica

Mr Frew asked the Minister of Enterprise, Trade and Investment in light of the recent media coverage of the construction of a replica of Titanic and the plans for it to sail to the UK, what action she is proposing to secure a visit to Belfast.

(AQW 20681/11-15)

Mrs Foster: The Northern Ireland Tourist Board is responsible for the Northern Ireland and Republic of Ireland markets. Tourism Ireland is responsible for marketing of the island of Ireland in Great Britain and overseas.

NITB is aware that a Belfast-based organisation has made approaches to those who have commissioned the building of the ship, with regards to bringing the ship to Belfast. The Northern Ireland Bureau in Washington has also attended a reception to launch the project. NITB is open to discussing opportunities that showcase and profile Northern Ireland on a world stage, however no direct approaches have been made to NITB to become involved in bringing this replica ship to Belfast.

The project to construct a replica of the Titanic is still at a very early stage in its development. Tourism Ireland will monitor its progress with a view to capitalising on any opportunities that arise for Belfast and Northern Ireland.

Meanwhile, Tourism Ireland continues to highlight Belfast's links to the Titanic and Titanic Belfast as part of its extensive promotional programme overseas. Titanic Belfast continues to go from strength to strength, attracting almost 214,000 visitors from Great Britain, North America and Mainland Europe since it opened last March.

Incubation and Innovation Centres

Mrs Cochrane asked the Minister of Enterprise, Trade and Investment (i) for her assessment of the current level of incubation support available to Belfast-based start-up businesses; (ii) what action her Department has taken to develop urban incubation and innovation centres to support local start-ups; and (iii) to what extent she has engaged with her Ministerial colleagues in order to explore multilateral approaches.

(AQW 20716/11-15)

Mrs Foster: Invest NI's Regional Start Initiative is a two-year initiative (until October 2014) designed to support locally focused entrepreneurs to enter self employment. As part of this initiative, participants are provided with incubation workspace.

Enterprise Northern Ireland (ENI) has been awarded the contract for Regional Start which commenced in October 2012. Collectively, ENI members have access to over 2 million square feet of incubation workspace. There are 29 Local Enterprise Agencies operational on Regional Start, 6 of which are based in Belfast.

Seed and early stage businesses in Belfast also have access to a range of physical, co-working, incubation spaces which are private sector led. It is estimated there are at least 10 private sector funded, shared workspaces in Belfast. Whilst in the shared space, start-up companies can avail of support for start-ups through Invest NI initiatives such as NISPO and the Small Business Loan Fund.

Invest NI also lends support through its Propel programme. This provides training, mentoring and financial support to high growth potential start up businesses that are innovative and capable of selling in international markets. Entrepreneurs who are successful in getting on to Phase 2 of Propel are provided with a hot desk facility and shared working space with the other Propel participants, should they wish to avail of this.

The NISPO Investment Readiness Programme, which is managed by E-Synergy, provides support through its 'accelerator' and 'incubator' initiatives. These initiatives do not provide a physical work space, however they provide support to start-ups in the form of coaching, networking etc.

There have been two NISPO Accelerator Events, one in November 2011 and one in September 2012. These events attracted a total of 68 applicants with 20 companies invited to participate in the programme resulting in two investments. Many of these companies were high growth potential start-ups. E-Synergy also ran its own incubator programme with 7 young companies participating in 2011 and 6 companies in 2012. There was not an accommodation element to this initiative.

To facilitate High Potential Start Ups, Invest NI is currently appraising the potential for establishing an Accelerator space in Belfast. Different to an Incubator, an Accelerator tends to focus on a programme of support over a specific time period, generally from three to nine months after which the company must move out of the shared space.

Invest NI hosted a UK Business Incubation (UKBI) workshop in February where discussions focused on Incubation good practice and the Northern Ireland operating environment. Representatives of both Universities and Northern Ireland Colleges were present. UKBI are intending to take forward a larger scale event in Northern Ireland to improve the knowledge and understanding of business incubation and clarify best practice. Following this event and using the outputs from it, UKBI may effect a business incubation 'mapping' and 'gap' analysis across Northern Ireland. Invest Northern Ireland will continue to engage with UKBI.

Regional Start Initiative

Mr Flanagan asked the Minister of Enterprise, Trade and Investment to detail (i) the number of enquiries received and business plans approved from 8 October 2012 to 7 January 2013 for the Regional Start Initiative broken down by regional contract; and (ii) how this compares with the targets for the programme set by InvestNI.

(AQW 20794/11-15)

Mrs Foster: The Regional Start Initiative commenced in October 2012.

Regional Start Enquiries by Contract Area October 2012 – 7 January 2013

Contract Area	Total
Eastern	509
Southern	338
Western	231
North West	253
North East	175
	1506

Regional Start Initiative business plan approvals are confirmed on a month end basis. Data is not available at a specific date other than month end. The following table lists the number of business plans approved at 31 January 2013 and at 28 February 2013.

Regional Start Business Plan Approvals by Contract Area

Contract Area	At 31 Jan 2013	At 28 Feb 2013
Eastern	71	143
Southern	51	103
Western	102	154
North West	96	148
North East	32	58
Total	352	606

The target for business plan approvals for the Regional Start Initiative is 3,200 by 21st October 2013. Following a slower than expected start to the programme, activity levels are now increasing. The contractor is confident that the target of 3,200 Business Plan Approvals will be achieved. It should be noted that this is a 'payment on outputs' based contract with penalties and bonuses subject to performance. The contractor is only paid on the basis of Business Plan Approvals and not on any other activity. It is therefore clearly in the contractor's interests to meet and indeed exceed targets.

Invest NI

Mr Flanagan asked the Minister of Enterprise, Trade and Investment to detail (i) the number of enquiries received from, and business plans approved for the specific target groups of (i) those Not in Education, Employment or Training; (ii) Neighbourhood Renewal Areas, broken down by regional contract; and (iii) how this compares with targets set for the programme by InvestNI.

(AQW 20795/11-15)

Mrs Foster: The Regional Start Initiative has recorded the following enquiry numbers for 'Neighbourhood Renewal' (NRA) and 'Not in Education, Employment or Training (NEETS)':

NRA & NEETS Enquiries by Contract Area at 28 February 2013

	NEET	NRA
Eastern	36	27
Southern	46	141
Western	9	27
North West	46	182
North East	28	32
Total	165	409

The number of business plans approved for 'Neighbourhood Renewal' and 'Not in Education, Employment or Training' is as follows:

NRA & NEETS Business Plan Approvals by Contract Area at 28 February 2013

	NEET	NRA
Eastern	7	28
Southern	8	5
Western	15	7
North West	15	43
North East	4	0
Total	49	83

The target set by Invest NI for NEET's is 100 business plan approvals within the first year of programme operation (to 21st October 2013). The NEETs target is on track and is achievable.

The target set by Invest NI for NRA is 735 business plan approvals within the first year of programme operation (to 21st October 2013). The NRA target is significantly behind. Enterprise Northern Ireland has been asked to focus effort on NRA and is currently developing local marketing campaigns to assist in achieving the target.

Geological Survey of Northern Ireland

Mr Agnew asked the Minister of Enterprise, Trade and Investment whether the Geological Survey of Northern Ireland has any regulatory roles.

(AQW 20851/11-15)

Mrs Foster: No. The Geological Survey of Northern Ireland provides technical advice to the Minerals and Petroleum Branch of DETI. This advice assists DETI with regulating Petroleum Licences, Mineral Prospecting Permits and Mining Licences.

Geological Survey of Northern Ireland

Mr Agnew asked the Minister of Enterprise, Trade and Investment (i) whether the Geological Survey of Northern Ireland is funded entirely by her Department; (ii) to provide details on which organisations contribute to the resourcing and/or funding the Geological Survey of Northern Ireland; and (iii) whether the Geological Survey of Northern Ireland receives any resources and/or funding from the British Geological Survey.

(AQW 20853/11-15)

Mrs Foster: The Geological Survey of Northern Ireland (GSNI) provides technical advice to DETI under a Service Level Agreement (SLA) with the Natural Environment Research Council (NERC).

The cost of this SLA is borne entirely by DETI.

In addition, GSNI receives funding under a separate SLA between NERC and the Northern Ireland Environment Agency under which GSNI provides specialist advice on hydrogeology.

GSNI may periodically receive further funds from DETI, other Departments or Agencies for specific projects.

GSNI receives funding each year from the British Geological Survey (BGS) to finance research or service work undertaken on behalf of other BGS programmes that may not be directly relevant to the DETI/NERC SLA.

Geological Survey of Northern Ireland

Mr Agnew asked the Minister of Enterprise, Trade and Investment whether the Geological Survey of Northern Ireland receives any funding from the private sector.

(AQW 20854/11-15)

Mrs Foster: The Geological Survey of Northern Ireland receives no funding from the private sector other than minor income from fees arising from responding to inquiries, the licensing of digital data and the sale of publications.

North/South Interconnector

Mr Agnew asked the Minister of Enterprise, Trade and Investment whether her Department is working to deliver the proposed North South interconnector as a matter of urgency given that the All-Island Generation Capacity Statement 2013-2022 published by System Operators Northern Ireland and EirGrid states that possible supply deficits by 2016 and a certain supply deficit by 2022 could be alleviated if the additional North South tie line was in place and given that the proposed tie line has an estimated minimum construction time of three years.

(AQW 20855/11-15)

Mrs Foster: My Department has no role in the delivery of the North/South Interconnector which is a joint NIE Ltd and EirGrid commercial project, but I have been a keen supporter, from the outset, of its need from a security of supply perspective. In March 2012 the Department of the Environment referred NIE's original planning application to build a 400 kilovolt electricity interconnector between Northern Ireland and the Republic of Ireland to the Planning Appeals Commission (PAC). The public enquiry was adjourned indefinitely on the 20 March 2012 to allow NIE to re-submit a revised environmental statement. I understand that work to progress this matter is ongoing and I hope that on receipt of the revised statement the PAC can resume its enquiry at the earliest possible opportunity. It is important to note that while the recently published SONI/EirGrid All-Island Generation Capacity Statement 2013-2022 considers that there is some risk of generation deficit from 2016 onwards, it concludes that in the base case scenario the Northern Ireland Generation Security Standard is met to 2020.

North/South Interconnector

Mr Agnew asked the Minister of Enterprise, Trade and Investment, given the current economic climate, the rising costs of electricity to both consumers and businesses, and uncertainty around Northern Ireland's security of supply, whether her Department is working to ensure that the proposed North-South electricity interconnector is constructed using the most cost effective, reliable and proven technology.

(AQW 20874/11-15)

Mrs Foster: The proposed North South electricity interconnector is a joint NIE Ltd and EirGrid commercial project. My Department has no powers, or role to direct, or stipulate, what design criteria a privately owned business utilises. However, NIE is regulated by the Northern Ireland Authority for Utility Regulation (NIAUR) which has a statutory responsibility to ensure electricity users get value for money. I understand that NIAUR has scrutinised the project proposal and is satisfied it represents the most economic option.

Older and Established Businesses Support

Mr McGlone asked the Minister of Enterprise, Trade and Investment how her Department can assist older and established businesses affected by the economic downturn that do not fit the normal model for support.

(AQW 20953/11-15)

Mrs Foster: In order to ensure that it could provide the most effective and efficient support to business, Invest NI reviewed its existing products and services to see if, and how, they could be made available to a much wider business base. In addition, Invest NI also considered what new initiatives it could introduce to help businesses.

As a result, a wide range of activities and initiatives were identified and brought together under the Boosting Business campaign. Boosting Business has five themes of Skills, Technology, R&D, Exports and Jobs, and there are a range of initiatives to help businesses build the skills of their workforce, use new technology to improve competitiveness, take existing products and services to new markets, develop new ones, or create and protect jobs.

Support may be available through a combination of financial, capability development and advisory services and regional seminars and workshops.

Transgender Community

Ms Maeve McLaughlin asked the Minister of Enterprise, Trade and Investment, in terms of its legal obligation under Section 75 of the Northern Ireland Act 1998, how her Department consults with the transgender community.

(AQW 20999/11-15)

Mrs Foster: My Department is committed to effectively fulfilling its statutory obligations in accordance with the Northern Ireland Act 1998 and to notifying all Section 75 consultees as a matter of course of all the policies being consulted upon to ensure they are aware of all Departmental consultations. Thereafter we take a targeted approach to consultation for those consultees that may have a particular interest in the policy being consulted upon and to whom the policy is of particular relevance.

Lignite Prospecting Licences

Mr Swann asked the Minister of Enterprise, Trade and Investment for an update on the extension of the moratorium on lignite prospecting licences in North Antrim.

(AQW 21017/11-15)

Mrs Foster: Following recent proposed changes in Northern Ireland Planning Policy, the Department of Enterprise, Trade and Investment intends to issue a paper for public consultation in April 2013, on a revised policy on lignite and a proposal to extend the moratorium on licensing for lignite prospecting and extraction.

The public consultation will remain open for a period of 12 weeks.

Protection of Workers Bill

Mr Swann asked the Minister of Enterprise, Trade and Investment what consideration she has given to the Protection of Workers Bill currently going through the legislative process at Westminster.

(AQW 21018/11-15)

Mrs Foster: This Bill will create a specific offence relating to the assault on certain categories of people whose work brings them into face-to-face contact with members of the public. As such it would not fall within the remit of DETI.

Workers: Protection from Harm

Mr Swann asked the Minister of Enterprise, Trade and Investment what action she has taken to ensure adequate protection from harm for workers in the course of their duties.

(AQW 21019/11-15)

Mrs Foster: In general, workers are provided with protection under the Health and Safety at Work (Northern Ireland) Order 1978 and a range of subordinate health and safety regulations. This legislation is enforced by my Department's agency, the Health and Safety Executive for Northern Ireland (HSENI), in conjunction with the District Councils. Further detail on the work of HSENI and the District Councils in promoting and enforcing health and safety standards in Northern Ireland can be found in HSENI corporate publications, which are available on its website at:

<http://www.hseni.gov.uk/about-hseni/corporate-publications.htm>

At present HSENI has a particular focus on the safety of farm workers and has employed a wide range of approaches to securing health and safety improvements on farms. In particular, a Farm Safety Partnership (FSP) was established in May 2012 and a Farm Safety Action Plan launched in November 2012. In addition, the FSP will be launching a farm safety media awareness campaign on 25 March this year.

Economic Advisory Group Report

Mrs Overend asked the Minister of Enterprise, Trade and Investment whether she will implement the relevant recommendations in the Economic Advisory Group's report 'A Review of Access to Finance for NI Businesses'

(AQW 21109/11-15)

Mrs Foster: I welcome the report 'Review of Access to Finance for NI Businesses' published by the Economic Advisory Group (EAG). The report contains 13 substantive recommendations to be implemented by banks, business and government. I believe these recommendations offer an opportunity to improve many of the demand and supply side issues facing Northern Ireland businesses in the current economic climate.

I chaired a meeting of the Executive Sub-Committee on the Economy on 19 March 2013 to discuss the initial findings of the report. We broadly accept the Group's recommendations and are considering how they might be best implemented. This will be done in consultation with DFP, Invest NI and other relevant stakeholders.

Invest NI

Mrs Overend asked the Minister of Enterprise, Trade and Investment to outline the specific action she has taken to address the concerns raised in the Northern Ireland Audit Office's performance review of InvestNI.

(AQW 21110/11-15)

Mrs Foster: On 13 February 2013, officials from both the Department of Enterprise, Trade and Investment and from Invest Northern Ireland provided evidence to the Public Accounts Committee on the NIAO report "Invest NI: A Performance Review".

The Public Accounts Committee's Report will be published in due course and its recommendations will be carefully considered. A detailed response will be made in the form of a Memorandum of Reply within two months of the PAC Report's publication.

2MB Universal Broadband Service

Mr B McCrea asked the Minister of Enterprise, Trade and Investment when the responses to the consultation on the 2MB Universal Broadband Service will be published.

(AQW 21150/11-15)

Mrs Foster: Responses to this consultation are intended to assist in defining the areas of intervention across Northern Ireland, where public funds could be used to improve broadband services, in line with the UK Government objectives.

Any intervention undertaken, is subject to State Aid rules and guidance, which were recently updated at the end of January 2013. My officials are working with the UK's National Competence Centre, which is approved to scrutinise such interventions in the UK, to assess the impact that these updated rules have on our intervention plans in Northern Ireland.

This process has meant that the outcome of the public consultation will not be published until after Easter.

Network Problems: Vodafone

Mr McElduff asked the Minister of Enterprise, Trade and Investment whether she plans to make representations to Vodafone in relation to the recurring network problems particularly affecting customers in the areas of Greencastle, Gortin, Creggan, Loughmacrory, Mountfield and Kildress, Co. Tyrone.

(AQW 21191/11-15)

Mrs Foster: I and my officials continue to engage with representatives of all Mobile Network Operators on a regular basis including Vodafone. During my most recent meeting I was advised of Vodafone's joint venture with 02 under which they will share infrastructure with a view to extending the reach of their 2G and 3G networks and enable early deployment of 4G services. I was assured that this would improve coverage across the whole of Northern Ireland by 2015.

Officials have since had further discussions with Vodafone representatives to learn of progress with this joint initiative and to assist my Department in determining on any intervention in the mobile market. This consideration is continuing.

My officials contacted Vodafone and were advised that recurring network issues are restricted to their site at Mullaghcarne which has been off air on two occasions in 2013 i.e. 23 January and 19 March due to power outages. It is understood that, on both occasions, once power was restored normal service was resumed. Vodafone are continuing to monitor the site to ensure that performance remains stable.

I would advise that should consumers continue to experience network problems they should be taken up in the first instance with their service provider.

Electricity Supply

Mrs Overend asked the Minister of Enterprise, Trade and Investment what action she is taking to ensure the security of the electricity supply post 2015.

(AQW 21197/11-15)

Mrs Foster: My Department has had a number of meetings with the Regulator and System Operator for Northern Ireland (SONI) within the context of the SONI All-Island Generation Capacity Statement. These discussions are at an early stage to inform understanding of our respective roles and responsibilities. They will be developed at the appropriate point to examine options that might be required to ensure future adequacy of supply.

My Department is also monitoring developments in relation to options to restore full capacity to the Moyle Interconnector and actions to bring proposals for development of the North/South Interconnector back before the Planning Appeals Committee. Improved interconnection has a vital role to play in relation to long-term security of supply for Northern Ireland.

Conventional Electricity Generation

Mrs Overend asked the Minister of Enterprise, Trade and Investment why no new conventional electricity generation is currently planned.

(AQW 21198/11-15)

Mrs Foster: My Department is responsible for development of energy policy and for establishing the framework within which the electricity market develops. The Northern Ireland electricity sector operates in a privatised marketplace and it is a matter for investors and generators operating within that sector to identify market opportunities and invest as they see appropriate.

However, my officials have been engaging with the Utility Regulator and the electricity system operator SONI to consider how best to ensure that there is a sufficient generation capacity margin and therefore adequate security of electricity supply for Northern Ireland.

Indigenous Business Start-ups

Mrs Overend asked the Minister of Enterprise, Trade and Investment to detail the number of indigenous business start-ups, broken down by constituency, over the last five years.

(AQW 21200/11-15)

Mrs Foster: The table below shows the number of indigenous business start-ups by constituency, over the last five years (2007-08 to 2011-12).

Pca	Number of Offers
Belfast East	629
Belfast North	683
Belfast South	777
Belfast West	611
East Antrim	613
East Londonderry	971
Fermanagh & South Tyrone	1,241
Foyle	941
Lagan Valley	582
Mid Ulster	1,185
Newry & Armagh	883
North Antrim	735
North Down	442
South Antrim	579
South Down	828
Strangford	477
Upper Bann	784
West Tyrone	1,036
Unknown	25
Total	14,022

Notes: 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.

The UNKNOWN category relates to projects for which this level of detail has not been provided..

Of these projects 13,292 were supported indirectly by Invest NI through the Enterprise Development Programme (now known as the Regional Start Initiative), delivered in conjunction with Enterprise Northern Ireland.

Ministerial Meetings: Minutes

Mr McKay asked the Minister of Enterprise, Trade and Investment, pursuant to AQW 17525/11-15, whether it is standard practice to keep minutes of a ministerial meeting with an organisation such as the Caleb Foundation.

(AQW 21344/11-15)

Mrs Foster: My Department does not have any protocols in place regarding the practice of minute taking at Ministerial meetings.

Department of the Environment

Environmental Impact Assessment

Mr Agnew asked the Minister of the Environment whether the drilling of a borehole over 1000 metres deep by Tamboran Resources to penetrate the full Bundoran section would be classified as permitted development by the Planning Service; and whether the drilling of such a borehole would require an Environmental Impact Assessment.

(AQW 17852/11-15)

Mr Attwood (The Minister of the Environment): I note that the company, Tamboran, has said that it may seek to drill a borehole 1000 metres deep. To date, no notification of this intention has been conveyed to DOE. In the event that Tamboran seek to proceed in this way, DOE will consider the proposal, make an assessment whether this would or would not be under the relevant permitted development rights or whether is EIA development, requiring a planning application accompanied by an Environmental Statement.

Article 31 Planning Applications

Mr McDevitt asked the Minister of the Environment what progress has been made in clearing the backlog of Article 31 Planning Applications.

(AQO 3290/11-15)

Mr Attwood: There were 60 article 31 applications in May 2011. Of these a total of 36 determinations have been made with a further 5 where decisions have been made. Three have been appealed and determinations will now issue on the remaining 2. This means 38 of the 60 in May 2011 will have been cleared, almost two thirds of the total. In addition since May 2011 8 new applications have been received of which 3 have been determined.

I have, and will continue, to impress on my planning officials the need to process planning applications, particularly those of major importance, in a timely manner. I believe that reduction in the number of live cases that has been achieved since I took up office clearly demonstrates that the planning system is making huge in-roads in actively managing Article 31s.

Moreover, I anticipate that of the remaining applications, four or five will be cleared shortly after Easter.

Recycling

Mr Allister asked the Minister of the Environment, pursuant to AQW 19725/11-15, whether his Department is aware of the amount or proportion of collected recycling material which is unusable.

(AQW 20260/11-15)

Mr Attwood: The Department has no regulatory reason to hold this information. Further there is currently no direct legislation relating to the quality of recyclates. This has meant a large variation of quality standards in re-processing plants and Materials Recovery Facilities (MRFs) throughout the UK.

A Waste and Resources Action Programme (WRAP) study examining existing approaches to assessing material quality across MRFs and reprocessors, found that a significant proportion of MRFs did not monitor the quality of their outputs and the majority of those that did relied solely on visual inspection. WRAP has estimated that less than 30% of MRF operators have robust quality monitoring processes in place at present. In Britain, DEFRA is considering whether this work can be used as a baseline for putting in place robust quality management systems.

In Northern Ireland we intend to consult on a range of actions to improve and maintain the quality of recyclable materials collected, sorted and presented to the market through a MRF Code of Practice. There will be proposals to address contamination at the point of collection, introduce mandatory and transparent material quality sampling, carry out a benchmarking exercise on the quality of source segregated materials and introduce a recyclate quality grading system.

Professional Planners

Mr Weir asked the Minister of the Environment how many professional planners have been seconded to (i) each planning division; (ii) his Department; and (iii) other Departments, in each of the last five years.

(AQW 20721/11-15)

Mr Attwood: During the last five years, professional planners have been transferred within the area planning office network to meet business needs. In addition staff have been loaned to other Departments and seconded to outside organisations.

Details of all secondments and loans in the last 5 years are set out in the following table:

	Staff transferred within the Department	Staff On Loan to Other Departments	Staff Seconded to Organisations Outside the NICS
2008	0	0	0
2009	0	0	0
2010	0	57	0
2011	8	81	7
2012	11	47	10

Beaches

Mr Easton asked the Minister of the Environment what his Department can do to help improve the appearance of the beaches in Millisle.

(AQW 20801/11-15)

Mr Attwood: Since June 2011 I have convened a series of Good Beach Summits to address issues which will help improve the appearance of beaches and coastal areas including Millisle. The Summits have dealt with litter, water quality, signage and information, and have demonstrated a firm commitment to beach management and coastal development. Both Ards Borough

Council and the Millisle and District Community Association have participated in these Summits and recently participants agreed that good progress had been made under them and that they should continue under my chairmanship.

My Department is also working to develop a Marine Litter Strategy for Northern Ireland which will help address the levels of litter present on beaches and improve the appearance of beaches such as Millisle. The Strategy will provide a co-ordinated response to removing existing litter and preventing future occurrences. The Strategy will also recognise that the challenge of addressing beach litter will require partnership between the public, private and voluntary sectors and a change in public attitudes and behaviour.

The Department also provides funding for a number of programmes such as Eco-schools and Young Reporters on the Environment which are administered by Tidy NI and which help children become more aware of the consequences of dropping litter. Tidy NI is also planning a number of campaigns to keep our beaches clean including Big Spring Clean, Clean Coast, Green Coast and Seaside Awards. TidyNI's Big Spring Clean is regularly supported in Millisle and I myself supported the Marine Conservation Society's Beachwatch Big Weekend, last September, by participating in a litter survey and coastal clean up at Millisle.

I also recently announced half a million pound funding boost to regenerate local coastal communities, through the UK wide Coastal Communities Fund (CCF). The CCF for Northern Ireland is designed to regenerate the economic development of coastal communities and will consider a wide range of projects, including those that support charities, the environment, education and health. Closing date for Year 2 applications is 26th April 2013 and application forms, guidance notes and Q&As can be found on The BIG Lottery website.

I trust you find this helpful.

Driver and Vehicle Agency, Coleraine

Mr McQuillan asked the Minister of the Environment for an update on job security at the Driver and Vehicle Agency in Coleraine, after his meeting with Parliamentary Under-secretary of State for Transport, Stephen Hammond MP.
(AQW 20828/11-15)

Mr Attwood: Vehicle licensing is delivered in Northern Ireland by the Driver & Vehicle Agency under an agreement between my Department and the Department for Transport. The Driver & Vehicle Licensing Agency (DVLA) in Swansea, which is responsible for vehicle licensing services across the United Kingdom, is nearing completion of a project to integrate the separate computer systems currently in use in NI and Britain, in order to produce an integrated system capable of meeting the vehicle licensing needs of customers throughout the UK.

In Britain, the DVLA plans to close all of its regional and local motor tax offices, transfer some functions to Post Offices, further enhance online access, and centralise remaining work in Swansea. For Northern Ireland, the DVLA has identified an option of similarly transferring remaining work to Post Offices and Swansea once access is made available to customers here.

The centralisation of work in Swansea would impact on the 323 jobs in the DVA here, provided at present by DVLA, and reduce the quality of service provided to customers locally. I am firmly opposed to this proposal because of the impact on staff in the DVA, who have consistently provided a very high standard of service, and because of the impact on the local economy, especially in Coleraine, where most of the jobs are based. I have made it clear to Ministers in London that cutting further public sector jobs would be damaging and ill-advised at a time when the Executive is working hard to stimulate and re-balance the economy, in difficult and challenging economic conditions.

Since June 2011, I have been meeting, writing to and lobbying Ministers at Westminster about this issue, and encouraging public representatives from right across the political spectrum to do likewise. I have made the argument for the retention of jobs on a consistent basis, preparing and presenting a dossier to London on the reasons why jobs should be retained.

At the meeting with Stephen Hammond, Parliamentary Under-Secretary of State at the Department for Transport, on 5 March, I outlined the commitments that had been made previously by Ministers in London, and in particular emphasised the need for detailed consultation with me and with stakeholders in Northern Ireland about the proposed changes. In particular, I emphasised the point that the potential loss of jobs had to be considered not in isolation but in the context of the wider economic, social and political impacts. Mr Hammond assured me that no decision had yet been taken on the future delivery of vehicle licensing services in Northern Ireland, and we agreed to engage further on the issue.

I have subsequently written to the Minister re-inviting the Minister to visit Coleraine and that London must hold to its 'consultation' and 'full assessment' of impact commitments.

Water Framework Directive

Mrs Hale asked the Minister of the Environment whether he has met with the Northern Ireland Environment Agency, the Department of Culture, Arts and Leisure and the Department of Agriculture and Rural Development to ensure that the target for the Water Framework Directive for 2015 is met.
(AQW 20830/11-15)

Mr Attwood: River Basin Management Plans (RBMPs), which cover the period 2009-2015 were published in December 2009 to meet the requirements of the EU Water Framework Directive (WFD).

The Plans, which cover all of Northern Ireland, identify where the water environment needs to be protected or improved, the timeframe to make these improvements and how that can be achieved. The RBMPs state that around 28% of water bodies are at good status and through the measures in the Plans the aim is to reach around 59% at good status by 2015.

The Department of the Environment is the competent authority for coordinating the implementation of the Directive and the Northern Ireland Environment Agency (NIEA) leads on this. DARD, DCAL and DRD and their agencies are co-deliverers in taking forward implementation. An Implementation Working Group and an inter-departmental Board are in place to coordinate the strategic and operational delivery of the Directive. The next meetings are scheduled for April and May respectively. This will provide a timely discussion of progress to date.

A Programme of Measures, published as part of the Plans, includes a number of new national measures which were agreed by all relevant departments and agencies through the Implementation Working Group. In November 2012, I wrote to Ministerial colleagues in DARD and DCAL highlighting their responsibilities regarding the effective implementation of the Programme of Measures, despite an unsuccessful interdepartmental bid of £8.9m. Progress on implementing the measures was reported to the European Commission in December 2012.

Planning Bill

Mrs Hale asked the Minister of the Environment to detail his Department's position on the new Planning Bill. (AQW 20831/11-15)

Mr Attwood: In bringing forward the Planning Bill the Department is seeking to accelerate the implementation of much needed reforms contained in the Planning Act (Northern Ireland) 2011 which were not due to be implemented until the transfer of planning powers to councils in 2015. The reforms include measures which will lead to faster processing of planning applications, simpler and tougher enforcement, fairer and faster appeals, enhanced community involvement and enhanced environmental measures. The Bill also underpins the role of planning in promoting economic development.

The Bill was introduced to the Assembly on 14 January 2013, the Second Stage was completed on the 22 January 2013, and Committee Stage commenced on 24 January 2013.

The Department is keen to complete the Assembly process as quickly as possible so the benefits of the reforms can be reaped at the earliest possible opportunity. This will also allow us to test the reforms on the ground and transfer a planning system that developers, applicants, elected representatives, the public and all other interested parties know and understand.

Council Allotments

Mr D McIlveen asked the Minister of the Environment how many councils provide allotments. (AQW 20839/11-15)

Mr Attwood: The Allotments Act (Northern Ireland) 1932 (as amended) enables District Councils to provide allotments at their discretion.

A number of councils have made significant provisions for allotments with which identified a total of 602 allotments in 11 Council areas in February 2012 (AQO 1420/11-15) and there is active support for provision of allotments via other groups in Antrim Council, Down Council and Newry & Mourne Council. In addition, under the 2012-13 Challenge Fund NIEA is currently providing £70,000 to support ten innovative projects which contain garden, orchard and allotment elements.

In addition, Antrim Council, Down District Council and Newry & Mourne Council are actively supporting community groups and others to make some provision.

District Council	Number of allotments in 2012
Belfast	178
Carrickfergus	189
Castlereagh	6
Derry	31
Dungannon and South Tyrone	14
Larne	8
Lisburn	53
Newtownabbey	26
North Down	18
Magherafelt	27
Strabane	52
TOTAL	602

Council Allotments

Mr D McIlveen asked the Minister of the Environment what mechanisms his Department has explored to ensure that the provision of allotments is more of a priority for local councils.

(AQW 20841/11-15)

Mr Attwood: I have previously looked at the possibility of using a range of further mechanisms including legislative ones which could encourage and support councils in providing allotments. The process to develop and agree legislative proposals for the introduction of a specific duty to provide allotments cannot be completed in a timeframe that would allow its inclusion in current legislation proposals but I keep the option "on the radar".

In addition officials in Northern Ireland Environment Agency have been working to facilitate organisations that have experience with allotments including the Federation of City Farms and Community Gardens. This Federation has established an Allotment Council Forum with representation from Councils and NGOs. We have encouraged the Forum to develop relevant projects and schemes and identified potential sources of funding that might be available to realise such schemes.

I have also made financial provisions as detailed in AQW 20839/11-15.

Shadow Council Elections

Mr Craig asked the Minister of the Environment, given that under the Review of Public Administration programme the elections for Shadow Councils are due to take place in the near future, what options are available for a Councillor Severance Package; and when consultations on these packages will take place.

(AQW 20882/11-15)

Mr Attwood: In the rundown to local government reorganisation, I intend to introduce a one-off councillor severance scheme that will recognise the contribution and commitment of those long-serving councillors who decide not to stand for election to the new councils.

I will be consulting on a range of options for the councillor severance scheme, and aim to do so imminently. Views will be sought on:

- a minimum qualifying period of no less than 12 years;
- how reckonable service is to be calculated;
- prescribed periods when councillors will be able to apply for severance;
- calibration of amounts so that councillors with fewer years of service would be entitled to a lower yearly rate; and
- a cap on individual payments.

I intend that the Regulations will be made before Summer recess.

Derelict Town Funding

Mr Weir asked the Minister of the Environment whether a further round of derelict town funding is planned; and when this funding will be available.

(AQW 20894/11-15)

Mr Attwood: Following my announcement on 4 February 2013 of a £1m funding package to tackle dereliction in Fermanagh, Down, Lisburn, Moyle and Belfast councils, further funding of £200k has been identified for properties within Newry & Mourne District Council, Limavady District Council and Belfast City Council.

I see dereliction funding as a rolling programme which I will be bidding to maintain into the next financial year and beyond. Existing bids will be reconsidered as and when further funding becomes available and Councils will have the opportunity to refresh their bids at that point if they so wish. I believe monitoring rounds provide a mechanism to roll out the scheme across the Council areas, particularly those which have not benefited to date. For a relatively small sum the dereliction fund can have a big impact. The evidence is for all to see. I hope others will back me.

Six Mile Water River

Mr Kinahan asked the Minister of the Environment what action is being taken to protect the high risk pollution hot spots on the Six Mile Water river; and what long term plans for monitoring and enforcement have been put in place.

(AQW 20900/11-15)

Mr Attwood: While the main Six Mile Water is generally of good quality, some of the river's tributaries, particularly those flowing through the heavily industrialised and heavily populated area around Mallusk, have historically been prone to water pollution incidents.

Northern Ireland Environment Agency (NIEA) has, for some years, had an intensive programme of proactive pollution prevention on the Six Mile Water and its tributaries. This included, dedicating staff to visit all business premises in the Mallusk area to check for pollution risks, collating an inventory of all potentially polluting material used or stored in the area, and checking the layout of all drainage in the area. Where pollution risks were identified these were, so far as possible, remedied.

This work programme has reduced the incidence of water pollution in the catchment and has improved NIEA's ability to track the source of any pollution occurring in the catchment.

NIEA works closely and directly with industry and stakeholders such as anglers to improve the overall quality of the river catchment; for example through the establishment of the Six Mile Water River Trust. NIEA's support of the establishment of the Six Mile Water Trust included providing start-up funding and secretarial support until the Trust was well established. The Agency continues to be an active participant in the Six Mile Water River Trust and is committed to continuing to work with local stakeholders to ensure the river is protected.

NIEA also has a robust enforcement policy, whereby for all medium and high severity pollution incidents where the polluter is identified, are subject to appropriate enforcement action against the polluter, which includes prosecution, in more serious incidents. In the period 2006 to the present this has resulted in 15 prosecution cases being taken to court for pollution within the Six Mile Water and its tributaries.

NIEA carries out water quality sampling at approximately 500 river sites for chemical analysis and 460 river sites for biological analysis across Northern Ireland, including 16 sites in the Six Mile Water. This includes chemical monitoring for a variety of general chemical quality elements including pH, Ammonia and Dissolved Oxygen. In addition, a further rolling programme monitors for substances defined by the Water Framework Directive as specific pollutants and priority substances at some stations, which includes trace organic compounds and metals.

Biological water quality sampling is carried out, for macro-invertebrates (aquatic insects), Macrophytes (aquatic plants), phytobenthos (diatoms) and fish. Hydromorphology (river structure) is also monitored.

NIEA also supports a Riverfly Monitoring Initiative involving members of the Six Mile Water Trust who regularly inspect sites to count invertebrates and help assess water quality.

River Basin Management Plans (RBMPs) for Northern Ireland were published in December 2009. The RBMPs are being implemented through Local Management Area (LMA) action plans during the 2009 to 2015 planning cycle. The action plan for the Six Mile Water LMA has been drafted and is due to be published by 31 March 2013. Actions include additional targeted biological monitoring, awareness raising, targeted river walks to identify individual pollution hotspots and inspections of premises with the potential to cause water pollution.

Detailed monitoring plans for the second RBMP period (2015-2020) will be formulated next year. At this stage, there are unlikely to be major changes to the monitoring network but the elements monitored at some stations may change, dependent on what are perceived to be the most significant pressures on water quality in a particular area.

Looking forward, and as already outlined above, I can assure you that my Department is committed to continuing its intensive proactive pollution prevention work throughout the entire Six Mile Water catchment, working closely with local industry, anglers and others to improve water quality within the catchment, and will continue to take robust enforcement action against polluters wherever it is warranted.

Water Framework Directive

Mrs Hale asked the Minister of the Environment whether his Department will face infractions if the EU target in the Water Framework Directive is not met.

(AQW 20901/11-15)

Mr Attwood: To date, the Department has implemented measures and produced progress reports in accordance with the targets and timetable set out in the Water Framework Directive.

The European Commission will assess progress across all member states at the end of the first river basin planning cycle in 2015. At this stage there is no indication as to whether the Commission will initiate infraction proceedings against the UK or other member states.

Minerals Planning Applications

Mr Agnew asked the Minister of the Environment, pursuant to AQW 17637/11-15, which minerals planning applications have been reviewed by the Compliance, Improvement and Review Team in the Planning Policy Division; and what were the outcomes of these reviews.

(AQW 20928/11-15)

Mr Attwood: In my response to AQW 17636/11-15, I had indicated that the exercise to check that the screening for an Environmental Statement considered all relevant issues was carried out by the staff in the Strategic Planning Division's Minerals Team with assistance from the Development Management Guidance Team where required.

I had indicated in answer to AQW 20450/11-15 that this exercise was not a formal review and that I was satisfied that it had been carried out in a thorough professional manner. In relation to this exercise I can confirm that the Compliance, Improvement and Review Team in the Planning Policy Division was not involved in this exercise.

CIRT has a wider role in auditing all types of planning applications (including minerals) as part of an ongoing Audit programme. There is an ongoing audit of minerals files as part of this programme but this has not been completed.

DOE: Marine Division

Mr Weir asked the Minister of the Environment, pursuant to AQW 17596/11-15, from which divisions within his Department will the 65 staff be drawn.

(AQW 20959/11-15)

Mr Attwood: When the Marine Division was established on 29 October 2012, 50 staff members were relocated from Divisions within the Department, as detailed below:

Departmental Division / Directorate	Number of staff relocated to establish Marine Division
Environmental Protection Directorate	28
Natural Heritage Directorate	8
Planning Policy Division	6
Strategic Planning Division	5
Local Planning Division	1
Environmental Policy Division	1
Human Resource and Organisational Change Division	1
Total	50

One member of staff has since transferred out of the Marine Division. This leaves 16 vacancies to be filled in line with the NICS vacancy management policy. To date, 6 of these have been filled as follows:

Departmental Division / Directorate	Number of staff who transferred to vacant posts
Natural Heritage Directorate	3
Environmental Crime Unit	1
Environmental Protection Directorate	1
Local Planning Division	1
Total	6

Work is ongoing to fill the remaining 10 vacancies in line with the NICS vacancy management policy.

Shadow Council Elections

Mr Campbell asked the Minister of the Environment what the remuneration levels will be for people elected in the shadow council elections in 2014.

(AQW 20967/11-15)

Mr Attwood: I am in the process of establishing a panel, using the public appointments procedure, to conduct a review of councillors' remuneration and to advise me on the system and level of allowances appropriate for the new councils.

I will be asking the panel to make recommendations that will fairly reflect the roles and responsibilities that councillors will be taking on in the new councils, post re-organisation. The panel will also consider the allowances that should be paid during the shadow period following the local government elections in 2014.

The recruitment panel is currently interviewing for the panel and chairperson posts. The panel, which will be given six months to submit its final recommendations, will comprise a chairperson and four members who are expected to take up post on 1 May 2013.

Lung and Heart Disease

Mr D McIlveen asked the Minister of the Environment whether he is working with the Department of Health, Social Services and Public Safety to raise awareness of the steps that people with lung or heart disease can take to combat the effects of high air pollution levels.

(AQW 20990/11-15)

Mr Attwood: Officials in my Department work with their counterparts in the Department of Health, Social Services and Public Safety (DHSSPS) to ensure that targeted, effective air quality advice is issued to the general public.

When levels of air pollutants are high, my Department issues alerts to the local press and contacts DHSSPS. These high air pollution alerts contain advice for vulnerable individuals, such as those with heart or lung conditions, who may experience an increase in their symptoms. The advice, which has been agreed with DHSSPS, sets out steps which individuals may wish to take to minimise their exposure to the pollutants, or to reduce or alleviate any resultant symptoms. This advice is also available on the NI Direct webpage: <http://www.nidirect.gov.uk/air-pollution-and-health>

In addition members of the public can access the Department's air quality website (www.airqualityni.co.uk) to find out current or forecast air pollution levels in their area. Alternatively they can dial a freephone number: 0800 556677 to hear this information.

Plastic Bag Levy

Mr D McIlveen asked the Minister of the Environment what environmental programmes and activities will be funded by the proceeds of the plastic bag levy.

(AQW 20991/11-15)

Mr Attwood: The 5p carrier bag levy will apply to new single use carriers bags made of plastic, paper or natural materials.

In terms of how the revenue will be used, the types of programmes that I am considering funding are those that support communities and businesses to generate improved environmental outcomes. For example:

The creation of a new River Restoration Fund to allow local communities, angling groups and voluntary environmental organisations to run small projects which will improve local river water quality and ecological status and thereby contribute to implementing the objectives of the EU Water Framework Directive;

The creation of a new Sustainability Innovation Fund to support community groups, business and others who need financial support to implement initiatives which have the potential for innovation which can generate transformational environmental change with economic and social benefits;

Increased grants from the Community Challenge Fund to deliver a range of practical, local environmental projects through a broad range of not-for-profit groups including; voluntary and community groups, schools, charities and environmental trusts;

Increased grants from the Natural Heritage Fund to encourage the conservation and enhancement of key elements of the environment and its wildlife and provide facilities which help as wide a range of people as possible to enjoy and appreciate our natural heritage; and

Increased grants available from the Rethink Waste Fund to address the need to prevent waste arising and to increase the amount of waste re-used or recycled.

The levy will be used to fund additional environmental activity and will be deployed to support actions by people and organisations in Northern Ireland with proposals to improve environmental outcomes.

Transgender Community

Ms Maeve McLaughlin asked the Minister of the Environment, in terms of its legal obligation under Section 75 of the Northern Ireland Act 1998, how his Department consults with the transgender community.

(AQW 21000/11-15)

Mr Attwood: The Department recognises the importance of consultation in all aspects of the implementation of its statutory equality duties and is committed to carrying out consultation in accordance with the Equality Commission's guidance 'Section 75 of the Northern Ireland Act 1998 – A Guide for Public Authorities (April 2010)'.

The Department maintains a list of all S75 statutory consultees, including those representing the transgender community, and on a quarterly basis, issues its Advance Notice of Consultation which notifies them of consultations which are expected to take place over the next three months. Thereafter, to ensure the most effective use of our resources and those of the consultees, we take a targeted approach to consultation for those who may have a particular interest in the policy under consultation. I had a meeting with The Rainbow Project recently to discuss how the Department might consider the needs of the Lesbian, Gay, Bisexual and Transgender communities in relation to Community Planning and Local Government Reform.

The Department holds an Equality Forum annually to which S75 representative groups are invited to attend. Consultation is a standard agenda item at these meetings. The Rainbow Project was represented at the meeting held in June 2012.

In addition, I have held a series of meetings with 'The Rainbow Project' on a range of issues, including RPA/ Community planning which is relevant to all Ministers.

Carrier Bag Levy

Mr McNarry asked the Minister of the Environment what are the administrative costs associated with the carrier bag levy which is due to be introduced on 8 April 2013.

(AQW 21030/11-15)

Mr Attwood: A budget of £0.575m has been allocated for 2013-14 for the administration costs of the carrier bag levy team to cover salary and non salary running costs. The main focus of the team will be to oversee implementation and administration of the levy.

Carrier Bag Levy

Mr McNarry asked the Minister of the Environment what are the income projections from the carrier bag levy which is due to be introduced on 8 April 2013.

(AQW 21031/11-15)

Mr Attwood: The primary purpose of the levy is to protect the environment by reducing the estimated 250 million bags used in Northern Ireland every year. The amount of revenue raised through the levy will be dependent on how shoppers adjust their behaviour in response to the levy. Total revenue estimates, based on evidence from other jurisdictions with similar arrangements, are £2.3m in 2013/14 and £4.6m in 2014/15.

Carrier Bag Levy

Mr McNarry asked the Minister of the Environment what were the results of the environmental impact assessment carried out on the carrier bag levy.

(AQW 21032/11-15)

Mr Attwood: The Department produced a Regulatory Impact Assessment as part of its public consultation on the Single Use Carrier Bags Charge Regulations (Northern Ireland) 2013.

The Impact Assessment considered a range of issues including the costs and benefits of introducing a levy, the impact on retailers and consumers, and the potential impact of the levy on the environment.

Based on experience in other jurisdictions, the assessment assumed an 83% reduction in single use carrier bag consumption. The assessment took account of the cost of carbon emissions and the cost of abating air pollution from the carrier bag production process. The analysis also considered the costs associated with waterborne pollution, landfill and cleaning public spaces (streets and beaches).

As a result of reduced carrier bag consumption, the levy is expected to deliver an overall net benefit to the environment, even when increased consumption of substitute products (such as bin liners) is taken into account.

While the environmental cost of substitute products (bin liners and reusable carrier bags) is expected to increase (estimated at £3.1m per annum) this should be more than offset by the environmental benefit of reduced single use carrier bag consumption (estimated at £8.7m per annum). Therefore the net benefit to the environment (through reduced carbon emissions, air & water pollution, and clean up costs) in monetary terms was estimated at £5.6m per annum. This equates to around £8 per household per annum.

In addition to the above savings, the carrier bag levy will reduce the amount of virgin raw materials used in the production of carrier bags and generate revenue to fund environmental programmes and activities in local communities.

Council Allotments

Mr Weir asked the Minister of the Environment what grants are available to councils or groups to increase the number of allotments in their areas.

(AQW 21098/11-15)

Mr Attwood: There are no grants available that are directly aimed at increasing the number of allotments available in council areas. However, grants available to groups under the Northern Ireland Environment Agency's Challenge Fund programme launched in 2011 and extended in 2012 have supported a wide range of environmental projects including a number of schemes with a community garden or allotment element.

Review of Public Administration

Mr Weir asked the Minister of the Environment what subordinate legislation his Department will need to introduce to implement the Review of Public Administration for local government.

(AQW 21099/11-15)

Mr Attwood: Pursuant to my answer to AQW 17190/11-15 subordinate legislation will be required on the following:

- Statutory Transition Committees – to provide for the establishment and operation of these committees, as provided for in the Local Government (Miscellaneous Provisions) Act (Northern Ireland) 2010.
- Shadow arrangements – to make the necessary arrangements for the operation of the 11 new councils during the shadow period.
- Governance arrangements – to set out the demarcation of those functions that may be the responsibility of the executive and those that may not; the procedures in relation to access to meetings of and information relating to executive decision-making; and the specification of matters which must be included in a council's standing orders.
- Community planning – to specify the bodies which must participate in community planning.
- Severance - to provide for the award of severance payments to councillors who decide not to seek re-election to the new councils.

The subordinate legislation to commence all the sections of the Planning Act (Northern Ireland) 2011 to enable the new councils to operate as local planning authorities was set out in my response to AQW 13738/11-15 on 14 September 2012.

Other Ministers may also need to bring forward subordinate legislation in order to transfer functions for which they are responsible to local government.

A2 Bangor Road

Mr Agnew asked the Minister of the Environment for his assessment of the Planning Appeals Commission Appeal Decision 2011/A0251, paragraph 6; and, in relation to the A2 Bangor Road, whether the Belfast Metropolitan Area Plan has been, or will be, amended to identify and prepare local policies for those stretches of a Protected Route that will be subject to further access restrictions beyond those set out in Policy AMP3.

(AQW 21118/11-15)

Mr Attwood: I would refer you to my previous reply to you dated 18 February 2013 in respect of the same issue tabled under AQW 18646/11-15.

Wind Farm Applications

Mr B McCrea asked the Minister of the Environment, pursuant to AQW 20201/11-15, why the 14 applications were withdrawn. **(AQW 21165/11-15)**

Mr Attwood: An applicant or their agent can withdraw a planning application at any stage in the planning process prior to a decision notice issuing. There is no requirement for the applicant/ agent to advise the Department of the reason for the withdrawal.

Since 2008 a total of 14 planning applications for windfarms have been withdrawn. 7 were withdrawn following discussion with the Department regarding concerns relating to the impact of the development, 1 sought to submit a revised application, 1 did not wish to submit an Environmental Statement and the remaining 5 did not indicate any reason for the withdrawal.

MOT Testing: Exemption of Pre-1960 Vehicles

Mr Frew asked the Minister of the Environment for an update on the exemption of pre-1960 vehicles from the MOT test. **(AQW 21246/11-15)**

Mr Attwood: I have answered this question a number of times, most recently in AQW 20797/11-15.

The Department has consulted on possible exemption of certain categories of historic vehicles from MOT testing. The responses indicated that there is broad support for exemption of pre-1960 vehicles from periodic testing, in line with the British Government's exemption which has been in place since 18 November 2012.

The Environment Committee has indicated that it is content with the Department's proposed way forward following the consultation, which is to make use of the exemption in Roadworthiness Directive 2009/40/EC concerning the periodic testing of pre-1960 vehicles.

However on 13 July 2012, the European Commission published a 'Roadworthiness Package' which, amongst other things, addresses periodic roadworthiness tests for motor vehicles, therein making changes to the rules that apply to historic vehicles; the proposals are expected to be introduced no earlier than August 2014.

If implemented as then drafted, these proposals would narrow the parameters within which the Department can provide for exemptions to historic vehicles, as the definition of a historical vehicle was more prescriptively described. While the Department's policy intentions remained the same; that is to make exempt pre-1960 vehicles from the MOT regime, we had to be mindful of the changing legislative context, to ensure that any changes we make are not made redundant by incoming EC Regulations.

Following receipt of a further update on the EU negotiations regarding the roadworthiness package, one of the main amendments in which was a change to the definition of "historic vehicles" which allows vehicles that have not undergone "substantial" changes to be still classed as historic, I have instructed officials to proceed with legislative amendment to exempt pre-1960 vehicles from the MOT test.

We have now resolved some outstanding issues with Departmental Solicitors, including provision for a voluntary MOT test for such vehicles (for purposes including cherished plate transfer; this is an area where Northern Ireland law differs from British law). The Department will now amend the relevant legislation to exempt pre-1960 motor and light goods vehicles from MOT testing. My officials will provide the Environment Committee with the required SL1 before the Assembly summer recess and I anticipate the legislation will be in place by autumn 2013.

Vehicle Regulations

Mr Hilditch asked Minister of the Environment for an update on the progress of the new vehicle regulations which will allow taxis to provide different types of services.

(AQW 21328/11-15)

Mr Attwood: Single tier licensing was originally part of the Taxi Vehicle Regulations. However in order to consolidate Taxi Operator licensing which was introduced in September 2012, I plan to introduce a new single tier taxi licensing in September 2013. The timing of the new single tier regime change will be subject to the legislative scrutiny process.

Single tier licensing is the largest change in the reform programme for users of taxis, and will give the consumer greater choice as to how they engage with the taxi industry allowing for a more flexible approach to travel by taxi as the passenger will be able to get a taxi when they want it without having to plan and book in advance. This greater flexibility should mean that there will be more taxis available at times of peak demand.

In addition, the Department is seeking to ensure that chauffeur services will not be required to display a roof sign under the single tier system.

The Taxi Vehicle Regulations include provisions for special occasion vehicles licence arrangements and wheelchair accessible vehicle specification and are due to be implemented in September 2014.

The introduction of a licensing regime for special occasion vehicles will begin to differentiate between special occasion and novelty vehicles licensed as taxis but providing different types of services. The regulations will also allow them to be tested and licensed differently according to the service they provide.

I have commissioned a review of Wheelchair Accessible Taxis (WAV), with the objective to produce a thoroughly researched modern accessible vehicle specification. Once this process is completed, I would intend that the WAV requirements will be included in the Taxi Vehicle Regulations. This will allow all taxi vehicle changes to be implemented simultaneously, which will facilitate the industry in terms of understanding compliance issues and timetables

In delivering the changes in this controlled manner I am confident that my Department can deliver a new modern taxi licensing framework which will offer consumer a range of services that are affordable and will improve customer confidence.

Department of Finance and Personnel

Emergency Workers: Retirement Age

Mr McKay asked the Minister of Finance and Personnel what consideration he will give to the retirement age of emergency workers, such as firefighters, when bringing forward legislation on public service pensions and the effect that a later retirement age could have on public safety.

(AQW 20646/11-15)

Mr Wilson (The Minister of Finance and Personnel): In taking account of the unique characteristics of the services provided by firefighters, and also police officers the Public Service Pensions Bill will contain concessions on the policy to link normal scheme pension age to State Pension Age for all Public Service for both groups. The Bill will specify a normal scheme pension age of 60 for firefighters from April 2015. This represents no material change to the existing pension age of 60 introduced for newly recruited firefighters since 6 April 2006. The Bill will also specify a normal pension age of 60 for police officers from 1 April 2015. A normal pension age of 55 currently applies for new police officers recruited since 6 April 2006.

These provisions are in line with the Public Service Pension Commission recommendation to adopt a pension age of 60 for the uniformed services as a whole. The report did not recommend any concession from the central recommendation to link normal scheme pension age to State Pension Age for any other public service employments outside of the categories for Police Officers, Firefighters and the Armed Forces.

Transitional measures incorporated in the Assembly Bill will have the effect of ensuring Firefighters and Police Officers, who are within ten years of the normal pension age for their current scheme as at April 2012, will retain the pension age entitlement associated with their current scheme. For those in service prior to 6 April 2006 this provides an earlier pension age of at least 55.

It is appropriate that full consideration should be given to issues of public safety connected with the provision of these emergency services. The new schemes for Firefighters and Police Officers, which will be created under the Public Service Pensions Bill, will specify that pension age must be subject to regular review. These reviews will provide an opportunity to consider available evidence on any factors which may be shown to diminish an individual's ability to meet the occupational demands and fitness standards of these workforces. Where proven impacts are demonstrated Departments with responsibility for these schemes will need to take full account of the evidence available to ensure there is no risk to public safety.

Scheme provisions will be reviewed and adapted as necessary to accommodate any changes required in the interest of ensuring employee safety and public safety is not diminished.

Welfare Reform Bill

Mr Agnew asked the Minister of Finance and Personnel what would be the cost to the Block Grant of not introducing the Welfare Reform Bill.

(AQW 20943/11-15)

Mr Wilson: At this stage I cannot give a definitive figure on the cost to the Block of not introducing the Welfare Reform Bill. However the costs are likely to be substantial and well beyond what the Executive can reasonably afford. The anticipated total cost comprises a number of elements.

Firstly, failure to implement the Welfare Reform Bill would likely be deemed to represent a breach of parity in relation to social security policy and the UK Government may therefore deem it appropriate to penalise the Executive through reducing the level of funding available to the Northern Ireland Block. The extent of such a penalty would be a decision for the UK Government.

It would also be for the Executive to fund the significant additional costs of all local social security policies that represent a departure from those that apply in the rest of the UK. This could amount to hundreds of millions of pounds.

Furthermore, failure to implement the Welfare Reform Bill would result in significant additional IT and administration costs for the Executive as we could no longer utilise the systems operated by the Department of Work and Pensions whose systems will have been updated to accommodate welfare reform changes.

I also have a concern that failure on the part of the Executive to implement welfare reform changes consistent with the rest of the United Kingdom will also damage relations with the UK Government - hindering our ability to achieve favourable outcomes for Northern Ireland on a range of other issues of strategic importance to the Executive and the people of Northern Ireland.

Small and Medium-sized Enterprises: Rates Reduction

Mr McGlone asked the Minister of Finance and Personnel what consideration will be given to a rates reduction for small and medium-sized enterprises to assist them in the current financial climate.

(AQW 20956/11-15)

Mr Wilson: There are already several rate relief schemes currently in place to help the business sector in these difficult times.

These include small business rate relief, industrial derating, empty shops rates concession and empty property rate relief.

More than 50% of businesses now receive some form of relief through the rating system.

Earlier this year in my statement on rating matters I announced my intention to extend the empty shops rates concession until the end of the budget period. I also informed Members that the small business rate relief scheme would be expanded to include an additional 3,600 businesses. From 1st April 2013, 24,000 businesses will benefit from this scheme.

In addition to these schemes the regional rate has been frozen in real terms throughout the budget period. As part of the overall four year budget the Executive has agreed that rates should be held at the rate of inflation, through to the 2014/15 rating year, providing certainty and stability for ratepayers in terms of financial planning.

I believe that the range of measures described above are the right mix of policies that put business needs first, recognising that there are limits to the concessions we can make while still raising enough money to help pay for essential public services and investment in infrastructure.

My Department has no plans to provide any further relief to businesses at this time.

VAT Reduction

Mr McGlone asked the Minister of Finance and Personnel what consideration has been given to seeking a reduction in VAT for businesses connected to tourism.

(AQW 20957/11-15)

Mr Wilson: This issue was debated in the Assembly on 10th September 2012 and a Motion was passed which called on the Executive to pursue the case for a reduced rate of VAT for tourism related products and services in Northern Ireland with HM Treasury.

I subsequently wrote to the Exchequer Secretary, David Gauke MP, on this basis and he responded on 16th October 2012. He indicated that any reduction under EU law would need to be applied across the UK as a whole which would be very costly at a time when the Government's priority was to tackle the budget deficit. Consequently, I have no expectation that the Government would be willing to consider such a VAT reduction any further at this time.

Youth Unemployment

Mr Easton asked the Minister of Finance and Personnel what is the current level of youth unemployment.

(AQW 20970/11-15)

Mr Wilson: Official statistics on youth unemployment are sourced from the Labour Force Survey (LFS). The most recent results from the LFS indicated there were an estimated 24,000 persons aged 18-24 who were unemployed in the period November 2012-January 2013. This represented 23.8% of the economically active (i.e. those employed or unemployed) population aged 18-24.

Transgender Community

Ms Maeve McLaughlin asked the Minister of Finance and Personnel, in terms of its legal obligation under Section 75 of the Northern Ireland Act 1998, how his Department consults with the transgender community.

(AQW 21001/11-15)

Mr Wilson: My Department's Equality Scheme contains our commitment to consult with all Section 75 consultees as a matter of course. We also use a targeted approach to consult with those who may have a specific interest in a particular matter to ensure that those directly affected by any proposal will have an opportunity to comment.

We achieve this with the use of an extensive consultation database that includes relevant organisations.

We follow the Equality Commission's guidance on consultation 'Section 75 of the Northern Ireland Act 1998 – A Guide for Public Authorities (April 2010)'

Legislative Consent Motion

Mr Allister asked the Minister of Finance and Personnel to outline the consequences of a Legislative Consent Motion not being agreed in respect of the Westminster Defamation Bill; and whether his Department has any legislative plans in this area.

(AQW 21014/11-15)

Mr Wilson: In the absence of a legislative consent motion, the Defamation Bill does not extend to Northern Ireland and the law of defamation in Northern Ireland remains unchanged.

The Scottish Government has agreed to extend a very limited number of provisions in the Bill to Scotland and those provisions essentially deal with statements or reports which arise in the scientific or academic field.

There are no plans to review the law of defamation in Northern Ireland. However, my Department will continue to monitor developments in other jurisdictions.

Defamation Bill

Mr Nesbitt asked the Minister of Finance and Personnel what action he has taken on the extension of the Defamation Bill to Northern Ireland.

(AQW 21041/11-15)

Mr Wilson: The origins of the Defamation Bill are to be found in a coalition promise to review the law on defamation in England and Wales. The extensive consultation was confined to that jurisdiction and the provisions in the Bill have obviously been developed against the backdrop of the civil justice system of England and Wales. My Department considered the extension of Clause 7 of the Bill (statutory privilege), which could have been applied in the Northern Ireland context. However, it was unable to secure an Executive decision within the required timescale and a legislative consent motion in respect of that Clause was not, therefore, pursued.

There are no plans to review the law of defamation in Northern Ireland. However, my Department will continue to monitor developments in other jurisdictions.

Northern Ireland Civil Service: Equal Pay Settlement

Mr Hussey asked the Minister of Finance and Personnel (i) how many staff within his Department, who were on secondment to the Publicity Association Northern Ireland or the Northern Ireland Office between 2003 and 2009, were paid mistakenly both limbs of the settlement under the agreed 2009 NICS Equal Pay Settlement; (ii) how much was paid to these members of staff; (iii) from where the money that was paid in error was found; and (iv) whether HM Treasury has requested that the money is clawed back.

(AQW 21048/11-15)

Mr Wilson: I am not aware of any payments made in error to staff seconded to the NIO or to the Publicity Association of Northern Ireland.

Profoundly Deaf People

Mr Allister asked the Minister of Finance and Personnel what is the unemployment rate among people who are profoundly deaf.

(AQW 21081/11-15)

Mr Wilson: The official measure of unemployment is sourced to the Northern Ireland Labour Force Survey (LFS). The LFS asks respondents to detail their main health problem however there is no breakdown for those that are profoundly deaf. The category used in the LFS is 'difficulty in hearing'. However, the LFS sample size and design does not support the production of sufficiently reliable estimates for those who have difficulty in hearing given the small numbers recorded.

As an alternative, information is available from the Northern Ireland Census of Population. The 2011 Census asked respondents to indicate if they experienced 'deafness or partial hearing loss'. Census results published to date show that just over 93,000 people do so in Northern Ireland. The next Census release, to be published over the summer, will cross-tabulate

Census variables and could be used to determine a Census Day unemployment rate among adults who experience 'deafness or partial hearing loss'.

Domestic and Non-domestic Rates

Mr Weir asked the Minister of Finance and Personnel to detail the percentage variance in (i) domestic; and (ii) non-domestic rates between each of the proposed eleven shadow council clusters.

(AQW 21097/11-15)

Mr Wilson: The percentage variance in (i) domestic and (ii) non-domestic rates between each of the proposed eleven shadow council clusters is not available. The rates to be struck by the eleven cluster councils will depend on a range of issues such as the level of services to be provided, the cost of these services, taking into account any efficiencies which may be gained by the cluster councils, and the value of the tax base which will be affected by the outcome of the Non-Domestic Revaluation due to come into effect in April 2015.

Narrow Water Bridge

Ms Ruane asked the Minister of Finance and Personnel, in light of the Special EU Programmes Body audit which clarified that all proper procedures were followed in the funding application for the Narrow Water Bridge project, when his Department will issue a Letter of Offer confirming that funding will be made available for this project.

(AQW 21103/11-15)

Mr Wilson: The audit report commissioned on the Narrow Water Bridge assessment process concluded correct procedures were followed in the appraisal of the application, procurement and appointment of the independent advisor, however, as an agreed element of the INTERREG IVA Programme assessment process a full rigorous accountable department role must be completed. DFP is currently undertaking this role.

A decision will be taken on the project when all relevant information is in place to do so.

Economic Advisory Group Report

Mrs Overend asked the Minister of Finance and Personnel whether he will implement the relevant recommendations in the Economic Advisory Group's Review of Access to Finance for NI Businesses report.

(AQW 21104/11-15)

Mr Wilson: My Department along with the Department for Enterprise, Trade and Investment is currently considering the Economic Advisory Group's report. We broadly accept its recommendations and are currently considering how they might best be implemented.

Economic Inactivity

Mrs Overend asked the Minister of Finance and Personnel to detail the level of Economic Inactivity in each of the last 10 years; and to detail how this rate compares to (a) England (b) Scotland and (c) Wales over each of those years.

(AQW 21106/11-15)

Mr Wilson: Estimates of the levels of economically inactive people in each of the last 10 years are sourced from the Labour Force Survey (LFS).

The table below details the level of economic inactivity in Northern Ireland for last 10 years in comparison to England, Scotland and Wales.

	Northern Ireland	England	Scotland	Wales
2012	27.3%	21.8%	23.4%	24.8%
2011	27.3%	22.8%	22.5%	24.7%
2010	28.4%	23.0%	22.6%	26.1%
2009	30.3%	22.9%	22.6%	26.8%
2008	29.7%	22.4%	22.6%	26.2%
2007	29.1%	22.7%	22.1%	27.0%
2006	29.0%	22.7%	21.9%	26.1%
2005	29.7%	22.9%	23.0%	26.7%
2004	29.2%	22.9%	22.5%	26.6%
2003	30.2%	23.0%	23.8%	26.3%
2002	28.8%	22.7%	22.9%	26.9%

Libel Laws

Mr Agnew asked the Minister of Finance and Personnel for his assessment of the implications of Northern Ireland having different libel laws from the rest of the UK, particularly in relation to UK wide publications.

(AQW 21117/11-15)

Mr Wilson: The Scottish Government has agreed to extend a very limited number of provisions in the Defamation Bill to Scotland and those provisions essentially deal with statements or reports which arise in the scientific or academic field. It is not the case, therefore, that Northern Ireland is out of step with the rest of the UK. Each of the constituent jurisdictions has, and will continue to have, its own laws.

The challenges which are presented at a cross-jurisdictional level, either at a national or international level, are by no means new. However, over the years our justice systems have developed ways of addressing those challenges.

Our law of defamation is largely covered by the common law, rather than statute, and it could be argued that the flexibility which the common law offers is an advantage in that it allows the law to be quickly adapted or developed to address new issues, including any issues which may arise on foot of the proposed changes to the law in England and Wales.

DFP: Public Consultations

Mr Nesbitt asked the Minister of Finance and Personnel to detail (i) the number of public consultations undertaken by his Department, in each year since 2007; (ii) the type of consultation; and (iii) the total cost of each consultation.

(AQW 21142/11-15)

Mr Wilson: The number, type and cost of public consultations undertaken by my Department in each calendar year since 2007 are detailed in the table attached.

Year	Title of Public Consultation	Cost of Public Consultation (£)
2007	Executive Review of Rating	2,000
	Budget 2007	Nil
2008	Lone Pensioner Allowance	500
	Reduction of Max Cap	500
	Rating of Empty Homes	500
	Rates Deferment	500
	Data Sharing	500
	Green Rebates	500
	The Building (Amendment) Regulations (NI) 2010	150
	Electronic Land Registration	645
	Missing Persons – A Consultation on the draft Presumption of Death Bill (Northern Ireland) 2008	993
Pleural Plaques	1,769	
2009	Decapitalisation Rate for Specialised Properties	Nil
	Microgeneration	Nil
	Dormant Accounts Scheme Consultation on Spending Priorities for NI	1,281
	Review of 2010-11 Spending Plans	853
	'Improving Payment Practices in the Construction Industry in Northern Ireland: April 2009'.	20,600
	Equality Statistics for the Northern Ireland Civil Service	Nil
	Analysis of Sickness Absence in the NI Departments and Personnel Statistics for the 11 NI Departments	Nil
	Statistics on Employment in the NICS	Nil
	Northern Ireland Multiple Deprivation Measure 2009 Consultation	2,112

Year	Title of Public Consultation	Cost of Public Consultation (£)
2010	Draft Budget 2011-15, Spending and Savings Proposals within DFP	Nil
	Landlord Allowance	500
	Budget 2010	21,113
	The Building (Amendment No.2) Regulations (NI) 2010	150
	The Building Regulations (NI) 2011 Phase 1 Consultation Process	150
	Draft Damages (Asbestos-related Conditions) Bill (Northern Ireland) (2010)	1,033

Year	Title of Public Consultation	Cost of Public Consultation (£)
2011	Rating of Commercial Premises	2,000
	The Road Traffic (Financial Penalty Deposit) (Interest) Order (Northern Ireland)	Nil
	The Building Regulations (NI) 2011 Phase 2 Consultation Process	150
	Pay Statistics for the NICS	Nil
	Cessation of the Northern Ireland Abstract of Statistics Online	Nil
	Consultation on draft statutory guidance on forced marriage	1,027
2012	Consultation on Increased Member Contributions 2012-2013	Nil
	Reflections on future European Funding Priorities	Nil
	Dormant Accounts Proposed Appointment of the Ulster Community Investment Trust	1,727
	Consultation on proposals to amend the Scheme for Construction Contracts in Northern Ireland Regulations 1999	3,000
	The Energy Performance of Buildings (Certificates and Inspections) (Amendment) Regulations (NI) 2013	320
	The Building (Prescribed Fees)(Amendment) Regulations (NI) 2013	320
	Call for evidence on the Common European Sales Law	Nil
	Consultation on the law of damages	1,082
2013	Northern Ireland Executive Welfare Reform: Rate Rebate Replacement Arrangements Preliminary Consultation Paper, January 2013	1,500
	Consultation on Increased Member Contributions 2013-2014	Nil
	Consultation on Proposals to Reform Public Service Pensions from April 2015	Nil

Redundant People's Properties

Ms McGahan asked the Minister of Finance and Personnel whether he has considered measures to assist people who have been made redundant and whose properties have dropped in market value as a result of the collapse of the property market. (AQW 21153/11-15)

Mr Wilson: Help in meeting housing costs is already available through both the benefits and rating systems for people that have lost their jobs. In certain circumstances, support towards mortgage interest payments or loans of up to £200,000 can be provided by the Social Security Agency to someone in receipt of income-based Jobseekers allowance.

And in terms of the rates element of housing benefit, around a quarter of households have their rates bill paid for them either fully or in part including many people in unemployment. Indeed, most people in unemployment will automatically get full rates support unless they have another form of income. We also have the rate relief scheme which helps those just outside the housing benefit thresholds – this has seen applicable households save £170 per year.

Beyond this support with ongoing housing costs, the Executive does not have any role to play in providing assistance or compensation for falling house prices which have unfortunately affected the property market generally in Northern Ireland.

Carbon Price Floor Tax

Mr Allister asked the Minister of Finance and Personnel, in relation to the assurance that Northern Ireland would be exempt from the Carbon Price Floor (CPF) tax, (i) for an update on the negotiations with the EU; and (ii) whether the CPF tax will be applied in April 2013 or when an exemption will be in place.

(AQW 21168/11-15)

Mr Wilson: It is Government's and our view that a Northern Ireland exemption from the Carbon Price Floor (CPF) does not represent State Aid and therefore Commission approval was not deemed necessary to proceed with this.

Therefore the Chancellor of the Exchequer confirmed in his Budget 2013 statement on 20 March that Northern Ireland electricity generators will be exempt from the CPF effective from 1st April 2013.

Northern Ireland Civil Service: Staff

Mr Beggs asked the Minister of Finance and Personnel, pursuant to AQW 6853/11-15, to detail the number of Northern Ireland Civil Service staff in post in each Department, broken down by (i) constituency; and (ii) council area at 1 April 2012.

(AQW 21204/11-15)

Mr Wilson: The number of Northern Ireland Civil Service staff in post in each Department, broken down by constituency and council area at 1 April 2012 is set out in the tables attached. The tables show an increase in the figures from 1 April 2011 which can be attributed to the inclusion of the uniformed prison staff in the Department of Justice in April 2012.

NICS Staff (Headcount) at 1 April 2012 by Parliamentary Constituency

	DARD	DCAL	DE	DEL	DETI	DFP	DHSSPS	DOE	DOJ	DRD	DSD	OFMDFM	PPS	Other*	Total
Belfast East	838	76	0	47	286	866	608	0	592	83	270	294	0	82	4042
Belfast North	35	1	0	72	0	53	0	144	94	38	449	0	0	26	912
Belfast South	69	164	2	858	155	1555	5	886	1017	703	3454	21	263	25	9177
Belfast West	0	0	0	87	0	0	0	0	1	0	1040	0	0	5	1133
East Antrim	22	0	0	65	0	1	0	30	213	12	63	0	0	0	406
East Londonderry	184	0	0	82	0	0	0	121	445	42	107	0	0	1	982
Fermanagh & South Tyrone	325	11	0	92	0	0	0	81	20	144	124	0	0	1	798
Foyle	195	0	113	136	4	177	2	78	51	68	756	3	46	0	1629
Lagan Valley	109	0	0	57	0	36	0	267	1023	51	64	0	90	0	1697
Mid Ulster	200	0	0	52	0	0	0	37	0	36	95	0	0	0	420
Newry & Armagh	218	0	0	113	4	0	0	65	31	102	163	11	53	0	760
North Antrim	120	22	0	86	5	65	0	99	29	182	81	0	63	0	752
North Down	0	0	486	29	0	225	0	6	182	12	53	0	0	0	993
South Antrim	278	0	0	43	0	0	0	34	15	90	66	0	0	0	526
South Down	68	10	0	51	0	7	0	94	14	180	115	0	0	0	539
Strangford	56	0	0	28	0	0	0	55	39	13	47	0	0	0	238
Upper Bann	101	9	0	120	0	79	0	114	41	195	163	0	0	0	822
West Tyrone	171	0	0	74	0	80	0	65	36	241	161	0	54	5	887
Unknown**	7	1	3	0	0	289	5	485	24	144	45	7	0	16	1026
Total	2996	294	604	2092	454	3433	620	2661	3867	2336	7316	336	569	161	27739

Notes

1. Data Sourced from HR Connect and Additional DOJ databases at 1 April 2012. Data includes Uniformed Prison Grades
2. Figures comprise Staff Headcount for staff working in the 13 Northern Ireland Departments and 'other' as defined in the next note:

3. 'Other' comprises civil servants working in the Health and Safety Executive for NI, the Office of the Attorney General for NI, staff of The Assembly Ombudsman for NI and, The NI Commissioner for Complaints
4. Includes NICS staff only and does not include staff on a career break.
5. 'Unknown' are staff whose work location was not recorded at the time the information was extracted by the NI Statistics and Research Agency.

NICS Staff (Headcount) at 1 April 2012 by Council Area (1)

	DARD	DCAL	DE	DEL	DETI	DFP	DHSSPS	DOE	DOJ	DRD	DSD	OFMDFM	PPS	Other*	Total
Antrim Borough Council	224	0	0	43	0	0	0	0	15	35	66	0	0	0	383
Ards Borough Council	56	0	0	28	0	0	0	55	72	13	47	0	0	0	271
Armagh City & District Council	93	0	0	38	4	0	0	35	11	55	90	11	0	0	337
Ballymena Borough Council	118	0	0	50	5	65	0	99	29	154	63	0	63	0	646
Ballymoney Borough Council	2	11	0	36	0	0	0	0	0	28	18	0	0	0	95
Banbridge District Council	0	0	0	34	0	0	0	0	3	31	50	0	0	0	118
Belfast City Council	873	241	0	989	386	2752	613	1128	1382	632	5118	315	263	138	14830
Carrickfergus Borough Council	0	0	0	37	0	1	0	6	213	0	28	0	0	0	285
Castlereagh Borough Council	69	0	2	33	55	9	0	5	326	192	42	0	0	0	733
Coleraine Borough Council	176	0	0	44	0	0	0	461	11	146	92	0	0	1	931
Cookstown District Council	138	0	0	16	0	0	0	36	0	49	15	0	0	0	254
Craigavon Borough Council	101	9	0	86	0	79	0	114	38	184	113	0	0	0	724
Derry City Council	195	0	113	136	4	177	2	78	51	68	756	3	46	0	1629
Down District Council	65	10	0	39	0	7	0	94	14	160	97	0	0	0	486
Dungannon & South Tyrone Borough Council	79	0	0	43	0	0	0	11	16	63	67	0	0	0	279
Fermanagh District Council	246	11	0	49	0	0	0	70	4	81	57	0	0	1	519

	DARD	DCAL	DE	DEL	DETI	DFP	DHSSPS	DOE	DOJ	DRD	DSD	OFMDFM	PPS	Other*	Total
Larne Borough Council	22	0	0	28	0	0	0	24	0	12	35	0	0	0	121

NICS Staff (Headcount) at 1 April 2012 by Council Area (2)

	DARD	DCAL	DE	DEL	DETI	DFP	DHSSPS	DOE	DOJ	DRD	DSD	OFMDFM	PPS	Other*	Total
Limavady Borough Council	8	0	0	38	0	0	0	12	434	15	15	0	0	0	522
Lisburn City Council	109	0	0	57	0	36	0	267	1023	51	64	0	90	0	1697
Magherafelt District Council	62	0	0	36	0	0	0	1	0	0	80	0	0	0	179
Moyle District Council	0	11	0	0	0	0	0	0	0	0	0	0	0	0	11
Newry & Mourne District Council	128	0	0	87	0	0	0	30	20	47	91	0	53	0	456
Newtownabbey Borough Council	54	0	0	42	0	0	0	34	1	66	53	0	0	0	250
North Down Borough Council	1	0	486	29	0	225	0	6	149	12	53	0	0	0	961
Omagh District Council	167	0	0	48	0	80	0	88	36	200	115	0	54	6	794
Strabane District Council	4	0	0	26	0	0	0	0	0	41	46	0	0	0	117
Unknown**	6	1	3	0	0	2	5	7	19	1	45	7	0	15	111
Total	2996	294	604	2092	454	3433	620	2661	3867	2336	7316	336	569	161	27739

Notes

1. Data Sourced from HR Connect and Additional DOJ databases at 1 April 2012. Data includes Uniformed Prison Grades
2. Figures comprise Staff Headcount for staff working in the 13 Northern Ireland Departments and 'other' as defined below:
3. 'Other' comprises civil servants working in the Health and Safety Executive for NI, the Office of the Attorney General for NI, staff of The Assembly Ombudsman for NI and, The NI Commissioner for Complaints
4. Includes NICS staff only and does not include staff on a career break.
5. 'Unknown' are staff whose work location was not recorded at the time the information was extracted by the NI Statistics and Research Agency.

Budget Statement 2013

Mr Weir asked the Minister of Finance and Personnel what are the Barnett consequential of the Chancellor's 2013 Budget statement.

(AQW 21224/11-15)

Mr Wilson: There were some £38.2 million of Resource DEL Barnett reduction consequential applied to Northern Ireland over the next two years as a result of the Chancellor's 2013 Budget. The profile of these Barnett reductions is £20.7 million in 2013-14; and £17.5 million in 2014-15.

There were also £93.7 million of additional Capital DEL Barnett consequential allocated to Northern Ireland over the next two years. However, with the exception of £0.3 million in 2013-14 and £4.0 million in 2014-15, these score as a financial transaction and can only be used to offer loans or equity investment.

Help to Buy Scheme

Mr McGlone asked the Minister of Finance and Personnel whether the Help To Buy Scheme announced by the Chancellor in the 2013 Budget will apply here.

(AQW 21247/11-15)

Mr Wilson: The Help to Buy Scheme announced in the Chancellor's Budget has two key aspects, an Equity Loan Scheme (Help to Buy: Equity Loan) and a Mortgage Guarantee Scheme (Help to Buy: Mortgage Guarantee).

'Help to Buy: Mortgage Guarantee' will be UK wide and delivered through UK lenders and will therefore be directly available to Northern Ireland house buyers.

'Help to Buy: Equity Loan' applies to England only, however the Executive received Barnett consequential on the planned expenditure in England. Locally the Executive already has the Co-ownership scheme in place and the new shared equity scheme announced in January Monitoring. It will be for the Executive to consider whether there is a need to expand the existing loan equity provision in Northern Ireland.

Contractors' Invoices

Mr Easton asked the Minister of Finance and Personnel whether all Departments are paying contractors' invoices within the 28 day target.

(AQW 21267/11-15)

Mr Wilson: I am not aware of a 28 day target. However, figures on prompt payment performance for the Northern Ireland Civil Service Departments for the 2012/13 year to date can be found on the Account NI website at: http://www.accountni.dfpni.gov.uk/nics_prompt_payment_table_2012-2013_feb_2013.pdf

DFP: Trained Staff

Mr Swann asked the Minister of Finance and Personnel, pursuant to AQW 20694/11-15, for a breakdown of the number of staff who have availed of the training in each Department.

(AQW 21272/11-15)

Mr Wilson: The breakdown of staff, by Department, who have attended the CIPFA training is as follows:-

Department	No. of Staff
DARD	5
DCAL	2
DE	110
DEL	16
DETI	34
DFP	3
DHSSPS	2
DOE	11
DOJ	39
DRD	1
DSD	23
OFMDFM	7
PPS	2

Unemployment: Foyle

Mr Durkan asked the Minister of Finance and Personnel how many people in the Foyle constituency area are unemployed.

(AQW 21308/11-15)

Mr Wilson: The official measure of unemployment is sourced to the Northern Ireland Labour Force Survey (LFS). However, the LFS is a sample survey and estimates of unemployment, at sub-NI geographies, are not sourced to the LFS because of the relatively large confidence intervals around such estimates. This is due to sample size constraints in the LFS.

The following table is sourced instead to the claimant count measure of unemployment. This shows the number of persons claiming unemployment related benefits at February 2013 and this figure as a percentage of the resident working age population.

Parliamentary Constituency Area	Claimants	
	Number	Rate
Foyle	5,943	8.8

Department of Health, Social Services and Public Safety

Pensions: North/South Bodies

Mr Allister asked the Minister of Health, Social Services and Public Safety what was the effective employer's pension contribution for staff, in terms of the percentage of pay contributed by the employer, in each North/South Body within his Department's ambit, in the last available calendar year.

(AQW 20706/11-15)

Mr Poots (The Minister of Health, Social Services and Public Safety): My Department has responsibility for one North/South body, the Food Safety Promotion Board (FSPB), also known as Safefood. The North South Pension Scheme is an unfunded scheme, so there are no employer contributions. The notional employer contribution rate for FSPB in 2012 was -0.01%.

Lyme Disease

Mr McCarthy asked the Minister of Health, Social Services and Public Safety how many cases of (i) suspected; (ii) confirmed; (iii) treated Lyme Disease have been referred to infectious disease specialists, in each of the last five years.

(AQW 20736/11-15)

Mr Poots: The information requested about cases is not held. The number of cases reported to the Public Health Agency in the last five years is as follows.

Year	Number of cases reported to the Public Health Agency
2012	2
2011	1
2010	0
2009	2
2008	0

Lyme Disease

Mr McCarthy asked the Minister of Health, Social Services and Public Safety to outline the pathway for diagnosis and treatment of Lyme Disease.

(AQW 20737/11-15)

Mr Poots: The initial detection and treatment of Lyme disease is usually the responsibility of a General Practitioner as the GP is the patient's first point of contact with the health and social care service. The Health Protection Agency (HPA) advises that anybody with clinical features suggestive of Lyme disease should be tested. Early treatment with antibiotics is recommended. In addition to the specialist advice and information provided by the HPA, further specialist opinion can be provided by infectious disease physicians if required.

There is no waiting time for the treatment of Lyme disease.

Prevention is key, and in summer 2012 the Public Health Agency issued advice to the public setting out the precautions that people can take to minimise the risk of tick bites when they are in a grassy or woodland area known to have a high tick population, i.e. wearing a long-sleeved shirt; tucking trousers into socks; using insect repellent; and checking themselves, their children and their pets for ticks.

Lyme Disease

Mr McCarthy asked the Minister of Health, Social Services and Public Safety what is the average waiting time for treatment of Lyme Disease, in each of the last three years.

(AQW 20738/11-15)

Mr Poots: The initial detection and treatment of Lyme disease is usually the responsibility of a General Practitioner as the GP is the patient's first point of contact with the health and social care service. The Health Protection Agency (HPA) advises that anybody with clinical features suggestive of Lyme disease should be tested. Early treatment with antibiotics is recommended.

In addition to the specialist advice and information provided by the HPA, further specialist opinion can be provided by infectious disease physicians if required.

There is no waiting time for the treatment of Lyme disease.

Prevention is key, and in summer 2012 the Public Health Agency issued advice to the public setting out the precautions that people can take to minimise the risk of tick bites when they are in a grassy or woodland area known to have a high tick population, i.e. wearing a long-sleeved shirt; tucking trousers into socks; using insect repellent; and checking themselves, their children and their pets for ticks.

Lyme Disease

Mr McCarthy asked the Minister of Health, Social Services and Public Safety who is responsible for the detection and treatment of Lyme Disease.

(AQW 20739/11-15)

Mr Poots: The initial detection and treatment of Lyme disease is usually the responsibility of a General Practitioner as the GP is the patient's first point of contact with the health and social care service. The Health Protection Agency (HPA) advises that anybody with clinical features suggestive of Lyme disease should be tested. Early treatment with antibiotics is recommended. In addition to the specialist advice and information provided by the HPA, further specialist opinion can be provided by infectious disease physicians if required.

There is no waiting time for the treatment of Lyme disease.

Prevention is key, and in summer 2012 the Public Health Agency issued advice to the public setting out the precautions that people can take to minimise the risk of tick bites when they are in a grassy or woodland area known to have a high tick population, i.e. wearing a long-sleeved shirt; tucking trousers into socks; using insect repellent; and checking themselves, their children and their pets for ticks.

Lyme Disease

Mr McCarthy asked the Minister of Health, Social Services and Public Safety to outline the role of the Health Protection Agency in the detection and treatment of Lyme Disease.

(AQW 20740/11-15)

Mr Poots: The Health Protection Agency (HPA) provides advice and information about Lyme disease including guidelines for health professionals on the diagnosis and treatment of the disease. The service for Lyme disease testing in the UK is delivered by the HPA.

Diagnosis of Lyme disease is complex, as is the interpretation of laboratory results. In view of the rarity of cases of Lyme disease in Northern Ireland my Department has not considered establishing a separate testing facility for Lyme disease and has no plans to consider such an investment.

McCollum Report

Mr Dunne asked the Minister of Health, Social Services and Public Safety for an update on the recommendations of the McCollum Report

(AQW 20755/11-15)

Mr Poots: I responded to the All Party Group on Muscular Dystrophy on 13 February 2013 and expressed my support for most of the recommendations contained in the McCollum Report.

I would encourage the All Party Group and the Muscular Dystrophy Campaign, which supports the All Party Group, to engage with the Health and Social Care Board and Public Health Agency who are responsible for commissioning services for people with muscular dystrophy and related neuromuscular diseases. They will progress the implementation of those recommendations that can appropriately be taken forward at this time.

Pregnancy Termination

Mr Allister asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 20607/11-15, when he will be able to publish the outcome of the departmental monitoring of the recorded reasons for terminations of pregnancy carried out in Health and Social Care facilities.

(AQW 20786/11-15)

Mr Poots: I have recently written to the Northern Ireland Executive seeking their agreement to proceed with a consultation on guidance for health and social care professionals on termination of pregnancy. I intend to consider implementation of the data collection in Health and Social Care Trusts following this consultation exercise.

Subregional Rehabilitation Centre

Mr Hazzard asked the Minister of Health, Social Services and Public Safety for an update on his Department's plans for a new sub-regional rehabilitation centre in Downpatrick for low risk mental health patients.

(AQW 20806/11-15)

Mr Poots: The South Eastern Health & Social Care Trust has recently launched a public consultation exercise in respect of the revised proposal to locate the new centre of excellence facility adjacent to the Ulster Hospital site. This consultation also includes the Low Secure/Rehabilitation proposal, to be located on the Downe Hospital site. The Trust will review its position at the end of this consultation process. The proposed model of service provision mirrors the recommendations of relevant national and regional guidelines and would enhance the portfolio of mental health services provided by the Trust.

Acute Mental Health Facilities

Mr Hazzard asked the Minister of Health, Social Services and Public Safety, in light of the South Eastern Health and Social Care Trust's plans to centralise acute mental health facilities at the Ulster Hospital, Dundonald, how he will ensure that the hospital is accessible to patients in the South Down area.

(AQW 20808/11-15)

Mr Poots: In line with Bamford, a central tenet of the proposal is that, as a result of the significant investment in community services, there is a wider range of alternatives to hospital admission now available within local communities, including South Down. Continued service developments mean that it is likely that admission to hospital will only be required in the future for those severely ill patients who cannot be managed in any other way. Adult mental health services are becoming less reliant on in-patient beds for the delivery of mental health assessment and treatment.

The current mental health proposal are being consulted on until 17 April 2013. The final decision will take account of responses from consultees.

Acute Mental Health Facilities

Mr Hazzard asked the Minister of Health, Social Services and Public Safety to detail the proposed time-line for the centralisation of acute mental health facilities at the Ulster Hospital, Dundonald.

(AQW 20809/11-15)

Mr Poots: The Trust's public consultation exercise is currently underway and will run until 17 April 2013. The findings of this consultation will be formally reviewed following conclusion of the exercise. Thereafter the Trust will be in a position to provide clearer information about the future model of inpatient care and potential timelines for implementation.

Inpatient Psychiatric Services: Downpatrick

Mr Hazzard asked the Minister of Health, Social Services and Public Safety how mental health provision in the South Down area will be impacted by the withdrawal of inpatient psychiatric services in Downpatrick; and what steps he will take to ensure that mental health services across South Down are future-proofed following such a withdrawal.

(AQW 20810/11-15)

Mr Poots: The South Eastern Trust is currently consulting on a proposed model for acute inpatient mental health services. The Trust anticipates that the impact of the proposed model will be minimal and will be offset by the identified benefits associated with a centralised model of acute mental health inpatient provision and the sustained development of community mental health services and infrastructure.

A range of new services have been developed within the community as the Trust shifts a balance in resource from institutional to community care. New service provision within the South Down area includes a new 18 bed, 24 hour supported living facility in Downpatrick and the expansion of other supported living schemes within the locality. There has also been significant strengthening of Psychology and Psychological Therapy services within the Trust.

Water Fluoridation

Mr Wells asked the Minister of Health, Social Services and Public Safety whether his Department has carried out any research into the impact of the use of fluoride in water supplies in Tandragee and Hollywood.

(AQW 20820/11-15)

Mr Poots: My Department does not hold records on any research studies into the impact of the use of fluoride in water supplies in the Tandragee and Hollywood areas.

My officials have previously carried out an extensive search of Departmental records, including the archives of the Public Records Office to check for such records and none has been found.

Children and Young People with Special Needs

Mr McMullan asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 12657/11-15, what progress has been made in relation to transferring children and young people with special needs to adult services.

(AQW 20834/11-15)

Mr Poots: Pursuant to AQW 12657/11-15, the Children and Young People's Strategic Partnership (CYPSP) continues to take forward work to ensure that appropriate transitions protocols are in place in each Trust and that all relevant agencies are appropriately engaged.

The CYPSP oversees a regional sub-group on Transition which focuses on the transition of disabled young people into adulthood.

Responses to the consultation on the sub-group's Transition to Adulthood of Young People with Disabilities Draft Action Plan (2011-2014) have now been incorporated, and a copy of the latest version may be found on the CYPSP website as follows:

http://www.cypsp.org/publications/subgroups/transition/cypsp_transition_draft_action_plan.pdf

Controlled Music Therapy

Mr McMullan asked the Minister of Health, Social Services and Public Safety, pursuant to AQO 2503/11-15, whether the Health and Social Care Board has identified funding for the procurement of a controlled music therapy service; and how much funding has been identified.

(AQW 20835/11-15)

Mr Poots: The Health and Social Care Board advise that, following a procurement exercise, the contract for provision of a music therapy service has been awarded to the Northern Ireland Music Therapy Trust, from the 1 April 2013 – 31 March 2016 at a value of £100,000 per annum.

Fire and Rescue Service: Stolen Parts

Mr McMullan asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 18397/11-15, whether he has received details from the Fire and Rescue Service on the compensation paid for the stolen parts.

(AQW 20837/11-15)

Mr Poots: Details of compensation paid in each case are

Compensation paid for	Amount
Replacement of stolen alloy wheels at Belleek Fire Station	£100
Replacement of stolen alloy wheels and axle at Cushendall Fire Station	£350
Replacement of stolen alloy wheels at Ballyclare Fire Station	£100

Language Barriers

Mr McElduff asked the Minister of Health, Social Services and Public Safety to detail the measures in place to help patients from an ethnic minority background to overcome language barriers.

(AQW 20838/11-15)

Mr Poots: The Northern Ireland HSC Interpreting Service is managed on a regional basis by the Belfast HSC Trust and provides face to face and telephone interpreting services. Where this service cannot meet a request, alternative arrangements are in place.

The NI Ambulance Service HSC Trust has procedures in place for frontline staff which includes the use of interpreters and access to a multi-lingual emergency phrasebook in 41 languages.

Translations are made available in accordance with the function of individual HSC organisations and local service requirements. Examples of translations include a general information booklet on how to access services (available in 14 languages); GP registration forms (available in 16 languages) and various Public Health documents such as those relating to immunisation and screening programmes.

In line with Equality Scheme commitments requests for documents in alternative formats will be considered by individual HSC organisations.

Patients: "Yearly MOT"

Mr Copeland asked the Minister of Health, Social Services and Public Safety (i) what impact the proposed introduction of a 'yearly MOT' for patients will have on GPs' ability to provide core services, given that there will be no increase in the Global Sum and the removal of the minimum practice income guarantee; (ii) what reassurances he can give that patient safety will

not be compromised by this workload; and (iii) whether the increased targets for the upper thresholds of Quality Outcomes Framework quartiles are practical and achievable.

(AQW 20846/11-15)

Mr Poots:

- (i) The Assembly debate on the issue of annual health checks on 4 February followed a Motion proposed by the Health Committee. Whilst I am in favour of the principle of the proposal I did highlight during the debate the need to ensure that proper consideration was given to the significant resource implications attached to providing such checks for the population, given that current resources are targeted at meeting the needs of patients based on clinical need. I also cautioned on the need to ensure that decisions on policy need to be evidence-based. There are no plans to introduce annual health checks.
- (ii) The proposed changes to the GMS Contract include new evidence-based indicators, recommended by the National Institute for Health and Clinical Excellence (NICE), which are aimed at delivering more benefits to patients, therefore improving health outcomes and saving more lives.
- (iii) There are currently some 140 indicators in the Quality and Outcomes Framework (QOF) and the proposals currently out for consultation are to increase the upper thresholds of six of them to 95%. The proposed increased target for the upper thresholds of the Quality and Outcomes Framework are based on past performance levels.

The provision of safe, sustainable healthcare for patients is my primary focus.

GP Working Hours

Mr Copeland asked the Minister of Health, Social Services and Public Safety how the working hours of GPs are monitored and recorded to ensure patient safety and the safety of GPs.

(AQW 20848/11-15)

Mr Poots: There is no system which records the total hours worked by General Practitioners (GPs). GPs do not normally fall within the remit of the European Working Time Directive because the vast majority of GPs, as independent contractors, tend to be self-employed GP Partners. Only 5% are employed as salaried GPs and the Directive applies to them. GP Out of Hours (OOHs) Providers monitor the work commitments of sessional GPs for their individual organisations to ensure that they are not excessive. OOHs Providers have agreed to share information across organisations in relation to any GPs whose work commitments give cause for concern.

GPs have a professional obligation to ensure that they make patient safety and welfare their first priority in line with General Medical Council (GMC) guidance. As employers, they would also be responsible for the safety and welfare of their staff, including salaried GPs.

Mental Health Treatment

Mr Copeland asked the Minister of Health, Social Services and Public Safety how many patients have sought mental health treatment in a hospital outside their catchment area and have been referred back to their local hospital for reassessment, over the last twelve months; and to detail the cost of a reassessment.

(AQW 20849/11-15)

Mr Poots: The information requested is not available and could only be provided at disproportionate cost.

Mental Health Services

Mr Copeland asked the Minister of Health, Social Services and Public Safety for his assessment of the transition from children's mental health services to adult mental health services.

(AQW 20850/11-15)

Mr Poots: All Trusts have transitional protocols in place between Child and Adolescent Mental Health Services (CAMHS) and Adult Mental Health Services. Last year, the Health and Social Care Board issued regionally agreed Threshold Criteria for Specialist CAMHS, which provides specific detailed guidance to Trusts on transitional arrangements.

Not all young people in receipt of CAMHS require transfer to adult mental health services; some may be offered alternative support and directed to other age appropriate accessible services more suitable to meet their needs.

Depression

Ms S Ramsey asked the Minister of Health, Social Services and Public Safety what percentage of people have been diagnosed with depression in each year since 2003, broken down by Health and Social Care Trust; and how these figures compare with England, Scotland and Wales.

(AQW 20857/11-15)

Mr Poots: The number of GP registered patients aged 18 and over diagnosed with depression has been recorded under the Quality & Outcomes Framework (QOF) of the General Medical Services contract since 2007; comparable information is not available prior to 2007.

The QOF is a system to remunerate general practices for providing good quality care to patients, and prevalence data is used within the QOF to calculate points and payments within the clinical domain areas.

For QOF payment purposes, the QOF prevalence rates use as their denominator the total number of patients, of all ages, registered at January of the relevant year. These unadjusted prevalence rates are published by all four UK countries.

For conditions such as depression where the register only includes patients aged 18 and over, the QOF-reported prevalence will appear lower than would be the case if the age restriction was also applied to the population denominator. For those indicators that have a specific age range, Northern Ireland and England also publish adjusted prevalence rates, which are calculated using the appropriate subset of the registered lists, so the denominator used to calculate depression prevalence is the number of registered patients aged 18 and over.

The QOF prevalence figures presented here are raw prevalence rates. This means that they take no account of differences between populations in terms of their age or gender profiles, or other factors that influence the prevalence of health conditions.

Care should be taken when looking at trends in prevalence over time as, particularly in the first year of reporting for a new indicator, changes in the size of QOF registers can be affected by improvements in recording and case finding by practices.

Table 1: Patients aged 18 and over diagnosed with depression, expressed as a percentage of total registered patients (all ages), 2007 – 2012.

	2007	2008	2009	2010	2011	2012
Northern Ireland	6.5%	7.6%	8.3%	8.9%	9.4%	9.6%
England	-	7.6%	8.1%	8.5%	8.8%	9.2%
Scotland	6.2%	6.9%	7.7%	8.6%	9.0%	9.0%
Wales	7.3%	7.6%	8.2%	8.7%	9.0%	9.5%

Data Source: QOF data published by DHSSPS(NI); NHS Information Centre, England; ISD Scotland; and NHS Wales.

Note: England did not include depression in their published prevalence data for 2007.

Table 2: Patients aged 18 and over diagnosed with depression, expressed as a percentage of registered patients aged 18 and over, 2007 – 2012, presented by HSC Trust with National comparisons.

	2007	2008	2009	2010	2011	2012
Belfast HSC Trust	8.0%	9.8%	10.7%	11.5%	12.2%	12.6%
South Eastern HSC Trust	9.5%	11.0%	11.8%	12.5%	13.0%	13.3%
Northern HSC Trust	9.1%	10.8%	11.7%	12.4%	12.6%	12.6%
Southern HSC Trust	8.7%	9.2%	9.9%	10.9%	11.5%	11.9%
Western HSC Trust	7.6%	8.7%	9.5%	10.1%	11.4%	11.8%
Northern Ireland	8.6%	9.9%	10.8%	11.5%	12.1%	12.5%
England	-	-	-	10.7%	11.2%	11.7%

Data Source: The number of patients on the depression register in each Health Trust has been determined based on the HSC Trust area in which the GP practice is located. It should be noted that patients may not reside in the HSC Trust in which their practice is located.

NI register sizes were taken from the Payment Calculation and Analysis System (PCAS) as at National Prevalence Day. National Prevalence Day was changed from 14 February to 31 March from 2009 onwards to bring it into line with National QOF Achievement Day. Denominator populations were taken from the combined registered lists for patients aged 18 and over of all Northern Ireland practices as at January of the relevant year.

Figures for England are published by the NHS Information Centre and use the QOF register obtained from the QMAS system and age-banded list sizes obtained from the Prescription Pricing Division (PPD), NHS Business Services Authority

Note: England did not publish age-adjusted prevalence data for depression prior to 2010.

Depression

Ms S Ramsey asked the Minister of Health, Social Services and Public Safety how much funding his Department has ring-fenced for treating patients diagnosed with depression; and how this funding compares with England, Scotland and Wales. (AQW 20858/11-15)

Mr Poots: Funding provided for services for people with mental health needs cannot be disaggregated for specific conditions. Services for people with depression can be provided across primary and secondary services and may also be provided by

voluntary sector organisations under contract with Health and Social Care Trusts. The aim is to provide a holistic response to their presenting health and social care needs.

Lyme Disease

Mr McCarthy asked the Minister of Health, Social Services and Public Safety what consideration is being given to introducing a separate testing facility for Lyme Disease.

(AQW 20878/11-15)

Mr Poots: The Health Protection Agency (HPA) provides advice and information about Lyme disease including guidelines for health professionals on the diagnosis and treatment of the disease. The service for Lyme disease testing in the UK is delivered by the HPA.

Diagnosis of Lyme disease is complex, as is the interpretation of laboratory results. In view of the rarity of cases of Lyme disease in Northern Ireland my Department has not considered establishing a separate testing facility for Lyme disease and has no plans to consider such an investment.

Lyme Disease

Mr McCarthy asked the Minister of Health, Social Services and Public Safety what safeguards are in place to prevent Lyme Disease being misdiagnosed as Multiple Sclerosis, rheumatoid arthritis, fibromyalgia, chronic fatigue syndrome, lupus, Crohn's disease or other auto-immune and neurodegenerative diseases.

(AQW 20879/11-15)

Mr Poots: The initial detection and treatment of Lyme disease is usually the responsibility of a General Practitioner as the GP is the patient's first point of contact with the health and social care service. The Health Protection Agency (HPA) advises that anybody with clinical features suggestive of Lyme disease should be tested. Early treatment with antibiotics is recommended. In addition to the specialist advice and information provided by the HPA, further specialist opinion can be provided by infectious disease physicians if required.

There is no waiting time for the treatment of Lyme disease.

Prevention is key, and in summer 2012 the Public Health Agency issued advice to the public setting out the precautions that people can take to minimise the risk of tick bites when they are in a grassy or woodland area known to have a high tick population, i.e. wearing a long-sleeved shirt; tucking trousers into socks; using insect repellent; and checking themselves, their children and their pets for ticks.

Kidney Donations

Mrs Dobson asked Minister of Health, Social Services and Public Safety how many offers of kidneys for donation have been turned down by each Health and Social Care Trust in each of the last three years; and to detail the reasons given for rejection.

(AQW 20884/11-15)

Mr Poots: The information requested has been supplied by NHS Blood and Transplant, which is the organ donation organisation for the UK and is responsible for matching and allocating donated organs. The information in the table below, relates to Northern Ireland as a whole as information broken down by Trust for specific organs is not available. The information in the table below includes the reasons given for rejection.

Table: Reason for non-donation from consented potential donors

	2010/11	2011/12	2012/13*
Organs deemed medically unsuitable by recipient centres	4	6	7
Organs deemed medically unsuitable on surgical inspection	0	1	1
Prolonged time to asystole	1	6	4
Logistical reasons	1	1	0
Other	3	1	0
Total	9	15	12

Source - NHSBT

*This covers the year from 1 April 2012 to 28 February 2013.

Organ Transplants

Mrs Dobson asked the Minister of Health, Social Services and Public Safety to detail the number of (i) kidneys retrieved by hospitals over the last three years; and (ii) deceased donor transplants conducted during this period; and for his assessment of the capacity that exists within the Health Service to cope with local transplant demand.

(AQW 20888/11-15)

Mr Poots: The following information has been supplied by NHS Blood and Transplant, which is the organ donation and transplantation organisation for the UK and is responsible for matching and allocating donated organs. Data is provided at a Northern Ireland regional level.

Financial Year	Number of kidneys retrieved in Northern Ireland	Deceased donor kidney transplants carried out in Northern Ireland
2010/2011	74	26
2011/2012	75	27
2012/2013	691	252

1 & 2 as at 13 March 2013

The capacity to deal with local transplant demand will be achieved through the planned expansion of the clinical team and supporting infrastructure in Belfast Trust to support the live donor and deceased donor programmes with the expectation that we can continue to provide at least 50 live donor transplants and 40 deceased donor transplants. A key challenge in sustaining these levels will be our ability to recruit 2 additional transplant surgeons.

Capital Works Projects

Mr McGlone asked the Minister of Health, Social Services and Public Safety what capital works projects are currently being considered by his Department.

(AQW 20907/11-15)

Mr Poots: I have been provided with an indicative capital allocation of £1470m for the period 2015/16 – 2020/21. Whilst this represents a significant investment, DHSSPS capital investment needs are estimated to be in the region of some £2300m over the same period, leaving a projected shortfall of over £800m.

The emerging needs of TYC also mean that the existing scenario will need to be kept under review and re-prioritised as necessary.

Current major capital projects under consideration include:

- Regional Children's Hospital;
- RVH Theatres Rationalisation
- RVH Outpatients Reconfiguration;
- BCH CHP Plant;
- BCH Ventilation System;
- BCH Theatre Rationalisation;
- BCH Renal Services;
- BCH Replacement Cardiac Catheterisation Lab;
- RVH Car Parking (incl Multi-Storey Option);
- BCH Renal Services;
- AAH Service Pressures;
- AAH- Extension to Neonatal Unit;
- Holywell- Acute Mental Health Unit;
- AAH MRI Scanner;
- NHSCT Renal Services;
- AAH Orthodontics- New Hospital Dentistry department;
- Causeway Wind Turbine;
- AAH Redevelopment;
- Tardree House- Extension & Alterations;
- Ulster Hospital Phase B;
- Lisburn Health & Care Centre;
- North Down & Ards Learning Disability Unit
- 3-1 Mental Health Unit;
- Ulster Maternity Expansion;
- Ulster Hospital Car Parking;
- CAH Mechanical & Electrical Infrastructure;
- Newry Health & Care Centre;
- Omagh Cranney;
- Altnagelvin Phase 5.2;
- Erne Decommissioning;
- Altnagelvin Replacement Radiology Room;
- Altnagelvin- Additional Theatre Capacity;
- Regional Digital Mammography.

In addition £100m is routinely needed each year to ensure that the HSC Estate is adequately maintained, to replace HSC and NIAS vehicles, to meet HSC ICT requirements and, to meet the capital requirements of the NIFRS.

Altnagelvin Hospital

Mr Flanagan asked the Minister of Health, Social Services and Public Safety what impact the recent fire at Altnagelvin Hospital has had on waiting times for routine procedures in each medical discipline.

(AQW 20909/11-15)

Mr Poots: I am advised by the Western Health and Social Care Trust that the fire incident that took place on 23 November 2013 and associated water damage to the wards immediately resulted in several wards being relocated throughout the hospital and to the Waterside Hospital with some elective surgery in all specialities being cancelled.

The Trust's Business Continuity arrangements ensured that those patients whose procedures were cancelled during that week were rescheduled as quickly as possible and as a result this had no material impact on waiting times in most specialities.

The exception is the orthopaedic specialty. The orthopaedic ward was relocated to a ward with a reduced bed complement while work is underway to refurbish an alternative ward. This has resulted in a reduction of 14 beds and a loss of side rooms, which has had a significant impact on orthopaedic treatment times. The refurbished ward space with full bed numbers will be operational in June 2013.

I have made £19 million additional funding available to the Health and Social Care Board in 2012/13 to address lengthy waiting times across Northern Ireland, including waiting times in the orthopaedics specialty.

Northfield House Residential Home, Donaghadee

Mr Easton asked the Minister of Health, Social Services and Public Safety for an update on the future of Northfield House residential home, Donaghadee.

(AQW 20911/11-15)

Mr Poots: I am advised that the South Eastern Trust is reviewing all Statutory Residential Homes for Frail Older People. Northfield House, Donaghadee, will be part of that review. The review will take account of the outcome of consultation on Transforming Your Care - Vision to Action, upon which I addressed the Assembly on 19 March 2013.

Any proposals relating to specific homes will be subject to a full public consultation; the Trust welcomes the opportunity to engage with key stakeholders as part of any initial Pre-Consultation Process.

Horse Meat

Mr Agnew asked the Minister of Health, Social Services and Public Safety what evidence exists to show that horse meat is not a risk to human health.

(AQW 20944/11-15)

Mr Poots: There is nothing specific to horse meat that makes it any more or less safe than other meat products.

The Food Standards Agency has carried out a comprehensive food safety risk assessment concerning the contamination of beef products with horse meat. The assessment considered risks associated with microbiological and chemical contamination. The risk assessment concluded that, on the basis of evidence, there is no food safety risk to consumers from affected products as long as they are cooked thoroughly and if general food hygiene practices are followed (e.g. washing hands after handling the raw meat and avoiding cross contamination).

Hip Replacements

Mr Swann asked the Minister of Health, Social Services and Public Safety to detail the process by which Health and Social Care Trusts and Local Commissioning Groups assess the number of hip replacement procedures required in each Trust area annually.

(AQW 20949/11-15)

Mr Poots: The Health and Social Care (HSC) Board in conjunction with commissioning staff in Local Commissioning Groups (LCGs) is responsible for the annual assessment of demand in each specialty and LCG area/ HSC Trust.

I am advised that the HSC Board uses a standard regional methodology for this purpose. This process uses the number of patients treated in the previous year and the increase in the waiting list (i.e. the patients not treated) in that year as a basis for updated estimates of annual demand in each specialty including orthopaedics.

Hip Replacements: Waiting Times

Mr Swann asked the Minister of Health, Social Services and Public Safety to detail the current waiting time for patients presenting with a condition requiring a hip replacement (i) to be assessed; (ii) to be seen by a consultant surgeon following initial assessment; and (iii) to have the relevant surgery following assessment by a consultant surgeon.

(AQW 20950/11-15)

Mr Poots: Information is not collected as requested. The Department collects the waiting time for a first outpatient appointment and the waiting time for an inpatient treatment.

- (i) The waiting time for a first outpatient appointment with a consultant in the Trauma and Orthopaedic (T&O) Surgery specialty, at 31st December 2012, the most recent quarter for which official statistics are available, is outlined in the table below.

	Patients Waiting for an Appointment, by Weeks Waiting							Total Waiting
	0-6	>6-9	>9-13	>13-18	>18-21	>21-26	>26	
Northern Ireland	5,134	2,040	2,142	1,870	249	308	522	12,265

Source: Departmental Return CH3

- (ii) The Department does not collect the current waiting time for patients seen by a consultant surgeon following an initial assessment.
- (iii) Hip replacement surgery, in the T & O specialty is only provided in the Belfast, Southern and Western HSC Trusts.

The average number of weeks waiting for hip replacement surgery in the T & O Surgery specialty, at 31st December 2012, the most recent quarter for which official statistics are available is 16.5 weeks.

Waiting Lists: Surgery

Mr Swann asked the Minister of Health, Social Services and Public Safety under which guidelines do Health Service staff advise a patient that the surgical waiting list time is nine months but offer the patient the opportunity to have the operation done privately by the same surgeon in two weeks.

(AQW 20952/11-15)

Mr Poots: The guidelines which you refer to and which apply to staff in Health and Social Care, formerly known as Health and Personal Social Services (HPSS), is the 'Code Of Conduct For Private Practice - Recommended Standards Of Practice For HPSS Consultants', published in November 2003.

Paragraph 2.9 of this Code of Conduct states that "in the course of their HPSS duties and responsibilities consultants should not initiate discussions about providing private services for HPSS patients, nor should they ask other HPSS staff to initiate such discussions on their behalf."

Fleming Fulton School

Ms S Ramsey asked the Minister of Health, Social Services and Public Safety why pupils who attend Fleming Fulton school and use wheelchairs must now report any repairs required to their chairs to Musgrave Park Hospital instead of having them in school.

(AQW 20954/11-15)

Mr Poots: The Belfast Health and Social Care Trust has advised that this is not the case and at no time was anyone in Fleming Fulton School advised to notify their wheelchair repair requests to Musgrave Park Hospital. Due to a combination of staff sickness and increased activity the regular Tuesday wheelchair repair clinic in Fleming Fulton School scheduled for 5 March 2013 could not be held. To mitigate this, Trust staff contacted Fleming Fulton School to establish if there were any urgent repairs required and they advised that there were none. The repair clinic was held on 12 March and all patients on the clinic's list were seen.

Waiting List Targets

Mr Spratt asked the Minister of Health, Social Services and Public Safety, given that the model of using private sector contractors to facilitate the delivery of Health Service waiting list targets has been utilized on an ad hoc basis, whether the strategy of service delivery access targets will continue for the duration of this mandate.

(AQW 20992/11-15)

Mr Poots: I have already set challenging targets to reduce waiting times for access to hospital outpatient, diagnostic and inpatient/daycase services for 2013/14. By March 2014, I expect patients to wait no longer than 15 weeks for their first outpatient appointment, 9 weeks for a diagnostic test and 26 weeks for inpatient/daycase treatment.

I expect improving timely access to elective care will remain a key focus over the remainder of the Assembly term and that access targets for elective care will continue to be set.

Waiting Time Targets

Mr Spratt asked the Minister of Health, Social Services and Public Safety to detail the service delivery waiting time targets for (i) Orthopaedics; (ii) Cardiac Surgery; and (iii) Plastic Surgery, in terms of the number of weeks.

(AQW 20993/11-15)

Mr Poots: Waiting times for orthopaedics, cardiac surgery and plastic surgery are covered within the overall elective care targets included in the Commissioning Plan Direction for 2012-13 which state that:

From April 2012, at least 50% of patients wait no longer than nine weeks for their first outpatient appointment with no one waiting longer than 21 weeks; increasing to 60% by March 2013 and no one waiting longer than 18 weeks;

From April 2012, at least 50%, of inpatients and daycases are treated within 13 weeks with no one waiting longer than 36 weeks; increasing to 60% by March 2013, and no patient waiting longer than 30 weeks for treatment.

There are no specific targets for cardiac and plastic surgery, however there is an additional fracture target which states that from April 2012, 95% of patients, where clinically appropriate, wait no longer than 48 hours for inpatient treatment for hip fractures.

Health Service Capacity

Mr Spratt asked the Minister of Health, Social Services and Public Safety to detail any plans to increase internal Health Service capacity in the next five to ten years.

(AQW 20994/11-15)

Mr Poots: Transforming Your Care identified many pressures on our health and social care system including a growing and ageing population, an increasing number of incidences of long term conditions and the need to keep up to date with the requirements of best practice in health and social care provision. It explains clearly that changes are needed to our Health and Social Care Services.

In order to meet the challenges we need to focus on making the best use of what we have and on new ways of providing services to enable resources to be used as effectively as possible. We will be working to ensure adequate capacity within the health and social care system in a number of ways. These include: networking between acute sites to ensure the provision of sustainable, safe and resilient services; new ways of working for staff including enhanced opportunities for primary/community care based roles; more joined up service provision –through integrated care partnerships which will enable locally-based collaboration between statutory, voluntary & community and independent sectors; and the use of technology to enable increase sharing of information across HSC organisations and with patients and clients. I updated the House on progress on Transforming Your Care in my Statement on 19 March.

Transforming Your Care will be implemented over the next 3-5 years with the pace of change will be influenced by the financial circumstances. Transforming Your Care is part of a wider 'whole systems planning' process which includes the Programme for Government, the new Public Health Strategic Framework, Commissioning Plans, Quality Improvements and Cost Reduction Plans, Trust Delivery Plans and Infrastructure Development Plans. This combined whole system planning approach to ensure that our health and social care services is able to meet the anticipated demands in future.

Health Budget

Mr Spratt asked the Minister of Health, Social Services and Public Safety, given that 0.5 percent of the health budget is contracted out to the independent sector each year for acute services, whether this amount of spending will increase or decrease over the remainder of this mandate.

(AQW 20995/11-15)

Mr Poots: It is assumed that this question relates to expenditure in the independent sector linked to elective health care waiting list initiatives.

The funding for transfers to independent sector providers for the period 2011/12 – 2012/13 is:

2011/12 £52.6m

2012/13 £53.7m (estimate)

The amount of expenditure to be allocated in future years will depend on a number of factors including the level of referrals and the increase in capacity within Health and Social Care. However, the Health and Social Care Board, which is responsible for commissioning health services, has advised that it would be prudent to assume that independent sector capacity will still be needed at current levels (£50m - £55m) at least to 2014/15.

Health Budget

Mr Spratt asked the Minister of Health, Social Services and Public Safety, given that in England and Wales approximately 5-10 percent of the health budget is contracted out to the independent sector by various initiatives involving patient choice and commissioning, whether he plans to mirror this model.

(AQW 20996/11-15)

Mr Poots: There are no plans to mirror the English and Welsh commissioning model or to fix a percentage of our health budget to contract out services to the Independent Sector.

The Health Service in Northern Ireland refers patients to the Independent Sector for a number of reasons, either as an Extra Contractual Referral, where a clinician can demonstrate an exceptional clinical need to do so; where it is not possible for clinical reasons to deliver a local service; or under the Waiting List Initiatives where there is a gap between the demand for a service and the capacity a Health and Social Care Trust can offer.

My overriding concern is the delivery of timely, high quality and safe health and social care services for patients and I look to the Health and Social Care Board and Trusts to ensure this continues to be their primary focus.

Transgender Community

Ms Maeve McLaughlin asked the Minister of Health, Social Services and Public Safety, in terms of its legal obligation under Section 75 of the Northern Ireland Act 1998, how his Department consults with the transgender community.

(AQW 21002/11-15)

Mr Poots: My Department recognises the importance of its statutory equality duties and consults in accordance with the arrangements set out in its Equality Scheme. In line with the Scheme the Department maintains a consultation list which is reviewed annually and includes organisations representing the needs of the transgender community.

The Department also engages directly with the transgender community through the Trans Forum which includes transgender representative organisations and individuals. There is also engagement with the LGB&T Forum which covers both sexual orientation and transgender issues.

Causeway Hospital

Mr Swann asked the Minister of Health, Social Services and Public Safety to detail the number of planned (i) inpatient; and (ii) outpatient procedures that were cancelled or postponed at the Causeway Hospital during the period 5 March 2013 to 12 March 2013.

(AQW 21004/11-15)

Mr Poots:

- (i) The number of procedures that were cancelled or postponed at the Causeway Hospital during the period 5th March 2013 to 12th March 2013 is shown in the table below.

Cancellation Type	No of Cancellations
Hospital Cancellations	33
Patient Cancellations	14
Total Cancellations	47

Source:- Theatre Management System (TMS)

- (ii) Information on the number of outpatient procedures that were cancelled or postponed at the Causeway Hospital during the period 5 March 2013 to 12 March 2013 is not available as the Trust does not record appointments for planned outpatient procedures within the Outpatient's record system.

Craigavon Area Hospital

Lord Morrow asked the Minister of Health, Social Services and Public Safety why there were no shower facilities for patients in Craigavon Area Hospital for a two week period in 4 South; and why toilets were not cleaned during this time.

(AQW 21010/11-15)

Mr Poots: As part of the management of water systems, water filters were fitted to showers in ward areas. Following the installation of these filters some problems with water pressure in some showers on the upper floors became evident. Whilst the showers were functioning, the water pressure was reduced. This has now been rectified and all showering facilities are now available. The showers will continue to be monitored to ensure no further issues arise.

The toilets on 4 South are routinely cleaned 3 times per day (morning, afternoon and evening). If staff discover that the toilets are in an unsatisfactory condition in between these times then additional cleaning is carried out.

Slievemore House, Derry

Mr Eastwood asked the Minister of Health, Social Services and Public Safety to list the services that are delivered in Slievemore House, Derry.

(AQW 21025/11-15)

Mr Poots: Slievemore Nursing Unit operates within Slievemore House as a specialist nursing unit, providing short-term care and treatment for adults who have dementia with challenging behaviour. In addition, the Trust currently has 2 community service teams based in Slievemore House:

- Adult Mental Health Recovery Team
- Adult Physical Disability Community Services Team

Both community service teams will continue to operate in Slievemore House after 31st May 2013.

Slievemore Nursing Unit will cease to operate by 31st May 2013.

Slievemore House, Derry

Mr Eastwood asked the Minister of Health, Social Services and Public Safety which services will be delivered in Slievemore House, Derry after the planned closure of the nursing unit in May 2013.

(AQW 21026/11-15)

Mr Poots: Slievemore Nursing Unit operates within Slievemore House as a specialist nursing unit, providing short-term care and treatment for adults who have dementia with challenging behaviour. In addition, the Trust currently has 2 community service teams based in Slievemore House:

- Adult Mental Health Recovery Team
- Adult Physical Disability Community Services Team

Both community service teams will continue to operate in Slievemore House after 31st May 2013.

Slievemore Nursing Unit will cease to operate by 31st May 2013.

Children and Young People with Disabilities

Mr Eastwood asked the Minister of Health, Social Services and Public Safety whether the Physical Disability Team based at Slievemore House, Derry will continue to deliver services for children and young people with disabilities at the site after May 2013.

(AQW 21027/11-15)

Mr Poots: The Western Health and Social Care Trust has advised that, although a Physical Disability Team was located at Slievemore House, services for disabled children or young people were not provided at the facility. Following a reorganisation of disability services in 2012, the Children's Disability Team is now based in Lilac Villa, Gransha Park, Londonderry.

Slievemore House, Derry

Mr Eastwood asked the Minister of Health, Social Services and Public Safety whether Slievemore House, Derry will continue to operate a specialist nursing unit to provide short-term care and treatment for adults who have severe dementia with challenging behaviour after May 2013.

(AQW 21028/11-15)

Mr Poots: Slievemore Nursing Unit operates within Slievemore House as a specialist nursing unit, providing short-term care and treatment for adults who have dementia with challenging behaviour. In addition, the Trust currently has 2 community service teams based in Slievemore House:

- Adult Mental Health Recovery Team
- Adult Physical Disability Community Services Team

Both community service teams will continue to operate in Slievemore House after 31st May 2013.

Slievemore Nursing Unit will cease to operate by 31st May 2013.

Slievemore Nursing Unit, Derry

Mr Eastwood asked the Minister of Health, Social Services and Public Safety (i) to detail the original purpose of Slievemore Nursing Unit, Derry when it opened in October 1994; (ii) whether this need still exists; and (iii) where these services will be delivered post May 2013.

(AQW 21029/11-15)

Mr Poots: Since its opening in October 1994, Slievemore Nursing Unit has operated as a specialist nursing unit, providing short-term care and treatment for adults who have dementia with challenging behaviour.

Slievemore Nursing Unit was never intended to be a permanent placement for any patient; therefore, the Western HSC Trust is working to engage with families to select suitable nursing home placements where the needs of the current patients, of Slievemore Nursing Unit, can be met appropriately in the long term.

The Trust has introduced a community led challenging behaviour service that provides support and training for staff in residential and nursing homes, to care for and, support people with dementia who may have challenging behaviour. One of its main objectives is to prevent inappropriate admissions to hospital facilities and to maintain people with dementia in their current environment where possible.

This community led service will be extended during 2013/14 with the recruitment of additional staff. It will provide support to people with challenging behaviour in residential, nursing and people's own homes.

In addition, Ward 1 Waterside Hospital will increase its bed complement and provide 3 short-term care and treatment placements for adults who have dementia with challenging behaviour.

Nursing and Residential Care Fees

Mr Girvan asked the Minister of Health, Social Services and Public Safety, over the last twelve months, how many cases each Health and Social Care Trust has taken against people who have transferred their assets in order to avoid nursing and residential care fees.

(AQW 21039/11-15)

Mr Poots: Health and Social Care Trust officials have confirmed that no legal cases have been taken against clients who have transferred their assets in order to avoid contributing towards their respective nursing and residential care home fees.

Surgeries Using 0844 Numbers

Mr Hussey asked the Minister of Health, Social Services and Public Safety to list the surgeries that are still using 0844 numbers. **(AQW 21046/11-15)**

Mr Poots: There are 23 practices (6%) out of the 355 GP practices in Northern Ireland that use 0844 telephone numbers.

A list of the practices that are still using 0844 numbers is provided below.

GP Practices using 0844 Numbers in Northern Ireland

PC	Surgery Name	Address 1	Address 2	Town	Postcode	LCG Area
PC69	Dr Tan & McGirr	Flax Centre	Ardoyne Avenue	Belfast	BT14 7DA	Belfast
PC193	Dr Greer	Dundrum Surgery	14 Church View	Dundrum	BT33 0NA	South Eastern
PC201	Newcastle Surgery	56 Main Street		Newcastle	BT33 0AE	South Eastern
PC204	Dr Deeny & Mulhall	12 The Green	Irish Street	Downpatrick	BT30 6BE	South Eastern
PC207	Stream Street Surgery	40 Stream Street		Downpatrick	BT30 6BE	South Eastern
PC252	Priory Surgery	26 High Street		Holywood	BT18 9AD	South Eastern
PC256	Ashley Medical Centre	140 Groomsport Road		Bangor	BT20 5PE	South Eastern
PC257	The Surgery	Brook Street		Holywood	BT18 9BB	South Eastern
PC261	Killynether Medical Practice	Regency Medical Centre	2A Frederick Street	Newtownards	BT23 4LR	South Eastern
PC275	Drs Webb, Stockman & Lindsay	Regency Medical Centre	2A Frederick Street	Newtownards	BT23 4LR	South Eastern
PC271	Old Mill Surgery	Church Street		Newtownards	BT23 4AS	South Eastern
PC274	Bloomfield Surgery	95 Bloomfield Road		Bangor	BT20 4XA	South Eastern
PC351	Portrush Medical Centre	17 Dunluce Anveue		Portrush	BT56 8DW	North
PC355	Kilrea Medical Centre	36 Garvagh Road	Kilrea	Coleraine	BT52 1JB	North
PC361	Ballymoney Health Centre	Robinson Memorial Hospital	21 Neval Road	Ballymoney	BT53 6HB	North
PC498	Drs McShane & Campbell	Moy Health Centre	Charlemont Street	Moy	BT71 7SL	South
PC501	Dr Tracey McConville	Moy Health Centre	Charlemont Street	Moy	BT71 7SL	South

PC	Surgery Name	Address 1	Address 2	Town	Postcode	LCG Area
PC504	Drs Millar & Mulvenna	Moy Health Centre	Charlemont Street	Moy	BT71 7SL	South
PC475	Aghalee Surgery	8A Lurgan Road	Aghalee	Craigavon	BT67 0DD	South
PC654	Grange Family Practice	Omagh Health Centre	Mountjoy Road	Omagh	BT79 7BA	West
PC657	Three Spires Surgery	Omagh Health Centre	Mountjoy Road	Omagh	BT79 7BA	West
PC662	Drumragh Family Practice	Omagh Health Centre	Mountjoy Road	Omagh	BT79 7BA	West
PC663	Strule Medical Practice	Omagh Health Centre	Mountjoy Road	Omagh	BT79 7BA	West

Ambulances: South Eastern Health and Social Care Trust

Mr Agnew asked the Minister of Health, Social Services and Public Safety to detail the average number of (i) ambulances; and (ii) rapid response vehicles which were on duty at any one time in the South Eastern Health and Social Care Trust area at 11.00pm on Saturday evening in each month of the last three years; and to outline how this may change in the next 12 months. (AQW 21053/11-15)

Mr Poots: Information on the average number of ambulances and Rapid Response Vehicles (RRVs) which were on duty in the South Eastern Health and Social Care (HSC) Trust area at 11.00pm on a Saturday evening during each month of the last three years, is not readily available and could only be provided at disproportionate cost.

However, the Northern Ireland Ambulance Service (NIAS) HSC Trust has indicated that between 1st April 2010 and 16th March 2013, based on planned resource levels within the South Eastern HSC Trust, there were an average of 12/13 A&E ambulances and 3 RRVs operating on a Saturday night at 11.00pm.

It is important to note that these numbers relate to those vehicles that were operational from stations located within the South Eastern Trust area. Ambulances are stationed in different locations across Northern Ireland and allocation is based on the nearest available appropriate ambulance at any given time, resulting in resources crossing over HSC Trust boundaries on a daily basis. It should therefore be noted that the number of ambulances available within a particular HSC Trust does not reflect the cover provided at any given time.

At this time, the NIAS have no plans to change the resource provision that currently operates in the South Eastern Trust area; however, this may be subject to review or change.

GP Contracts

Mr Agnew asked the Minister of Health, Social Services and Public Safety for his assessment of the claims by GPs that the proposed new contracts will increase their workload by 15 percent; and whether the new contracts will enable GPs to deliver Transforming Your Care proposals. (AQW 21057/11-15)

Mr Poots: The assessment of a 15% increase in workload arising from the proposals has been put forward by the General Practitioner's Committee (GPC) of the BMA. My Department does not have the details supporting this claim.

All parts of the Health and Social Care sector, including General Practice, have a role to play in contributing to the implementation of Transforming Your Care to improve the quality of patient and client care. The Quality and Outcomes Framework (QOF) within the General Medical Services Contract is aimed at resourcing and rewarding quality care. It is through this work that GPs can contribute to Transforming Your Care, specifically through the achievement of the Quality and Productivity Indicators which help to reduce hospital attendances and admissions, and through the achievement of the Clinical Indicators and the management of long term conditions, which seek to ensure that patients are cared for in the most appropriate setting.

Diesel Spillage: Antrim Area Hospital

Mr I McCrea asked the Minister of Health, Social Services and Public Safety what caused the recent diesel spillage at Antrim Area Hospital. (AQW 21074/11-15)

Mr Poots: The recent diesel spillage at Antrim Area Hospital was caused by the rupture of a fuel filter housing supplying fuel oil to the two standby electrical generators within the Antrim Area Hospital generator house.

Diesel Spillage: Antrim Area Hospital

Mr I McCrea asked the Minister of Health, Social Services and Public Safety what was the cost of the diesel that was lost during the recent spillage at Antrim Area Hospital.

(AQW 21075/11-15)

Mr Poots: The Northern Health and Social Care Trust has indicated that the cost of the diesel that was lost during the recent spillage at Antrim Area Hospital is £13,450.

Diesel Spillage: Antrim Area Hospital

Mr I McCrea asked the Minister of Health, Social Services and Public Safety what was the cost of cleaning up after the recent diesel spillage at Antrim Area Hospital.

(AQW 21076/11-15)

Mr Poots: The Northern Health and Social Care Trust has indicated that the cost of cleaning up after the recent diesel spillage at Antrim Area Hospital is £31,000 to date. This figure may rise depending on further remedial measures that the Trust may have to take in regard to environmental protection measures.

Prescription Drugs: Prisoners

Mr Allister asked the Minister of Health, Social Services and Public Safety what are the current arrangements in prisons for the distribution of prescription drugs to prisoners and to outline the circumstances where more than one dose is supplied at any one time.

(AQW 21082/11-15)

Mr Poots: The current arrangements for the distribution of prescription medicines to prisoners are based on the Department of Health / HM Prison Service document "A Pharmacy Service for Prisoners" (2003) and aims to meet the HM Inspectorate of Prisons Expectation no. 39 which states "Prisoners are cared for by a pharmacy service which assesses and meets their needs and is equivalent to that in the community."

The South Eastern Health and Social Care Trust has a contract with Lloyd's Pharmacy to provide dispensing services to all three prison establishments. Medicines are delivered to each prison's healthcare centre and then collected by healthcare staff to be administered or issued to prisoners in each individual house's treatment room.

On committal, each individual patient is risk-assessed to determine their ability to manage their own medications "in-possession". Three areas are taken into account when making this risk assessment:

- Patient factors e.g. whether a patient has a history of overdose or self-harm;
- Environmental factors e.g. whether the prisoner is sharing a cell; and
- Medicine factors e.g. how potentially dangerous a medication is in overdose or liable to misuse.

If a patient is determined to be suitable for in-possession medicine they will receive either 7 or 28 days supply depending on the medication in question. Those medications that are potentially dangerous in overdose or which have known abuse/misuse potential will only be supplied for a maximum of 7 days at any one time. Patients who are determined to be unsuitable for in-possession medication will have their medication administered by a nurse at the prescribed time. This is often referred to as supervised swallow.

Northern Ireland Medical and Dental Training Agency

Mr Girvan asked the Minister of Health, Social Services and Public Safety, in each of the last five years, what was the average time taken in each hospital for (i) Health and Social Care Trust HR departments; and (ii) locum agencies to fill Northern Ireland Medical and Dental Training Agency posts, broken down by speciality.

(AQW 21088/11-15)

Mr Poots: The Northern Ireland Medical and Dental Training Agency (NIMDTA) is primarily responsible for the recruitment and placement of junior doctors into foundation and specialty training. Where doctor vacancies still remain following NIMDTA's recruitment process, HSC Trusts can attempt to fill those vacancies either directly or through locum agencies. The information is not held by Trusts in the format requested. HSC Trusts who record this information have indicated that the average length of time taken to fill posts directly varies significantly but usually ranges from between three and five months and for locum agency recruitment two days to three and a half months.

Northern Ireland Medical and Dental Training Agency

Mr Girvan asked the Minister of Health, Social Services and Public Safety to detail the number of training posts at each hospital which were (i) left unfilled by the Northern Ireland Medical and Dental Training Agency; (ii) filled by the Health and Social Care Trusts; and (iii) filled by locum agencies, in each of the last five years; and how many of these posts remain unfilled.

(AQW 21089/11-15)

Mr Poots: The Northern Ireland Medical and Dental Training Agency (NIMDTA) has advised that the number of junior doctor training posts that remained unfilled in August in each of the last five years was as follows:

Year	Posts unfilled
2012	69
2011	69
2010	85
2009	53
2008	68

NIMDTA has advised that the number of junior doctor training posts that currently remain unfilled (March 2013) is 104

Information from HSC Trusts on doctors in training recruited either directly by Trusts or through locum agencies in each of the last five years is available in the format requested.

Northern Ireland Medical and Dental Training Agency

Mr Girvan asked the Minister of Health, Social Services and Public Safety to detail the number of Northern Ireland Medical and Dental Training Agency trainees at each training level in each hospital, in each of the last five years.

(AQW 21090/11-15)

Mr Poots: The Northern Ireland Medical and Dental Training Agency has detailed the number of training posts in each of the last five years, broken down by training grade and by HSC Trust, in the tables below. The data for 2008 gives a breakdown by training grade only as the information on Trusts is not readily available.

Training Posts at August 2012

	F1	F2	GP	ST1/2 (SHO)	SpR / ST3 +	J/A	GP ST3	Academics	Total
BHSCT	102	93	21	184	361	11	0	0	772
SEHSCT	42	42	12	76	77	0	0	0	249
NHSCT	41	45	22	91	50	0	0	0	249
SHSCT	33	33	17	75	58	0	0	0	216
WHSCT	34	34	19	72	61	0	0	0	220
Others	0	0	0	0	0	0	65	6	71
Total	252	247	91	498	607	11	65	6	1777

Training Posts at August 2011

	F1	F2	GP	ST1/2 (SHO)	SpR / ST3 +	J/A	GP ST3	Academics	Total
BHSCT	102	93	21	184	356	11	0	0	767
SEHSCT	42	42	12	76	77	0	0	0	249
NHSCT	41	45	22	91	50	0	0	0	249
SHSCT	33	33	17	75	58	0	0	0	216
WHSCT	34	34	19	72	61	0	0	0	220
Others	0	0	0	0	0	0	65	6	71
Total	252	247	91	498	602	11	65	6	1772

Training Posts at August 2010

	F1	F2	GP	ST1/2 (SHO)	SpR / ST3 +	J/A	GP ST3	Academics	Total
BHSCT	103	94	23	184	355	11	0	0	770
SEHSCT	42	42	12	78	78	0	0	0	252
NHSCT	40	45	22	91	51	0	0	0	249
SHSCT	33	33	17	74	58	0	0	0	215
WHSCT	34	34	19	72	61	0	0	0	220
Others	0	0	0	0	0	0	65	6	71
Total	252	248	93	499	603	11	65	6	1777

Training Posts at August 2009

	F1	F2	GP	ST1/2 (SHO)	SpR / ST3 +	J/A	GP ST3	Academics	Total
BHSCT	97	99	23	184	361	11	0	0	775
SEHSCT	38	38	12	78	70	0	0	0	236
NHSCT	40	46	22	91	51	0	0	0	250
SHSCT	30	33	17	74	58	0	0	0	212
WHSCT	32	32	19	72	58	0	0	0	213
Others	0	0	0	0	0	0	65	6	71
Total	237	248	93	499	598	11	65	6	1757

Training Posts at August 2008

	F1	F2	GP	ST1/2 (SHO)	SpR / ST3 +	J/A	GP ST3	Academics	Total
Total	231	187	119	610	558	0	0	0	1705

Northern Ireland Medical and Dental Training Agency

Mr Girvan asked the Minister of Health, Social Services and Public Safety to detail the number of doctors in training, at each training level, that were recruited by the Northern Ireland Medical and Dental Training Agency, in each of the last five years, broken down by speciality.

(AQW 21091/11-15)

Mr Poots: The Northern Ireland Medical and Dental Training Agency (NIMDTA) has detailed the number of doctors in training recruited in each of the past five years, by specialty and by training grade, in the tables below:

Doctors in Training Recruited at August 2012

Specialty	FY1	CT1	CT2	CT3 /ST3	ST4	FTSTA1	FTSTA2	FTSTA3	FTSTA4	Total
Foundation	252									252
Anaesthetics		12		10						22
Emergency Medicine		12			3	5				20
Core Medical Training		64	5	20						89
Acute Medicine				2						2
Cardiology				6				2		8

Specialty	FY1	CT1	CT2	CT3 /ST3	ST4	FTSTA1	FTSTA2	FTSTA3	FTSTA4	Total
Clinical Pharmacology & Therapeutics				1						1
Dermatology				1				1		2
Endocrinology				1						1
Gastroenterology				3						3
Genitourinary Medicine				1						1
Geriatric Medicine				2				1		3
Haematology				5						5
Infectious Diseases				1						1
Neurology				1				2		3
Occupational Medicine				1						1
Palliative Medicine				2				1		3
Rehabilitation Medicine				1						1
Renal Medicine				1						1
Respiratory Medicine				1						1
Rheumatology				3						3
Medical Oncology				1						1
Clinical Oncology				3						3
ST6 Nuclear Medicine					1					1
Core Psychiatry Training		10				12	6			28
Child & Adolescent Psychiatry					1					1
General Adult Psychiatry					4					4
General Adult Psychiatry/ Psychotherapy					1					1
Psychiatry of Learning Disability					0					0
Psychiatry of Old Age					3					3
Core Surgical Training		15								15
General Surgery				3						3

Specialty	FY1	CT1	CT2	CT3 /ST3	ST4	FTSTA1	FTSTA2	FTSTA3	FTSTA4	Total
Trauma & Orthopaedic Surgery				5				5		10
Paediatric Surgery								1		1
Plastic Surgery				2				2		4
Cardiothoracic Surgery				1						1
Otolaryngology				1				1		2
Urology				2				2		4
General Practice		65								65
Obstetrics & Gynaecology		6				15	6			27
Paediatrics		17					2			19
Radiology		7								7
Forensic Pathology				1						1
Histopathology		3								3
Medical Microbiology		2				1				3
Public Health		2								2
Neurosurgery		1								1
Ophthalmology		1								1
Total	252	217	5	82	13	33	14	18	0	634

Doctors in Training Recruited at August 2011

Specialty	FY1	CT1	CT2	CT3/ST3	ST4	FTSTA1	FTSTA2	FTSTA3	FTSTA4	Total
Foundation	252									252
Anaesthetics		10		24						34
Emergency Medicine		10	5	2	5	9				31
Core Medical Training		49		22						71
Acute Medicine				0						0
Cardiology				1						1
Clinical Oncology				1						1
Clinical Pharmacology & Therapeutics				0						0
Dermatology				2						2
Endocrinology				1						1
Gastroenterology				1						1
Geriatric Medicine				4						4
Haematology				2						2

Specialty	FY1	CT1	CT2	CT3/ ST3	ST4	FTSTA1	FTSTA2	FTSTA3	FTSTA4	Total
Immunology				1						1
Medical Oncology				2						2
Palliative Medicine				2						2
Rehabilitation Medicine				0						0
Renal Medicine				1				1		2
Respiratory Medicine				1						1
Rheumatology				1						1
Genitourinary Medicine				0						0
Neurology				1				1		2
Nuclear Medicine				1						1
Paediatric Cardiology									1	1
Core Psychiatry Training		10				5	1	2		18
General Adult Psychiatry					3					3
Forensic Psychiatry					1					1
Child & Adolescent Psychiatry					2					2
Core Surgical Training		34								34
General Surgery				3						3
Trauma & Orthopaedic Surgery				5				5		10
Plastic Surgery				1				1		2
Cardiothoracic Surgery				1				1		2
Otolaryngology				2						2
Urology				2						2
General Practice		65								65
Obstetrics & Gynaecology		6	2	2		14	7			31
Paediatrics		17		1	1		4	4		27
Radiology		7								7
Histopathology		3								3
Medical Microbiology		1								1
Public Health		2								2
Ophthalmology		1		1				1		3
Total	252	215	7	88	12	28	12	16	1	631

Doctors in Training Recruited at August 2010

Specialty	FY1	CT1	CT2	CT3/ ST3	ST4	FTSTA1	FTSTA2	FTSTA3	FTSTA4	Total
Foundation	252									252
Anaesthetics		8		13						21
Intensive Care Dual CCT				2						2
Emergency Medicine		14		1		7	1			23
Psychiatry		17								17
Core Medical Training		68	22							90
Acute Medicine				1						1
Cardiology				3						3
Dermatology								1		1
Endocrinology				2						2
Gastroenterology				3						3
Geriatric Medicine				3				1		4
Neurology				1				1		2
Haematology				2				2		4
Palliative Medicine				1						1
Medical Oncology				2						2
Respiratory Medicine				3						3
Renal Medicine				4						4
Rheumatology				0				2		2
Core Surgical Training		27								27
General Surgery				3						3
T&O Surgery				4				1		5
Urology				1						1
Plastic Surgery								1		1
Cardiothoracic Surgery								2		2
General Practice		65								65
Obstetrics & Gynaecology		12		3		7	6	5		33
Paediatrics		15	3	1			5		1	25
Radiology		6								6
Histopathology		2								2
Medical Microbiology		1								1
Public Health		2								2
Ophthalmology		3						1		4
Neurosurgery		1								1
Total	252	241	25	53	0	14	12	17	1	615

Doctors in Training Recruited at August 2009

Specialty	FY1	CT1	CT2	CT3/ ST3	ST4	FTSTA1	FTSTA2	FTSTA3	FTSTA4	Total
Foundation	236									236
Anaesthetics		25		4						29
Emergency Medicine		6		1		26				33
Psychiatry		17	1	1						19
Medical Specialties										0
Core Medical Training		60	12							72
Cardiology				1						1
Dermatology				4						4
Gastroenterology				2				1		3
Geriatric Medicine				2						2
Haematology				2						2
Infectious Disease				4						4
Neurology				2				1		3
Neurophysiology				1						1
Paediatric Cardiology					1			1		2
Rehabilitation Medicine				1						1
Renal Medicine				1						1
Respiratory Medicine				2				1		3
Rheumatology				1						1
Surgical Specialties										0
Core Surgical Training		33		1						34
General Surgery				2						2
Paediatric Surgery				1						1
ENT				2						2
Cardiothoracic Surgery								3		3
Plastic Surgery								2		2
T&O								2		2
General Practice		65								65
Obstetrics & Gynaecology		10		5		4	7	9		35
Paediatrics		12	1	0				8	3	24
Public Health Medicine		2								2

Specialty	FY1	CT1	CT2	CT3/ ST3	ST4	FTSTA1	FTSTA2	FTSTA3	FTSTA4	Total
Radiology		8								8
Histopathology		4								4
Medical Microbiology		2								2
Ophthalmology		2					1			3
ICM - Dual CCT				4						4
Neurosurgery						1				1
Total	236	246	14	44	1	31	16	23	0	611

Doctors in Training Recruited at August 2008

Specialty	FY1	CT1	CT2	CT3 / ST3	ST4	FTSTA1	FTSTA2	FTSTA3	FTSTA4	Total
Foundation	234									234
Anaesthetics		11		2						13
Emergency Medicine		6				21	2			29
Psychiatry		17	7	5	1					30
Medical Specialties										0
Core Medical Training		56	23			9				88
Cardiology				3				1		4
Dermatology				1				4		5
Gastroenterology				1						1
Geriatric Medicine				1						1
Haematology				1						1
Infectious Disease				1						1
Neurology				1						1
Neurophysiology								1		1
Palliative Medicine				1						1
Rehabilitation Medicine								1		1
Renal Medicine				1						1
Respiratory Medicine				1						1
Rheumatology				1						1
Medical Oncology								2		2
Surgical Specialties										0
Core Surgical Training		45	26			7				78
General Surgery				3				3		6

Specialty	FY1	CT1	CT2	CT3 / ST3	ST4	FTSTA1	FTSTA2	FTSTA3	FTSTA4	Total
Paediatric Surgery				2						2
Plastic Surgery				1				1		2
Cardiothoracic Surgery								2		2
General Practice		65								65
Obstetrics & Gynaecology		9		2		7	11	3		32
Paediatrics		10	2	1	2	1	7	7		30
Radiology		8								8
Histopathology		3				2				5
Medical Microbiology		1								1
Ophthalmology		1	2				3			6
Neurosurgery		1						1		2
Total	234	233	60	29	3	47	23	26	0	655

Northern Ireland Medical and Dental Training Agency

Mr Girvan asked the Minister of Health, Social Services and Public Safety what role the Northern Ireland Medical and Dental Training Agency (NIMDTA) has in relation to patient safety; and to whom the NIMDTA is accountable.

(AQW 21092/11-15)

Mr Poots: The Northern Ireland Medical and Dental Training Agency (NIMDTA) has an important role to play in patient safety.

The General Medical Council (GMC) sets the overall standards for the delivery of postgraduate medical education and training. With regard to patient safety, the GMC requires that "the responsibilities, related duties, working hours and supervision of trainees must be consistent with the delivery of high quality patient care. There must be clear procedures to address immediately any concerns about patient safety arising from the training of doctors".

NIMDTA, as the Northern Ireland Deanery, is responsible for managing the quality of junior doctor training in Northern Ireland and works in partnership with the HSC Trusts and GP training practices to ensure compliance with the standards set by the GMC. NIMDTA has an educational contract in place with each of the five Trusts setting out how training should be managed and delivered effectively in accordance with the requirements laid down by the GMC. NIMDTA ensures that Trusts are meeting GMC standards through a number of mechanisms including: Deanery visits to Trusts; trainee and trainer surveys; twice yearly reports from Trusts; and regular meetings with the Trust Directors of Medical Education.

With regard to accountability, NIMDTA is primarily accountable to the DHSSPS for its performance in the delivery of its business objectives and for ensuring that its services comply with all statutory, licensing and regulatory requirements. NIMDTA is also accountable to the General Medical Council for ensuring that the standards set by the General Medical Council for training are met and works in close partnership with local education providers to ensure that the training and supervision of trainees support the delivery of safe patient care.

Transforming Your Care

Mr Agnew asked the Minister of Health, Social Services and Public Safety whether he intends to provide GPs with additional resources to help deliver Transforming Your Care proposals.

(AQW 21116/11-15)

Mr Poots: I made a Statement to the Assembly on the 19th March, on the outcome of the consultation exercise on the proposals contained in 'Transforming Your Care: Vision to Action'. In that statement I acknowledged that all parts of the Health and Social Care sector, including General Practice, had a role to play in contributing to the implementation of the Transforming Your Care proposals.

I highlighted the role Integrated Care Partnerships (ICPs) will play, enabling local health and social care professionals and the voluntary and community sector organisations to work more closely together on a collaborative basis to improve efficient and effective service delivery. I recognise the invaluable key role GPs will play as members of these collaborative networks of providers.

I announced that it is intended that over £15m would be invested in the development of ICPs and improvement of care over the Budget period to facilitate their work to respond innovatively to the assessed care needs of local communities and provide support for service users closer to home.

DHSSPS: Public Consultations

Mr Nesbitt asked the Minister of Health, Social Services and Public Safety to detail (i) the number of public consultations undertaken by his Department, in each year since 2007; (ii) the type of consultation; and (iii) the total cost of each consultation.

(AQW 21141/11-15)

Mr Poots:

- (i) All public consultations undertaken by my Department since 2007 can be accessed on the Department's website on <http://www.dhsspsni.gov.uk/index/consultations>
- (ii) The information requested can only be provided at disproportionate cost.

Infection Control

Mrs Dobson asked the Minister of Health, Social Services and Public Safety for his assessment of the potential for infection in instances where patients, who have to leave hospital buildings in order to smoke, take medical equipment outside; and what policies exist in each Health and Social Care Trust to improve infection control and the safety of patients and hospital visitors.

(AQW 21151/11-15)

Mr Poots: There is no particular increased risk of infection associated with a patient taking medical equipment outside a hospital compared with the background risk associated with coming into contact with other patients and the public inside the hospital building.

Within the overarching framework of Changing the Culture 2012, the strategic regional action plan for the prevention and control of healthcare-associated infections in Northern Ireland, each Health and Social Care Trust has an infection prevention and control plan. Signage for patients and hospital visitors reinforces the need for good infection control practice, including the need for handwashing and/or the use of alcohol hand-rubs. The Public Health Agency and the Trusts have developed leaflets which the Trusts use with visitors and patients. These include leaflets on hand hygiene; healthcare-associated infections; norovirus, and MRSA.

Slievemore Nursing Unit, Derry

Mr Eastwood asked the Minister of Health, Social Services and Public Safety what changes would have to be implemented at Slievemore Nursing Unit to enable it to be registered as a nursing home; and the estimated cost of implementing these changes.

(AQW 21164/11-15)

Mr Poots: The Western Trust does not provide nursing home care as a statutory service therefore the Trust has not considered this option and does not intend to register Slievemore as a nursing home. In such circumstances, my Department is unable to comment on actual changes/costs, but it is understood that this facility would have required substantial redesign to bring it up to the required level to meet nursing home standards.

Families of patients who have been assessed as fit for discharge have been advised that their relative will be prioritised for placement within a local nursing home, which will effectively meet their needs.

Assisted Living Accommodation

Mr Craig asked the Minister of Health, Social Services and Public Safety to outline his plans to roll out to communities the £4m funding for the development of assisted living accommodation.

(AQW 21167/11-15)

Mr Poots: The £4m to which the Member refers was transferred from the Department of Social Development to my Department to assist in the resettlement of long stay patients from learning disability and mental health hospitals in Northern Ireland during 2013/2014.

This is part of an agreed 3 year transfer of supporting people funding totalling £12m over the period 2012/13 to 2014/15, to be utilised for assisting people who are resettled into supported living accommodation, allowing the DSD capital budget to be fully realised.

The Health and Social Care Board will allocate the funding in 2013/2014 to Supported Living Schemes or individual homes in the community for 55 people who are being resettled from mental health and learning disability hospitals.

The indicative full cost of these supported living homes is £4.6m. In addition, further substantial sums are being invested in nursing and residential homes for people being resettled, where their assessment indicates this is required, and on improvements in services to support these people in the community.

Organ Donation

Mr Ross asked the Minister of Health, Social Services and Public Safety when the public consultation on organ donation will begin.

(AQW 21183/11-15)

Mr Poots: Demand for organ transplants fluctuates on a daily basis, depending on the clinical condition of patients; therefore, it is not possible to provide a figure for how many more people would be needed to meet demand for organ donors either in Northern Ireland or the UK as a whole. It is therefore important to continue to encourage as many people as possible to join the organ donor register to ensure that we maximise the number of organs available for transplant.

I recently announced my intention to consult on public attitudes towards organ donation, including the introduction of an opt-out system for organ donation in Northern Ireland. The arrangements for the implementation of this consultation will be announced as soon as possible. My overall aim is to increase organ donation. I would therefore not wish to pre-empt the outcome of the proposed consultation by entering into speculation about the potential impact of a presumed consent or opt-out system.

Organ Donation

Mr Ross asked the Minister of Health, Social Services and Public Safety how many more people are needed on the organ donor register to meet current demand.

(AQW 21186/11-15)

Mr Poots: Demand for organ transplants fluctuates on a daily basis, depending on the clinical condition of patients; therefore, it is not possible to provide a figure for how many more people would be needed to meet demand for organ donors either in Northern Ireland or the UK as a whole. It is therefore important to continue to encourage as many people as possible to join the organ donor register to ensure that we maximise the number of organs available for transplant.

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Organ Donation

Mr Ross asked the Minister of Health, Social Services and Public Safety, should the number of people on the organ donor register increase to a level which meets the current needs, whether moving towards a presumed consent or opt-out system would still be required.

(AQW 21187/11-15)

Mr Poots: Demand for organ transplants fluctuates on a daily basis, depending on the clinical condition of patients; therefore, it is not possible to provide a figure for how many more people would be needed to meet demand for organ donors either in Northern Ireland or the UK as a whole. It is therefore important to continue to encourage as many people as possible to join the organ donor register to ensure that we maximise the number of organs available for transplant.

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Hospital Appointments

Mr McGlone asked the Minister of Health, Social Services and Public Safety how many patients' hospital appointments were cancelled by their consultant in (i) 2008/09; (ii) 2009/10; (iii) 2010/11; (iv) 2011/12; and (v) 2012/13 to date; and how many of these cancelled appointments were due to the consultants' work commitments in the private sector.

(AQW 21188/11-15)

Mr Poots: The Quarterly Outpatient Activity Return (QOAR), which is the present methodology for the collection of consultant-led outpatient activity, was introduced by my Department's Hospital Information Branch from the beginning of 2008/09, as a direct result of a comprehensive review of collection of outpatient activity undertaken in 2007/08. Primarily the methodology changed from the reporting of the number of clinics held and cancelled to the reporting of the number of appointments held and cancelled.

Information on the number of hospital cancellations, in HSC Trusts in Northern Ireland, is collected and published broken down by reason for cancellation.

The variable on the Patient Administration System (PAS) that provides the breakdown of the variable 'reason for cancellation' was not a mandatory field until March 2013 and as such the rate of coverage varies across Trusts.

It is advised that when looking at the figures associated with 'reason for cancellation' that they should add together the categories of 'consultant not available', 'medical staff not available' and 'consultant cancelled appointment' to allow for variances in recording practices.

It is not possible to identify from these cancelled appointments how many of these were due to the consultant's commitments in the private sector.

The number of appointments cancelled by hospitals in each of the requested years is shown in the tables below, broken down by reason for cancellation.

(i) 2008/09

Number of consultant led outpatient appointments cancelled by each HSC Trust (2008/09)

Reason for cancellation	Belfast HSC Trust	Northern HSC Trust	South Eastern HSC Trust	Southern HSC Trust	Western HSC Trust	Northern Ireland Total
Consultant not available ¹	16,538	7,260	12,297	0	8,839	44,934
Medical staff not available ¹	1,752	0	1,031	0	205	2,988
Patient treated elsewhere	2,526	1,306	1,750	0	1,739	7,321
Consultant cancelled appointment ¹	149	13,697	1,692	0	805	16,343
Appointment brought forward	3,089	21	3,189	0	2,591	8,890
Appointment put back	14,942	2,079	8,227	3,069	20,308	48,625
Cancelled following validation/audit	275	76	41	0	36	428
Administrative error by hospital/GP	2,313	0	5,448	0	842	8,603
Hospital transport not available	169	30	108	0	12	319
Cancelled by hospital in order to rebook as alternative booking method	N/A	N/A	N/A	N/A	N/A	N/A
No reason or incorrect reason recorded	34,240	5,963	1,497	23,878	12,771	78,349
Total	75,993	30,432	35,280	26,947	48,148	216,800

¹ It is advisable to add these categories together when using the data.

N/A – Information not available prior to 2011/12

(ii) 2009/10

Number of consultant led outpatient appointments cancelled by each HSC Trust (2009/10)

Reason for cancellation	Belfast HSC Trust	Northern HSC Trust	South Eastern HSC Trust	Southern HSC Trust	Western HSC Trust	Northern Ireland Total
Consultant not available ¹	15,117	7,126	12,057	3,872	10,621	48,793
Medical staff not available ¹	1,694	0	1,250	468	1,506	4,918
Patient treated elsewhere	4,701	1,177	1,661	1,406	4,380	13,325
Consultant cancelled appointment ¹	303	17,598	676	288	9,314	28,179
Appointment brought forward	2,004	44	3,699	2,113	3,145	11,005
Appointment put back	10,548	1,321	6,901	4,231	7,539	30,540
Cancelled following validation/audit	396	75	50	4	20	545
Administrative error by hospital/GP	1,959	1,677	4,012	1,367	3,363	12,378

Reason for cancellation	Belfast HSC Trust	Northern HSC Trust	South Eastern HSC Trust	Southern HSC Trust	Western HSC Trust	Northern Ireland Total
Hospital transport not available	118	38	128	20	19	323
Cancelled by hospital in order to rebook as alternative booking method	N/A	N/A	N/A	N/A	N/A	N/A
No reason or incorrect reason recorded	37,639	1,186	1,247	3,276	3,050	46,398
Total	74,479	30,242	31,681	17,045	42,957	196,404

1 It is advisable to add these categories together when using the data.

N/A – Information not available prior to 2011/12

(iii) 2010/11

Number of consultant led outpatient appointments cancelled by each HSC Trust (2010/11)

Reason for cancellation	Belfast HSC Trust	Northern HSC Trust	South Eastern HSC Trust	Southern HSC Trust	Western HSC Trust	Northern Ireland Total
Consultant not available ¹	17,173	6,224	12,045	4,974	7,690	48,106
Medical staff not available ¹	1051	29	2,025	653	1,720	5,478
Patient treated elsewhere	798	958	1,700	835	2,069	6,360
Consultant cancelled appointment ¹	184	16,654	964	371	9,430	27,603
Appointment brought forward	1,792	0	3,299	2,096	1,613	8,800
Appointment put back	11,152	2,844	5,049	3,511	3,124	25,680
Cancelled following validation/audit	400	28	109	3	3	543
Administrative error by hospital/GP	656	1,766	2,697	1,642	1,682	8,443
Hospital transport not available	84	53	222	27	31	417
Cancelled by hospital in order to rebook as alternative booking method	1,282	0	5,849	0	17	7,148
No reason or incorrect reason recorded	39,104	1,190	1,043	1,489	2,193	45,019
Total	73,676	29,746	35,002	15,601	29,572	183,597

1 It is advisable to add these categories together when using the data.

N/A – Information not available prior to 2011/12

(iv) 2011/12

Number of consultant led outpatient appointments cancelled by each HSC Trust (2011/12)

Reason for cancellation	Belfast HSC Trust	Northern HSC Trust	South Eastern HSC Trust	Southern HSC Trust	Western HSC Trust	Northern Ireland Total
Consultant not available ¹	17,686	5,976	10,179	4,834	9,258	47,933
Medical staff not available ¹	1,040	0	1,551	366	1,249	4,206
Patient treated elsewhere	537	917	2,086	840	537	4,917
Consultant cancelled appointment ¹	1,575	17,113	522	461	8,333	28,004

Reason for cancellation	Belfast HSC Trust	Northern HSC Trust	South Eastern HSC Trust	Southern HSC Trust	Western HSC Trust	Northern Ireland Total
Appointment brought forward	1,618	0	2,718	2,151	1,744	8,231
Appointment put back	15,188	1,424	5,812	3,188	3,087	28,699
Cancelled following validation/audit	444	31	122	5	4	606
Administrative error by hospital/GP	572	1,799	2,606	1,291	2,240	8,508
Hospital transport not available	81	30	169	19	27	326
Cancelled by hospital in order to rebook as alternative booking method	4,153	0	3,427	0	111	7,691
No reason or incorrect reason recorded	38,717	1,061	709	1,229	1,976	43,692
Total	81,611	28,351	29,901	14,384	28,566	182,813

¹ It is advisable to add these categories together when using the data.

(v) 1st April to 31st December 2012^P

Number of consultant led outpatient appointments cancelled by each HSC Trust (1 April to 31 December 2012)^P

Reason for cancellation	Belfast HSC Trust	Northern HSC Trust	South Eastern HSC Trust	Southern HSC Trust	Western HSC Trust	Northern Ireland Total
Consultant not available ¹	13,922	4,027	6,755	3,631	5,165	33,500
Medical staff not available ¹	600	0	656	499	1,232	2,987
Patient treated elsewhere	418	652	1,438	474	251	3,233
Consultant cancelled appointment ¹	1,579	9,804	471	327	6,150	18,331
Appointment brought forward	1,274	0	2,211	1,591	1,569	6,645
Appointment put back	10,642	1,135	3,213	2,249	2,416	19,655
Cancelled following validation/audit	465	50	32	27	4	578
Administrative error by hospital/GP	446	1,478	1,654	1,072	1,695	6,345
Hospital transport not available	41	31	98	8	22	200
Cancelled by hospital in order to rebook as alternative booking method	1,562	0	43	0	536	2,141
No reason or incorrect reason recorded	26,689	898	447	1,070	2,026	31,130
Total	57,638	18,075	17,018	10,948	21,066	124,745

¹ It is advisable to add these categories together when using the data.

^P Data are currently provisional

Ambulance Service: Paramedic in Training Programme

Ms S Ramsey asked the Minister of Health, Social Services and Public Safety when the Ambulance Service's Paramedic in Training programme will open.

(AQW 21202/11-15)

Mr Poots: The Northern Ireland Ambulance Service already has a 2-year Paramedic-in-Training programme which was advertised most recently in January 2010. Thirty six students have already completed training while a further 36 are currently progressing through the programme. There are no immediate plans to advertise a further recruitment to the programme.

Ethnic Monitoring Data

Mr Kinahan asked the Minister of Health, Social Services and Public Safety whether his Department has a mechanism in place for the collection and use of ethnic monitoring data; and, should he plan to develop such a system, whether it will follow the standard set by the Office of the First Minister and deputy First Minister in July 2011 under the Guidance for Monitoring Racial Equality.

(AQW 21220/11-15)

Mr Poots: Mechanisms are in place to improve ethnic monitoring on Health and Social Care systems. The Health & Social Care Board has led on this work and during 2013/2014 the following systems are expected to implement ethnic monitoring: the Child Health System; the Community Systems - Social Services Client Administration and Retrieval Environment, and Regional Sure Start Database; and the Hospital Systems – Patient administration System (inpatients), A&E systems and Northern Ireland Maternity System. After a period of 12-18 months the systems will be evaluated to determine their effectiveness.

To support this work HSC ethnic monitoring guidance has been drafted incorporating the OFMDFM guidance. The guidance will also apply to any other Health and Social Care system(s) which implement Ethnic Monitoring.

Autism Awareness Month

Mr McMullan asked the Minister of Health, Social Services and Public Safety whether he will consider hosting an event in Parliament Buildings to support Autism Awareness Month in April 2013.

(AQW 21244/11-15)

Mr Poots: I would be happy to consider hosting an event in Parliament Buildings to support Autism Awareness Month in April 2013, if requested to do so. I would point out however, that Autism awareness, like our response to Autism itself, is a cross-departmental responsibility so any event would ideally reflect that fact.

I am pleased however, to inform the Member that I have agreed, subject to Assembly Business, to open and lend my support to the Belfast Autism Steering Group's Conference to celebrate World Autism Awareness on 22 April 2013. The Conference will focus on the autism journey in Northern Ireland to date and will examine what services should look like in the next ten years.

I can also advise the Member that the draft Autism Action Plan 2013-2015 (part of the draft Autism Strategy) identifies that all NI Government Departments can participate in World Autism Awareness Day annually as part of developing awareness.

Occupational Therapists

Mr Rogers asked the Minister of Health, Social Services and Public Safety what action his Department is taking to deal with the expected increase in demand for occupational therapists following the introduction of the Personal Independence Payment. **(AQW 21266/11-15)**

Mr Poots: In Northern Ireland Personal Independence Payment (PIP) will replace Disability Living Allowance (DLA) from 10 June 2013 for eligible people of working age (16 to 64 years old) who make a new claim.

Personal Independence Payment is based on an assessment of individual need. The new assessment will focus on an individual's ability to carry out a range of key activities necessary to everyday life. Information will be gathered from the individual, as well as healthcare and other professionals who work with and support them.

It will involve health professionals considering personal circumstances to understand how the individual's condition or disabilities affect them.

The health professional will provide advice to a benefit decision maker who will then use this information to decide if the individual is entitled to Personal Independence Payment.

Occupational therapists (OTs) are experts in assessing functional performance. They have a unique understanding of the impact of disability and illness on occupation (e.g. activities) recognising that poor physical and mental health, disabilities, or the effects of ageing can affect people in different ways.

In addition to other professionals including GPs, district nurses, social workers, physiotherapists and health visitors, OTs are already involved in providing information for individuals who apply for Disability Living Allowance (DLA). The impact of PIP assessments on occupational therapy services when this replaces the existing system for those applying for Disability Living Allowance (DLA) will become more evident as the new system evolves.

Independent Living Fund

Ms Brown asked the Minister of Health, Social Services and Public Safety what safeguards his Department can put in place to ring fence the budget for the Independent Living Fund from 2015.

(AQW 21273/11-15)

Mr Poots: My Department will do all it can to help ensure that those disabled people in Northern Ireland who are most in need of care and support are not disadvantaged by the decision of the Department for Work and Pensions to close the Independent Living Fund (ILF) with effect from April 2015.

My officials will work closely with the other devolved administrations to help develop alternative longer-term arrangements for the future provision of the care and support previously funded by the ILF.

The ILF monies will not be lost to NI and officials are currently developing transitional arrangements for current recipients of the ILF. As a first step in developing new arrangements, my Department plans to run a public workshop in June to seek stakeholder's views on we should proceed with this issue.

Northern Ireland Single Assessment Tool

Mr Allister asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 20312/11-15, what are the component parts of the Northern Ireland Single Assessment Tool; and to outline the financial allocation associated with each component part.

(AQW 21295/11-15)

Mr Poots: The Northern Ireland Single Assessment Tool (NISAT) is made up of component parts. The number of components completed depends on the complexity of the individual's health and social care needs; assessment can stop at any stage if enough information has been gathered to address those needs. The 3 primary components are: Contact Screening; Core Assessment; and Complex Assessment. There are also 3 additional components which can be used in conjunction with those above: a Specialist Assessment Summary; a GP and Medical Practitioner Report; and a Carer's Support and Needs Assessment. There is no financial allocation associated with the completion of any component of the NISAT, which is published online at <http://www.dhsspsni.gov.uk/index/hss/ec-community-care/ec-northern-ireland-single-assessment-tool.htm>.

Circular HSC (ECCU) 1/2010 Care Management, Provision of Services and Charging guidance reminds the HSC of its overriding duty to procure quality services at a price which represents value for money. Each year the Health and Social Care Board negotiate a regional rate with the independent sector for residential and nursing home care. The Regional Rate is a guide to what the HSC considers fair and affordable for the total cost of a care home placement, not a fixed price: a Trust must pay whatever charge is required in order to procure a necessary placement in a given locality. The actual cost will differ across the programmes of care that are listed in the question, according to the level of need presented.

HSC Trusts are required by the Health and Personal Social Services Order (NI) 1972 Articles 15, 36 and 99 to assess a person's ability to contribute to the cost of residential accommodation. The Health and Personal Social Services (Assessment of Resources) Regulations (NI) 1993 prescribe the financial assessment that must be carried out to determine how much each individual should contribute to the cost of their care. The HSC Trust will supply any shortfall in funding between the amount that the individual can afford to pay and the cost of the residential or nursing care home placement. The level of need that an individual presents has no bearing on the assessment of how much that person can afford to contribute to the cost of their care package. Thus the only situation in which a contribution that could be identified as "standard" from the Trust is made is in the case of those who are assessed as able to afford to pay for their placement in full, who are subsidised by £100 per week towards their nursing care.

Payments for Nursing Care were introduced in Northern Ireland in 2002. In establishing the weekly payment rate at £100, the Department carried out extensive research consulting residents, representative organisations and health and social care experts. The £100 per week rate is subject to periodic review but has remained unchanged since its introduction in 2002.

Northern Ireland Single Assessment Tool

Mr Allister asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 20312/11-15, given that there are component parts of the Northern Ireland Single Assessment Tool and an objective assessment resulting from same, how is the outcome in each category of elderly, mental illness, learning disability and physical disability a standard rate financial contribution, including an invariable amount for nursing care.

(AQW 21296/11-15)

Mr Poots: The Northern Ireland Single Assessment Tool (NISAT) is made up of component parts. The number of components completed depends on the complexity of the individual's health and social care needs; assessment can stop at any stage if enough information has been gathered to address those needs. The 3 primary components are: Contact Screening; Core Assessment; and Complex Assessment. There are also 3 additional components which can be used in conjunction with those above: a Specialist Assessment Summary; a GP and Medical Practitioner Report; and a Carer's Support and Needs Assessment. There is no financial allocation associated with the completion of any component of the NISAT, which is published online at <http://www.dhsspsni.gov.uk/index/hss/ec-community-care/ec-northern-ireland-single-assessment-tool.htm>.

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Northern Ireland Single Assessment Tool

Mr Allister asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 20312/11-15, given that a financial assessment should only commence after an assessment of the individualised service user's health and social care needs has been completed, what resulting variation in the financial contribution made by his Department can be demonstrated for individuals within the (i) elderly; (ii) mental illness; (iii) learning disability; and (iv) physical disability categories.

(AQW 21297/11-15)

Mr Poots: The Northern Ireland Single Assessment Tool (NISAT) is made up of component parts. The number of components completed depends on the complexity of the individual's health and social care needs; assessment can stop at any stage if enough information has been gathered to address those needs. The 3 primary components are: Contact Screening; Core Assessment; and Complex Assessment. There are also 3 additional components which can be used in conjunction with those above: a Specialist Assessment Summary; a GP and Medical Practitioner Report; and a Carer's Support and Needs Assessment. There is no financial allocation associated with the completion of any component of the NISAT, which is published online at <http://www.dhsspsni.gov.uk/index/hss/ec-community-care/ec-northern-ireland-single-assessment-tool.htm>.

Circular HSC (ECCU) 1/2010 Care Management, Provision of Services and Charging guidance reminds the HSC of its overriding duty to procure quality services at a price which represents value for money. Each year the Health and Social Care Board negotiate a regional rate with the independent sector for residential and nursing home care. The Regional Rate is a guide to what the HSC considers fair and affordable for the total cost of a care home placement, not a fixed price: a Trust must pay whatever charge is required in order to procure a necessary placement in a given locality. The actual cost will differ across the programmes of care that are listed in the question, according to the level of need presented.

HSC Trusts are required by the Health and Personal Social Services Order (NI) 1972 Articles 15, 36 and 99 to assess a person's ability to contribute to the cost of residential accommodation. The Health and Personal Social Services (Assessment of Resources) Regulations (NI) 1993 prescribe the financial assessment that must be carried out to determine how much each individual should contribute to the cost of their care. The HSC Trust will supply any shortfall in funding between the amount that the individual can afford to pay and the cost of the residential or nursing care home placement. The level of need that an individual presents has no bearing on the assessment of how much that person can afford to contribute to the cost of their care package. Thus the only situation in which a contribution that could be identified as "standard" from the Trust is made is in the case of those who are assessed as able to afford to pay for their placement in full, who are subsidised by £100 per week towards their nursing care.

Payments for Nursing Care were introduced in Northern Ireland in 2002. In establishing the weekly payment rate at £100, the Department carried out extensive research consulting residents, representative organisations and health and social care experts. The £100 per week rate is subject to periodic review but has remained unchanged since its introduction in 2002.

Department of Justice

Northern Ireland Prison Service

Lord Morrow asked the Minister of Justice (i) whether Prisoner A was charged with grievously assaulting a prison officer in HMP Maghaberry, leaving him with injuries which have caused him to be dismissed from the Northern Ireland Prison Service; (ii) to give reasons if no charge was brought; and (iii) if charges were brought, to detail the relevant dates and outcomes.

(AQW 18451/11-15)

Mr Ford (The Minister of Justice): Details of assaults which take place whilst in custody cannot be disclosed. Information of this nature is classed as sensitive under section 2 of the Data Protection Act 1998. To place such information in the public domain would breach the first principle of the Data Protection Act 1998.

G4S: Electronic Tagging

Lord Morrow asked the Minister of Justice how much G4S has been paid for electronic tagging in each of the last two years. (AQW 20692/11-15)

Mr Ford: The expenditure on the Electronic Monitoring contract with G4S over the last two years is set out in the table below:

Financial Year	Expenditure
2011/12	£1.248 million
2012/13	£1.242 million*

* This is the expected expenditure at 31 March 2013

Northern Ireland Prison Service: Staff

Lord Morrow asked the Minister of Justice, pursuant to AQW 19601/11-15 and AQW 18621/11-15, and in relation to the Health and Safety at Work (NI) Order 1978 and NICS policies relevant to when a prison officer is assaulted in the course of duty, how such incidents are recorded, maintained, monitored and reviewed at Prison Service Headquarters given the potential for legal proceedings against the Service and the Excusal of Sickness Absence for periods of absence due to being assaulted. (AQW 20696/11-15)

Mr Ford: Each establishment maintains an Accident Book in which staff record any accidents/incidents that occur. This includes assaults, or injuries received when carrying out Control and Restraint techniques on prisoners. This information is then logged by health and safety staff in their respective accident/incident spreadsheets. In addition, an Accident Report form is completed for each accident /incident. There is also additional paperwork to be completed if the incident involves the use of a Control and Restraint team.

Should the accident/incident fall under the requirements of the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (RIDDOR) the Health and Safety Executive would then be informed via an NI2508 form.

The NI Prison Service Health and Safety Advisor provides a quarterly report to the Prison Service Management Board. His report includes the RIDDOR figures as part of the overall update on health and safety issues.

In the event of legal proceedings or excusal of sick absence, cases are handled on a case by case basis.

Northern Ireland Prison Service: Code of Conduct and Discipline

Lord Morrow asked the Minister of Justice, pursuant to AQW 19757/11-15, (i) whether he wishes to revise his answer given that in his response to AQW 17821/11-15 he did not state that a Grade 7 is working on this process alongside a range of key stakeholders from the Departments identified; (ii) whether the Grade 7 has a team to assist; (iii) to detail the number of staff in this team, broken down by grade; (iv) how many, and what grade of staff from (a) the Prison Service; (b) the Department of Finance and Personnel; (c) his Department; (d) the Prison Governors' Association; and (e) the Prison Officers' Association are working on the project; and (v) how they are contributing. (AQW 20697/11-15)

Mr Ford: I refer the Member to the answers I gave to AQW 17821/11-15, AQW 18877/11-15, AQW 19757/11-15, and AQW 20578/11-15.

In my response to AQW 19757/11-15 I indicated that the Grade 7 is working on the process with the range of key stakeholders mentioned in earlier AQW responses. These stakeholders are contributing to ongoing consultation but are not assisting as part of a team.

Northern Ireland Prison Service: Code of Conduct and Discipline

Lord Morrow asked the Minister of Justice, pursuant to AQW 13999/11-15, (i) whether the Code Of Conduct and Discipline (COCD) training provided to new recruits, existing staff and managers is fully compliant with employment legislation, case law, and procedural requirements, including those that are statutory, and the Labour Relations Agency Code of Practice on Discipline and Grievance Procedures; (ii) where, and by whom, the training is delivered; (iii) to detail the content and duration of the training; (iv) how many Prison Service staff have received the training in the last five years, broken down by grade; and; (v) why, in his answer to AQW 16619/11-15, he intimated that 44 Governors did not receive specific investigative training under the COCD but that a number of managers have received specific training to conduct harassment investigations. (AQW 20698/11-15)

Mr Ford: Whilst there is no statutory requirement to train staff or management on the COCD, the Northern Ireland Prison Service, recognising this as best practice, does provide a level of training to its staff. This is delivered by Staff Training Officers at the Prison Service College and in each establishment's training department. The training sessions are scheduled to last approximately one hour and thirty minutes.

The content of the course includes who the COCD is applicable to, differentiation between minor breaches and gross misconduct, an overview of the complete process, revision of learning points, questions and evaluation.

Prison Service records indicate that 487 staff have received COCD training in the last five years; this equates to 241 Custody Officers, 118 Occupational Support Grade Officers, 76 Prisoner Custody Officers, 30 attendees on Nurse Induction courses, 22 Night Custody Officers and 78 other staff through management development and vocational qualifications.

My response to AQW 16619/11-15 indicated that a number of managers received specific harassment investigation training. These managers were selected, following a trawl competition, and trained to conduct specific investigations into dignity at work issues. This training was specific to dignity at work investigations.

Crown Courts: Seating Arrangements

Mr Allister asked the Minister of Justice whether he has any plans to relax the seating arrangements in Crown Courts whereby accused on bail, and not deemed as a risk, can sit outside the dock.
(AQW 20702/11-15)

Mr Ford: I have no plans to change seating arrangements in the Crown Court.

When a defendant on bail attends a court hearing it is normal practice for the individual to be placed in the dock during proceedings. An application to change this arrangement for a specific case is a matter for the trial Judge.

Northern Ireland Judiciary

Mr Allister asked the Minister of Justice to list the meetings he has held with members of the Northern Ireland Judiciary since coming to office.
(AQW 20703/11-15)

Mr Ford: Since coming into office on 12 April 2010 I have had 10 regular stocktake meetings with the Lord Chief Justice. I met with the then High Court Judge, Mr. Justice Hart, at the Criminal Justice Delivery Group in October 2011. I also met with the Lord Chief Justice and a number of members of the Northern Ireland Judiciary during the visit to Northern Ireland by the Lord Chancellor, The Rt Hon Chris Grayling MP, on 6 February 2013.

In addition to formal meetings, I often meet the Lord Chief Justice and other members of the Northern Ireland Judiciary at conferences, seminars and other gatherings in the course of my official duties.

I also attended events organised by Ards Lay Magistrates Association, Belfast Lay Magistrates Association and Armagh and South Down Lay Magistrates Association on 8 December 2010, 3 October 2011 and 20 January 2012 respectively.

Northern Ireland Prison Service: Scanning Technology

Mr P Ramsey asked the Minister of Justice, given the commitment to seek alternative examples of scanning technology for use in prisons, to clarify if his Department has been in contact with the Irish Prison Service on this matter.
(AQW 20756/11-15)

Mr Ford: As part of the Northern Ireland Prison Service modernisation programme, officials throughout NIPS have ongoing contact with officials of the Irish Prison Service (IPS) on a range of possible improvements or alternative procedures. Discussions have taken place between officials about alternatives to full body searching and the range and nature of the technology that IPS deploys to facilitate this process.

I have personally discussed the issue with Alan Shatter TD, Minister for Justice and Equality, on a visit to Portlaoise Prison.

The Irish Prison Service does not use body scanning technology, nor has it been trialled in any of its establishments.

Maghaberry Prison

Mr Elliott asked the Minister of Justice what discussions he has had with Martin McGuinness MLA in relation to conditions for prisoners at Maghaberry Prison.
(AQW 20761/11-15)

Mr Ford: I have not had any formal meetings with Mr. McGuinness in relation to conditions for prisoners at Maghaberry Prison. However, I have met with Mr. McGuinness in his role as deputy First Minister; meetings with both the First Minister and deputy First Minister cover a range of issues, including prisons issues.

Court Cases

Lord Morrow asked the Minister of Justice, to detail which agency is responsible for notifying victims of crime (i) when cases are due in court, particularly in relation to sentencing; and (ii) if cases are transferred to different courts including those outside the original court division.
(AQW 20768/11-15)

Mr Ford: At present, responsibility for notifying victims of crime when their case is due in court or about a change of venue lies with both the PSNI and the PPS, depending on the type of case.

Currently, notification in relation to summary cases (heard in the magistrates' court) is undertaken by the PPS and indictable cases (heard in the Crown Court) by the PSNI.

In relation to sentencing, notification in summary cases is by the PPS. In indictable cases, the victim may have been in court and heard directly, or the PPS representative at court will advise them. If they were not at court they would be notified by PSNI.

While there is no formal process at present for informing a victim of crime of a venue change, in practice either the PPS or PSNI will advise the victim.

A Victim and Witness Care Unit (VWCU) is currently being piloted in the Belfast magistrates' court. Where cases are currently dealt with by the VWCU, it will provide a single point of contact for victims of crime. One staff member is responsible for the case from when it enters the system. That staff member is also responsible for informing victims of cases going to court, sentencing and changes of venue. It is intended to commence the roll-out of the unit to other court regions in April 2013, with full roll out across Northern Ireland by the end of the calendar year.

The introduction of the VWCU will serve to streamline various elements of the criminal justice system and keep victims better informed about the progress and outcome of their case.

Northern Ireland Prison Service: Code of Conduct and Discipline

Lord Morrow asked the Minister of Justice, in the absence of the revised Northern Ireland Prison Service Code of Conduct and Discipline, if the current version is still applicable.

(AQW 20769/11-15)

Mr Ford: I can confirm that the current version of the Code of Conduct and Discipline is applicable until the new one is introduced.

Northern Ireland Prison Service: Hearing Loss Compensation

Lord Morrow asked the Minister of Justice, pursuant to AQW 19336/11-15, to detail (i) the number of retired prison officers that, to date, have received compensation for hearing loss attributed to firearms training; (ii) the number of outstanding claims for hearing loss compensation; (iii) whether any of the claims were made after the date of the cessation of firearms training provided by the RUC; and (iv) the date that the RUC Firearms Training Branch ceased to provide such training.

(AQW 20770/11-15)

Mr Ford:

- (i) The number of retired officers who have received compensation for hearing loss attributed to firearms training is 22.
- (ii) The number of outstanding claims for hearing loss compensation at this date is 142.
- (iii) Claims have been received for training carried out over many years, including after the Royal Ulster Constabulary (RUC) stopped providing this service.
- (iv) The RUC Firearms Training Branch ceased to provide such training when the Northern Ireland Prison Service staff took over this training in 1987.

AccessNI Clearance

Mr Weir asked the Minister of Justice what plans his Department has to increase the turnaround time of applications for AccessNI clearance.

(AQW 20771/11-15)

Mr Ford: AccessNI continually reviews its processes to reduce the time taken to turn around applications.

The average turnaround times in days for 2012/13 to 10 March 2013 are:

- Basic – 6.5
- Standard – 6.2
- Enhanced - 20

The Police Act 1997 (Criminal Records) (Amendment No 2) Regulations (Northern Ireland) 2012 changed the disclosure process resulting in a significant reduction in the number of cases being referred to PSNI and improved turnaround times. During October 2012 the average time taken to return an AccessNI check was 24 days, while at the end of December 2012 it was 16 days and at the end of January 2013 it was 13 days.

I am aware, however, that applications referred to PSNI can, on occasion, take a significant time to complete. My department is continually working with PSNI to reduce the time it takes to complete this process.

In addition, I have accepted a recommendation made by Sunita Mason, the Independent Advisor for Criminality Information in England and Wales, that a system of portable disclosures and updated online checking be introduced in Northern Ireland. Legislative provision to make such a change is to be included in the next Justice Bill.

Once these changes are implemented, citizens who register on the system for portable disclosures may not need to re-apply for an AccessNI check as they move between employers.

AccessNI Clearance

Mr Weir asked the Minister of Justice to detail how many applications were made for AccessNI clearance, in each of the last five years.

(AQW 20773/11-15)

Mr Ford: AccessNI began processing disclosures on 1st April 2008. Accurate records were not kept for the number of applications received during 2008/09, but it is estimated that this was around 120,000. The information in relation to applications received by AccessNI over other annual periods (1-April-31 March) is:

	2009/10	2010/11	2011/12	2012/13 (to 31/1/13)
Basic	17,464	17,808	16,791	17,434
Standard	9,784	3,369	2,423	6,088
Enhanced	120,140	104,707	103,837	88,993
Total	147,388	125,844	123,051	112,515

AccessNI Clearance

Mr Weir asked the Minister of Justice to detail the average time taken to process an AccessNI clearance application, in each of the last five years.

(AQW 20774/11-15)

Mr Ford: AccessNI began operations on 1st April 2008. There are no accurate records for the average time taken to process applications during 2008/09, though it is a matter of record that there were significant delays during that period that were resolved by December 2008. The following table sets out the average processing time for subsequent years:

	2009/10	2010/11	2011/12	2012/13 (to 10/3/13)
Basic	8.3	5.2	5.9	6.5
Standard	8.3	5.8	5.7	6.2
Enhanced	15.4	13.3	20.5	20.0

Part-time Reserve Gratuity Scheme

Mr Allister asked the Minister of Justice, pursuant to AQW 17156/11-15, what decision has been made about the disposal of the £392,000 surplus arising from the Part Time Reserve Gratuity Scheme.

(AQW 20778/11-15)

Mr Ford: This residue will be retained until the Department is confident that no further payments may be made. No decisions have yet been taken on how the residue can and should be used.

Northern Ireland Prison Service: Code of Conduct and Discipline

Lord Morrow asked the Minister of Justice (i) for his assessment of whether the undue delay by the Northern Ireland Prison Service, as a functioning public body, in implementing a new Code of Conduct and Discipline is acceptable and reasonable; and (ii) to outline the risks and consequences for prison staff whilst the situation is not progressed.

(AQW 20798/11-15)

Mr Ford: I am satisfied that there has not been undue delay in the development of the new disciplinary system for the Northern Ireland Prison Service (NIPS). NIPS continue to operate under the current Code of Conduct and Discipline and I do not believe there are specific risks for prison staff in doing so.

Domestic Violence

Mr Weir asked the Minister of Justice to outline the strategies being pursued to tackle domestic violence.

(AQW 20817/11-15)

Mr Ford: The current strategy for tackling Domestic Violence is "Tackling Violence at Home". This Strategy was published in 2005 and extended with the approval of the Inter-Ministerial Group on Domestic and Sexual Violence to enable the development of a new single strategy to tackle both domestic and sexual violence. It is intended that this new Strategy will be published in early 2014.

Northern Ireland Prison Officers

Lord Morrow asked the Minister of Justice, pursuant to AQW 19755/11-15, in view of the significant amount of employment legislation introduced in Northern Ireland and, the Labour Relations Agency Code of Practice on discipline and grievance procedure, for his assessment of whether this is fair to prison officers given the potential for prejudice, procedures not being followed and legal action against the Service.

(AQW 20819/11-15)

Mr Ford: I am satisfied that the existing disciplinary system for the Northern Ireland Prison Service is being operated fairly.

Northern Ireland Prison Service Central Benevolent Fund

Lord Morrow asked the Minister of Justice how much his Department has contributed to the Prison Officer's Benevolent Fund in each of the last three years.

(AQW 20821/11-15)

Mr Ford: The Northern Ireland Prison Service has made the following contribution to the Northern Ireland Prison Service Central Benevolent Fund.

Year	Total Contribution
2010-11	£11613
2011-12	£16925
2012-13	£17787

The contribution is in respect of the costs of the Annual Memorial Service held at the Prison Service College and the Annual Carol Service at St Anne's Cathedral.

Northern Ireland Prison Service

Lord Morrow asked the Minister of Justice, pursuant to AQW 19050/11-15, to detail (i) what level of input the Prison Officers' Association has within the Northern Ireland Prison Service part-funded Prison Service Trust; (ii) whether the Northern Ireland Prison Service carries out any audit of its financial input including how often; and (iii) whether the Northern Ireland Prison Service can stipulate to where funding should be directed.

(AQW 20829/11-15)

Mr Ford: The Prison Officers' Association is an independent body and the Member may wish to contact it directly regarding its level of input into the Prison Service Trust (PST).

The Northern Ireland Prison Service does not perform an audit of the Prison Service Trust as a number of other assurances are in place to ensure funding is used in the correct manner. Funding is released on request to the PST in instalments against estimated expenditure for the quarter ahead, and with a summary of expenditure for the previous quarter. NIPS stipulates for what purposes monies provided from NIPS can be spent and may reclaim all or part of any grant which remains unspent or is expended for purposes other than those specified in the funding agreement.

PST publishes and forwards to NIPS within 2 months of the end of its financial year, a copy of its Annual Report of activities and Accounts prepared and audited in accordance with its obligations under the Companies Act and other legal requirements. The financial records of the PST are open to inspection by officials of NIPS, and/or staff of the Comptroller and Auditor General.

Courts Fitted with Bollards

Lord Morrow asked the Minister of Justice to detail, including associated costs (i) the courts that have been fitted with bollards from 2011 to date; and (ii) the courts that will be fitted with bollards in the future.

(AQW 20870/11-15)

Mr Ford: From 2011 to date bollards have been installed at the following courthouses: Antrim, Armagh, Ballymena, Coleraine, Craigavon, Downpatrick, Dungannon, Enniskillen, Lisburn, Londonderry, Newry, Newtownards, Omagh and Strabane.

The associated installation costs are estimated at £665,640.

It would not be appropriate to discuss future security arrangements.

Northern Ireland Prison Service

Lord Morrow asked the Minister of Justice, pursuant to AWQ 18261/11-15, given the concerns highlighted in the Pearson Review Report regarding a range of issues including difficulties in convincing neutral observers that fairness and transparency exists in Northern Ireland Prison Service disciplinary investigations, to detail (i) whether the new proposals will contain adequate steps to address this concern; and (ii) whether the system will be fair, fast and certain as asked by Dr Pearson.

(AQW 20871/11-15)

Mr Ford: I am content that the proposed new disciplinary system will be fair, transparent and timely in the processing of cases.

Carecall

Lord Morrow asked the Minister of Justice how much his Department has contributed to Carecall, in each of the last three years. (AQW 20873/11-15)

Mr Ford: The Department of Justice and its Agencies are part of a NICS contract which provides an EAP for staff. In each of the last three financial years the overall DOJ spend with Carecall is as follows:

Year	Amount
2009/2010	£46,143
2010/2011	£46,868.76
2011/2012	£40,025.86

Speed Limits

Mr Ross asked the Minister of Justice to detail of the discussions that his Department has had with the Department for Regional Development on the introduction of reduced or temporary speed limits in areas where roadworks are due to begin. (AQW 20887/11-15)

Mr Ford: My Department has not had any discussions with the Department for Regional Development on the introduction of reduced or temporary speed limits in areas where road works are due to begin.

This is a matter for the Department of Regional Development's Road Service who are empowered under Article 40 of the Road Traffic Regulation (NI) Order 1997 to introduce temporary speed limits.

You may therefore wish to direct your question to the Department for Regional Development.

Northern Ireland Prison Service: Code of Conduct and Discipline

Lord Morrow asked the Minister of Justice, to detail whether (i) the review of the Northern Ireland Prison Service Code of Conduct and Discipline is complete; and (ii) Trade Unions have been consulted. (AQW 20903/11-15)

Mr Ford: A Code of Conduct has now been developed in consultation with a number of key business partners, including the Trade Unions.

Prisoner Release

Lord Morrow asked the Minister of Justice, pursuant to AQW 18612/11-15, to detail (i) the reason for the delay in the response; (ii) whether his Department sought legal opinion when invoking the Data Protection Act; and (iii) whether the Data Protection Act applied to (a) the defendant; and (b) agencies involved in prisoner release schemes and monitoring. (AQW 20939/11-15)

Mr Ford: The delay in the response to AQW/18612/11-15 was due to the use of the term "Prisoner A", as this phrase has been used to refer to more than one prisoner. Although legal opinion was not sought when invoking the Data Protection Act, advice was sought from staff who hold a recognised qualification in the application of data protection law.

The Act applied to the defendant only.

Northern Ireland Prison Service: Assaults on Staff

Lord Morrow asked the Minister of Justice, pursuant to AQW 20093/11-15 and without naming individuals or circumstances but having now been made aware of same, whether he will revise his response to AQW 19302/11-15. (AQW 20940/11-15)

Mr Ford: The answer to AQW 20093/11-15 does not require revision. Between 12 April 2010 and 31 December 2012 there have been no prison officers dismissed due to a disability following long-term sickness caused by an assault. The Northern Ireland Prison Service definition of assault, as contained in Annual Reports, is as follows: 'When the victim has sustained an injury resulting in his death, or his detention in an outside hospital as an inpatient, or any of the following injuries whether or not detained in hospital: fractures, concussion, internal injuries, crushing, severe cuts or lacerations, severe bruising, burns or scalds or severe general shock requiring medical treatment'

Legal Aid

Lord Morrow asked the Minister of Justice, pursuant to AQW 20232/11-15, the number of cases to which these figures relate. (AQW 20942/11-15)

Mr Ford: The Northern Ireland Legal Services Commission (NILSC) records expenditure by reference to the legal aid certificates that were paid. Separate certificates may have been granted to a number of legal representatives involved in the same case and the NILSC does not record the total expenditure in respect of each case.

The number of Very High Cost Case certificates paid in the last two financial years are:

- 186 Certificates in 2010/11
- 125 Certificates in 2011/12

Northern Ireland Prison Service

Lord Morrow asked the Minister of Justice, pursuant to AQW 19228/11-15, to detail (i) why the Professional Standards Unit will not deal with retrospective cases; and (ii) the action the Northern Ireland Prison Service will take upon receipt of a retrospective complaint or report against a member of the Service where sufficient evidence exists to warrant a misconduct and/or a criminal investigation, particularly if the allegations are serious in nature.

(AQW 20945/11-15)

Mr Ford: Any new case referred to the Professional Standards Unit will be considered, however the Unit will not re-examine any investigations already completed. If the new Unit undertook to consider historic cases this would hinder the fresh start the Service needs in relation to disciplinary matters and could have resources implications.

DOJ: Finances

Mr Ross asked the Minister of Justice how much he expects his Department to return at the end of the current financial year.
(AQW 20977/11-15)

Mr Ford: Following the January 2013 in-year monitoring round, the Department's forecast Departmental Expenditure Limit (DEL) outturn position for 2012-13 is as follows:-

Unringfenced Resource DEL

The Department's Unringfenced Resource DEL budget is fully allocated and is being closely monitored to ensure that final outturn is as close to budget as possible.

Ringfenced Resource DEL

The Department has surplus Ringfenced Resource DEL funding across the Budget 2011-15 period. This is a budget for costs such as the depreciation of assets and cannot be spent on other areas. At the end of 2012-13, the Department forecasts an underspend of £16.4m.

Capital DEL

The Department has a forecast 2012-13 underspend of £13.4m due to the phasing of the Northern Ireland Community Safety College at Desertcreat. This funding will be carried forward across the Budget 2011-15 period.

Transgender Community

Ms Maeve McLaughlin asked the Minister of Justice, in terms of its legal obligation under Section 75 of the Northern Ireland Act 1998, how his Department consults with the transgender community.
(AQW 21003/11-15)

Mr Ford: The Department of Justice is fully committed to fulfilling its equality obligations in accordance with the approach set out in its Equality Scheme. This includes arrangements for consulting with representative groups of all Section 75 categories, including the transgender community.

The Department recently published a "User Guide on Stakeholder Consultation". This sets out best practice and key principles of consultation for staff working in the justice system. The Guide encourages using a targeted approach to identify and directly engage with those who may have a particular interest in the issue being consulted upon.

The Department maintains a list of all S75 statutory consultees, which includes those groups which represent the transgender community. The consultation list is reviewed annually in line with the Equality Scheme.

Northern Ireland Prison Service

Lord Morrow asked Minister of Justice, pursuant to AQW 20042/11-15, why the Prison Service does not conduct formal compliance audits and scrutiny in all disciplinary cases investigated, adjudicated upon and determined, in light of the number of appeals upheld by the Prison Service and the Civil Service Appeals Board since 2008.
(AQW 21006/11-15)

Mr Ford: Examinations of individual cases have taken place although there is no requirement on the Northern Ireland Prison Service to carry out compliance audits in respect of internal disciplinary processes.

Northern Ireland Prison Service

Lord Morrow asked the Minister of Justice, pursuant of AQW 18621/11-15, to detail the number of Prison Officers, recorded in the Accident Record Books of the prison establishments, who have taken sick leave as a result of an injury caused by a prisoner, during the past three years, who have returned to work on light duties; and under what legislation, Government policy or other arrangements these officers were permitted to return to work on light duties.

(AQW 21008/11-15)

Mr Ford: The information requested could only be obtained at a disproportionate cost.

There is provision for staff to return to work on a phased return on medical grounds. These arrangements are set out in Section 12 of the Sickness Absence Chapter of the NICS HR Handbook.

Community Restorative Justice Schemes

Mr Weir asked the Minister of Justice to detail the funding awarded to each community restorative justice scheme in each of the last five years.

(AQW 21024/11-15)

Mr Ford: The funding provided to Community Restorative Justice Ireland and Northern Ireland Alternatives through the Department of Justice is set out in the table below.

Financial Year	Community Restorative Justice Ireland	Northern Ireland Alternatives
2008-09	£60,000	£70,000
2009-10	£125,922	£110,000
2010-11	£95,000	£90,000
2011-12	£101,000	£104,880
2012-13	£100,000	£103,485

Compensation Payments

Mr Campbell asked the Minister of Justice what distinction is made to victims of both physical and mental injury when awarding compensation payment.

(AQW 21035/11-15)

Mr Ford: A person can be awarded compensation for physical or mental injury if their injury is sufficiently serious to be classified in one of the tariff bands attached to the Northern Ireland Criminal Injury Scheme 2009.

When a person suffers both a physical and a mental injury, if the tariff amount for the physical injury is higher than that for the mental injury, only the physical injury tariff can be paid as it includes an element of compensation for the degree of mental injury which a victim in normal circumstances would experience.

Prison Estate Strategy Consultation

Mr G Robinson asked the Minister of Justice to detail the political parties, and local elected representatives from Limavady who responded to the Prison Estates Strategy consultation.

(AQW 21157/11-15)

Mr Ford: The Northern Ireland Prison Service (NIPS) Outline Estate Strategy was published for consultation in June 2012. Respondents from the Limavady area included George Robinson DUP MLA, Gregory Campbell DUP MLA, and David McClarty, Independent MLA.

A summary of responses to the consultation will be published alongside the final Estate Strategy at the end of April.

Department for Regional Development

Roads Service: Car Park Season Tickets

Mr McClarty asked the Minister for Regional Development, pursuant to AQO 3174/11-15, (i) for a breakdown of monthly and quarterly season tickets allocated at each Roads Service car park in the Northern division; and (ii) what percentage of allocated tickets have been purchased since 31 March 2012.

(AQW 20718/11-15)

Mr Kennedy (The Minister for Regional Development): The numbers of season tickets which are made available at Roads Service's charged car parks in Northern Division and sales figures since 31 March 2012 are given in the following table:-

Car Park Name	Spaces	Number of Season Tickets Available	Monthly Season Tickets	Quarterly Season Tickets
			Number of Sales 31/3/12 To 11/3/13	Number of Sales 31/3/12 To 11/3/13
Antrim				
Central (Castle Way)	438	23		
Railway Street	182	9	2	27
Ballycastle				
Anne Street	87	4		8
Ballymena				
Ballymoney Road	177	9	1	29
Broughshane Street	249	12		17
Church Street 1	193	10		1
Church Street 2	117	6		1
Church Street 3	140	7		
Harryville	86	4		16
Town Centre (Multi-Storey)	840	42		32
Ballymoney				
Castle Street	126	6		
Church Street	90	5		5
Coleraine				
Abbey Street	182	9		3
Long Commons	137	7		2
Mall	223	11		
Railway Place	154	25		38
Railway Road	319	16	1	3
Waterside	205	10	1	20
Larne				
Agnew Street	92	5		
Circular Road West	128	6		
Fairhill	28	1		
Narrow Gauge Road	73	4		8
Riverdale East	86	4		
Limavady				
Central	155	8		18
Connell Street	119	6		7
Main Street	71	3		
Londonderry				
Bishop Street	133	7		42
Carlisle Road	25	1		
Foyle Road (GNR Site)	88	8	1	7
Foyle Street	43	8		
Queens Quay	162	8		

Car Park Name	Spaces	Number of Season Tickets Available	Monthly Season Tickets	Quarterly Season Tickets
			Number of Sales 31/3/12 To 11/3/13	Number of Sales 31/3/12 To 11/3/13
Society Street	23	1		
Spencer Road	25	1		4
Strand Road	87	4		
Victoria Market	93	5		2
William Street	150	8		

It is most likely that season tickets are used by all-day parkers. However, it should be noted that a season ticket does not secure the availability of a parking space within the car-park.

The availability and turnover of parking spaces is ultimately in the best interests of town centre traders and shoppers. However, any request for an increase in relation to a specific car park will be considered by Roads Service officials taking into account current utilisation levels and uptake on season tickets.

Narrow Water Bridge

Mr Allister asked the Minister for Regional Development pursuant to AQW 19657/11-15 and in the context of the Narrow Water bridge proposal, if there are any jurisdictional issues which could impinge on the exercise of any powers by his Department under Article 4 of the Roads (NI) Order 1993 and how they might be addressed.

(AQW 20779/11-15)

Mr Kennedy: An order under Article 4 of the Roads (Northern Ireland) Order 1993 may not have legal effect outside Northern Ireland. If that power were to be exercised, provision would be made in the order to make it clear that the order did not have that effect.

Bus Station Closures

Mr Weir asked the Minister for Regional Development to detail (i) the bus stations that have been closed in each of the last five years; and (ii) the proposed bus station closures in each of the next two years.

(AQW 20814/11-15)

Mr Kennedy: Translink has advised me that the following bus stations have been closed within the last five years:

- Lisburn in 2008 (but replaced with a larger station providing a full range of passenger waiting facilities);
- Comber in 2012 (small passenger-waiting facility and bus parking); and
- a small satellite depot at Saintfield in July 2007 (no passenger facilities at this location, merely bus parking).

Translink have further advised that it has plans to close a bus parking facility at Donaghadee with a small unit for bus drivers/cleaners and a bus shelter for intending passengers. Translink has advised that the Area Manager responsible for Donaghadee was to meet with local DUP councillors in the area on Monday 25 March to discuss the matter further.

Footpaths: Main Street, Millisle

Mr Easton asked the Minister for Regional Development what action will be taken to improve the footpaths on Main Street, Millisle.

(AQW 20825/11-15)

Mr Kennedy: My Department's Roads Service inspects the footways on Main Street, Millisle on a monthly cyclical basis. Any defects requiring remedial action are recorded and programmed for repair on a prioritised basis, in accordance with Roads Service Maintenance Standards.

The most recent inspection at this location, undertaken on 14 March 2013, identified five recordable defects.

Capital Works Projects

Mr McGlone asked the Minister for Regional Development what capital works projects are currently being considered by his Department.

(AQW 20905/11-15)

Mr Kennedy: Over the Budget period to 2015, investment in the Strategic Road Network is concentrated on the provision of dual carriageways on the A8 (Belfast – Larne), A2 (Shore Road, Greenisland) and A5 routes. Construction work commenced on the A8 in July 2012 and on the A2 in March 2013. Whilst preliminary works have been carried out on the A5, progression of the scheme is now the subject of a legal challenge.

Beyond 2015, the Investment Strategy for Northern Ireland 2011-21 includes for construction of a number of high priority schemes on the M2, A6 and A26, as part of a £390 million package, funded through alternative finance, in the period 2015/16 to 2020/21. However, a commitment to fund the revenue consequences of this roads package will be required, and so the timing for such schemes will depend upon future resource budget settlements. In the event of alternative finance not being available, the schemes could be included, together with other priority schemes, in the bidding process for conventional capital funds, in the next Budget period.

In the meantime, development continues on a range of schemes listed in the Department's strategic road improvement programme (<http://www.drdni.gov.uk/index/roadimprovements.htm>)

Roads Service plans to carry out an extensive range of capital schemes during the 2013/14 financial year. These schemes include carriageway resurfacing, surface dressing, footway resurfacing, drainage, Local Transport Safety Measure Schemes, street lighting, etc. However, as the detailed budget for the 2013/14 financial year has not yet been finalised, it is not possible to provide specific details of future works programmes at this time.

Similarly, beyond 2013/14, budgets have not been finalised and Roads Service is unable to provide a list of proposed schemes for that period.

However, information on completed and proposed road schemes 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 address:

<http://www.drdni.gov.uk/index/publications-details.htm?docid=8571> Over the next two financial years (2013/14 and 2014/15), subject to the availability of the necessary finance, Translink is currently either progressing or is considering the major capital projects listed below, that have a cost value greater than £5 million. It should be noted, however, that the following projects reflect current plans and may be subject to change:

Projects currently being progressed:

- Class 3000 Train Overhaul
- Coleraine to Derry~Londonderry Track Renewals - Phase 2
- Building Services Upgrade Programme
- New Generation Ticketing
- Belfast Transport Hub

Projects currently being considered subject to budget:

- Class 4000 Trains Overhaul
- Lisburn to Lurgan Track Rehabilitation
- Lisburn West – New Halt and Park and Ride
- Bus Replacement Programme

The following capital works projects are also being progressed:

- **Belfast Rapid Transit** - this project is currently being progressed by the Department with a view to completion in 2017.
- **Belfast on the Move** - this project is currently being progressed by the Department and is due to be completed by summer 2013.
- **Park & Ride Programme** - the Department is currently preparing an implementation programme which will identify and prioritise the individual Park & Ride projects to be delivered in the period 2013/14-2014/15.
- **Rathlin Ferry New Build** - this project is currently being prepared by the Department with a view to completion in 2015.
- **Enforcement of Moving** - the initial phase is currently being prepared
- **Vehicles in Bus Lanes** - this project is currently being progressed by the Department with a view to completion later in 2013.
- **Transport Model** - the Department has recently initiated a project to construct and operate a computer transport model of Northern Ireland. It is currently expected that the model will be ready for use in approximately two years.
- **Active Travel Demonstration Projects** – projects are underway in Derry and Craigavon with further projects planned for Belfast and Strabane. All projects are due for completion in 2015.
- **Ecar Project** – this project is currently being progressed by the Department with a view to completion in 2013.

In addition, Northern Ireland Water (NIW) intends to award construction contracts relating to the following projects in the period April 2013 to March 2015:

- | | |
|---|--|
| ■ Castor Bay to Belfast - Strategic Link; | ■ Dromore, Tyrone - WWTW Feasibility Study; |
| ■ Carrickfergus - Phase 3 Watermains Improvements; | ■ McVeighs well to Old Park Service Reservoir (SR), |
| ■ Drumbeg Drive, Lisburn – Wastewater Pumping Station (WWPS) Enhancement; | Belfast - Gravity II Trunk Watermain; |
| ■ Donaghmore – Wastewater Treatment Works (WWTW) Upgrade; | ■ Market Street, Downpatrick – WWPS Upgrade; |
| | ■ Bangor Drainage Area Plan (DAP) - Lukes Point WWPS - Upgrades to intermittent discharges (UIDs); |

- Nixons Corner, Londonderry - WWTW Feasibility Study;
- Ballydougan to Newry - Main Link Reinforcement;
- Stoneyford - WWTW Upgrade;
- Panel Engineer Recommendations – East Phase 1 – Remedial Works to Impounding reservoirs;
- Belfast - M1 Crossing Replacement;
- Province Wide - Service Reservoir Enhanced Security Phase 2;
- Ormeau Avenue, Belfast - Sewer investigation and feasibility study for pollution resolution;
- County Down - Sewers Structural Rehabilitation Package 2;
- Drumsurn – WWTW Upgrade;
- Lisnarrick - WWTW Feasibility Study;
- Ballintoy - WWTW Upgrade;
- Province Wide - Watermains identified as priority 1 for replacement;
- Hunter's Mill, Downpatrick - Storm Attenuation and Network Improvements;
- Magheramason - WWTW Upgrade;
- Ballymagorry - WWTW Upgrade;
- Londonderry DAP - Bunrana Road Work Package;
- Ballymartin & Blackrock - WWTW Upgrade;
- Milltown, Killyneese & Portglenone - Sewers Structural Rehabilitation Package 1;
- Armagh - DAP Stage 1;
- Ballyhornan - Outfall Screen;
- UWWTW MCERT compliance – Required Flow measurement by NIEA at Urban Wastewater Treatment Works for EC Compliance;
- Panel Engineer Recommendations - North Phase 1 - Remedial Works to Impounding Reservoirs;
- Ballysally, Coleraine – Combined Sewer Overflow (CSO) Works Package;
- Clabby - WWTW Upgrade;
- Base maintenance at water supply non-infra sites – Capital maintenance at Water Treatment Works (WTW), required to maintain standards;
- Artigarvan - WWTW Feasibility Study;
- Ards South, Portavogie, Ballyhalbert, Cloughey, Kirkistown – Wastewater treatment solutions;
- 26 Ballyscullion Road, Bellaghy - Flood alleviation;
- Dungiven - WWTW Inlet Sewer Hydraulic Assessment/Upgrade;
- Green Road, Conlig - Storm Sewer Extension;
- Blackcave Catchment, Larne - Networks Repairs;
- Ballygally - Sewer Rehabilitation;
- St Judes Gardens, Rostrevor - Flood Alleviation;
- Waringfield - SPS Upgrade;
- Killylane - WTW Upgrade/replacement;
- Hollywood - Sewer Catchment Investigations;
- Castlewellan Road, Newcastle - Sewerage Scheme;
- Greyabbey WWTW - Phase 2 Base Maintenance;
- Lylehill – Service Reservoir (SR) Rehabilitation;
- Dernagh - WWPS Upgrade;
- Blackwater Town - WWPS Upgrade;
- Bog Road, Strabane - WWPS Upgrade;
- Tamlaght Road WWPS, Omagh - Feasibility Study;
- Province Wide - Capital Investment – Water Pumping Station (WPS) Pump Efficiency;
- Crieve - SR upgrade and extension;
- Armoyle - WWTW Upgrade;
- Erganagh - WWPS Replacement;
- Westland Rd, Cookstown - SPS Upgrade;
- River Road, Dunmurry - SPS Upgrade;
- Hilltown - WWTW Phase 2 Base Maintenance;
- Bangor DAP - Works Package 5 - Clandeboye Stream UIDs – Remediation of intermittent discharges to local streams;
- Carrickmore - WWPS Upgrade Including Replacement of Pumping Main;
- Millisle - DAP Stage 2, Phase 2;
- Tempo - WWTW Feasibility Study;
- Tullynakill Road, Ardmillan - WWTW Feasibility Study;
- Belfast - Preparation of redundant Storm Pumping Stations for disposal;
- Ardnavey, Comber - Sewer Pumping Main Extension;
- Roddens Crescent, Belfast - Sewer Upgrades;
- Copeland Road, Comber - Tank Sewer;
- Cornakinnegar Road, Lurgan - Foul and Storm Sewer Extension;
- Strathfoyle - Sewerage Syphons Upgrade;
- Roseville, Bangor - Removal of Screens and Installation of Solid Handling Pumps at WWPS;
- Meadowbank Park / Reaville, Dundonald - Flood Alleviation;
- Cargan - WWTW Phase 2 Base Maintenance;
- Carrowdore - WWTW Phase 2 Base Maintenance;
- Shore Road, Glynn, Larne - Storm Sewer and Foul Pumping Main Extension;
- Millturn - WWPS Feasibility Study;
- Kirkistown North – WWPS Refurbishment;
- New Holland - WWTW Phase 2 Base Maintenance;
- Neilsbrook - WWPS Upgrade;
- Drumglass Park, Lisburn Road, Belfast - Storm Separation;
- Moneymore - WWTW Phase 2 Base Maintenance;
- Old Belfast Road, Bangor - Storm Sewer Extension;
- Cushendall Road, Ballymena - Storm Sewer Extension;
- Churchview, Armagh Road, Moy - WWPS Upgrade;
- Granville, Dungannon - Watermain Extension;
- Millbay - WWPS Flow Survey;
- Drumsough Road, Randalstown - Sewerage Scheme;
- Faughan Crescent, Londonderry - Pumping station and Pumping main upgrade;
- Martins Yard, Gilford - Pipe Bridge Condition Survey;
- Old Lotus Shoe Factory, Old Newry Road, Banbridge - Sewerage Scheme;
- Rosscroole Park, Newtownabbey - Foul and Storm

- Sewer Extension;
- Lapwing, Newtownards - Article 11 Enforcement Site;
 - Edenvale Avenue, Carrickfergus - Sewer Replacement;
 - Steps Road, Magheralin - Foul and Storm Sewer Extensions;
 - Province Wide - Metering and Treatment of WTW effluents;
 - Donaghbrook, Ballymoney – Flood Alleviation;
 - Ballyregan Road, Dundonald - Storm Sewer;
 - Glynn - Relocation of Overflow Pipe at WWPS;
 - Ballykine – SR Rehabilitation;
 - North Coast - WWTW Phase 2 Base Maintenance;
 - Strangford - Sewer Network Salinity Reduction;
 - Dundrum - DAP, UIDs Upgrades;
 - Millbay - WWPS Flow Survey;
 - Meadow Lane and Bann Street, Portadown - Drainage Area Network Improvements;
 - Chambers Park, Omagh - WWPS Feasibility Study;
 - Chapel Hill, Stewartstown, WWPS Inlet Screen Removal;
 - Castlewellan - DAP Stage 1;
 - Portaferry Road, Newtownards - WWPS Upgrade;
 - Gortalowry Park, Cookstown - Sewer Network Misconnections;
 - Annahilt - WWTW Phase 2 Base Maintenance;
 - School Road, Forkhill - Storm Sewer Extension;
 - 157a & 155 Groomsport Road, Bangor - Additional Studies – Flood Alleviation;
 - Carnesure Park, Comber - Foul Sewer Replacement;
 - Fernisky Road, Kells - Storm Sewer;
 - Newmills Road, Coleraine - Storm Sewer Upgrade;
 - Gransha Road, Bangor - Trunk Sewer replacement;
 - Coney Island – Drainage Area Study (DAS);
 - Dublin Road, Newry - Out of Sewer Flooding;
 - Springfield Crescent, Belfast - Storm Sewer Extension;
 - Umry Lodge, Antrim – CSO;
 - Craigmole Road, Maghera - Foul Sewer Extension;
 - Longstone Road, Annalong - Storm Sewer Extension;
 - Aikens Town Parks, Magherafelt - WWTW PH2 Base Maintenance;
 - Monteith Road, Annaclone - Foul and Storm Sewer Extensions;
 - Belleek (Armagh) - WWTW Phase 2 Base Maintenance;
 - Stranocum - WWTW Phase 2 Base Maintenance;
 - Hallidays Road, Belfast - Storm Sewer;
 - Mount Eagles, Lisburn - Foul Sewer;
 - Glenmore, Lisburn - CSO Upgrade at WWPS;
 - Gortinreid Bridge, Londonderry - Pumping Main Upgrade at WWPS;
 - Edgewater, Lisburn - WWPS H&S Upgrade - Feasibility Study;
 - Newtownards, Lisburn and Down - Base Maintenance at Multiple WWTW East IWWF <£100k;
 - Movilla Street, Newtownards - Replacement Sewer;
 - Main Street, Cloughey - Pumping main, Foul and Storm Sewer Extensions;
 - Ballygudden Road, Eglinton – Sewer Extension;
 - Brians Well Road, Poleglass - Foul Sewer Extension;
 - North Road, Newtownards - Storm Sewer;
 - Orchard, Annahilt - Feasibility Study at WWPS;
 - Whitepark Road, Ballycastle - Foul Sewer Extension;
 - Gortatray, Cookstown - WWTW Phase 2 Base Maintenance;
 - Longfield, Eglinton - WWTW Phase 2 Base Maintenance;
 - Curran Road, Larne - Storm Sewer Extension;
 - Glenbrook Road, Newtownards - Storm Sewer Extension;
 - High Street, Ardglass - Sewer Realignment;
 - Donaghbrook, Ballymoney - Flood Alleviation;
 - Ballysally, Coleraine – CSO Works Package;
 - Dervock - WWTW Phase 2 Base Maintenance;
 - Milltown Road, Ballymoney - Foul Sewer Extension;
 - Strand Road, Coleraine - Network Appraisal Study;
 - Slievebann Drive, Belfast - Foul Sewer Extension;
 - Devonshire Street, Belfast - Storm Sewer Extension;
 - Annvale, Armagh - SPS Upgrade and Feasibility Study;
 - Nutts Corner Road, Crumlin - Storm Sewer Extension;
 - Creevy Road, Lisburn - Storm Sewer Extension;
 - Dromintee Primary School - Storm Sewer Extension;
 - Cyprus Avenue, Belfast - Sewer Rehabilitation;
 - Ballywalter - WWTW Phase 2 Base Maintenance;
 - Mill Rd, Newtownabbey - Foul and Storm Sewer;
 - Downpatrick Street, Crossgar - Storm Sewer;
 - Park Road, Belfast - Sewer Appraisal Study;
 - Maloon, Cookstown - WWPS Access Improvements;
 - 24-30 Redfort Drive, Carrickfergus - Flood Alleviation;
 - Seaside Road, Killyleagh - Watermain Extension;
 - Derry Road, Strabane – Sewer Extension;
 - Flying Horse Road, Downpatrick - Sewer Extension;
 - Cloughy - WWTW Phase 2 Base Maintenance;
 - Cornakinnegar Road, Lurgan - Water Main Extension;
 - Waringfield, Moira - SPS Upgrade;
 - Garland Avenue, Lurgan - Sewer Extension;
 - Marine Apartments, Ballycastle – Watermain Extension;
 - Lurganare, Newry - WWTW Phase 2 Base Maintenance;
 - 4 Steeple Road, Antrim - Foul and Storm Sewer Extensions;
 - Blackcave Catchment, Larne - Networks Repairs;
 - Milltown, Maghera - WWTW Phase 2 Base Maintenance;
 - Strand Road, Coleraine - WWPS and Network Appraisal Study;
 - Sandyknowes, Newtownabbey - WWPS Refurbishment;

- Flying Horse Road, Downpatrick - Sewer Extension;
- Hunters Mill, Annesborough Road, Lurgan - Storm Sewer Extension;
- Breagh Road, Portadown - Storm Sewer;
- Umry Lodge, Antrim – CSO;
- Whitepark Road, Ballycastle - Foul Sewer Extension;
- Churchview, Armagh Road, Moy - WWPS Upgrade;
- South Parade, Belfast – Flood Alleviation;
- Rashee Drive, Ballyclare - Storm Sewer Extension and Upgrade;
- Millmount, Randalstown – WWPS;
- Killyhevin - WTW Feasibility Study;
- Coa Road, Enniskillen - Storm Sewer Extension;
- Kilmore - WWTW Feasibility;
- Province Wide - SR Assessments - Site Access;
- Villawood, Dromore - Sewage Scheme;
- Hatfield Street, Belfast - Storm Sewer Extension;
- South Circular Road, Bangor - Storm Sewer Extension;
- Park Parade, Ormeau Embankment, Belfast - Storm Sewer Extension;
- Desertcreat, Cookstown - System Upgrade for proposed Development;
- Connswater Community, Greenway - Desilting and Closed Circuit Television Survey;
- Annvale, Armagh - SPS Upgrade and Feasibility Study;
- Carran Hill / Creamery Road, Newry - Sewer Extension;
- Ravenhill Road, Belfast - Storm Sewer Extension;
- 35/37 Hawthornden Road, Belfast - Feasibility Study;
- Annalong - DAP and UIDs;
- Moybrick Road, Dromara - Foul Sewer Extension;
- Breagh Road, Portadown - Storm Sewer;
- Hillmount Crescent, Tobermore - Storm Sewer;
- Woodlawn Park, Dungannon - Storm and Foul Sewer;
- Main Street, Belcoo - Storm Sewer Extension;
- Dublin Road, Omagh - Storm Sewer;
- Ardmore Road, Armagh - Storm Sewer Extension;
- Desertcreat College, Cookstown - Foul Pumping Main Extension;
- Nettlehill Road, Lisburn - Storm Sewer;
- Lismourne Place, Strabane - Foul Sewer Extension;
- Lower Stanfield Street, Belfast - Storm Sewer Extension;
- Annsfield Close, Killyleagh - Storm Sewer Extension;
- Dorisland WTW - Granular Activated Carbon Filters Feasibility Study;
- Pembroke Loop Road / Good Shepherd Road, Poleglass - Sewer Extensions;
- Glencam Road, Omagh - Storm Sewer Extension;
- Primacy Road, Bangor - Foul and Storm Sewer Extensions;
- Garvagh School - WWPS Upgrade;
- Carrickaness Road, Benburb - Storm Sewer Extension;
- Magheraknock Road, Ballynahinch - Storm Sewer Extension;
- Meadowvale, Dublin Road, Newtownstewart - Foul Sewer Extension;
- Robinsonstown - WWTW Feasibility Study;
- Moneymore Road, Magherafelt - Foul and Storm Sewer Extensions;
- 131 Doagh Road, Ballyclare - Storm Sewer Extension;
- Dunmurry - Watermain Improvements;
- South Zone (Cookstown, Dungannon, Fermagh and Omagh) - Watermain Improvements;
- Ballyrobert Road, Ballyclare - Storm Sewer Extension;
- Glenavy Road, Crumlim - WWPS Site Investigation;
- Begny Hill, Dromara - Storm Sewer Extension;
- Bangor - DAP Work Package 2: Rathmore Stream UIDs;
- Bangor - DAP Work Package 4: Bangor Marina UIDs;
- Killuney Road, Armagh - Foul and Storm Sewer Extensions;
- Sevensprings, Ballyhampton Road, Larne - Storm Sewer;
- 187 West Circular Road, Belfast - Storm Sewer Extension;
- 25 Moor Road, Kilkeel - Foul and Storm Sewer Extensions;
- Mountpleasant, Newtownards - Foul and Storm Sewer Extensions;
- Enniskillen Road, Ballinamallard - Storm Sewer Extension;
- Mill Street / Bridge Street, Hilden, Lisburn - Storm Sewer Extension;
- Glenlough, Ballymoney - Pumping Station & Pumping Main;
- Stewarts Hill, Armagh - Foul and Storm Sewer Extensions;
- Coolmillish Road / Green Road, Markethill - Foul and Storm Sewer Extensions;
- Trewmount Road, Killyman, Dungannon - Storm Sewer Extension;
- Old Antrim Road, Ballymena - Storm Sewer Extension;
- Ballygassoon Road, Loughall - Storm Sewer Extension;
- Gracefield Road, Magherafelt - Storm Sewer Extension;
- Ballynahinch Road, Lisburn - Storm Sewer Extension;
- Birch Hill Road, Antrim - Foul and Storm Sewer Extensions;
- Crebilly Road, Ballymena - Foul and Storm Sewer Extension;
- Willow Gardens, Dunmurry - Sewer Extension;
- Raby Street, Belfast - Sewer Alignment;
- Circular Road, Belfast - Storm Sewer Extension;
- Main Street, Bellaghy – Sewer extension for new development;
- Magheralave Road, Clonevan - Storm Sewer Extension;
- Lisburn - DAP Stage 1;

- Portadown - DAP Stage 2;
- Kilkeel - DAP Phase 1;
- Lake Street, Lurgan - Foul and Storm Sewer Extensions;
- Springfield Road, Portavogie - Storm Sewer Extension;
- Moneymore Road, Cookstown - Sewerage Scheme;
- Annadale Avenue, Belfast - Storm Sewer;
- Mersey Street, Belfast - Storm Sewer;
- Crossdened Row, Keady - Storm Sewer Extension;
- Campbell Terrace, Plumbridge - Storm Sewer Extension;
- Killyharry Road, Castlecaulfield - Storm Replacement;
- Fintona Road, Clogher - Foul Pumping Main Extension;
- Castlefin Road, Castlederg - Storm Sewer Extension;
- Ballycastle - WWTW Upgrade and replacement;
- Fincairn Road, Drumahoe - Storm Sewer Extension;
- Newry Road, Mayobridge - Storm Foul Sewer Extension;
- Rostrevor Road, Hilltown - Storm Sewer Extension;
- Cloncarrish Road, Birches - Storm Sewer Extension;
- Scarva Road, Loughbrickland - Foul Sewer Extension;
- Telephone Exchange/Flax Mill, Sion Mills - Foul Sewer Extension;
- Monaghan Street, Newry - Sewerage System Investigation;
- Art Road, Artigarvan - Storm Sewer Extension;
- Birches Road to Cloncarrish Road, Craigavon - Sewer Extension;
- McKeown Street, Lisburn - Environmental Improvements;
- Strawhill, Donaghcloney - Storm Sewer Extension;
- Ballywalter Road, Millisle - Storm Sewer Extension; and
- The Castle, Dungiven – Storm Sewer Extension for new development adjacent to the Castle.

This list may change as priorities or funding allocation may change in year. NIW is unable to forecast projects beyond March 2015, as this is the start of a new Price Control Period (PC15). This period is outside the current business plan period and the programmes and projects have yet to be agreed with a wide range of stakeholders including DRD, NIEA and DWI.

Comber Greenway Access

Miss M McIlveen asked the Minister for Regional Development what steps are being taken to address the problems with access to the Comber Greenway at Ballyrainey Road following the construction of a bridge.
(AQW 20915/11-15)

Mr Kennedy: I would refer the Member to my answer to her Assembly Question, AQW 18795/11-15.

Overtaking Lanes: Portaferry Road/Shore Road/Rowreagh Road

Miss M McIlveen asked the Minister for Regional Development what consideration has been given to introducing overtaking lanes on the Portaferry Road/Shore Road/Rowreagh Road along the Ards Peninsula to improve road safety.
(AQW 20916/11-15)

Mr Kennedy: Unfortunately, the sinuous and restricted nature of the main Newtownards to Portaferry Road and its relative position to Strangford Lough restricts the options for carrying out any significant realignment or road widening to provide suitable overtaking stretches along this route.

However, my Department's Roads Service has completed a number of safety improvements schemes on this main route from Newtownards to Portaferry, the most recent being a junction sightline improvement scheme completed during 2011 at Rowreagh Road/Gransha Road, outside Kircubbin. It is hoped that a further sightline improvement scheme, for the A20 Rowreagh Road/Rubane Road, will commence during the 2013/14 financial year, subject to the availability of funding and successful acquisition of lands required for the scheme.

Roads Service officials continually monitor and inspect this route, in conjunction with the PSNI Road Policing Unit, and implement additional traffic management measures to enhance road safety, in so far as funding pressures and physical constraints permit.

No-overtaking Zones: Portaferry Road/Shore Road/Rowreagh Road

Miss M McIlveen asked the Minister for Regional Development what consideration has been given to the introduction of no overtaking zones with associated signage, on the Portaferry Road/Shore Road/Rowreagh Road along the Ards Peninsula to improve road safety.
(AQW 20917/11-15)

Mr Kennedy: Unfortunately, the sinuous and restricted nature of the main Newtownards to Portaferry Road and its relative position to Strangford Lough, generally restricts overtaking opportunities along this route. As a result, my Department's Roads Service has placed appropriate warning signs and road markings to highlight the hazards along this route. On the basis of the measures already provided and in light of the physical constraints affecting the route, Roads Service currently is not intending to introduce formal no overtaking zones through the use of double white lines and associated signage.

However, Roads Service officials will continue to monitor and inspect this route, in conjunction with the PSNI Road Policing Unit, and implement additional traffic management measures to promote Roads Safety where it would be appropriate to do so.

As you will also appreciate, it is incumbent upon motorists using this route to drive with due care and attention and show respect and consideration to other road users whilst taking into account the prevailing road and weather conditions.

If the Member has specific concerns that she would like to raise with Roads Service Officials, I would be grateful if she would contact Roads Service Southern Division at Rathkeltair House, Downpatrick.

Motorway Resurfacing Budget

Mr Ross asked the Minister for Regional Development to outline the budget available for motorway resurfacing in the financial year 2013/14.

(AQW 20938/11-15)

Mr Kennedy: The total budget for motorway resurfacing during the financial year 2013/14 is yet to be finalised but is estimated to be in the region of £1.5 million. This includes those sections of motorway maintained by the DBFO Companies, on behalf of Roads Service, as well as those sections maintained by Roads Service directly.

Free Transport: Senior Citizens

Mr Campbell asked the Minister for Regional Development what has been the change in the number of journeys taken on public transport by senior citizens entitled to free transport between 2002 and 2012.

(AQW 20968/11-15)

Mr Kennedy: The table below details the relevant statistics from April 2003 to April 2012. These have been provided by Translink:

	Journeys	Increase/Decrease on Previous Year
2003/04	7,477,619	N/A
2004/05	7,633,437	2.1%
2005/06	7,585,338	-0.6%
2006/07	7,720,354	1.8%
2007/08	8,213,819	6.4%
2008/09	8,537,686	3.9%
2009/10	8,537,628	0.0%
2010/11	8,511,246	-0.3%
2011/12	8,701,595	2.2%

The overall percentage rise from 2003/04 to 2011/12 is 16.4%.

Senior citizens is defined as those over the age of 65.

DRD: Finances

Mr Ross asked the Minister for Regional Development how much he expects his Department to return at the end of the current financial year.

(AQW 20976/11-15)

Mr Kennedy: My Department has a good track record in managing its budget, and had excellent results last year (2011-12) when total underspend was just 0.1% of the Department's total resource and capital. While the actual position for the current financial year will not emerge until May, I expect a similar level of performance will be achieved for all areas outside the A5, where specific budget flexibilities have been agreed.

Pumping Stations: North Down

Mr Weir asked the Minister for Regional Development which pumping stations in the North Down constituency will be adopted in the next six months.

(AQW 21020/11-15)

Mr Kennedy: I have been advised by Northern Ireland Water (NIW) that since the adoption process for sewerage systems is developer driven, it is unable to identify or predict which pumping stations in the North Down constituency will be adopted in the next six months.

NIW continues to work with my Department's Roads Service to take forward several enforcement actions involving the adoption of pumping stations in developments, but it can take time to liaise with developer's successors and assignees, identify options, agree solutions and arrange for completion of the work required to bring sewerage systems to an adoptable

standard. For these reasons it is difficult to provide a timescale for this work or to predict if pumping stations will be adopted within the next six months. Inspections are on-going at several development sites which may eventually result in a number of pumping station adoptions within the North Down constituency.

Transgender Community

Ms Maeve McLaughlin asked Minister for Regional Development, in terms of its legal obligation under Section 75 of the Northern Ireland Act 1998, how his Department consults with the transgender community.
(AQW 21065/11-15)

Mr Kennedy: My Department consults with the transgender community in accordance with the commitments and procedures set out in its Equality Scheme 2011 – 2016.

Chapter 3 of the Department's Equality Scheme sets out our arrangements for consulting on matters likely to be relevant to the Section 75 duties including the likely impacts of proposed policies on the promotion of equality of opportunity and good relations.

As part of the development of policies my officials consult with a wide range of Section 75 groups. Appendix 3 of the Equality Scheme lists the Section 75 groups which are notified of consultations, including equality screening exercises, as a matter of course. It contains a range of groups representative of the transgender community. All consultations are published on the Department's website.

In addition, targeted consultations are carried out with relevant groups which might have a particular interest in the matter/policy being consulted upon and for which the matter /policy may be of particular relevance.

Selected Section 75 groups are also invited to annual meetings of the Department's Equality Forum. A group representative of the transgender community is included in the invitation list.

Pumping Stations

Ms P Bradley asked the Minister for Regional Development how frequently screens should be cleaned at NI Water pumping stations.
(AQW 21086/11-15)

Mr Kennedy: I have been advised by Northern Ireland Water that screens at all of its pumping stations are cleaned at least once a month in dry weather conditions and more frequently, if required, during wet weather. Frequency can also be affected by the type of screen, history of station performance and/or make up of incoming flow.

Pumping Stations: Sandyknowes, Newtownabbey

Ms P Bradley asked the Minister for Regional Development how frequently screens are cleaned at the NI Water pumping station at Sandyknowes, Newtownabbey.
(AQW 21087/11-15)

Mr Kennedy: I have been advised by Northern Ireland Water that the screens at Sandyknowes Wastewater Pumping Station are cleaned a minimum of once a month in dry conditions and more frequently, as required, during wet weather. The Pumping Station has operated well with no major operational issues being encountered since new pumps were fitted in September 2011.

Narrow Water Bridge

Ms Ruane asked the Minister for Regional Development to outline the reasons for delaying the Bridge Order for the Narrow Water Bridge project, which is required for the project to remain on schedule, given that the Bridge Order by Louth County Council has already been approved.
(AQW 21112/11-15)

Mr Kennedy: With regard to the processing of the Bridge Order, I would refer the Member to my answer to her Assembly Question, AQW 21325/11-15.

I can assure the Member that there is no delay on the part of my Department and every effort is being made to progress these necessary Orders. With regard to the Member's reference to Louth County Council already having a Bridge Order in place, I should explain that Louth County Council only requires the consent of the Minister for Arts, Heritage and the Gaeltacht, which has been granted, whereas in Northern Ireland the construction of a bridge over navigable waters requires appropriate legislation.

The timescales will inevitably be different given the significant differences between the processes adopted within the respective jurisdictions.

Narrow Water Bridge

Ms Ruane asked the Minister for Regional Development whether he will ensure that his Department expedites the processing of a Bridge Order to allow the Narrow Water Bridge project to remain on schedule.
(AQW 21325/11-15)

Mr Kennedy: I can confirm that in order to facilitate the Narrow Water Bridge Project, my Department's Roads Service personnel are working closely with representatives from Louth County Council and their technical advisors, to prepare the necessary documents, including drawings that are required for both a Bridge Order and a Diversion & Extinguishment Order under Articles 4, 5 and 6 of the Roads (Northern Ireland) Order 1993.

Unfortunately, while working draft documents, including drawings referred to in the draft Orders, have been prepared, these are now being redrafted to take account of late changes to the vessel protection system being provided in association with this bridge. Roads Service was advised of these changes at a recent meeting with representatives from Louth County Council and their technical advisors, which took place on 12 March 2013. On 20 March 2013, officials received revised drawings from Louth County Council's technical advisers and these are currently with Departmental Solicitor's Office for clearance.

I can assure the Member that there is no delay on the part of my Department and every effort is being made to progress these necessary Orders. It is currently estimated that the Bridge Orders will be drafted and ready for publication by mid-April. When ready, the Draft Orders will have to be advertised on two successive weeks and following this, a statutory consultation period of at least 30 days is required. If no objections are received, the Orders could be made towards the end of June or early July. However, if objections are received, I will have to consider whether a Public Inquiry is required.

Department for Social Development

Benefit Appeals Tribunals

Lord Morrow asked the Minister for Social Development whether he will consider permitting formal note-taking to be carried out at benefit appeals tribunals, to ensure that there is an accurate recording of proceedings, particularly to assist in instances post-hearing when a complaint has been submitted as to the conduct of a panel member.

(AQW 20632/11-15)

Mr McCausland (The Minister for Social Development): There is legislative provision for formal note taking in benefit appeal tribunals to support the decision making process. Regulation 55(1) of The Social Security and Child Support (Decisions and Appeals) Regulations (Northern Ireland) 1999 stipulates that a record of the proceedings at an oral hearing, which is sufficient to indicate the evidence taken, shall be made by the Chairman or a member sitting alone in an appeal tribunal in such medium that he may determine. Currently the practice is for a hand written note to be taken. Parties to the proceedings may take a note of the hearing with the permission of the Tribunal.

The Appeal Tribunal panel members are judicial office holders and independent of Government. The operation of tribunals, including matters relating to the conduct of panel members, is the responsibility of the President of Appeal Tribunals, Mr Conall MacLynn who can be contacted at the Office of the President of Appeal Tribunals, 6th Floor, Cleaver House, 3 Donegall Square North, Belfast, BT1 5GA.

One-bedroom Properties

Mr Durkan asked the Minister for Social Development how many one bedroom properties there are in each constituency.
(AQW 20680/11-15)

Mr McCausland: The information is not available in the format requested as the Housing Executive does not routinely collate data by Parliamentary Constituency. However, the Housing Executive has advised that the number of their one bedroom dwellings (including bedsits) by District Office area is as follows: -

District Office Area	1 Bed	Bedsit	Total
Antrim	375		375
Armagh	239		239
Ballycastle	109		109
Ballymena	373	1	374
Ballymoney	81	2	83
Banbridge	260	18	278
Bangor	498	0	498
Carrickfergus	340	7	347
Castlereagh	630	52	682
Coleraine	303	7	310
Collon Terrace	201	0	201
Cookstown	42	0	42

District Office Area	1 Bed	Bedsit	Total
Downpatrick	326	0	326
Dungannon	198	0	198
East Belfast	287	22	309
Fermanagh	127	3	130
Larne	280	0	280
Limavady	172	0	172
Lisburn Antrim Street	657	5	662
Lisburn Dairy Farm	207	0	207
Lurgan Brownlow	356	51	407
Magherafelt	32	0	32
Newry	487	8	495
Newtownabbey 1	372	39	411
Newtownabbey 2	475	0	475
Newtownards	472	1	473
North Belfast	531	2	533
Omagh	180	0	180
Portadown	301	10	311
Shankill	238	0	238
South Belfast	327	20	347
Strabane	112	0	112
Waterloo Place	349	16	365
Waterside	176	0	176
West Belfast	483	52	535
Totals	10,596	316	10,912

The majority of Housing Associations have advised that they hold a total of 1,316 one bedroom properties across their stock by constituency as follows: -

Parliamentary Constituency	Number of one- bed properties
Belfast East	135
Belfast North	161
Belfast South	277
Belfast West	88
East Londonderry	24
Fermanagh & South Tyrone	0
Foyle	315
Lagan Valley	2
Mid-Ulster	13
Newry & Armagh	79
North Antrim	9
East Antrim	88
South Antrim	0
North Down	22

Parliamentary Constituency	Number of one- bed properties
South Down	1
Strangford	30
Upper Bann	72
West Tyrone	0
Total	1,316

Three Housing Associations could not provide details of their one bed stock by Parliamentary Constituency and instead provided the information by District Council area: -

Council area	Number of one- bed properties
Antrim	44
Armagh	0
Ballymena	76
Ballymoney	23
Banbridge	32
Belfast	1046
Carrickfergus	52
Castlereagh	58
Coleraine	122
Cookstown	28
Craigavon	95
Londonderry	40
Down	7
Dungannon	85
Fermanagh	29
Larne	43
Limavady	0
Lisburn	180
Magherafelt	37
Moyle	27
Newry & Mourne	1
Newtownabbey	57
Newtownards	50
North Down	51
Omagh	10
Strabane	43
Total	2236

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Boiler Replacement Scheme

Mr Durkan asked the Minister for Social Development how much has been spent on the administration of the Boiler Replacement Scheme to date.

(AQW 20789/11-15)

Mr McCausland: To date £850,000 in staff costs (7 offices across the province and headquarters staff in Belfast) are attributable to the Boiler Replacement Scheme.

From a start up position in September the following has been achieved;

- 30,000 enquiries received and processed,
- 27,500 application forms issued,
- 12,800 application forms received and processed, including checking of income and home ownership,
- 12,500 installer forms issued,
- 7,200 installer forms received and processed,
- 6,500 formal approvals for boiler replacements issued,
- 2,500 completions received,
- 1,500 payments made.

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Boiler Replacement Scheme

Mr Durkan asked the Minister for Social Development how much has been allocated for the Boiler Replacement Scheme; and how much has been spent on the scheme to date.

(AQW 20790/11-15)

Mr McCausland: The boiler replacement scheme was launched in September 2012 and the funding allocation for this year is £4m with a further £4m allocated for each of the following two years in 2013/2014 and 2014/2015.

Up to the 15th March 2013;

- 6,500 formal approvals issued equating to £4.55m budget spend when the applicants complete the works (applicants are allowed 3 month to complete)
- 2,500 cases confirmed as actually complete (although some are waiting for Building Control confirmation) equating to £1.75m budget spend.
- £1.10m of the budget has actually been paid out to date

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Donaghadee Public Realms

Mr Easton asked the Minister for Social Development what is the timetable for the commencement of the Donaghadee Public Realms work.

(AQW 20800/11-15)

Mr McCausland: Ards Borough Council is in the process of running a competition to appoint an Integrated Consultancy Team to prepare the concept design and economic appraisal for a public realm scheme in Donaghadee. The Integrated Consultancy Team is due to be appointed in April 2013 and it will take them in the region of 5 months to complete this work and send the economic appraisal to DSD for consideration. The public realm works will commence in August 2014, subject to funding being available and all necessary approvals being in place.

Newbuild Social Housing

Mr McKay asked the Minister for Social Development how many new build social housing apartments, houses or flats will be provided in the (i) Ballymena; (ii) Ballymoney; and (iii) Moyle council areas, during the next three years.

(AQW 20822/11-15)

Mr McCausland: The information is not available in the format requested in relation to a breakdown of apartments, houses or flats. However, the Housing Executive has advised that the Social Housing Development Programme for 2013/14 – 2015/16 in respect of the District Council areas is as follows: -

Year	Ballymena	Ballymoney	Moyle
2013/14	10	0	33
2014/15	82	0	42
2015/16	30	3	14
Total	122	3	89

Details of the Social Housing Development Programme (which has various search facilities including by District Council) are available at: -

http://www.nihe.gov.uk/index/services/housing_need.htm

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Atos Healthcare Staff

Lord Morrow asked the Minister for Social Development to outline the procedure for submitting a complaint against Atos Healthcare staff, in relation to medical assessments which return inaccurate information, particularly on people who are assessed as fit for work having scored 0 points, but who have this score overturned on either review or appeal.

(AQW 20824/11-15)

Mr McCausland: Atos Healthcare undertake medical examinations using information and evidence provided by the claimant. Decisions on benefit entitlement are made by Social Security Agency decision makers, using all available information including any medical advice provided by Atos Healthcare.

If claimants are not content with the decision they have the right to ask for a reconsideration and/or appeal of the benefit decision. These rights are explained to claimants in their benefit decision notification.

A claimant can make a complaint on any matter to either the Atos Healthcare Customer Relations Team or the Social Security Agency, by telephone, in writing or by e-mail. Atos Healthcare is responsible for responding to complaints regarding dissatisfaction about their staff or medical assessments that have been carried out whereas the Social Security Agency is responsible for responding to complaints regarding the decision making process or for providing advice on benefit specific matters.

The Social Security Agency's Health Assessment Advisor independently monitors the quality of Atos Healthcare's work to ensure that medical assessments are carried out in line with professional medical standards and to an acceptable quality standard.

Replacement Boilers and Double Glazing

Mrs D Kelly asked the Minister for Social Development how many replacement (i) boilers; and (ii) double-glazing units have been (a) granted; and (b) completed in Upper Bann, in the last twelve months.

(AQW 20832/11-15)

Mr McCausland: The information is not available in the format requested as the Housing Executive does not routinely collate data by Parliamentary Constituency. However, they advise that since the introduction of the Boiler Replacement Scheme in September 2012 there have been 189 replacement boilers granted across the Craigavon and Banbridge District Council area. With regard to double glazing, three schemes were started in 2012/13 in Craigavon District Council area for a total of 678 dwellings, of which there have been 520 completions; no double glazing schemes were started in the Banbridge District Council area.

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Emigration

Mr McMullan asked the Minister for Social Development whether his Department will factor emigration into its budgetary considerations.

(AQW 20836/11-15)

Mr McCausland: My Department's main business areas are social security (including child maintenance & enforcement), housing and urban regeneration/community development. As advised in my response to the Member's similar Question last month, emigration potentially reduces the demand for these services, so it is not something factored into departmental budgetary considerations.

Warm Homes Scheme

Mr Durkan asked the Minister for Social Development how many people have (i) applied to the Warm Homes Scheme; and (ii) had assistance from the scheme, in the past three years, broken down by constituency.

(AQW 20861/11-15)

Mr McCausland: The information is not available in the format requested as the Housing Executive who manages the scheme does not collate data by parliamentary constituency but by District Council.

Table 1 details the total number of eligible applications by year from 1 April 2010 to 28 February 2013 which is the latest date for which information is available.

Table 2 details only the number of works completed by District Council area as this is the only data collated.

Table 1

	1 April 2010 to 31 March 2011	1 April 2011 to 31 March 2012	1 April 2012 to 28 February 2013	Total
Eligible Applications	16,803	17,189	13,173	47,165

TABLE 2

Council Area	1 April 2010 to 31 March 2011	1 April 2011 to 31 March 2012	1 April 2012 to 28 February 2013	Total Measures
Antrim	200	279	210	689
Ards	313	312	228	853
Armagh	365	411	349	1,125
Ballymena	292	367	293	952
Ballymoney	131	149	146	426
Banbridge	252	270	240	762
Belfast	1,166	1,043	850	3,059
Carrickfergus	211	185	161	557
Castlereagh	264	247	141	652
Coleraine	319	339	284	942
Cookstown	430	287	237	954
Craigavon	586	702	453	1,741
Londonderry	819	918	1,017	2,754
Down	307	409	328	1,044
Dungannon	414	417	318	1,149
Fermanagh	477	608	449	1,534
Larne	194	131	158	483
Limavady	297	367	256	920
Lisburn	571	436	339	1,346
Magherafelt	303	261	221	785
Moyle	118	101	91	310
Newry&Mourne	595	682	456	1,733
Newtownabbey	419	434	293	1,146
North Down	319	329	212	860
Omagh	496	590	385	1,471
Strabane	511	377	314	1,202
Total	10,369	10,651	8,429	29,449

During this time there was 47,165 eligible applications to the Warm Homes Scheme, this does not necessarily mean that all of these homes go on to have works completed. Each home is subject to an initial survey visit, upon investigation some applicants will not proceed for the following reasons:

- Further investigation revealing that the householder is not actually in receipt of the prescribed benefit required to fit the criteria.
- Unable to obtain landlord permission to carry out work to the property
- Once the survey has been carried out it may reveal that the home does not need any additional measures
- The householder decides to opt out of the scheme due to the potential disruption the work may cause

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Homelessness: County Fermanagh

Mr Flanagan asked the Minister for Social Development to detail the number of people in County Fermanagh are currently registered as homeless.

(AQW 20862/11-15)

Mr McCausland: The Housing Executive advises that as at 28 February 2013, a total of 341 households had presented as homeless within the current financial year to their Fermanagh District Office, of which 76 households have been accepted as homeless and are awaiting rehousing.

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Temporary Accommodation: County Fermanagh

Mr Flanagan asked the Minister for Social Development to detail the number of temporary accommodation (i) premises; and (ii) bedspaces in County Fermanagh; and what is the current waiting time for temporary accommodation in County Fermanagh.

(AQW 20863/11-15)

Mr McCausland: The Housing Executive advises that it has 32 single let temporary accommodation properties in Fermanagh totalling 104 bedspaces. There are also 11 units of self contained supported temporary accommodation at Castle Erne which total 39 bedspaces. The Housing Executive has access to a range of shared bed and breakfast type accommodation across County Fermanagh, but it is not possible to quantify the amount as access is subject to availability. This type of accommodation is generally used as crisis accommodation pending availability of self contained/single let accommodation. There is currently no waiting time for temporary accommodation in County Fermanagh.

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Housing Waiting List: County Fermanagh

Mr Flanagan asked the Minister for Social Development to detail the number of people on the housing waiting list in County Fermanagh, broken down by electoral ward.

(AQW 20864/11-15)

Mr McCausland: The information is not available in the format requested as the Housing Executive does not routinely collate data by electoral ward. However, the table below provides detail of the Social Housing Waiting list for the Housing Executive's Fermanagh District Office as at 1 March 2013.

	Total
Waiting List	867
Housing Stress	306

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Temporary Accommodation: County Fermanagh

Mr Flanagan asked the Minister for Social Development what plans are in place to increase temporary housing accommodation in County Fermanagh.

(AQW 20865/11-15)

Mr McCausland: The Housing Executive advises that they review the level of temporary accommodation required at least once a year. A review of the Homeless Action Plan is also due to take place in 2013/14. The Housing Executive advises that there is currently sufficient level of temporary accommodation in County Fermanagh.

Housing Executive Waiting List

Mr Weir asked the Minister for Social Development to detail the average number of people who were on the Housing Executive waiting list in North Down, in each of the last five years; and how many of these people were classed as priority.

(AQW 20899/11-15)

Mr McCausland: The information is not available in the format requested as the Housing Executive does not routinely collate data by Parliamentary Constituency. However, the Housing Executive has provided details of the waiting list, including the numbers in Housing Stress, in its Bangor District Office for the last five financial years and the current year (at 1 March 2013) as set out in the table below: -

Position at:-	Total Applicants	Applicants in Housing Stress (30 points or more)
31 March 2008	1913	1011
31 March 2009	1930	1006
31 March 2010	1885	958
31 March 2011	1323	748
31 March 2012	2197	1081
1 March 2013	2406	1194

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Underoccupancy Tax

Mr Clarke asked the Minister for Social Development when the under-occupancy tax will be introduced.
(AQW 20910/11-15)

Mr McCausland: Under the Housing Benefit reforms contained within the Welfare Reform Bill, which is currently being considered by the Northern Ireland Assembly, a size criteria restriction is proposed for working age claimants under-occupying in the social rented sector. At present claimants living in that sector generally have no restriction placed on the size of accommodation they occupy, and the amount of Housing Benefit to which they are entitled. The change would bring the social rented sector more into line with the approach already in place in the private rented sector, where the rate of Housing Benefit is related to the size of dwelling the claimant needs.

While I am supportive of the need to reform our existing benefit system to ensure that it supports people back into work and offers help to those who are genuinely in need of assistance, I am also very aware of the concerns people have about the size criteria restriction and the need to protect the vulnerable in our society. As a result I have raised this specific issue with Lord Freud and am in continuing discussion with him and DWP.

I cannot therefore advise on any introduction date until these discussions and those around welfare reform in general are finalised.

People with a Disability living in Poverty

Mr Agnew asked the Minister for Social Development how his Department will assess the impact that welfare reform will have on the number of people with a disability who are living in poverty.
(AQW 20929/11-15)

Mr McCausland: Whilst my Department does not hold information on the number of people with a disability who are living in poverty, work is ongoing to assess the impact of the proposed changes on all vulnerable groups, including those with a disability. The outcome of this work will inform actions to ensure the appropriate support mechanisms are in place.

An Executive Sub Committee was set up to consider all the proposals under Welfare Reform and develop an Executive response to mitigate any negative impacts and achieve long term benefits for the people of Northern Ireland.

The Social Security Agency continues to actively engage with a wide range of disability organisations and the advice sector on a regular basis. This ensures the needs of disabled customers are represented in shaping and influencing how Welfare Reform is implemented in Northern Ireland to best meet the needs of local people, including those with disabilities.

Co-ownership Schemes

Mr Durkan asked the Minister for Social Development to detail the (i) number; and (ii) location of co-ownership schemes.
(AQW 20931/11-15)

Mr McCausland: Affordable homes delivered through Co-Ownership are demand led and therefore the locations of homes supported by the scheme are dictated by applicants to the scheme.

The number of homes purchased through the scheme with a breakdown by location (Council area) up to 28 February 2013 is outlined in the first table below. In the second table the figures as at 31 March 2012 allows comparison which therefore enables activity during the course of the 11 months to be determined.

Co-Ownership Homes: Distribution By Council Area

At 28 February 2013		Cumulative Property	Cumulative Property	Homes Currently Owned Through Co-Ownership
Council Area		Purchases	Sales	
1	Londonderry City Council	1296	1016	280
2	Limavady Borough Council	402	326	76
3	Coleraine Borough Council	1183	983	200
4	Ballymoney Borough Council	331	247	84
5	Moyle District Council	114	96	18
6	Larne Borough Council	321	231	90
7	Ballymena Borough Council	525	362	163
8	Magherafelt District Council	419	362	57
9	Cookstown District Council	376	296	80
10	Strabane District Council	224	171	53
11	Omagh District Council	318	270	48
12	Fermanagh District Council	295	251	44
13	Dungannon & South Tyrone Borough Council	229	158	71
14	Craigavon Borough Council	1559	1099	460
15	Armagh City and District Council	292	245	47
16	Newry and Mourne District Council	572	424	148
17	Banbridge District Council	436	306	130
18	Down District Council	823	653	170
19	Lisburn City Council	2132	1451	681
20	Antrim Borough Council	672	455	217
21	Newtownabbey Borough Council	1635	1134	501
22	Carrickfergus Borough Council	1033	848	185
23	North Down Borough Council	2676	2089	587
24	Ards Borough Council	1382	1027	355
25	Castlereagh Borough Council	953	686	267
26	Belfast City Council	2686	1819	867
		22884	17005	5879

Notes: All figures as at 28 February 2013 (11 months)

At 31 March 2012		Cumulative Property	Cumulative Property	Homes Owned Through Co-Ownership @ 31 03 12
Council Area		Purchases	Sales	
1	Londonderry City Council	1261	1000	261
2	Limavady Borough Council	389	324	65
3	Coleraine Borough Council	1171	977	194
4	Ballymoney Borough Council	321	245	76
5	Moyle District Council	112	96	16
6	Larne Borough Council	309	228	81
7	Ballymena Borough Council	500	359	141

At 31 March 2012		Cumulative Property	Cumulative Property	Homes Owned Through Co-Ownership @ 31 03 12
Council Area		Purchases	Sales	
8	Magherafelt District Council	416	362	54
9	Cookstown District Council	368	296	72
10	Strabane District Council	220	171	49
11	Omagh District Council	316	269	47
12	Fermanagh District Council	294	249	45
13	Dungannon & South Tyrone Borough Council	210	157	53
14	Craigavon Borough Council	1495	1092	403
15	Armagh City and District Council	288	245	43
16	Newry and Mourne District Council	546	424	122
17	Banbridge District Council	419	300	119
18	Down District Council	802	653	149
19	Lisburn City Council	2004	1438	566
20	Antrim Borough Council	624	452	172
21	Newtownabbey Borough Council	1565	1126	439
22	Carrickfergus Borough Council	1018	839	179
23	North Down Borough Council	2604	2073	531
24	Ards Borough Council	1347	1008	339
25	Castlereagh Borough Council	917	684	233
26	Belfast City Council	2568	1797	771
		22084	16864	5220

Notes: All figures as at 31 March 2012

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Housing Executive and Housing Association Tenants

Mr Durkan asked the Minister for Social Development to detail the number of (i) Northern Ireland Housing Executive tenants; and (ii) Housing Association tenants that are in (a) rent arrears; and (b) receipt of housing benefit.

(AQW 20932/11-15)

Mr McCausland: The Housing Executive advises that as at 28 February 2013, there were 23,177 Housing Executive tenants in rent arrears; 12,111 of these were also in receipt of Housing Benefit. The Northern Ireland Federation of Housing Associations has advised that as at November 2012, there were 24,448 Housing Association tenants who receive Housing Benefit, of which 3,185 are in rent arrears.

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External Cyclical Maintenance Schemes

Mr Swann asked the Minister for Social Development how many External Cyclical Maintenance schemes are under way, or are planned, for the installation of timber frame double glazing units in social housing.

(AQW 20947/11-15)

Mr McCausland: The Housing Executive has advised that timber framed double glazing was installed in 295 of their properties during 2012/13. With regard to future planned double glazing schemes, the Housing Executive has advised that the type of frame (uPVC or timber) to be used can only be determined for each property after a pre-scheme survey is carried out to consider factors such as value for money and the existing frames in the property. Pre-scheme surveys do not take place until the scheme is on site.

Hostel Places: North Down

Mr Weir asked the Minister for Social Development what is the total number of hostel accommodation places in North Down. (AQW 20961/11-15)

Mr McCausland: The information is not available in the format requested as the Housing Executive does not routinely collate data by Parliamentary Constituency. However, the Housing Executive has advised that there are 38 hostel places within their Bangor District Office area.

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Housing Executive Properties: North Down

Mr Weir asked the Minister for Social Development what was the average number of vacant Housing Executive properties in North Down, in each of the last five years.

(AQW 20962/11-15)

Mr McCausland: The information is not available in the format requested as the Housing Executive does not routinely collate data by Parliamentary Constituency. However, they have provided details regarding their vacant properties for their Bangor District Office area: -

Position at: -	Vacant Properties
28 February 2013	68
31 March 2012	59
31 March 2011	63
31 March 2010	94
31 March 2009	168
31 March 2008	199

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Underoccupancy Tax

Mr Campbell asked the Minister for Social Development, in light of the announcement by the Department of Work and Pensions on Tuesday 12 March 2013 on exemptions from the under occupancy tax in the Welfare Reform proposals, how many households are likely to benefit.

(AQW 20965/11-15)

Mr McCausland: I have noted and indeed I welcome Iain Duncan Smith's Written Ministerial Statement of 12 March 2013. I am conscious that the 'parity' principle effectively dictates that an individual in Northern Ireland should receive the same level of social security benefit; subject to the same conditions as an individual elsewhere in GB and I would therefore expect that claimants here would be afforded the same flexibilities as those elsewhere in GB. However, I will consider the implications for Northern Ireland of any policy changes in full before making decisions with regard to this provision.

I have asked my Officials to ascertain the number of households potentially affected in the event that similar exemptions were to be introduced here.

Benefits

Mr Gardiner asked the Minister for Social Development, pursuant to AQW 18254/11-15, to detail the cost differential accrued through the reduction in the benefits paid to 22,750 claimants compared to the increase in benefits payable to 26,480 claimants for claims made between June/July 2012 and December 2012.

(AQW 21052/11-15)

Mr McCausland: The analysis below has been based on claims that were live in June/July 2012 and were still active in December 2012.

A claimant can claim more than one benefit and therefore the figures below may include multiple separate claims for one claimant. In addition, the amount paid by way of an income based benefit may reduce because of the award of, or increase in another benefit

Of the 898,370 claims that remained active during the period set out above:

- (i) 22,750 benefit claims were reduced by the total value of £842,887.
- (ii) 26,480 benefit claims were increased by the total value of £920,861.

The table below shows the cost differential of benefit claims that were reduced or increased in each Local Government District.

Local Government District	Cost differential through reduction in benefit	Cost differential through increase in benefit	Net Cost differential
Antrim	-£21,242	£21,778	£536
Ards	-£30,033	£35,630	£5,597
Armagh	-£26,035	£24,747	-£1,288
Ballymena	-£26,583	£26,659	£75
Ballymoney	-£14,007	£13,619	-£389
Banbridge	-£20,023	£21,015	£992
Belfast	-£165,027	£183,519	£18,492
Carrickfergus	-£14,578	£16,324	£1,745
Castlereagh	-£20,796	£27,266	£6,470
Coleraine	-£26,138	£29,436	£3,298
Cookstown	-£16,797	£19,539	£2,743
Craigavon	-£44,782	£46,532	£1,749
Londonderry	-£60,487	£67,339	£6,852
Down	-£33,768	£37,353	£3,585
Dungannon	-£30,311	£30,577	£266
Fermanagh	-£25,222	£31,707	£6,485
Larne	-£12,233	£15,876	£3,644
Limavady	-£18,164	£19,725	£1,561
Lisburn	-£46,736	£50,898	£4,162
Magherafelt	-£17,218	£17,674	£456
Moyle	-£7,319	£8,659	£1,341
Newry and Mourne	-£50,809	£50,702	-£106
Newtownabbey	-£27,125	£36,435	£9,310
North Down	-£28,465	£29,190	£724
Omagh	-£26,244	£30,417	£4,173
Strabane	-£26,198	£23,864	-£2,335
Unknown	-£6,547	£4,384	-£2,163
Total	-£842,887	£920,861	£77,975

The table below shows the cost differential of benefit claims that were increased in each Parliamentary Constituency.

Parliamentary Constituency	Cost differential through reduction in benefit	Cost differential through increase in benefit	Net Cost differential
Belfast East	-£39,001	£41,810	£2,809
Belfast North	-£63,473	£74,285	£10,812
Belfast South	-£39,337	£48,521	£9,185
Belfast West	-£72,337	£77,600	£5,262
East Antrim	-£32,389	£38,771	£6,381
East Londonderry	-£47,171	£51,950	£4,778

Parliamentary Constituency	Cost differential through reduction in benefit	Cost differential through increase in benefit	Net Cost differential
Fermanagh and South Tyrone	-£44,728	£50,760	£6,033
Foyle	-£57,617	£64,550	£6,933
Lagan Valley	-£33,529	£37,102	£3,572
Mid Ulster	-£44,820	£48,736	£3,916
Newry And Armagh	-£58,008	£54,166	-£3,842
North Antrim	-£46,157	£47,429	£1,271
North Down	-£32,839	£34,618	£1,779
South Antrim	-£32,713	£38,402	£5,689
South Down	-£49,845	£54,104	£4,259
Strangford	-£33,541	£40,717	£7,176
Upper Bann	-£56,393	£58,677	£2,285
West Tyrone	-£52,443	£54,281	£1,838
Unknown	-£6,547	£4,384	-£2,163
Total	-£842,887	£920,861	£77,975

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Alcohol: Minimum Unit Price

Mr Weir asked the Minister for Social Development what progress is being made on the introduction of a minimum price for a unit of alcohol.

(AQW 21100/11-15)

Mr McCausland: I have been working closely with Health Minister Poots on commissioning research to model the likely impact of minimum unit pricing in Northern Ireland.

This research is essential as it will help inform our future decisions in this area and allow us to bring forward proposals that will have a proportionate and positive impact on physical and mental health well being in Northern Ireland.

It is intended that an appointment to carry out the research will be made by the end of June and that the research will be complete before the end of 2013.

Peace Bridge, Derry

Ms Ruane asked the Minister for Social Development when the Bridge Order application was made for the Peace Bridge, Derry; and when was it completed.

(AQW 21111/11-15)

Mr McCausland: The Peace Bridge across the River Foyle in Londonderry was constructed by Ilex Urban Regeneration Company.

There was no requirement for Ilex to make a Bridge Order application for the Peace Bridge. The Bridge remains in Ilex's ownership until adopted by the Department for Regional Development.

Chemotherapy and Radiotherapy

Ms Maeve McLaughlin asked the Minister for Social Development whether he will consider a relaxation of the Social Security Agency requirements for people who are receiving, or recovering from, chemotherapy or radiotherapy treatment.

(AQW 21135/11-15)

Mr McCausland: The vast majority of people who are awaiting, receiving, or recovering from any form of chemotherapy or radiotherapy for cancer are currently placed in the Support Group for Employment and Support Allowance (ESA), where they get the necessary long term support they need while unable to work.

Current processes mean that benefit decisions for those receiving treatment for cancer are assessed on supporting medical evidence without the need in most instances for a face-to-face assessment. Most people are therefore placed in the Support Group for ESA where financial support is unconditional and there is no requirement on them to take steps to return to work.

I remain committed to the continual improvement of the Work Capability Assessment process for entitlement to ESA to ensure it is as fair and effective as possible.

Replacement Boilers and Double Glazing

Mr Weir asked the Minister for Social Development how many replacement (i) boilers; and (ii) double-glazing units have been (a) granted; and (b) completed in North Down, in the last twelve months.

(AQW 21154/11-15)

Mr McCausland: The information is not available in the format requested as the Housing Executive does not routinely collate data by Parliamentary Constituency. However, they advise that since the introduction of the Boiler Replacement Scheme in September 2012 there have been 150 replacement boiler approvals issued, and 66 replacement boilers installed across the North Down Council area. With regard to double glazing, three schemes were started in 2012/13 in the Housing Executive's Bangor District Office area for a total of 592 dwellings, of which 143 are completed to date.

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New Social Housing: South Belfast

Mr Maskey asked the Minister for Social Development, pursuant to AQW 20318/11-15, to detail the plans for the delivery of 358 new social homes in the South Belfast constituency over the next three years.

(AQW 21161/11-15)

Mr McCausland: My previous answer covered the three year period 2012/13 to 2014/15. The Housing Executive has published the new Social Housing Development Programme for the three year period 2013/14 to 2015/16, which allows me to extend my previous answer by a further year into 2015/16.

Plans are to deliver 503 new homes over the four year period 2012/13 to 2015/16, as currently published on the Housing Executive's website at http://www.nihe.gov.uk/index/services/housing_need.htm

For your convenience the schemes are listed in the tables below.

Social Housing Developments

On Site Year 2012/13

Parliamentary Constituency South Belfast

Scheme Name	Units	Year On Site	Year Completion
Onslow Parade	16	2012/13	2013/14
Farnham Street	1	2012/13	2013/14
Finnis Drive, Taughmonagh	15	2012/13	2014/15
Village Rehabs	2	2012/13	2013/14
Village Rehabs	7	2012/13	2013/14
Kerrington Court	3	2012/13	2012/13
Muckamore Resettlement	5	2012/13	2013/14
Killynure Road	42	2012/13	2013/14
Annadale Avenue	15	2012/13	2013/14

Social Housing Developments

On Site Year 2013/14

Parliamentary Constituency South Belfast

Scheme Name	Units	Year On Site	Year Completion
McClure Street	20	2013/14	2015/16
Ormeau Road	15	2013/14	2014/15
Posnett Street	30	2013/14	2014/15
Village Phase 3	27	2013/14	2015/16
Rosetta Cottages	2	2013/14	2014/15
Village Phase 1	6	2013/14	2014/15
Annadale Avenue	8	2013/14	2014/15

Social Housing Developments**On Site Year** 2014/15**Parliamentary Constituency** South Belfast

Scheme Name	Units	Year on Site	Year Completion
Woodstock Road/ Mount Street	10	2014/15	2015/16
College Site/ Brunswick Street	150	2014/15	2016/17
Belfast Trust/ Knockbracken Resettlement	20	2014/15	2015/16

Social Housing Developments**On Site Year** 2015/16**Parliamentary Constituency** South Belfast

Scheme Name	Units	Year on Site	Year Completion
Finaghy Road North	109	2015/16	2018/19

Social Security Benefit

Mr Durkan asked the Minister for Social Development how many people, currently receiving a social security benefit, will be affected by the proposed changes to the welfare system.

(AQW 21193/11-15)

Mr McCausland: The series of tables below provide a breakdown of the impact of the proposed changes to the welfare reform system to claimants currently in receipt of social security benefits and households within Northern Ireland. The figures relating to Universal Credit also include those people in Northern Ireland currently receiving Child and Working Tax Credits as administered by Her Majesty's Revenue and Customs.

Table 1 shows, as at November 2012, the number of working age claimants claiming those benefits that will be replaced by the introduction of Universal Credit.

Table 1

Benefits replaced by Universal Credit	Working Age Claimants
Income based JSA	51,760
Income based ESA	32,200
Income Support	65,880
Housing Benefit	127,750

Source: ASU Midas Scans. JSA and ESA 30th November 2012, Income Support 1st December 2012 and Housing Benefit November 2012

Analytical Services Unit has used the Policy Simulation Model to estimate the impact of Universal Credit in Northern Ireland. The figures take account of those claimants on social security benefits and tax credits.

Table 2 shows the estimated impact on benefit entitlement on affected households.

Table 2

	Higher Entitlement	No Change	Lower Entitlement
Total Households	102,000	99,000	86,000

Source: DWP Policy Simulation Model (based on FRS 2010/11), 2014/15

All those who are currently receiving benefits or tax credits and who will be receiving a lower entitlement will be protected at their current higher level entitlement until there has been a substantive change in their circumstances following migration to Universal Credit.

Table 3 shows the number of working age social rented sector claimants impacted by under occupancy rules. Northern Ireland Housing Executive figures are of February 2013 and Housing Association figures are of October 2012.

Table 3

Under-occupation of accommodation by	NIHE	Housing Association	Totals
One bedroom	19,120	5,050	24,160
Two or more bedrooms	7,270	1,220	8,480
All bedrooms	26,380	6,260	32,650

Notes: Under-occupation level of working age social rented sector claimants (NIHE data February 2013, Source: Housing Division. Numeric totals may not sum due to rounding)

Table 4 shows the number of claimants within the Working Age liveload of Disability Living Allowance as at November 2012, who could be potentially impacted by the introduction of Personal Independence Payment and the reassessment of Working Age claimants commencing in 2015.

Table 4

DLA	Claimants
16-64 years	118,010

Source: ASU DLA Midas Scan 25th November 2012

Table 5 shows the number of potential Employment and Support Allowance contribution based only claimants that could be impacted by ESA time limiting at the assumed go live date of 23 September 2013. This figure does not take into account any claimants that may leave the benefit between now and assumed go live.

Table 5

Stage	Customers claiming for at least 1 year by 23rd September 2013		
	Work-Related Activity Group	Assessment Phase	Total
Contribution based ESA customers	6,880	1,340	8,220

Source: ASU ESA Midas scan 30th November 2012

Table 6 shows the number of households estimated to be impacted by the introduction of the Benefit Cap. This figure is based on benefit data extracts from May/June 2012 and HMRC data. It assumes no change in claimant circumstances before the policy is implemented.

Table 6

Number of Households impacted by Benefit Cap
620

My Department are currently publishing a series of detailed reports on each of the major reform projects and copies of these will be available in the Assembly Library or on the Department for Social Development website at www.dsdni.gov.uk.

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Underoccupancy Penalisation of Benefit

Mr Weir asked the Minister for Social Development what progress has been made with the Government on the issue of reform of housing benefit, particularly the under-occupancy penalisation of benefit.

(AQW 21222/11-15)

Mr McCausland: I have raised the issue of the reform of Housing Benefit and in particular the size criteria restriction and the impact it may have on people in Northern Ireland on a number of occasions during discussions with Lord Freud and other DWP Ministers.

Representatives of the Northern Ireland Housing Executive and the Northern Ireland Federation of Housing Associations also had the opportunity to raise their concerns Lord Freud during a recent visit.

However, as you will appreciate, the principle of parity means there is limited scope for Northern Ireland to vary from the Great Britain Welfare Reform agenda. Any financial costs resulting from divergence between the Northern Ireland system

and policy in Great Britain would need to be met by the Northern Ireland Executive from the Northern Ireland block grant, with implications for other spending priorities such as schools or hospitals.

As you are aware, the Welfare Reform Bill is currently progressing through the Northern Ireland Assembly, and members will have the opportunity to debate the content of the Bill during the Consideration Stage which is scheduled for 16 April 2013. I will continue to discuss the implications of the Welfare Reform agenda for Northern Ireland with Lord Freud with a view to securing a sensible and balanced approach to the proposed changes.

Universal Credit

Mr Hilditch asked the Minister for Social Development for an update on the progress of Universal Credit.
(AQW 21236/11-15)

Mr McCausland: Work is continuing to progress the implementation of Universal Credit in Northern Ireland from April 2014. Castle Court has been identified as the Joint Service Centre for the delivery of Universal Credit in Northern Ireland and the target operating model for both front and back office activities is being developed. Related to these plans is development of the Human Resources Strategy which will address how to resource the service centre and front office activities with suitably trained staff.

My officials are also working with their counterparts in the Department for Work and Pensions on the changes needed to the ICT to support the flexible payment arrangements which I have secured from Lord Freud. Development of criteria for eligibility to a more flexible payment arrangement is ongoing and I am currently considering options for the criteria for split payments and more frequent payments. In addition, my officials are working on the operational details of how direct payments to landlords will be made.

In light of recent press speculation about senior leadership changes in the Department for Work and Pensions Universal Credit Programme, I recently met with Lord Freud. At this meeting he confirmed plans are well advanced for the introduction of Universal Credit in Great Britain at the end of April 2013 with a Pathfinder in the Greater Manchester area. This will allow the systems to be fully tested before the start of the wider rollout of fresh claims for Universal Credit from people who become unemployed and are actively seeking employment.

My officials will be fully engaged with the Department for Work and Pensions throughout the Pathfinder to ensure that any learning is reflected in the implementation plans for go-live of Universal Credit in Northern Ireland in April 2014.

Housing Benefit

Mr P Ramsey asked the Minister for Social Development, pursuant to AQW 20796/11-15, why a non-dependent deduction is made in Housing Benefit if the child who has turned 19 years of age is not in education, employment or training.
(AQW 21291/11-15)

Mr McCausland: As I previously explained, for the purposes of Housing Benefit a non-dependant is someone who normally resides with the claimant on a non-commercial basis and typical examples are adult sons, daughters, other relatives and friends. It is ordinarily assumed that a non-dependant will contribute to the claimant's rent and/or rates. This contribution is known as the non-dependant deduction and is deducted from the eligible rent in the calculation of maximum Housing Benefit.

If a non-dependant is aged 19 and not in education, employment or training they may be eligible for a social security benefit such as Jobseekers Allowance which would enable them to contribute to rent or rates. However, notwithstanding the ability to claim a social security benefit, the Housing Benefit Regulations (Northern Ireland) 2006 prescribe that deductions for non-dependants aged over 18 (and not in remunerative work) must be made. In cases where a non-dependant is not in remunerative work, deductions of £11.45 for rent and £3.30 for rates per week will be made.

No non-dependant deductions are made in certain circumstances, for example if the claimant or their partner is blind or has recently regained their sight, receives the care component of disability living allowance at any rate, or receives attendance allowance at any rate.

Peace Bridge, Derry

Ms Ruane asked the Minister for Social Development when the Bridge Order was applied for in relation to the Peace Bridge in Derry; and when it was completed.
(AQW 21310/11-15)

Mr McCausland: The Peace Bridge across the River Foyle in Londonderry was constructed by Ilex Urban Regeneration Company.

There was no requirement for Ilex to make a Bridge Order application for the Peace Bridge. The Bridge remains in Ilex's ownership until adopted by the Department for Regional Development.

Northern Ireland Assembly

Friday 5 April 2013

Written Answers to Questions

Office of the First Minister and deputy First Minister

Fraud Awareness Training

Mr Swann asked the First Minister and deputy First Minister why their Department uses the Central Investigation Service for Fraud Awareness Training rather than the Chartered Institute of Public Finance and Accountancy.
(AQW 20695/11-15)

Mr P Robinson and Mr M McGuinness (The First Minister and deputy First Minister): The Department's Service Level Agreement with the Department of Agriculture and Rural Development's Central Investigation Service allows for the provision of Fraud Awareness Training. Due to the specific line of business need and the requirement to keep costs to a minimum due to the volume of staff requiring training, the Department utilised this Service Level Agreement in 2011.

The Chartered Institute of Public Finance and Accountancy (CIPFA) did not commence its Fraud Awareness for Grant Funders Course until 26 February 2013. It is the Department's intention to utilise this course from now on where it meets the business need.

Race Relations (Northern Ireland) Order 1997

Mr Kinahan asked the First Minister and deputy First Minister to detail the current timetable for a consolidated Race Relations (NI) Order 1997, following the decision by the Assembly to approve a full review of the Race Relations Order in 2009.
(AQW 21217/11-15)

Mr P Robinson and Mr M McGuinness: A potential programme of reform of our equality legislation is being considered within the Department. The Race Relations Order is part of this potential programme.

We will also consult on possible legislative change as part of the consultation process on the new Racial Equality Strategy.

Social Investment Fund: Steering Groups

Mr Eastwood asked the First Minister and deputy First Minister to detail the Terms of Reference for the consultants who have been appointed to support the Social Investment Fund steering groups.
(AQW 21226/11-15)

Mr P Robinson and Mr M McGuinness: Successful consultants were appointed in September 2012, following an open procurement process. Their role was to provide support to Steering Groups in the gathering of evidence and the development of strategic area plans through an engagement process with the wider community in their specified zone. The contract requirements in the Terms of Reference were:

- Development and implementation of a short-term community engagement plan spanning the period September 2012 to December 2012. The plan must set out clearly how the wider community, statutory and business sectors can get involved in the shaping of the area plan. This engagement plan will reflect the work activity of the appointed Service Provider within the particular zone. Development of the plan must commence immediately upon appointment and must be completed for use at the 2-day workshop.
- Participation in a 2-day workshop with all Steering Group members scheduled for October 2012 to collaborate with others to share best practice. The appointed service provider will be required to facilitate workshops specific to the Steering Group within their zone to develop and agree the work plan.
- Develop appropriate programmes to address evidenced need within the Social Investment Fund (SIF) strategic objectives, sharing best practice with the SIF project team.
- Attending meetings with the Steering Group within a specified zone on a regular basis (minimum once a month) throughout the period to provide support and advice.
- Development of a 2-year engagement strategy and forward work programme for delivery of the projects within the area plan by 28 February 2013. The strategy and work programme will be implemented by the Steering Group.
- Producing monthly progress reports and presenting the findings to the Steering Group.

- Attend monthly monitoring meetings with OFMDFM.
- Completion of a draft area plan for consideration by the Steering Group. This must be completed by 31 January 2013.
- Completion of full economic appraisals for each project within the area plan in accordance with HM Treasury guidance document entitled "Appraisal and Evaluation in Government" – referred to as "The Green Book" and the Northern Ireland Guide to Expenditure Appraisal & Evaluation (NIGEAE). It is expected each zone will have up to a maximum of ten strategic projects covering more than one strategic objective.
- Endorsed Completed Area Plans and all required supporting documentation must be submitted to OFMDFM on behalf of the Steering Group in hard copy and electronically by noon 28 February 2013.

The framework agreement commenced in September 2012 and will remain in place for a minimum period of 12 months, with an option to extend for 2 further periods of up to 12 months each at the discretion of OFMDFM.

Department of Agriculture and Rural Development

Horses: Belfast Slaughter Plant

Lord Morrow asked the Minister of Agriculture and Rural Development, pursuant to AQW 20059/11-15, whether she wishes to revise this answer given the recent statements of the owner of an equine slaughter plant near Belfast. (AQW 21070/11-15)

Mrs O'Neill (The Minister of Agriculture and Rural Development): There was one slaughter plant in Co Armagh approved by the Food Standards Agency (FSA) for equine slaughter. This establishment is also approved for the slaughter of cattle and sheep. It ceased slaughtering horses completely on 25th January 2013 and has asked the FSA to completely remove their authorisation to slaughter equines.

I can confirm that this was the only establishment approved by the Food Standards Agency to slaughter equines in the North, in recent times.

Department of Education

DE: Public Consultations

Mr Nesbitt asked the Minister of Education to detail (i) the number of public consultations undertaken by his Department, in each year since 2007; (ii) the type of consultation; and (iii) the total cost of each consultation. (AQW 21121/11-15)

Mr O'Dowd (The Minister of Education): Since 2007 my Department has carried out 44 public consultations. The details of these are listed in the table below. A number of consultations were carried out by electronic means, resulting in zero cost other than staff costs, which could not readily be disaggregated for individual consultations. Costs associated with the other consultations resulted primarily from translations, printing of documents and hire of premises for public meetings.

Year	Consultation	Type	Cost (£)
2007	The Teachers' Pensions (Miscellaneous Amendments) Regulations (NI) 2008	Consultation document available online	1800.00
2007	Consultation on the Sustainable Schools Policy	Consultation document available online.	4128.64
2007	Joint DE DEL Careers Education Information Advice and Guidance Strategy	Consultation online in conjunction with DEL.	0
2007	Consultation on Draft Regulations to Prohibit Discrimination by General Qualifications Bodies on the Grounds of Disability	Consultation document available online and hard copy.	1780.00
2007	Policy on Supporting Ethnic-Minority Children and Young People who have English as an Additional Language	Consultation documents online. A number of focus group meetings were held.	24131.00
2008	Consultation on Draft Pupil Records and Reporting Regulations and Levels of Progression	Consultation document available online and hard copy. Focus group sessions also held.	13541.00

Year	Consultation	Type	Cost (£)
2008	Review of Irish-medium Education	Formal launch of a public consultation with documents online. Series of public meetings held, plus meetings on request from various groups.	46447.65
2008	Review of Literacy and Numeracy Strategy	Consultation document available online, hard copy and Young Person's version. DE commissioned Barnardo's to undertake consultation with children and Parent Advice Centre to undertake consultation with parents.	22827.00
2008	Every School A Good School – School Improvement Policy	Consultation document available online and hard copy.	3357.00
2008	Area-based Planning Policy Consultation on the RPA screening form & –RPA Policy paper 22	Consultation document available online.	761.85
2008	Consultation on draft Regulations on the use of mark enhancements in examinations, in cases where disabled students have been granted exemptions	Consultation document available online and hard copy.	1800.00
2008	Consultation on Building a Better Future	3 public meetings held on 3 draft documents: Programme for Government, Investment Strategy and Budget 2008-11.	1620.53
2009	DE Staff Transfer Scheme	Consultation document available online.	0
2009	Every School a Good School: The Way Forward for Special Educational Needs and Inclusion	Consultation with documents on DE website, including young persons' versions. Series of large public meetings held, plus smaller meetings on request from various groups. Meetings with children and young people. Formal public meeting at Stormont organised by Education Committee.	23418.00
2009	Consultation on the Equality Impact Assessment (EQIA) of the Teachers' (Compensation for Redundancy and Premature Retirement) Regulations (NI) 2010 and complementing amendments to the Teachers' Superannuation Regulations (NI) 1998	Consultation document available online.	2092.80
2009	Food in Schools Policy	Consultation documents on DE website.	4910.03
2009	School Circular – The Education of Children and Young People from the Traveller Community	Consultation documents on DE website, including Young Peoples versions.	613.00
2009	Equality Impact Assessment of the Transfer 2010 Guidance	Consultation document available online. Meeting with joint consultative forum.	6086.99
2009	Transfer 2010 Guidance	Consultation document available online and hard copy. Also direct communication with education partners and letter to all P6 parents.	8925.15
2009	Consultation on the draft teachers' (Compensation for Redundancy and Premature Retirement) Regulations (NI) 2009	Consultation document available online.	1857.89
2009	Promoting Equality through the Review of Public Administration	3 public meetings held in 2009 with documents published on DE website.	5852.30

Year	Consultation	Type	Cost (£)
2010	Draft Early Years (0-6) Strategy	Consultation document available online and hard copy. Public Meetings. Targeted consultations with children and with parents. Stakeholder Advisory Group.	33066.61
2010	Community Relations, Equality and Diversity in Education Policy	Public Meetings; consultation documents available online.	15000.00
2010	Draft EQIA on the Proposal to Withdraw Funding from Preparatory Departments of Grammar Schools	Consultation documents available online.	616.68
2010	Common Funding Formula Consultation January 2010	Consultation documents available online.	419.88
2010	School Admissions (Exceptional Circumstances) Regulations 2010	Consultation document available online.	3306.35
2010	Disability Action Plan	Consultation document available online.	3829.07
2010	Teacher Education in Climate Change – The Way Forward	E-mail and hard copy.	6767.92
2010	Joint DE/DEL Draft Government STEM Strategy	Public consultation online in conjunction with DEL.	2670.24
2011	Revised Equality Scheme, Audit of Inequalities/Action Plan	3 public meetings held in 2011 with documents published on DE website.	3238.10
2011	EQIA consultation on funding for Transfer Interviews	Consultation documents available online, including Young Persons' version.	3790.73
2011	DE Draft Budget 2011-2015	4 Information Events held throughout the north. Public consultation with document published on DE website.	3942.22
2011	Consultation on Proposed Increases to Contributions for members of the NI Teachers' Pension Scheme (NITPS) 2012	Consultation document available online.	3025.22
2011	Proposed Changes to GCSEs	Consultation with documents on DE website, including Young Persons' versions. A number of focus group sessions with principals and pupils also took place.	2698.35
2012	Consultation on 'Learning to Learn – A Framework for Early Years Education and Learning'	Consultation documents available online and hard copy.	1553.23
2012	Joint Consultation with DEL on the cessation of a Statistical release on Participation in Full-Time Education and Vocational Training by 16 and 17 Year Olds.	Online consultation with email notification to key stakeholders.	0
2012	Consultation on the Provision of Performance and other Information about Pupils and Schools	Consultation with documents on DE website, including Young Persons' version. Series of small focus group meetings.	4827.05
2012	Consultation on Proposed Increases to Contributions for members of the NI Teachers' Pension Scheme (NITPS) 2013	Consultation document available online.	2900.67

Year	Consultation	Type	Cost (£)
2012	Consultation on the Draft Traveller Child In Education Action Framework	Consultation with documents on DE website, including Young Peoples version. An online questionnaire was also available for both adult and Young People. A series of Public meetings were held around the country.	1304.56
2012	Joint Consultation with DEL on the Future of the Education Maintenance Allowance Scheme	Consultation with documents on DE and DEL websites.	1432.80 (DE cost only)
2012	Proposals to widen the powers of the General Teaching Council for NI and extend its remit to include the Further Education sector (led by DEL)	Online, e-mail and postal. Published on DE website.	296.06
2012	Consultation on Priorities for Youth Policy	Consultation documents available online and Hard Copy.	4305.00
2012	Potential Short Term Changes to A levels	Consultation with documents on DE website, including Young Persons' version. An online response form was also provided. A number of focus group sessions with principals and pupils also took place.	2887.24
2013	Consultation on amendment to the NI Teachers' Pensions Scheme (NITPS) to reflect Workplace Pension Reform and Miscellaneous Amendments 2013	Consultation document available online.	2745.81

Towerview Primary School, Bangor

Mr Easton asked the Minister of Education why the South Eastern Education and Library Board Area Plan does not address the lack of year 1 places for Towerview Primary School, Bangor.

(AQW 21269/11-15)

Mr O'Dowd: The South Eastern Education and Library Board has advised that:-

"There are currently over 800 surplus places in the primary sector in the town of Bangor. At the first preference stage of the admissions process, Towerview Primary School had 53 applications for 46 places. These can easily be accommodated within either of the two schools in Bangor with surplus places."

School Places: Groomsport

Mr Easton asked the Minister of Education whether there will be adequate year 1 places in nearby schools for children living in the Groomsport area, for the next academic year.

(AQW 21270/11-15)

Mr O'Dowd: The South Eastern Education and Library Board has advised that:-

"Based on statistics from the Health Care and Social Trust (HCST), there are 744 children residing in BT19 and BT20 due to start primary school in September 2013. Primary schools in BT19 and BT20 received a total of 741 first preference applications. There are currently 852 P1 places available in BT19 and BT20."

Temporary Classrooms: North Down

Mr Weir asked the Minister of Education to detail the location of any temporary classrooms in North Down.

(AQW 21321/11-15)

Mr O'Dowd: The following table contains the location of temporary classrooms in the North Down area;

School Name

Ballyvester Primary School	St Anne's Primary School
Bangor Central Primary School	St Comgalls Primary School
Donaghadee Primary School	St Malachy's Primary School

Grange Park Primary School	Towerview Primary School
Hollywood Primary School	St Columbanus' College
Millisle Primary School	Killard House Special School
Rathmore Primary School	

Teaching Staff

Mr Moutray asked the Minister of Education how many teaching staff are currently on precautionary suspension with full pay for a period of over 12 months within each Education and Library Board area.

(AQW 21336/11-15)

Mr O'Dowd: At 28 February 2013, 7 members of teaching staff within Education and Library Board areas are currently on suspension with full pay, for any reason, for a period of 12 months. A breakdown by Board is not appropriate due to the small numbers involved and the sensitive nature of the data. This figure does not include Voluntary Grammar Schools.

Nursery Unit: Bleary Primary School, Craigavon

Mr Moutray asked the Minister of Education what plans he has to provide a nursery unit at Bleary Primary School, given the increased birth rate and the lack of provision within the Craigavon area.

(AQW 21337/11-15)

Mr O'Dowd: Any significant change to a school such as the provision of a nursery unit requires the publication of a statutory Development Proposal (DP) to support that intent. The relevant school managing authority would have responsibility for publishing the DP, and, before doing so, would also have to consult with the schools which it considers might be affected by the proposal.

In the case of Bleary Primary School, the Southern Education and Library Board is the managing authority but to date the Board has not published a Development Proposal seeking to establish a nursery unit at this school.

Department of Enterprise, Trade and Investment

New Initiatives and Capital Works Projects

Mr McGlone asked the Minister of Enterprise, Trade and Investment what new initiatives and capital works projects are currently being pursued that could assist the construction industry.

(AQW 20904/11-15)

Mrs Foster (The Minister of Enterprise, Trade and Investment): New initiatives and capital works projects that are currently being pursued at this point in time and could assist the construction industry are set out in the table below:

	2012/13 £million	2013/14 £million	2014/15 £million
Invest NI Development of Land for Industrial Purposes – mainly relating to sites at Newry and Strabane	5.4	1.9	0.0
NITB Tourism Development Scheme – relating to 15 projects	3.1	0.7	0.0
NITB Signature Projects – relating to 15 projects	3.0	1.1	0.6
Energy Infrastructure*	0.0	0.0	10.0
Renewable Heat Premium Payment Scheme	0.4	0.5	0.0
Telecommunications – E-communications Centres across Northern Ireland	0.0	0.0	5.0

*The Energy Infrastructure Project relates to the extension of the natural gas network to towns in the west and north-west of Northern Ireland and is part of an overall government contribution of £32.5 million to the £200 million project. It is anticipated that work will commence in 2015.

Online Sales

Mr Weir asked the Minister of Enterprise, Trade and Investment what processes are in place, or planned, to help retailers and manufacturers to increase their online sales.

(AQW 21023/11-15)

Mrs Foster: There are a number of initiatives to support businesses in Northern Ireland wishing to sell products or services via the Internet.

Logon-ni is a programme which provides free and impartial advice to all SMEs throughout Northern Ireland on the benefits of broadband and ICT. Within the many ICT solutions offered, Logon-ni advisors encourage companies to consider using the internet to sell their products and services and Logon-ni advisors are available throughout Northern Ireland.

Invest Northern Ireland is working in partnership with local councils to maximise the potential for EU funding to deliver initiatives which will develop the capability of local SMEs and generate positive returns to the local economy. To date 12 council initiatives have been assisted which either focus on on-line sales development or have an on-line sales element. A further 11 initiatives are being considered for funding.

Invest Northern Ireland also has a network of ICT advisors based across Northern Ireland helping businesses make best use of ICT to be more productive or access new online markets. Invest NI has seen a significant increase in enquiries for online businesses and have a range of programmes in place to assist. This support ranges from the development of online skills through workshops and seminars through to 1:1 advice with technical experts and where appropriate financial support to develop an online presence. Over the last 3 years Invest NI has offered SMEs part funding towards 700 IT projects with a total investment value of over £19 million. The majority of these projects have an e-commerce/online element to them. More than 60 events have been delivered attracting more than 1,500 attendees

Alongside these interactions the online business information service nibusinessinfo.co.uk has a range of best practise guides for businesses. These are widely used with over 1,000 visits per month to the IT& Ecommerce section of the site.

Digital Start-ups

Mrs Cochrane asked the Minister of Enterprise, Trade and Investment to detail (i) the current funding support options available to digital start-ups; and (ii) what alternatives her Department recommends to digital start-ups who (a) do not qualify for funding on the basis of profitability and age; or (b) require funding in excess of £50,000.

(AQW 21094/11-15)

Mrs Foster: There is a continuum of funding support options available to digital start-ups depending on their specific business need. These include:-

Business planning - A business plan is essential for any discussion with potential funders. Support for start-up businesses is available through Invest NI's Regional Start Initiative. Further advice is available by telephone 08000270639 or via the website: www.goforitni.com

Developing an idea from a concept to a viable product or service with export potential, a digital start-up can access a number of funding options including: (1) Northern Ireland Screen's Digital Content Production Funding; (2) DCAL's Creative Industries Innovation Fund; (3) Invest NI's Grant for R&D (Project Definition);

Export Advisory Service - provide support towards the cost of developing new export markets for first time exporters.

In terms of what alternatives are available to early stage companies who may require funding in excess of £50,000, I would direct you to Invest NI's Access to Finance Strategy - a £100 million suite of funding initiatives to ensure that early stage companies with high growth potential are not held back because they cannot access finance.

Through Invest NI's Access to Finance strategy there is a range of interventions to meet the gap in supply of finance. This continuum of support offers from £1,000 up to a £2 million depending on deal size. As a result of increased demand, I announced on 25th March 2013 an extra £4 million for two of these Access to Finance funds – the Northern Ireland Spin Out Funds (NISPO) and the Invest Growth and Proof of Concept grant funds. Both of which will be directly relevant to digital start-ups.

Profitability or age is not a key requirement for funding – however the degree of innovation; size of addressable market; scalability; export and commercial potential, are all important factors. Further advice and support is available to help refine any new business idea, particularly the unique aspects of a product or service in order to determine the commercial viability. Business advisors are available by contacting Invest NI's Boosting Business helpline: 0800 181 4422

Digital Start-ups

Mrs Cochrane asked the Minister of Enterprise, Trade and Investment to detail (i) what consideration her Department is giving to investment hurdles for digital start-ups whose primary assets are non-assessed software and Internet Protocol facilities; and (ii) the level of engagement she has undertaken with local banks regarding asset restricted lending to digital start-ups.

(AQW 21095/11-15)

Mrs Foster: Much help already exists in the investment ecosystem from Invest NI, Intertrade Ireland, e-Synergy, Halo, NISP, NISP Connect, Local Enterprise Development and others in the private sector.

My Department, together with Invest NI and its' partners in the ecosystem, have developed a suite of funding initiatives totalling approximately £100 million to ensure that early stage companies with high growth potential are not held back because they cannot access finance. Invest NI's Access to Finance strategy provides a range of interventions to meet the gap in supply of finance. This continuum of support offers from £1,000 up to a £2 million depending on deal size. As a result of increased demand, I announced on 25th March 2013 an extra £4 million for two of these Access to Finance funds – the

Northern Ireland Spin Out Funds (NISPO) and the Invest Growth and Proof of Concept grant funds. Both of which will be directly relevant to digital start-ups.

In terms of my engagement with our local banks, I have raised my concerns directly with their Senior Management teams and encouraged them to support early stage businesses with growth potential. I anticipate meeting with them again in the next few months.

In addition, I recently commissioned the Economic Advisory Group (EAG), chaired by Kate Barker, to specifically review Access to Finance and Banking in Northern Ireland. As part of its work, it surveyed 1,000 businesses in the region. The report was published in the early part of March 2013. It had a number of recommendations, which will ensure that my Department and the Department of Finance and Personnel will be actively engaging with the banks over the coming months.

Carnbane Industrial Estate, Newry

Mr McGlone asked the Minister of Enterprise, Trade and Investment for a breakdown of all expenditure on the acquisition of land at the Carnbane Industrial Estate, Newry; and for the projected expenditure for development of these lands.
(AQW 21114/11-15)

Mrs Foster: In December 2010 Invest NI purchased 72.7 acres of land adjacent to its existing Carnbane Industrial Estate for the development of a new business park.

Construction of the first phase of Carnbane Business Park is scheduled to complete during spring 2013 and will see the release of 22 acres of new industrial land to support economic development in the Newry area.

The table below provides a breakdown of the expenditure for the acquisition of the land and the completion of the necessary works to ensure compliance with conditions contained within the planning approvals.

You will also find within the table the cost to date to develop phase one of the park. It is envisaged there will be further expenditure of £1.7 million to complete the development of this phase. Invest NI will only undertake further construction work to release the remaining land when there is sufficient demand from qualifying businesses.

	Cost (£)
Land acquisition	11,784,314
Site Investigation/Archaeology Works*	892,493
Professional Fees**	1,124,374
Power NI/Northern Ireland Electricity	619,831
Development/Infrastructure Works***	2,731,219
Total	17,152,231

* Necessary works required to ensure compliance with conditions of planning approvals

** Includes fees paid in respect of legal services, detailed design, planning services, attendances during archaeology works, Project Management and site supervision

*** First phase development/infrastructure works to date

Invest NI has received enquiries from six businesses about locating to Carnbane Business Park. It will work closely with these businesses over the coming months to further develop their interests.

DETI: Public Consultations

Mr Nesbitt asked the Minister of Enterprise, Trade and Investment to detail (i) the number of public consultations undertaken by her Department, in each year since 2007; (ii) the type of consultation; and (iii) the total cost of each consultation.
(AQW 21124/11-15)

Mrs Foster: (i)

Year	Number of consultations undertaken
2007	9 (9 x Legislative)
2008	6 (4 x Legislative) (1 x Strategy) (1 x Policy)

Year	Number of consultations undertaken
2009	16 (8 x Legislative) (7 x Policy) (1 x Strategy)
2010	9 (5 x Legislative) (1 x Strategy) (3 x Policy)
2011	16 (8 x Legislative) (3 x Strategy) (5 x Policy)
2012	11 (7 x Legislative) (1 x Strategy) (3 x Policy)

- (ii) Generally the consultations undertaken by DETI fall under the following categories; Legislative, Strategy and Policy.
- (iii) The table below lists the total 'known' costs of each consultation. It excludes staff costs and any internal printing or postage costs.
- (iv) Some minor consultations did not incur any external costs and no estimate of costs has been included.

Year	Type of consultation	Cost £
2007	Legislation	1,012
	Legislation	1,064
	Legislation	671
	Legislation	1,284
	Legislation	1,241
	Legislation	993
	Legislation	1,161
2008	Legislation	920
	Policy	2,427
	Strategy	1,108
	Legislation	628
	Policy	1,029
	Policy	1,350
	Policy	1,327
2010	Legislation	1,681
	Legislation	99
	Legislation	63
	Legislation	658
	Policy	941
	Policy	26
	Policy	79
	Strategy	13,105*

Year	Type of consultation	Cost £
2011	Policy	1,363
	Policy	893
	Policy	938
	Strategy	14,109
	Strategy	791
2012	Legislation	1,066
	Policy	1,082
	Policy	127
	Strategy	1,048

* Costs include costs of regional roadshows

Department of the Environment

Tamboran Resources

Mr Agnew asked the Minister of the Environment when he was made aware of the intention of Tamboran Resources to operate outside their petroleum licence and drill a borehole well over 1000 metres deep; and how was this information communicated.

(AQW 17807/11-15)

Mr Attwood (The Minister of the Environment): I was made aware of this approach by Tamboran Resources at a meeting which I convened on 14 November 2012, to continue which, inter alia, was to continue ensuring that the company complied with all environmental and legislative requirements for its operations.

DETI consider this change to the company's work programme to be minor. This is on the basis that it reduces the number of boreholes proposed by Tamboran but does not alter their purpose.

Strathfoyle and Culmore Wards, Derry

Ms Maeve McLaughlin asked the Minister of the Environment whether he will consider conducting an Environmental Impact Assessment for the Strathfoyle and Culmore Wards in Derry to examine the link between industry and cancer rates in these areas. (AQW 18744/11-15)

Mr Attwood: In part, this question refers to a public health issue. Consequently, I shall copy the AQ to the Minister for Health, Social Services and Public Safety.

Separately, a planning application for a proposed waste gasification plant as part of the integrated waste management operations at the existing Enviroparc, accompanied with an Environmental Statement was submitted on the 23 March 2009 and an Addendum to the Environmental Statement was received on the 10 May 2010.

In determining the planning application, the Department took into consideration the information contained in the Environmental Statement, the Addendum to the Environmental Statement, any additional information supplied by the applicant during the process, any comments made by the consultation bodies including those from non-governmental organisations and any representations made by members of the public. There was the established process of consultation and communication.

Ramsar Site: Lough Foyle

Ms Maeve McLaughlin asked the Minister of the Environment whether he is working with the Minister for the Environment, Community and Local Government to have the Foyle Lough, in its entirety, designated as a Ramsar site. (AQW 19689/11-15)

Mr Attwood: 'The Convention on Wetlands of International Importance Especially as Waterfowl Habitat' was adopted at a meeting of countries concerned with wetland and waterfowl conservation which was held at Ramsar, Iran in 1971. The UK Government signed the Ramsar Convention in 1973 and ratified it in 1976. Each Contracting Party to the Convention is required to designate wetlands in accordance with criteria agreed by these parties for inclusion in a list of 'Wetlands of International Importance'.

Lough Foyle, situated on the north coast of Northern Ireland, is a large shallow sea lough which contains extensive intertidal areas of mudflats and sandflats. It is an internationally important coastal site for wintering waders and wildfowl. Because of its international importance Lough Foyle was designated as a Ramsar Site in February 1999.

The Ramsar site includes the whole of Lough Foyle Area of Special Scientific Interest (ASSI) and the intertidal area of Magilligan ASSI in Lough Foyle extending south of Magilligan Point. The boundary of the Ramsar site is entirely coincident with that of the Lough Foyle Special Protection Area and it overlaps with Magilligan Special Area of Conservation.

The part of Lough Foyle which falls within the jurisdiction of the Republic of Ireland has not been designated as a Ramsar site. I have written to the Dublin Minister to ascertain his view on the matter.

Planning Applications: Rural Business Premises

Ms Boyle asked the Minister of the Environment how many planning applications for rural business premises were (i) refused; and (ii) approved under (a) PPS 4; and (b) PPS 5 since June 2011, broken down by district council area.

(AQW 20213/11-15)

Mr Attwood: Between June 2011 and September 2012, 18 applications for rural commercial business premises were refused. Of those refused, 6 were considered to be contrary to PPS4, and 2 were considered contrary to PPS5. The number of applications for rural commercial businesses approved in this period was 170. This information is further broken down by Council District in table 1 below.

Table 1: The number of rural commercial applications that were decided between June 2011 and September 2012

	Total Decided	Approved		Refused			
		Number	Approval Rate (%)	Refusal reason2			Total
				PPS 4	PPS 5	Other	
Antrim	9	8	89	0	0	1	1
Ards	10	10	100	0	0	0	0
Armagh	11	10	91	0	0	1	1
Ballymena	11	11	100	0	0	0	0
Ballymoney	6	6	100	0	0	0	0
Banbridge	10	9	90	0	0	1	1
Belfast	1	1	100	0	0	0	0
Castlereagh	1	1	100	0	0	0	0
Coleraine	12	11	92	0	1	0	1
Cookstown	8	8	100	0	0	0	0
Craigavon	14	12	86	2	0	0	2
Derry	6	5	83	0	0	1	1
Down	14	11	79	1	0	2	3
Dungannon	11	11	100	0	0	0	0
Fermanagh	11	11	100	0	0	0	0
Larne	1	1	100	0	0	0	0
Limavady	3	3	100	0	0	0	0
Lisburn	8	7	88	0	0	1	1
Magherafelt	7	6	86	0	1	0	1
Moyle	5	5	100	0	0	0	0
Newry And Mourne	21	16	76	3	0	2	5
Newtownabbey	2	2	100	0	0	0	0
Omagh	3	2	67	0	0	1	1
Strabane	3	3	100	0	0	0	0
Total	188	170	90	6	2	10	18

The information held on the Department's IT System does not include details of the policy context the approved applications were considered under. This would require a manual search of each of the 170 planning applications and would result in the diversion of staff from normal duties for an unreasonable period of time which would have an adverse impact on the Department's ability to provide the statutory public service for which it is obligated.

Planning Permission

Mr Agnew asked the Minister of the Environment in how many cases, in each of the last five years, public opinion was used as a key material consideration for refusing planning permission.

(AQW 21119/11-15)

Mr Attwood: The Department, in assessing all planning applications shall have regard to the development plan, so far as material to the application, and any other material planning considerations in reaching a balanced judgement on the proposed development.

Public opinion insofar as it relates to a material planning consideration must be fully taken into account in reaching a balanced judgement on all planning applications, whether the decision is to approve or refuse. In order to identify those applications where this was the case a manual search of each of the files of the planning applications that have been refused in the last five years would be required, which would be disproportionate both in terms of time and cost.

However, I can advise that of the 6160 planning applications refused in the period 1 April 2008 to 31 December 2012 one or more letter of objection was received during the processing of the application on 1749 of these refused applications.

DOE: Public Consultations

Mr Nesbitt asked the Minister of the Environment to detail (i) the number of public consultations undertaken by his Department, in each year since 2007; (ii) the type of consultation; and (iii) the total cost of each consultation.

(AQW 21123/11-15)

Mr Attwood: The details requested are set out in the tables attached in Appendix 1. Please note that the costs cover the direct costs of each consultation but do not include indirect costs such as staff time as it would be difficult to extrapolate these figures.

007/08 – 32 Consultations

Name of Consultation	Type of Consultation	Total Cost of Consultation
Amendments to the Conservation Regulations	Environment Policy	£500
Annual Special Protection Order (Irish Hare)	Environment Policy	£1,000
Review of the Wildlife Order	Environmental Policy	£1,500
Amendments to the Restriction of Hazardous Substances (RoHS) in Electrical and Electronic Equipment	Environmental Policy	£1,500
Producer Responsibility Obligations (Packaging Waste) Regulations 2007	Environmental Policy	£1,500
Review of sites responsible for exporting metal packaging waste	Environmental Policy	£1,500
Implementation of the Batteries and Accumulators Directive 2006/66/EC	Environmental Policy	£1,000
Quality of Bathing Water (Northern Ireland) Regulations 2008	Environmental Policy	£1796.61
The Pollution Prevention & Control (Industrial Pollution and Radiochemical Inspectorate) Charging Scheme (NI) 2008	Fees and Charges under the PPC Regulatory Regime	£3,500
Policy on provision of waste water drainage in settlements	Consultation on proposed policy.	Minimal in-house costs
Water Matter "Have your say"	Consultation on significant water management issues for river basin management plans	£2,500

Name of Consultation	Type of Consultation	Total Cost of Consultation
Water Order Consenting: Policy Manual	Consultation on proposed consenting manual	Minimal in-house costs
Sperrin Area of Outstanding Natural Beauty	Designation proposal	£500
Ring of Gullion Area of Outstanding Natural Beauty (AONB) Management Plan	Public consultation on contents of draft AONB management plan	£5,000
The Waste Management (Miscellaneous Provisions) Regulations 2008	Environmental Policy	£1,250
The Waste Management Licences (Consultation and Compensation) Regulations 2008	Environmental Policy	£1,250
REACH(Registration, Evaluation, Authorisation and Restriction of Chemicals)	Environmental Policy	£1,200
Small Scale Renewable Energy (Microgeneration) Permitted Development Rights	Public consultation on the provision of permitted development rights for microgeneration development associated with dwelling houses and with the curtilage of a dwelling house	£1,511.46
Draft Addendum to Planning Policy Statement (PPS) 7: Residential Extensions and Alterations	Planning Policy	£2378.84
Draft Planning Policy Statement (PPS) 18 'Renewable Energy' [& Accompanying Draft Supplementary Planning Guidance]	Planning Policy	£4307.40
Environmental Impact Assessment of Reserved Matters Applications	Public consultation is to obtain views on the Department's proposals for amending the Planning (Environmental Impact Assessment) Regulations (NI) 1999 to take account of two judgements of the European Court of Justice in May 2006	£1,459.75
Electronic Delivery of Certificates of Motor Insurance	Public Consultation	Minimal in-house costs
Driver Certificate of Professional Competence – further implementation arrangements	Public Consultation	Minimal in-house costs
Introduction of Compulsory Basic Training for Motorcyclists and a Motorcycle Instructor Register	Public Consultation	Minimal in-house costs
Reintroduction of Taxi Driving Test and Periodic Training for Taxi Driving Licence Holders	Public Consultation	Approx £1,000
Local Government Pension Scheme (Amendment No. 2) Regulations (Northern Ireland) 2007	Full Public	£220
Local Government Pension Scheme (Amendment No. 3) Regulations (Northern Ireland) 2007	Full Public	£235
Local Government Pension Scheme (Amendment No. 4) Regulations (Northern Ireland) 2007	Full Public	£170

Name of Consultation	Type of Consultation	Total Cost of Consultation
Proposals to introduce in NI Phase II of New Fees Structure for Licences under the Food and Environment Protection Act 1985, Part II, (Deposits in the Sea)	Public Consultation	£1,500
Disability Action Plan	Targeted consultation	Minimal in house costs
Guide to Making Information Accessible	Targeted consultation	Minimal in house costs
Banbridge Newry and Mourne Area Plan 2015: Publication of Draft Plan Revision	Public Consultation	Minimal In house costs

2008/09 – 30 Consultations

Name of Consultation	Type of Consultation	Total Cost of Consultation
Application of the Environmental Impact Assessment Regulations to the Review of Mineral Permissions	Public consultation to obtain views on the application of the 1999 EIA Regulations with modifications to the review of old mineral planning permissions	£1,713.38
Amendments to the Planning (Control of Advertisements) Regulations (Northern Ireland) 1992	Public consultation to obtain views on the introduction of a statutory rule to amend the Planning (Control of Advertisements) Regulations (Northern Ireland) 1992.	£807.71
Draft Planning Policy Statement (PPS) 21 Sustainable Development in the Countryside	Planning Policy	£22,682.52
Transposing the "Mining Waste Directive" (2006/21/EC) in Northern Ireland	Public consultation on transposing EC Directive into NI legislation.	£1,084.25
The Waste Management Strategy Regulations (NI) 2009	Environmental Policy	£1,500
The Landfill Allowance Scheme (Amendment) Regulations (NI) 2008	Environmental Policy	£1,500
Prohibition of the Use of Leadshot Regulations	Environment Policy	£1,500
Annual Special Protection Order (Irish Hare)	Environmental Policy	£1,000
Amendment to the Dangerous Wild Animals Order	Environmental Policy	£1,500
Waste Battery Collection and Recycling Provisions	Environmental Policy	£1,000
Revision of the Waste Electrical and Electronic (WEEE) Regulations 2006	Environmental Policy	£1,500
Draft Regulations and Guidance implementing Directive 2004/35/EC on Environmental Liability with regard to the prevention and remedying of Environmental Damage	Environmental Policy	£3000
The Waste management Licensing (Amendment) Regulations 2009	Environmental Policy	£1,250
Transposition of the Groundwater Daughter Directive (2006/118/EC)	Environmental Policy	£1596.89
REACH(Registration, Evaluation, Authorisation and Restriction of Chemicals)	Environmental Policy	£1,966.69

Name of Consultation	Type of Consultation	Total Cost of Consultation
Environmental Noise Directive-consultation on Action Plans	Environmental Policy	£1,200
Fluorinated Greenhouse Gases (NI) Regulations 2009	Environmental Policy	£1,334.81
FEPA Fees	Fees and charges under the FEPA regulatory regime	Minimal in-house costs
Northern Ireland Sustainable Urban Drainage Systems	Consultation on proposed policy.	£1,000
Abstraction and Impoundment Licensing Fees and Charges	Consultation on Fees and Charges under the Abstraction and Impoundment regulatory regime.	Minimal in-house costs
Listed Buildings Grant-aid review	Public consultation on changes to the NIEA Listed Buildings Grant-aid Scheme.	Minimal in-house costs
Strategic Environmental Assessment (SEA) scoping study and SEA Assessment report for River Basin Management plans	Consultation on the proposed environmental effects of the river basin management plans	£2,500
Draft river basin management plans 2008	Public consultation on the draft plans	£2,500
Consultation on Financial Provision for Waste Activities in Northern Ireland	Environmental Policy	£10,031.25 + minimal in house costs
Review of waste licensing charges under the Waste and Contaminated Land (NI) Order 1997 and European Communities Act 1972	Proposed increase to waste licensing charges to enable NIEA to recoup fully its costs in the range of regulatory activities it has to undertake in relation to licensed waste facilities.	Minimal in house costs
"Learning to Drive"	Public Consultation	Minimal in-house costs
Proposals for additional designations under the Shellfish Waters Directive	Environmental Policy	£2000
The Draft Local Government (Contracts and Compulsory Purchase) Bill	Full (Dec 08- Mar 09)	£244.48
New Local Government Pension Scheme 2009	Full Public	£563
Guide to Making Information Accessible	Targeted consultation	Minimal in house costs

2009/10 – 43 Consultations

Name of Consultation	Type of Consultation	Total Cost of Consultation
Annual Special Protection Order (Irish Hare)	Environmental Policy	£1,000
Proposals for the recast of the WEEE and RoHS Directives	Environmental Policy	£1,500
Regulations for the recast of WEEE and RoHS	Environmental Policy	£1,500
Producer Responsibility Obligations (Packaging Waste) (Amendment) Regulations 2010	Environmental Policy	£1,200
Clean Neighbourhoods & Environment Bill	Environmental Policy	£2,007
Proposals for a Waste Bill	Environmental Policy	£1400

Name of Consultation	Type of Consultation	Total Cost of Consultation
The Control of Pollution (Oil Storage) Regulations (Northern Ireland) 2010	Environmental Policy	£1259.62
The Private Water Supplies (Northern Ireland) Regulations 2009	Environmental Policy	£2,597
Air Quality Standards Regulations(NI) 2010	Environmental Policy	£1,492.74
Pollution Prevention &Control Charging Scheme (District Councils)2010	Environmental Policy	£1,385.60
Pollution ,Prevention and Control(Amendment) Regulations(NI) 2009	Environmental Policy	£1,594.43
Regulatory Charging Policy 2010-2013	Environmental Policy	Minimal in house costs
Magee Design Guide (Draft)	Planning Policy	Minimal in house costs
The Pollution Prevention and Control (Industrial Pollution and Radiochemical Inspectorate) Charging Scheme (Northern Ireland) 2009 and the Radioactive Substances (Fees and Charges) Scheme (NI) 2009	Fees and Charges under PPC and RSA Regulatory Regime	£4,500
Review of application fees for consent to discharge to Waterways and Underground Strata under the Water (Northern Ireland) Order 1999.	Review of fees and charges for discharge consents under the Water Order regulatory regime	Minimal in house costs
Strangford and Lecale Area of Outstanding Natural Beauty	Designation proposal	£500
High Hedges Bill	Environmental Policy	£1000
Stage One consultation on the transposition of the revised Waste Framework Directive	Environmental Policy	£3,000
Reform of the Planning System in Northern Ireland: Your chance to influence change	Public Consultation on the Department's proposals for the reform of the planning system in Northern Ireland in the medium to longer term. Included draft EQIA at strategic level.	£70,577.53
Draft Addendum to Planning Policy Statement (PPS) 7: Safeguarding the Character of Established Residential Areas	Planning Policy	£2,378.84
Proposed PD Rights for Microgeneration Development	Public consultation on proposals for microgeneration permitted development associated with non-domestic land uses, that is, land uses that are not associated with dwelling houses.	£1,488.75
Proposed changes to Non-Householder Permitted PD Rights	Public consultation to obtain views on the Department's proposals to extend existing and introduce additional categories of Non-householder permitted development rights.	£1,488.75
Proposed changes to Householder Permitted PD Rights	Public consultation to obtain views on the Department's proposals to extend existing householder permitted development rights.	£1,488.75
Drink Driving Limit in Northern Ireland, Penalties and Police Powers to Detect Drink Drivers	Public Consultation	Minimal in-house costs

Name of Consultation	Type of Consultation	Total Cost of Consultation
Graduated Fixed Penalty, Financial Penalty Deposit and Immobilisation Schemes	Public Consultation	Minimal in-house costs
Definition of "Significant Personal Injury" under the 5th Motor Insurance Directive	Public Consultation	Minimal in-house costs
The Third EC Directive on Driving Licences	Public Consultation	Minimal in-house costs
Amendment of Motor Vehicles (Construction and Use) Regulations (Northern Ireland) 1999 to increase maximum width of certain trailers	Public Consultation	Minimal in-house costs
Amendment of the Motor Vehicles (Construction and Use) Regulations (Northern Ireland) 1999 to control retrofitting and refilling of air conditioning systems used in motor vehicles	Public Consultation	Minimal in-house costs
Retrofitting of Mirrors on Heavy Goods Vehicles	Public Consultation	Minimal in-house costs
Consultation on Driver CPC Scheme – Improvements to Administrative Arrangements	Public consultation	Minimal in-house costs –
Real Weight Requirements for driving test vehicles	Public consultation	Minimal in-house costs –
The Draft Local Government (Indemnities for Members and Officers) Order (Northern Ireland) 2012 (the 2010 Order)	Full (Dec 09-Mar 10)	£258.75
The Local Government (Contracts) Regulations (Northern Ireland) 2010	Full (Nov 09-Jan 10)	£263.80
Establishment of Transition Committees in Statute	Full (Apr 09- May 09)	£319.80
Proposals for Severance Arrangements for Councillors	Full (Apr 09-May 09)	Not Known
Draft local Government (Finance) Bill	Full (Jul 09-Oct 09)	Not Known
Local Government Pension Scheme (Amendment) Regulations (NI) 2010	Full Public	£105
Local Government Pension Scheme (Amendment No. 2) Regulations (NI) 2010	Full Public	£188
Marine Strategy Framework Directive – legal framework for implementation	Public Consultation	£1800.16
Disability Action Plan	Targeted consultation	Minimal in house costs
Guide to Making Information Accessible	Targeted consultation	Minimal in house costs
EU Emissions Trading Scheme Charging Scheme Northern Ireland	Fees and Charges under the Environment (Northern Ireland) Order 2002	£2064

2010/11 – 49 Consultations

Name of Consultation	Type of Consultation	Total Cost of Consultation
Planning Fees in Northern Ireland: Proposals for Change	Public consultation on proposed changes to structure and level of planning fees.	£1,510

Name of Consultation	Type of Consultation	Total Cost of Consultation
Consultation on the Planning (EIA) Regulations (NI) 2012	Public consultation to obtain views on the specific amendments to the 1999 EIA Regulations described within the paper.	£1,049.19
Draft Planning Policy Statement (PPS) 16: Tourism	Planning Policy	£1429.27
Draft Planning Policy Statement (PPS) 23: Enabling Development [& Accompanying Draft Best Practice Guidance]	Planning Policy	£2445.80
Draft Planning Policy Statement (PPS) 24: Economic Considerations	Planning Policy	£266
Draft Planning Policy Statement (PPS) 2 Natural Heritage (Revised) [& Accompanying Draft Supplementary Planning Guidance]	Planning Policy	£2036.58
Draft supplementary planning guidance: Building in Tradition – A Sustainable Design Guide for the Northern Ireland Countryside	Supplementary Planning Guidance	£3840
Introduction of Restrictions on the Landfilling of Certain Wastes	Environmental Policy	£1,600
Magee Design Guide (Draft)	Planning Policy	Minimal in-house costs
Historic City Street Conservation Area Draft Guide	Planning Policy	Minimal in-house costs
Meeting EU Landfill Diversion Targets	Environmental Policy	£1,600
Proposal to amend the Landfill Regulations (Northern Ireland) 2003	Environmental Policy	£1,600
Producer Responsibility Obligations (Packaging Waste) (Amendment) Regulations 2010	Environmental Policy	£1,000
Implementation of the RoHS Directive 2011/65/EU	Environmental Policy	£500
A New Recycling Policy	Public consultation on a new recycling policy	£1500
Draft Site Waste Management Plans Regulations	Public consultation on proposed site waste management regulations	£1500
Consultation on The Nitrates Action Programme Regulations (Northern Ireland) 2010	Environmental Policy	£1943.04
The Water Framework Directive (Priority Substances & Classification) Regulations (Northern Ireland) 2011	Environmental Policy	£1399
Ozone Depleting Substances Regulations(NI)2011 and the associated Ozone Qualifications Regulations 2011	Environmental Policy	£2,719.37
Pollution, Prevention and Control Charging Scheme (District Councils) 2011	Environmental Policy	£1,325.49
Preparing a Road Safety Strategy for Northern Ireland 2010-2020	Public Consultation	£5,576.42

Name of Consultation	Type of Consultation	Total Cost of Consultation
Goods Vehicles (Licensing of Operators) Act (NI) 2010- Exemptions and Scope	Public consultation on proposals for vehicles that will fall within the scope of the Goods Vehicle Act and those vehicles that will be exempt according to their construction or function.	Minimal in-house costs
Goods Vehicles (Licensing of Operators) Act (NI) 2010- Licensing of Operators and Enforcement Powers	Public consultation on proposals contained in the Licensing of Operators Regulations and the Enforcement Powers regulations.	£5,300
Stage Two consultation on the transposition of the revised Waste Framework Directive	Environmental Policy	£3,500
The Waste Regulations (NI) 2011	Environmental Policy	£1,500
Environmental Better Regulation White Paper	Environmental Policy	£1,570
Enforcement Policy	Operational policy	Minimal in-house costs
Criteria for Listing. A consultation on proposed Revisions to: Annex C of Planning Policy Statement 6. April 2010	Planning Policy	Minimal in-house costs
Signs and Warning Lights on School Buses Consultation	Public Consultation	£26987
Exception in NI from the EU Drivers' Hours Rules for Reservists	Public Consultation	Minimal in-house costs
Consultation on proposed regulations requiring replacement tyres on motor vehicles to comply with European noise limits	Public Consultation	Minimal in-house costs
Proposed amendments to Construction and Use (C&U) and Public Service Vehicle Regulations on bus and coach construction and to C&U Regulations regarding NI Prison Service vehicles and MOT emissions booklet	Public Consultation	Minimal in-house costs
Consultation on proposed amendments to the Road Vehicles Lighting Regulations To provide for conspicuity markings on heavy goods and DVA enforcement vehicles and to Lighting/Construction and Use Regulations to allow the use of blue lamps/sirens on emergency vehicles	Public Consultation	Minimal in-house costs
Proposed Passenger and Goods Vehicles (Community Recording Equipment Regulation) Regulations (NI) [2011] giving effect to EC Regulations to enable Installation of digital tachographs on light vehicles	Public Consultation	Minimal in-house costs
Consultation of the future of Bus Operator Licensing	Public Consultation	Minimal in-house costs
A Northern Ireland Marine Bill – Policy Proposals	Environmental Policy	£2000
Taxi Operator Licensing Consultation	Public Consultation	£7,622.38
District Councillors' Allowances and Multiples Mandates	Full (Oct 2011 – Dec.2011)	£566.55
Local Government Reform Policy Proposals	Full (Nov.2010-Mar 2011)	£399.30

Name of Consultation	Type of Consultation	Total Cost of Consultation
The Draft Local Government Best Value (Exclusion of Non-Commercial Considerations) Order (Northern Ireland) 2011 and Associated Guidance	Full (Sept 2011 – Oct 2011)	£293.65
Draft Regulations and Guidance under Part 1 of the Local Government Finance Bill – Grants to Council	Full (Dec 10- Feb 11)	Minimal in-house costs
Draft Regulations and Guidance under Part 2 of the Local Government Finance Bill – Grants to Council	Full (Dec 10- Feb 11)	Minimal in-house costs
Draft Regulations under Part 3 of the Local Government Finance Bill – Payments to Councillors etc.	Full (Dec 10- Feb 11)	Minimal in-house costs
Local Government Pension Scheme (Councillors) (Amendment) Regulations (NI) 2011	Full Public	£208
Marine Policy Statement – draft for consultation	UK-wide Public Consultation	£972
Marine Licensing under the Marine & Coastal Access Act 2009	Public consultation	£1833.62
Malone Conservation Area Boundary Review and Design Guide	Planning Policy	£4,000
Guide to Making Information Accessible	Targeted consultation	Minimal in house costs
Disability Action Plan	Targeted consultation	Minimal in house costs

2011/12 – 44 Consultations

Name of Consultation	Type of Consultation	Total Cost of Consultation
Northern Ireland Waste Management Strategy 2006 -2020 Addendum and Delivery Programme	Environmental Policy	£998
Strangford Lough Byelaw	Environmental Policy	£1,500
Invasive Species Strategy	Environmental Policy	£2,000
Enabling Legislation National Parks	Environmental Policy	£2,000
Access to Driver Licensing Records	Public consultation on granting controlled access to Driver Licensing Records	Minimal in-house costs
Producer Responsibility Obligations (Packaging Waste) (Amendment) Regulations 2012	Environmental Policy	£1,000
Clean Neighbourhoods & Environment Bill – Fixed Penalty Notices	Environmental Policy	£1,750
Clean Neighbourhoods & Environment Bill – Litter	Environmental Policy	£1,240
Clean Neighbourhoods & Environment Bill – Gating Orders	Environmental Policy	£1,432
Clean Neighbourhoods & Environment Bill – Noise & Statutory Nuisance	Environmental Policy	£1,672
Clean Neighbourhoods & Environment Bill – Dog Control Orders	Environmental Policy	£1,060

Name of Consultation	Type of Consultation	Total Cost of Consultation
Clean Neighbourhoods & Environment Bill – Nuisance Parking and Abandoned Vehicles	Environmental Policy	£1,966
Clean Neighbourhoods & Environment Bill – Defacement Removal Notices	Environmental Policy	£1,600
Proposals for a Charge on Single Use Carrier Bags	Environmental Policy	£1,700
Review of and consultation on the Identification of Bathing Waters in Northern Ireland 2011	Environmental Policy	£945.27
Goods Vehicles (Licensing of Operators) Act (NI) 2010- Goods Vehicle Operator Fees	Public consultation on proposals contained in the Licensing of Fees Regulations.	Minimal in-house costs
Historic Street Conservation Area Draft Guide	Planning Policy	Minimal in-house costs
Clarendon Street Conservation Area Draft Design Guide	Planning Policy	Minimal in-house costs
Goods Vehicles (Licensing of Operators) Act (NI) 2010- Transitional Arrangements	Public consultation on proposals for transitional provisions to be introduced for existing operators to facilitate a staged introduction to meet the full requirements of the Goods Vehicle Act.	Minimal in-house costs
High Hedges Fee Regulations	Environmental Policy	£1,000
High Hedges Act - Guidance	Environmental Policy	£2,100
Consultation on the Waste Management Duty of Care Code of Practice	Environmental Policy	£1,000
Environmental Governance in Northern Ireland Discussion Document	Environmental Policy	Minimal in house costs.
Fluorinated Greenhouse Gases (Amendment) Regulations (NI) 2012	Environmental Policy	£1,581.55
Pollution, Prevention and Control (Amendment) Regulations (NI) 2011	Environmental Policy	£1,512.49
Pollution Prevention and Control (Amendment) (No 2) Regulations (NI) 2011	Environmental Policy	£1,359.77
Draft Policy HS 3 (Amended) Travellers Accommodation	Planning Policy	£776.24
Supplementary Planning Guidance - Policy PED 8: 'Development Incompatible with Economic Development Uses'	Supplementary Planning Guidance	£934.70
Planning NI Customer Satisfaction Survey 2010/11	Customer satisfaction questionnaire issued to all planning customers (3,324) who had a decision issued on a planning application during 2010/11	£599
Clarendon Street Conservation Area Draft Design Guide	Planning Policy	Minimal in-house costs
Reform of the L and R Driver Schemes and on Graduated Driver Licensing	Public Consultation	£19834.34
The EC Roadworthiness Directive – Proposed Changes to the MOT Test	Public Consultation	Minimal in-house costs
Fire Extinguishers in Motor Vehicles	Public Consultation	Minimal in-house costs

Name of Consultation	Type of Consultation	Total Cost of Consultation
Proposal on Possible Exemption of Certain Categories of Historic Vehicles from MOT Testing	Public Consultation	Minimal in-house costs
Consultation on implementing EC Regulations 1071/2009, 1072/2009 and 1073/2009 on road transport operations and on new fitness and finance requirements for Own Account operators	Public Consultation	Minimal in-house costs
Consultation on Demolition and Development	Public consultation to obtain views on the specific amendments described within the paper	£1,000
Consultation on Taxi Vehicle Licensing, Powers of Seizure and Courtesy Transport licensing	Public Consultation	£8,944.78
Consultation on Maximum Fare and Taximeter regulations	Public Consultation	£2,858.60
Lagan Valley Area of Outstanding Natural Beauty	Informal consultation on designation	Under £250
Guidance on Councillors' Allowances	Full (Oct 11- Dec 11)	£117.95
Local Government Pension Scheme(Amendment) Regulations (NI) 2012	Full Public	£60
Draft NI Marine Position Paper	Public Consultation	£1886
Guide to Making Information Accessible	Targeted consultation	Minimal in house costs
Equality Scheme	Full public consultation	Minimal in house costs

2012/13 – 27 Consultations

Name of Consultation	Type of Consultation	Total Cost of Consultation
Consultation on Revising the Northern Ireland Waste Management Strategy	Environmental Policy	£4,000
Proposed Snares Order	Environmental Policy	£1,500
Proposed Amendment to Driving Licence Fees	Public consultation on proposed Statutory Rule amending driver licensing fees	Minimal in house costs.
The Draft Single Use Carrier Bags Charge Regulations (NI) 2012	Environmental Policy	£1500
2012 Review of Shellfish Water Designations Under The Shellfish Waters Directive; and The Protection of Shellfish Waters Beyond 2013	Environmental Policy	£943.69
Review of Regulatory Charging Policy 2010-2013	Environmental Policy	Minimal in house costs
The Pollution Prevention and Control (Industrial Emissions – NIEA) Charging Scheme (NI) 2012	Fees and Charges under the PPC Regulatory Regime	£4000
The consolidated Greenhouse Gas Emissions Charging Scheme (NI) 2013	Fees and Charges under the Greenhouse Gas Emissions Trading Scheme Regulations 2012	£1500

Name of Consultation	Type of Consultation	Total Cost of Consultation
Consultation on the timetable of the work programme for the production of the second cycle of river basin management plans.	Under the Water Framework Directive the Department is required to issue a time table for the production of the plans and a statement on the consultation to be carried out, by the 22 December 2012	£2,500
The draft Waste (Amendment) Regulations (NI) 2013	Environmental Policy	£1,000
The Controlled Waste and Duty of Care Regulations (NI) 2013	Environmental Policy	£1,000
Noise Mapping Action Planning, Technical Guidance for Roads, Railways and Airports	Environmental Policy	£1,161.10
Pollution, Prevention and Control Regulations (NI) 2012	Environmental Policy	£1,161.10
Road Traffic (Drink Driving) (Amendment) Bill and Additional Measures to tackle drink and drug driving in Northern Ireland	Public Consultation	Minimal in-house costs
Consultation on Proposed Changes to Permitted Development Rights for Agricultural Buildings and Plant	Public consultation to obtain views on proposals to increase the permitted size limitation of agricultural buildings from 300m ² and to 500m ² and to provide for the installation alteration or replacement of structures to house anaerobic digestion plant on agricultural units subject to the same ground area limitation of 500m ²	£1,000
Mutual Recognition of Penalty Points Between Northern Ireland and Ireland	Public Consultation	Minimal in-house costs
Proposal for Mandatory Wearing of Helmets on Quadricycles	Public Consultation	Minimal in-house costs
Consultation on Special Occasion and Novelty Vehicle Licensing	Public Consultation	£6,688
Consultation on Taxi Operator Licensing Fixed Penalties	Public Consultation	£6,228.92
Consultation on Goods Vehicle Operator Licensing Fixed Penalty	Public Consultation	Minimal in-house costs
Marine Strategy Framework Directive Consultation	Public Consultation	£1,000
Statement of Public Participation	Public Consultation	£2,520
Draft NI Marine Litter Strategy	Public Consultation	£1115
Local Government Pension Scheme (Amendment) Regulations (NI) 2013	Full Public	£25
DFP – Public Service Pensions Bill - Policy consultation	Information note to employers in the Local Government Pension Scheme (Northern Ireland)	£350
Review of Local Government Staff Commission	Full 12 week Public Consultation	Figure not yet available at this time
Guide to making Information Accessible	Targeted Consultation	Minimal in house costs

National Parks

Ms Lo asked the Minister of the Environment whether he has had any discussions with the Minister of Agriculture and Rural Development on the potential for EU funding streams, through Common Agricultural Policy negotiations, as an incentive for the farming community to support the designation of National Parks in their area.

(AQW 21248/11-15)

Mr Attwood: I am continuing with my programme of meetings with individuals and organisations that are both for and against national parks. When I have considered the different perspectives, I will reach a judgement on the way forward.

I have stressed to the farming community and to others that the model of park that I am talking about is “designation without further regulation”. Some people continue to portray this version of a national park – even when they have been advised otherwise – as coming with more regulation. This is not the case, be it with regard to planning, livestock, crops, or anything else.

I will continue to argue the case for rural development. With so many out of work, and possibly another 20,000 on the far side of welfare reform, I would be negligent if I did not turn over every stone to develop rural work opportunities.

My argument is that jobs can be grown round our heritage. This is most evident in rural areas, and it is there that most opportunities exist. I will not give up on this argument, and others should be making the argument with me.

In talking with people I believe a good way forward can be found. I hope that others will work with me to do so. On the far side of this conversation, I will propose how to proceed, acknowledging the principle that there cannot be imposition of a national park.

I believe there is huge potential to access much greater EU funding. To advance this, DOE held a conference of AFBI on 26 March 2013, I have directed the Permanent Secretary to identify increased resources, met with officials on 25 March 2013 to identify how to escalate DOE and DOE/DARD EU opportunities, including through a more comprehensive input into the current preparation by London of its EU Priorities Programme. This is all about greater opportunities for our rural community and its farmers. This strategy needs maximised, whatever about support or otherwise for National Parks.

Red Squirrel Population

Mr Easton asked the Minister of the Environment what his Department is doing to protect the red squirrel population.

(AQW 21271/11-15)

Mr Attwood: The red squirrel population is in decline across the UK and Ireland. The main factors causing this decline are habitat loss, competition from non native grey squirrels and squirrel pox disease.

To address these concerns, my Department published a Northern Ireland Species Action Plan for red squirrels in 2000. This was superseded in 2008, when, in conjunction with the National Parks and Wildlife Service, my department published the All Ireland Species Action Plan for Red Squirrels.

The Northern Ireland Squirrel Forum was formed to progress actions contained within these plans and brings together statutory and non-statutory organisations, as well as representatives of country parks and local volunteer organisations dedicated to protecting the red squirrel in Northern Ireland. My Department chair the Forum, and has also helped create, and subsequently supports a number of local squirrel groups.

These groups focus on local squirrel issues, undertake a wide range of actions on the ground and provide regular updates to the Forum. There are currently eight groups active within Northern Ireland.

The first record of squirrel pox in Ireland was in Tollymore Forest Park in March 2011. My Department organised an emergency response to this discovery and provided direction and support to both Forest Service and Tollymore squirrel group members in the aftermath of the outbreak. This included the purchase and supply of motion sensor field cameras. In addition my Department recently funded Queens University to undertake a full scientific assessment of squirrel pox in Northern Ireland. The research team was asked to investigate modes of transmission of the disease, as well as relative levels of squirrel pox between red and grey squirrels in Northern Ireland. The research showed that external parasites may play a major role in the spread of the disease. It also showed that whilst a substantial proportion of the grey squirrel population have antibodies to the squirrel pox virus, resulting from previous exposure, a much smaller proportion are actively spreading it. The full report is published on the NIEA website at

http://www.doeni.gov.uk/niea/squirrelpox_virus_in_ni_quantifying_the_risk_to_red_squirrels-3.pdf

My Department has purchased 100 squirrel traps to be used by groups or individuals to trap grey squirrels in areas adjacent to red squirrel strongholds or in areas where a 'buffer zone' is being maintained. My staff have recently provided traps to the Mourne Heritage Trust who are using volunteers to try and clear grey squirrels from several areas in the eastern Mournes. Other areas benefitting from the provision of traps have been Glenariff, Glenarm, Shanes Castle Estate, and Straidkilly.

Department of Health, Social Services and Public Safety

Health Service: Support Services

Mr Spratt asked the Minister of Health, Social Services and Public Safety, given that the independent sector plays an important part in the provision of support services to the Health Service, whether he has any plans to formalise contracts on a sustainable planned basis rather than on the current short-term ad hoc basis.

(AQW 21037/11-15)

Mr Poots (The Minister of Health, Social Services and Public Safety): The commissioning of health services is a matter for the Health and Social Care Board. I am advised by the Board that additional capacity within the independent sector is normally purchased through annual or six monthly contracts depending on Health and Social Care Trusts' in year needs.

Health Service: Notice Periods

Mr Spratt asked the Minister of Health, Social Services and Public Safety whether he would be prepared to commit to giving an adequate notice period of services required, in order that the independent sector could plan ahead in a manner that would be cost effective to both the Health Service and to its own business model.

(AQW 21038/11-15)

Mr Poots: It is assumed that this question relates to the use of the independent sector in reducing waiting times for elective health care. Commissioning health services is a matter for the Health and Social Care Board. I am advised that the Board will continue to agree action plans for the reduction of waiting times annually with Health and Social Care (HSC) Trusts; and where the HSC is unable to provide sufficient capacity in-house, additional capacity may be secured from the independent sector. The Board has no plans at present for the establishment of longer term arrangements with the independent sector arrangements for the majority of elective specialties.

DHSSPS: Advertising Campaigns

Mr McNarry asked the Minister of Health, Social Services and Public Safety to detail his Department's TV, radio and newspaper advertising campaigns, in each of the last three years; and the spend on each campaign.

(AQW 21062/11-15)

Mr Poots:

Year	Campaign	Cost
2009/10	Sexual Violence	£174,301.17
		Total: £174,301.17
2010/11	Family Support Services	£27,253.21
	Misuse of Drugs	£99,771.31
		Total: £127,024.52
2011/12	Family Support Services	£95,327.72
	Drug Misuse and Wastage	£120,953.80
		Total: £216,281.52
		Total for three years: £517,607.21

Slievemore Nursing Unit, Derry

Mr Eastwood asked the Minister of Health, Social Services and Public Safety, in relation to the Regulation and Quality Improvement Authority (RQIA) inspection of Slievemore Nursing Unit in January 2013, to detail (i) the previous number of RQIA inspections at the facility; (ii) the aim of this particular inspection; and (iii) who commissioned the inspection.

(AQW 21162/11-15)

Mr Poots: RQIA's inspection of Slievemore Nursing Unit in January 2013 was the first inspection of the facility.

The Slievemore Nursing Unit is an unregistered service. The purpose of RQIA's inspection was to ascertain the nature and range of services, the quality and safety of service provision, and to advise on appropriate registration in line with relevant legislative obligations.

During an inspection at Gransha Hospital in late 2012, RQIA was made aware that the Western HSC Trust was transferring patients to a service at Slievemore Nursing Unit. RQIA commissioned and undertook its inspection of Slievemore Nursing Unit

as it is empowered under The Health and Personal Social Services (Quality, Improvement and Regulation) (Northern Ireland) Order 2003, at any time to enter and inspect premises which are used by an HSS body or service provider (Article 41).

Nursing Home Care

Mr Eastwood asked the Minister of Health, Social Services and Public Safety why the Western Health and Social Care Trust commissions nursing home care only from private providers.

(AQW 21163/11-15)

Mr Poots: Western HSC Trust does not provide elderly nursing care in statutory homes. The Trust provides health and social care services to its resident population within a 'mixed economy of care' in partnership with independent care providers, who provide a range of services including nursing homes within local communities.

According to National Statistics, all nursing home packages in Northern Ireland are provided by the independent sector. Trusts, in general, never had a history of providing nursing home places in house.

Private Nursing Homes

Mr Eastwood asked the Minister of Health, Social Services and Public Safety whether all bedrooms provided within private nursing homes meet the current minimum standards.

(AQW 21166/11-15)

Mr Poots: All services registered with the Regulation and Quality Improvement Authority from April 2005 to February 2008 (and by Health and Social Services Board Registration and Inspection Units from 1997 to 2005) were required to have a minimum bedroom size of 11.5m², in line with guidance published by Health and Social Services Board Registration and Inspection Units in 1997.

Following the publication of the Nursing Homes Minimum Standards by my Department in February 2008, any nursing home that has been registered by RQIA since this date is required to meet the minimum bedroom size of 12m². The room sizes are addressed at pre-registration stage through submission of plans/drawings which are assessed against minimum standards and also subject to pre-registration inspection. Where a home wishes to add rooms, extend etc. this would also be subject to similar pre-registration processes. Given this approach RQIA would not find themselves in a position of having to take enforcement action on this issue.

Tamiflu

Lord Morrow asked the Minister of Health, Social Services and Public Safety to detail the total cost of the Tamiflu that was purchased during the swine flu outbreak.

(AQW 21201/11-15)

Mr Poots: The total cost of anti-virals purchased during the swine flu outbreak in 2009/10 was £8.963m.

HIV

Mr Beggs asked the Minister of Health, Social Services and Public Safety how many new cases of HIV have been detected in each of the last five years; and what action his Department has taken to educate the public on preventative measures to stop the spread of the HIV virus.

(AQW 21203/11-15)

Mr Poots: Figures of new cases of HIV detected in the last five years for which data is available are:

2007	2008	2009	2010	2011
61	93	69	80	82

Measures to stop the spread of the HIV virus are being taken forward by the multi-agency Sexual Health Improvement Network, chaired by the Public Health Agency in support of the actions in my Department's Sexual Health Promotion Strategy. Actions include: raising public awareness of preventative measures to reduce the risk of HIV; provision of community based and outreach preventative programmes, particularly for those most at risk; training in HIV awareness; provision of testing services coupled with information on safe sex practices at Genitourinary Medicine Clinics; and the offer of a HIV screening test for all pregnant women.

In addition, my Department core funds a number of voluntary organisations that provide ongoing education and support in relation to HIV/AIDS and sexual health matters.

Service Framework for Cancer Prevention, Treatment and Care

Mr Agnew asked the Minister of Health, Social Services and Public Safety whether his Department will follow the recommendation of Skin Cancer UK and collect and publish data on progress with the implementation of the Service Framework for Cancer Prevention, Treatment and Care.

(AQW 21251/11-15)

Mr Poots: It is the responsibility of the HSC Board, in partnership with the Public Health Agency, to implement the Service Framework for Cancer Prevention, Treatment and Care and to seek assurance on progress made against the standards and indicators from individual Trusts and other service providers where relevant.

In line with currently established performance management arrangements for the HSC, the Department seeks assurances from the HSC Board and Public Health Agency as to the progress of the implementation of all Service Frameworks. These assurances are sought as part of the regular accountability meetings.

The Department does not routinely publish data on the progress of Service Frameworks and there are no plans to do so at this stage.

Patient and Client Council

Mr Agnew asked the Minister of Health, Social Services and Public Safety for his assessment of the benefits of the Patient and Client Council conducting surveys of cancer patients' experiences, similar to that conducted in England to highlight areas where progress is required.

(AQW 21252/11-15)

Mr Poots: I welcome surveys by the Patient and Client Council and others that improve our knowledge and awareness of patients' experiences. The PHA has commissioned the roll out of the National Cancer Patient Experience Survey, in partnership with Macmillan Cancer Support, for 2013-14 and a steering group has been established to work with the appointed contractor.

Department of Justice

Northern Ireland Prison Service

Lord Morrow asked the Minister of Justice, pursuant to AQW 20042/11-15, given the number of successful appeals against dismissal on grounds of unfairness and that proper procedures were not complied with, the financial consequences to the Prison Service and the detrimental effect on the health of the suspended members and their families, what assurances he can give that steps will be taken to ensure that all gross misconduct cases will be thoroughly scrutinised to ensure fairness and justice and that they will be concluded without any unreasonable delays.

(AQW 21005/11-15)

Mr Ford (The Minister of Justice): The Member will be aware from previous answers that the Northern Ireland Prison Service has just developed a new disciplinary system. All gross misconduct cases will be thoroughly scrutinised and concluded without any unreasonable delay.

Northern Ireland Prison Service: Code of Conduct and Discipline

Lord Morrow asked Minister of Justice, pursuant to AQW 19670/11-15 and AQW 18877/11-15, (i) to detail the complexities that have caused the delay in the production of the new Prison Service Code of Conduct and Discipline given that this issue has been on-going since June 2009 and has been the subject of external criticism and urgent recommendation by a number of agencies; (ii) whether the Prison Service Director of Human Resources has reviewed its HR policies to ensure consistency with the Civil Service following his meeting on 23 November 2012 with the Department of Finance and Personnel; (iii) to outline the current status; and (iii) what is the proposed operational date.

(AQW 21007/11-15)

Mr Ford: Whilst the Northern Ireland Prison Service (NIPS) has taken cognisance of the findings of earlier reports, the new disciplinary system developed for the Service, including a new Code of Conduct, a new Code of Ethics and a new Professional Standards Unit, stems primarily from the Owers Report which was published in October 2011.

As I have stated in previous answers, the process in developing a new Code of Conduct has been complex due to the number of key business partners involved in the process. This is an important piece of work and it is right that NIPS take time to get it right.

The Director of Human Resources has deployed a staff resource to the review of the Human Resource policies in use within NIPS. The review is currently ongoing and will be completed as soon as possible.

Prisoner Ombudsman

Lord Morrow asked the Minister of Justice, pursuant to AQW 18760/11-15, whether (i) it is mandatory for the NIPS to conduct an internal disciplinary investigation when recommended by the Prisoner Ombudsman; (ii) the Prison Service can reject such a recommendation; and to detail the relevant legislation.

(AQW 21059/11-15)

Mr Ford: It is not mandatory for the Northern Ireland Prison Service (NIPS) to conduct an internal disciplinary investigation following recommendation by the Prisoner Ombudsman. NIPS will however investigate the facts in line with the Code of Conduct and Discipline in order to establish if disciplinary action is required.

Northern Ireland Prison Service: Code of Conduct and Discipline

Lord Morrow asked Minister of Justice, pursuant to AQW 20186/11-15, to clarify (i) whether he is notified of all cases of suspensions imposed on operational grades by the NIPS; (ii) given that the answer to AQW 19388/11-15 stated that the information could only be provided at disproportionate cost, whether or not he is so notified, and if so, will he now detail in how many of the 54 suspended members cases that he and the Secretary of State issued directions; (iii) how often the Prison Service reviews the suspension of its staff throughout the entire disciplinary process to conform with legislative procedural requirements and good practice and; (iv) when the Prison Service Notice of Suspension Form COCD F5 was last updated.

(AQW 21067/11-15)

Mr Ford: I refer the Member to my response to part (iii) of AQW/20186/11-15 and confirm that I am notified of suspensions imposed on Operational Grade Staff.

I also refer the Member to my responses to AQWs 17089/11-15, 19388/11-15 and 20186/11-15 and confirm that as matters of discipline are dealt with by Northern Ireland Civil Service Departments and Agencies as employers there is no provision for Ministerial involvement in the process.

My response to part (ii) of AQW/20186/11-15 refers and I confirm that each case of suspension is reviewed on an individual basis as outlined in the Notification of Suspension Form. To date it has not been necessary to update the Prison Service Notice of Suspension Form COCD F5.

Northern Ireland Prison Service: Code of Conduct and Discipline

Lord Morrow asked Minister of Justice given that paragraph 66 of the Labour Relations Agency Code of Practice on Discipline and Grievance Procedures states "Disciplinary rules and procedures should be kept under review to make sure they are always relevant and effective" and the Prison Service has failed to keep abreast of evolving legislation, case law and procedures, particularly surrounding suspension, dismissal and disciplinary issues, for his assessment of whether accused prison staff are being afforded the necessary safeguards throughout the disciplinary process.

(AQW 21068/11-15)

Mr Ford: I am satisfied that prison staff are, and will be, afforded the necessary safeguards throughout the disciplinary process.

Northern Ireland Prison Service

Lord Morrow asked the Minister of Justice, pursuant to AQW 18451/11-15, why an answer is yet to be provided, and when it can be expected.

(AQW 21069/11-15)

Mr Ford: With regard to AQW/18451/11-15, the Member will wish to note that a response issued on 25 March 2013.

Additional Penalty for Assaults on Workers

Mr Swann asked the Minister of Justice what discussions he has had with the Minister for Employment and Learning on the creation of an additional penalty for those who assault workers in the course of their duties.

(AQW 21078/11-15)

Mr Ford: In the Justice Act (Northern Ireland) 2011 I increased the maximum custodial penalty available in magistrates' courts for common assault from three to six months' imprisonment. I consulted all other Ministers before putting the Justice Bill, including the penalty increase, before the Assembly. Given that the penalty was so recently increased, I have no further plans to change the law at this stage though I do keep these matters under review.

Firearm Control Issues Guidance

Mr Allister asked the Minister of Justice whether the Guidance on NI Firearm Control Issues, published by the Northern Ireland Office in February 2005, is still in operation.

(AQW 21083/11-15)

Mr Ford: I can confirm the 2005 Guidance remains in place.

Northern Ireland Prison Service: Staff

Mr Allister asked the Minister of Justice, pursuant to AQW 9915/11-15, for an update on the answer provided.
(AQW 21085/11-15)

Mr Ford: There have been no changes introduced to the uniform issued to new entrants to the Northern Ireland Prison Service.

Prison Estate Strategy Consultation: HMP Magilligan

Mr G Robinson asked the Minister of Justice if the prison Estate Strategy Consultation was considered when making his decision on the rebuild of HMP Magilligan.
(AQW 21130/11-15)

Mr Ford: A number of factors, including the responses to the consultation, have helped shape my thinking with regard to my decision to redevelop Magilligan Prison.

UK Border Agency Visits to Prisons

Lord Morrow asked the Minister of Justice, pursuant to AQW 19549/11-15, whether record keeping of UK Border Agency visits to prisons should be mandatory in order to comply with human rights and for use in any court or potential deportation matters.
(AQW 21136/11-15)

Mr Ford: While the Northern Ireland Prison Service (NIPS) facilitates visits by United Kingdom Border Agency (UKBA) staff to foreign national prisoners (FNPs) it plays no role in these meetings, in any subsequent court hearings or in decisions to deport individuals. These are matters wholly for the UKBA.

NIPS records details of general UKBA briefings and information sessions for equality monitoring purposes. However, it sees no human rights compliance reason for keeping details of other meetings the UKBA has with individual FNPs.

Northern Ireland Prison Service

Lord Morrow asked the Minister of Justice, pursuant to AQW 20042/11-15, to detail (i) the grade of the Governor responsible for scrutiny and quality assurance of discipline investigation files and in particular, gross misconduct cases; (ii) the grade of the Governor responsible for drafting and directing of disciplinary charges, witnesses and disclosure; and (iii) the specific training provided by the Northern Ireland Prison Service to those staff.
(AQW 21137/11-15)

Mr Ford: The grade of those responsible for both internal reviews of individual disciplinary cases/providing direction on all necessary aspects relating to disciplinary charges may vary on a case by case basis. I refer the Member to my response to AQW/20698/11-15 regarding staff training.

Northern Ireland Prison Service: Code of Conduct and Discipline

Lord Morrow asked the Minister of Justice, pursuant to AQW 20186/11-15, to detail whether, separate from the Code of Conduct and Discipline, the Northern Ireland Prison Service will provide a copy of its suspension policy and procedures that take account of evolving legislative requirements in terms of procedural considerations and actions that must be taken when a staff member is to be suspended and during the period of suspension.
(AQW 21140/11-15)

Mr Ford: The Member will be aware from the response to AQW 20186/11-15, that operational staff are suspended from duty in accordance with the procedures outlined in the current Code of Conduct and Discipline, which is compliant with statutory requirements. There is no stand alone policy on suspension.

Voluntary Exit Retirement Scheme

Lord Morrow asked the Minister of Justice what is the minimum age an applicant must be to apply for the Voluntary Exit Retirement Scheme and, of the prison staff whose applications were successful, how many were under the required age.
(AQW 21143/11-15)

Mr Ford: The terms of the Voluntary Early Retirement Scheme (VER) are governed by the statutory Civil Service Compensation Scheme (Northern Ireland). The scheme stipulates that Early Retirement applies to those staff aged 50 and over. The NI Prison Service launched the VER on 8 November 2011 and invited applications from those eligible staff aged 50 or over on that date.

All successful applicants were aged 50 and over at 8 November 2011.

Car Insurance

Mr Weir asked the Minister of Justice, to detail the groups that he has met to discuss the cost of car insurance in the last twelve months.
(AQW 21149/11-15)

Mr Ford: In the last 12 months I have not met any groups to discuss the cost of car insurance. I was scheduled to meet the Environment Minister in March 2012 to discuss this issue, however, the meeting was postponed at his request and has not yet been rescheduled.

I attended a meeting of the Ministerial Road Safety Group, which is chaired by the Environment Minister, on 17 October 2012 at which the cost of car insurance was discussed.

My Department's responsibility in relation to the cost of car insurance is limited to identifying and addressing aspects of the civil justice system which may have an impact on the level of premiums.

My officials have been aware of the concerns about the cost of car insurance for some time and have been engaging with interested groups including the Association of British Insurers, the Law Society of Northern Ireland and the Northern Ireland Consumer Council.

Recognising that this is complex issue which is most appropriately dealt with on a cross-departmental basis, my officials are also meeting regularly with counterparts in DFP, DOE and DETI to investigate the activities of claims and accident management companies and how these may contribute to higher car insurance costs.

Northern Ireland Prison Service: Staff Training

Lord Morrow asked the Minister of Justice to detail the number of prison officers, by grade, that have received training in (i) Equality and Diversity Awareness; (ii) Cell Sharing Risk Assessments; (iii) Understanding and Responding to Bullying and Violence; (iv) Ligature Risks Assessments; and (v) Control and Restraint Techniques over the last five years **(AQW 21223/11-15)**

Mr Ford:

- (i) Cultural Diversity has been delivered and is included in both the Northern Ireland Prison Service (NIPS) induction programmes and promotion and development training. Our records indicate that 988 staff have received this training in the last 5 years. As this training is included in a variety of learning interventions every programme would have to be reviewed to establish the grade of individuals who have attended. This task could only be completed at a disproportionate cost.
- (ii) Since the introduction of cell sharing risk assessments, this policy was communicated to the relevant staff by their Line Managers through on-the-job development and is not recorded as formal training.
- (iii) Anti Bullying is also covered within the Induction programme. Approximately 426 staff have received this training within the last 5 years.

A breakdown of the number of staff by grade is shown below.

Custody Prison Officers/Operational Support Grade	340
Prison Custody Officer	62
Officer	9
Senior Officer	14
Governor	1

- (vi) NIPS does not provide a specific learning intervention on ligature risk assessments. However ligatures would be addressed through the SPAR process training. Figures for this training have been previously supplied in AQW 20296/11-15. Training has been provided to over 900 members of staff.
- (v) Control and Restraint both initial and refresher has been provided to all uniform staff. During the last 5 years approximately 2693 staff have been accredited/re-accredited. A breakdown by grade is shown below.

Custody Prison Officer/Operational Support Grade	572
Prison Custody Officer	536
Night Custody Officer	325
Officers	1156
Senior Officer	87
Principal Officer	15
Governor	2

Prisons: Former Site at Millisle

Mr Weir asked the Minister of Justice what is the proposed timescale for the sale of the former prison facility at Millisle; and when expressions of interest will be sought.

(AQW 21228/11-15)

Mr Ford: The site will continue in its present role as the Prison Service College until the Northern Ireland Community Service College at Desertcreat is completed which is currently scheduled for 2015. Thereafter, the Millisle site will first be offered to other Government bodies. In the event no interest in the site is shown by the public sector, it will be advertised for sale on the open market.

Prisons: Former Site at Millisle

Mr Weir asked the Minister of Justice whether the former prison site at Millisle will, in the first instance, be offered to the public sector or whether it will be an open offer to both the public and private sector.

(AQW 21229/11-15)

Mr Ford: The Millisle site will, in the first instance, be offered to the public sector. In the event no interest in the site is shown by the public sector, it will be advertised for sale on the open market.

Grade 7 Posts

Mr Allister asked the Minister of Justice how many Grade 7 posts in his Department are currently filled on the basis of temporary promotion.

(AQW 21231/11-15)

Mr Ford: There are six general service Grade 7 posts within the Department of Justice currently filled on the basis of temporary promotion.

Grade 7 Posts

Mr Allister asked the Minister of Justice for how long each Grade 7 post, has been filled by temporary promotion, has been in place.

(AQW 21232/11-15)

Mr Ford: There are six general service Grade 7 posts within the Department of Justice currently filled on the basis of temporary promotion.

The breakdown of how long each general service Grade 7 post has been filled by temporary promotion is provided in the table below:-

Grade 7	Length of time filled by temporary promotion
Post 1	12 months
Post 2	8.5 months
Post 3	11 months
Post 4	11 months
Post 5	18 months
Post 6	12 months

Grade 7 Posts

Mr Allister asked the Minister of Justice how many Grade 7 posts in his Department, currently filled on the basis of temporary promotion, have been declared to HR Connect as needing to be filled on a permanent basis.

(AQW 21233/11-15)

Mr Ford: One general service Grade 7 post within the Department of Justice, currently filled on the basis of temporary promotion, has been declared to HRConnect as needing to be filled on a permanent basis.

Grade 7 Posts

Mr Allister asked the Minister of Justice how long his Department has kept Grade 7 posts filled on a temporary basis before allowing HR Connect to fill the posts permanently from the available Grade 7 merit lists, since the creation of the Department of Justice.

(AQW 21234/11-15)

Mr Ford: All posts filled on a temporary basis within the Department of Justice are reviewed regularly and on a case by case basis.

Since the creation of the Department of Justice two general service Grade 7 posts have been filled on a temporary basis before allowing HRConnect to fill the posts permanently. Of these, one general service Grade 7 post was filled on a temporary basis for two months before being filled from the available Grade 7 merit lists. The second general service Grade 7 post was filled on a temporary basis for 8.5 months before HR Connect were instructed to fill the post permanently.

The above figures exclude the Northern Ireland Prison Service (NIPS), as the information is not held on the time taken between a NIPS post becoming vacant and being filled.

Lasting Power of Attorney

Mr McNarry asked the Minister of Justice to define the process involved in, and the timescales for, the lodgement of papers seeking a Lasting Power of Attorney and the appointment of a Controller in the High Court, and will a performance review mechanism be applied to this process.

(AQW 21249/11-15)

Mr Ford: The proposed new Mental Capacity (Health, Welfare and Finance) Bill is to include a new system of Lasting Powers of Attorney, together with court-appointed deputies, to replace the current systems of Enduring Powers of Attorney and court-appointed controllers. This Bill is yet to be introduced into the Assembly.

All issues of process, fee structures and governance associated with these new systems are matters which my Department will be addressing as the Bill progresses through the Assembly and towards implementation. It is envisaged that provision for these issues will be made largely via secondary legislation.

My Department is aware of the experiences in neighbouring jurisdictions (including England and Wales) around these issues and will be considering these matters carefully in determining the best way forward for similar procedures in Northern Ireland.

Lasting Power of Attorney

Mr McNarry asked the Minister of Justice what action he is taking to simplify the Lasting Power of Attorney application process, which has resulted in one in three applications being returned because of invalidating errors within the first six months of its operation in England.

(AQW 21253/11-15)

Mr Ford: The proposed new Mental Capacity (Health, Welfare and Finance) Bill is to include a new system of Lasting Powers of Attorney, together with court-appointed deputies, to replace the current systems of Enduring Powers of Attorney and court-appointed controllers. This Bill is yet to be introduced into the Assembly.

All issues of process, fee structures and governance associated with these new systems are matters which my Department will be addressing as the Bill progresses through the Assembly and towards implementation. It is envisaged that provision for these issues will be made largely via secondary legislation.

My Department is aware of the experiences in neighbouring jurisdictions (including England and Wales) around these issues and will be considering these matters carefully in determining the best way forward for similar procedures in Northern Ireland.

Lasting Power of Attorney

Mr McNarry asked the Minister of Justice for his assessment of the introduction of Lasting Power of Attorney replacing Enduring Power of Attorney when the fees structure has seen charges rise in other areas.

(AQW 21254/11-15)

Mr Ford: The proposed new Mental Capacity (Health, Welfare and Finance) Bill is to include a new system of Lasting Powers of Attorney, together with court-appointed deputies, to replace the current systems of Enduring Powers of Attorney and court-appointed controllers. This Bill is yet to be introduced into the Assembly.

All issues of process, fee structures and governance associated with these new systems are matters which my Department will be addressing as the Bill progresses through the Assembly and towards implementation. It is envisaged that provision for these issues will be made largely via secondary legislation.

My Department is aware of the experiences in neighbouring jurisdictions (including England and Wales) around these issues and will be considering these matters carefully in determining the best way forward for similar procedures in Northern Ireland.

Bamford Review Implementation

Mr McNarry asked the Minister of Justice what are the projected costs involved in the full implementation of the Bamford Review in terms of the Public Guardianship office.

(AQW 21256/11-15)

Mr Ford: It is proposed to establish a new Office of Public Guardian (OPG) under the Mental Capacity (Health, Welfare and Finance) Bill, which will implement the recommendations of the Bamford Review.

The OPG will be established by the Northern Ireland Courts and Tribunals Service, who are setting up a working group to take forward the creation of the new office. Among that group's various strands of work will be a detailed costing exercise, which will be taken forward as soon as practicable.

Crime Convictions

Mr Elliott asked the Minister of Justice to detail the percentage of crimes for which there have been convictions, broken down by offence types, over the last five years.

(AQW 21258/11-15)

Mr Ford: It is not possible to reconcile PSNI data on the number of crimes recorded directly with conviction data, as the former are offence-based whereas conviction data are offender-based. In addition, PSNI denote the crime as it has been initially recorded and this may differ from the offence for which a suspect (or suspects) is subsequently proceeded against.

Information as to the percentage of recorded offences classified by the police as cleared is available from the Police Service of Northern Ireland. Summary clearance information is available on the following link: http://www.psni.police.uk/directory/updates/updates_statistics/update_crime_statistics.htm

Forensic Examinations

Lord Morrow asked the Minister of Justice how many criminal cases requiring forensic examination have been sent outside Northern Ireland in the last 12 months, excluding those which would automatically require specialist examination at facilities not available in Northern Ireland; and what is the estimated cost of these examinations.

(AQW 21275/11-15)

Mr Ford: Forensic Science Northern Ireland forwarded 757 cases to laboratories outside Northern Ireland during the period April 2012 to March 2013 to meet the demand for analysis of drugs cases. The estimated cost of the examinations is £293,000.

Northern Ireland Prison Service

Lord Morrow asked the Minister of Justice, pursuant to AQW 18759/11-15, why this figure is disproportionately low compared to the number of prison officers who have become disabled whilst employed, and who are willing to retain employment with the Prison Service but there are no lighter duties available for them.

(AQW 21278/11-15)

Mr Ford: The previous response refers to the number of staff who have declared a disability. There is no legal obligation for a member of staff to disclose this information. In accordance with the Disability Discrimination Act 1995 requests for reasonable adjustment to duties due to a disability are considered and where possible accommodated to enable staff to remain in work. Such considerations are subject to suitable work being available and the overall business need.

Lasting Power of Attorney

Mr McNarry asked the Minister of Justice (i) what public consultation has taken place on the proposed change from Enduring Power of Attorney to Lasting Power of Attorney; (ii) how many consultees were involved; (iii) what was the status of those consultees; and (iv) what evidence there is of a public demand for this change.

(AQW 21282/11-15)

Mr Ford: The proposed new Mental Capacity (Health, Welfare and Finance) Bill will include a new system of Lasting Powers of Attorney (LPAs), to replace the current systems of Enduring Powers of Attorney. This Bill is yet to be introduced into the Assembly.

Consultation in relation to the Bill has been led by the Department of Health, Social Services and Public Safety, who, in 2009, published a consultation paper on A Legislative Framework for Mental Capacity and Mental Health Legislation in Northern Ireland, which, among other things, set out plans for a new LPA system. DHSSPS then published an Equality Impact Assessment in 2010, which reiterated the Department's intentions in this area.

Approximately 300 stakeholders were advised of the 2009 consultation, with 76 responses received. The 2010 consultation list was updated to include approximately 440 stakeholders and 36 responses were received.

For both exercises, consultees comprised a range of government, professional and voluntary organisations, service users and carers, statutory organisations, MLAs and political parties.

Responses to both DHSSPS consultations were generally silent on the LPA proposals, expressing neither support nor dissatisfaction. Those responses on the issue touched on whether under 18s should be permitted to make an LPA, and the importance that the cost of making LPAs should not be prohibitive and that suitable training should be made available to attorneys. One response expressed reservations regarding a new LPA system on the basis of initial difficulties in England and Wales after the introduction of such arrangements.

As regards experiences in England and Wales, my Department is aware of the issues and will give them careful consideration in determining the best way in which to roll out the equivalent procedures in Northern Ireland when the Bill is ultimately implemented here.

Lasting Power of Attorney

Mr McNarry asked Minister of Justice, given the difficulties associated with the change from Enduring Power of Attorney to Lasting Power of Attorney in England, what action he has taken to ensure that similar difficulties do not arise locally.

(AQW 21283/11-15)

Mr Ford: The proposed new Mental Capacity (Health, Welfare and Finance) Bill will include a new system of Lasting Powers of Attorney (LPAs), to replace the current systems of Enduring Powers of Attorney. This Bill is yet to be introduced into the Assembly.

Consultation in relation to the Bill has been led by the Department of Health, Social Services and Public Safety, who, in 2009, published a consultation paper on A Legislative Framework for Mental Capacity and Mental Health Legislation in Northern Ireland, which, among other things, set out plans for a new LPA system. DHSSPS then published an Equality Impact Assessment in 2010, which reiterated the Department's intentions in this area.

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Responses to both DHSSPS consultations were generally silent on the LPA proposals, expressing neither support nor dissatisfaction. Those responses on the issue touched on whether under 18s should be permitted to make an LPA, and the importance that the cost of making LPAs should not be prohibitive and that suitable training should be made available to attorneys. One response expressed reservations regarding a new LPA system on the basis of initial difficulties in England and Wales after the introduction of such arrangements.

As regards experiences in England and Wales, my Department is aware of the issues and will give them careful consideration in determining the best way in which to roll out the equivalent procedures in Northern Ireland when the Bill is ultimately implemented here.

Injury on Duty Awards

Mr Weir asked the Minister of Justice how many independent medical doctors are used by Blackwell in the assessment of Injury on Duty awards; and how many were used by the previous company which carried out the assessments.

(AQW 21286/11-15)

Mr Ford: Blackwell Associates, Belfast is appointed by the Northern Ireland Policing Board to act as its Selected Medical Practitioner.

I am committed to respecting the independence of the Policing Board therefore you may wish to direct your queries to the Policing Board.

Legal Aid: Social Housing Tenants

Mr Agnew asked the Minister of Justice what forecast his Department has made of the annual cost of the legal aid for social housing tenants who are facing eviction as a consequence of the under occupancy tax in the Welfare Reform Bill.

(AQW 21313/11-15)

Mr Ford: The Welfare Reform Bill, currently before the Assembly, makes provision to introduce new rules for Housing Benefit entitlement for tenants living in Housing Executive or housing association properties.

As the Welfare Reform Bill also makes provision for wider reform of the benefits system, most notably the replacing of many state benefits with a single Universal Credit, it is not possible to identify precisely the impact of housing benefit related reforms on the legal aid fund.

There is, however, alternative advice available to those in danger of losing their homes, such as the Housing Possession Court Duty Scheme run by the Housing Rights Service. This service is funded by my Department and provides free advice and support in the County Court to all clients, irrespective of their means, faced with losing their homes as a result of rent arrears.

Northern Ireland Prison Service

Lord Morrow asked the Minister of Justice whether recommendations were implemented following the findings against the Northern Ireland Prison Service by the Northern Ireland Ombudsman case reference number 201100669, which identified administration failings, resulting in the recommendation of an apology by the Director General and a £150 payment to the complainant given the frustration, inconvenience and annoyance due to Northern Ireland Prison Service failings; and whether officers tasked with decision making are aware of the need to make a record of meetings held under Northern Ireland Prison Service Absence Procedures, to record the factors which have been taken into account in reaching a decision and how each of those factors have been taken into consideration in informing a decision.

(AQW 21326/11-15)

Mr Ford: I can confirm that the recommendations made by the Northern Ireland Ombudsman and accepted by the Northern Ireland Prison Service, arising out of this particular case, have been disseminated to all Personnel Governors for implementation.

Northern Ireland Prison Service

Lord Morrow asked the Minister of Justice, pursuant to AQW 20303/11-15, to detail, (i) given the independent findings by Dr Ackah and Liam Deane regarding inconsistency of treatment in the Colin Bell case, particularly concerning three senior officers that were charged with gross misconduct whilst another Senior Officer in a similar position was not so charged and the disparity between junior staff and given that it is incumbent on all senior officers to carry out the duties and responsibilities of the grade to the highest professional standards, why the Northern Ireland Prison Service do not give due consideration to supervisory grades when preferring charges and awarding sanctions; and (ii) that in all cases irrespective of grade, disciplinary sanctions are applied fairly and consistently throughout the Northern Ireland Prison Service.

(AQW 21327/11-15)

Mr Ford: I refer the Member to my response to AQW 20303/11-15. The award of disciplinary sanctions, irrespective of grade, are considered on an individual basis and applied in accordance with the current Code of Conduct and Discipline.

Department for Regional Development

Railway Bridges

Mr Easton asked the Minister for Regional Development is the annual cost of maintaining railway bridges.
(AQW 21241/11-15)

Mr Kennedy (The Minister for Regional Development): Translink has advised that the cost of maintaining railway structures on the NIR network is approximately £600k per year. The exact cost breakdown for maintenance of bridges is not available. While the majority of the above costs are for bridges and culverts, it also includes costs for earthworks and sea defences, as these too form part of the structures maintenance work.

Railway Crossings

Mr Easton asked the Minister for Regional Development to detail the number of railway crossings.
(AQW 21242/11-15)

Mr Kennedy: Translink has advised that there are currently a total of 160 active User Worked Crossings and Public Level Crossings on the operational NI Railways network.

There are 26 User Worked Crossings on the Knockmore to Antrim line (no public road crossings), which is currently maintained as a diversionary route in the event of emergencies and on occasion for training purposes.

There are also 14 disused crossings that are fenced over.

Rail Passenger Numbers

Mr Beggs asked the Minister for Regional Development to detail the monthly rail passenger numbers on the Larne line for to the end of period 11 for (i)2011/2012; and (ii) 2012/2013.

(AQW 21339/11-15)

Mr Kennedy: The table below details the monthly rail passenger numbers on the Larne line (1) for period 11 and (2) to the end of period 11 for (i) 2011/12; and (ii) 2012/13.

	2011/12	2012/13	Increase
Period 11	185,147	206,000	20,853
Cumulative to Period 11	1,923,415	2,119,960	196,545

Northern Ireland Assembly

Friday 12 April 2013

Written Answers to Questions

Office of the First Minister and deputy First Minister

Programme for Government Delivery Plans

Mr Agnew asked the First Minister and deputy First Minister when they intend to publish the Programme for Government delivery plans for each Department.

(AQW 18856/11-15)

Mr P Robinson and Mr M McGuinness (The First Minister and deputy First Minister): Programme for Government online Delivery Plans are publicly accessible on the Executive's website. Officials have recently concluded detailed briefings on the plans for which this department is responsible with the OFMDFM Assembly Committee. All Assembly Committees are provided with departmental Delivery Plans through normal business proceedings.

Project Funding

Mr Eastwood asked the First Minister and deputy First Minister (i) why they decided to extend funding for projects to 2016; (ii) what was the rationale for this decision; and (iii) which individuals and organisations lobbied for a change in the timescale for funding.

(AQW 20346/11-15)

Mr P Robinson and Mr M McGuinness: The Social Investment Fund Steering Groups were established last year to identify the priority needs in their zones under the four key objectives of the Fund. In December 2012 we decided that, in response to feedback received from Steering Groups during the area planning process, the first phase of the Fund would be extended to March 2016. The area planning phase itself was also extended as a result. The majority view of the Steering Groups was for an extended delivery period in order to maximise the impact of interventions.

Childcare Strategy

Mr Weir asked the First Minister and deputy First Minister when they will make an announcement on the proposed Childcare Strategy.

(AQW 20896/11-15)

Mr P Robinson and Mr M McGuinness: Public consultation on the Childcare Strategy closed on 5 March 2013. All responses and views received, including those from the series of public consultation events, will inform development of the Strategy which is now underway. We anticipate that we will make an announcement on the proposed Childcare Strategy within the next few months.

Age Discrimination Legislation

Mr Eastwood asked the First Minister and deputy First Minister whether goods, facilities and services within Age Discrimination legislation will apply to everyone, including under 18s, as indicated in the Delivering Social Change Children and Young Person's Early Action Document that was published in November 2012.

(AQW 21125/11-15)

Mr P Robinson and Mr M McGuinness: We are currently considering the scope of the legislation and are examining the experiences of similar jurisdictions in the UK, the Republic of Ireland, Canada and Australia where different approaches to its ambit have been adopted.

Delivering Social Change

Mr Agnew asked the First Minister and deputy First Minister when they will publish the delivery plans for delivering social change.

(AQW 21315/11-15)

Mr P Robinson and Mr M McGuinness: Work on the implementation of the six Delivering Social Change Signature Programmes, which we announced on 10 October 2012, is ongoing. In taking this initial phase of work forward, lead departments have been responsible for developing Delivery Plans in respect of each of the individual programmes.

Delivery plans are agreed by First Minister and deputy First Minister before funding is released from the consolidated fund. We would intend publishing all the schemes once they are fully completed.

Department of Agriculture and Rural Development

Food Processing Chain

Mr Allister asked the Minister of Agriculture and Rural Development, pursuant to AQW 18589/11-15, whether the division of responsibility, whereby Environmental Health Officers are responsible for inspection controls at retail level and in respect of processed beef products, is consistent with her Department maintaining an adequate overview of relevant inspection throughout the food processing chain.

(AQW 19323/11-15)

Mrs O'Neill (The Minister of Agriculture and Rural Development): Primary responsibility for food safety rests with Food Business Operators. The Food Standards Agency (FSA) is the competent authority in matters of food safety in all parts of Britain and the north of Ireland, and matters of authenticity in Scotland, Wales and the north of Ireland.

DARD deliver Official Controls on the FSA's behalf in approved slaughterhouses, cutting plants and game handling establishments under a Service Level Agreement with the FSA in the north of Ireland (FSA in NI). DARD also enforces the 'Beef Labelling' legislation, which provides customers with assurance about the origin of beef, in abattoirs and approved cutting plants insofar as they pertain to fresh & frozen cuts of beef and mince. District Council Environmental Health Officers are responsible for the 'Beef Labelling' controls on processed meat products, cold stores and at retail level.

Beef Traceability and Labelling in the North was found to be satisfactory during the EC's Food and Veterinary Office audit of Britain and the north of Ireland in 2011.

The meat hygiene work done by DARD on the FSA's behalf is governed by a Service Level Agreement with the FSA in NI, and senior officers from my Department are in regular formal and informal contact with the FSA in the north of Ireland to ensure consistent and effective delivery to the agreed standard.

District Councils are responsible for meat hygiene official controls in relation to food safety in other meat processing establishments.

The FSA performs regular checks and independent audits here, to ensure the quality of the work delivered on its behalf.

There is regular liaison between FSA in the north of Ireland, DARD and DCs relating to dual enforcement issues in meat establishments. This includes the sharing of audit findings, joint approval visits and regular meetings of an approval forum.

Rural Development Programme: Funding

Mr Allister asked the Minister of Agriculture and Rural Development (i) how much funding has been allocated to date to each of the Rural Development Programme clusters; and (ii) how much each cluster has spent on administering the programme.

(AQW 19423/11-15)

Mrs O'Neill: The table below shows how much each cluster has been allocated (i) the total project spend and the administration spend (ii).

Cluster	Allocation (i)	Project Spend	Admin Spend (ii)
GROW	8,890,899	2,451,439	789,662
DRAP	13,498,066	2,589,801	1,194,362
NER	13,181,300	3,891,582	1,286,062
SWARD	20,522,227	6,521,515	2,211,907
LRP	8,691,556	2,132,320	892,072
ARC	18,484,112	5,346,233	1,938,284
SOAR	16,731,839	4,731,527	1,537,909

Rural Development Programme

Mr Frew asked the Minister of Agriculture and Rural Development to detail (i) the applications which have been assessed under the Rural Development Programme (a) from the GAA; and (b) that have a GAA pitch or training area included in the

application; (ii) which areas assessed these applications; (iii) the funding measures under which each application has been assessed; and (iii) the applications which have received a letter of offer.

(AQW 20207/11-15)

Mrs O'Neill: The table below provides details of the number of applications from the GAA that have been assessed under Axis 3 of the NIRDP 2007-2013 and number of Letters of Offer (LoO) issued broken down by area (columns 3-8) and by funding measure (column 1). All applications from the GAA are for the development of community projects for use by the wider rural community, as is required by the terms of the Programme. This may include the provision or enhancement of pitches. Where an organisation wishes to promote a project that benefits the wider rural community and which is separate from their primary activity, this may be considered for funding.

		GROW	NER	DRAP	SOAR	ARC	SWARD	Total
3.2	Applications					1		1
	LoO's Issued					0		0
3.4	Applications	1	2	1	4	6	3	17
	LoO's Issued	1	0	0	1	3	0	5
3.5	Applications			1			1	2
	LoO's Issued			0			1	1
3.6	Applications					2	1	3
	LoO's Issued					1	0	1

Rural Development Programme

Mr Frew asked the Minister of Agriculture and Rural Development to detail (i) the applications which have been assessed under the Rural Development Programme from a sport other than the GAA; (ii) which areas assessed these applications; (iii) the funding measures under which each application has been assessed; and (iii) the applications which have received a letter of offer.

(AQW 20208/11-15)

Mrs O'Neill: The Department does not provide assistance for the promotion of sport or sports clubs and therefore does not collate programme information on the basis of sports. Axis 3 is a demand led programme, and funding is disbursed on the basis of applications received which are then assessed competitively.

I have interpreted your question to refer to applications from sporting organisations other than the GAA for projects which have a community impact which have been processed by the LAG and JCC up to the point of recommendation or rejection.

The table below provides details of the number of applications from a sporting organisation other than GAA that have been assessed under Axis 3 of the NIRDP 2007-2013 and number of Letters of Offer (LoO) issued broken down by area (columns 3-8) and by funding measure (column 1).

		GROW	NER	LRP	DRAP	SOAR	ARC	SWARD	Total
3.1	Applications	1	0	0	0	0	2	0	3
	LoO's Issued	0	0	0	0	0	0	0	0
3.2	Applications	1	0	1	0	0	1	0	3
	LoO's Issued	0	0	0	0	0	0	0	0
3.3	Applications	1	2	0	0	0	0	1	4
	LoO's Issued	2	1	1	0	0	1	1	6
3.4	Applications	1	0	0	0	2	1	2	6
	LoO's Issued	0	0	0	0	1	0	0	1
3.5	Applications	0	0		0	0	0	0	0
	LoO's Issued	0	0		0	0	0	0	0
3.6	Applications	0	0		0	0	0	0	0
	LoO's Issued	0	0		0	0	0	0	0

DARD: Postage Costs

Mr Easton asked the Minister of Agriculture and Rural Development how much her Department has spent on postage, in the last three financial years.

(AQW 20918/11-15)

Mrs O'Neill: The total amount spent on postage by my Department in the three financial years from April 2010 to the end of February in the current year is as follows:

2010/2011	£401,571
2011/2012	£439,303
2012/Feb 2013	£451,010

In addition to meeting the day to day general postal costs, my Department also funds large volume postage exercises such as farm surveys, Grants and Subsidies literature, Scheme maps along with all other correspondence for the agricultural community. Spend outlined does not include the cost of the courier service for internal departmental deliveries.

Farmers: Resources Available for Support

Mr Swann asked the Minister of Agriculture and Rural Development, pursuant to AQW 19332/11-15 and following her press release of 7 March 2013 on shared grazing, if departmental resources will be made available to support farmers to establish a legal Common.

(AQW 21147/11-15)

Mrs O'Neill: To establish a legal common, it is necessary for a Trust Deed to be drawn up. Areas of common land must be managed by Trustees, who assume full responsibility for the management of the Common and the allocation of grazing rights through the Trust Deed.

Where a Trust exists, my Department liaises with the Trustees of the Common Land and requests information on the allocation of grazing rights for the purposes of administering EU area based support schemes.

Farmers who may be considering establishing a legal common should seek legal advice. To assist farmers exploring this option, Departmental officials will be happy to provide advice on how common land is treated under the various EU area based support measures.

Slaughterhouses

Lord Morrow asked the Minister of Agriculture and Rural Development, pursuant to AQW 20059/11-15, to detail the nature of the non-conformances and the dates they occurred, in each of the last five years.

(AQW 21158/11-15)

Mrs O'Neill: The non-conformances referred to in the Answer to AQ 20059 referred to the local rendering plants. During the past 5 years DARD has recorded 102 inspections of the 2 approved rendering plants. One of the plants only started operations in 2009.

It would not be appropriate to go into the details of specific non-conformances since these are a matter of commercial confidentiality between the operators and the Department. However I can state that the majority of the non-compliances found were of such a minor nature that they have not been recorded, as they were dealt with satisfactorily at the time of the visit. I have also been made aware of the nature of the other non-conformances that have been recorded, and can confirm that they too were of an operational nature, and were rapidly attended to by the respective operators.

I have been assured by my officials and am content that these issues presented no significant risk to public or animal health.

Land Parcel Identification System

Mrs Dobson asked the Minister of Agriculture and Rural Development for a breakdown of the number and grades of departmental staff employed to operate the Land Parcel Identification System, broken down by month, in each of the last three years.

(AQW 21210/11-15)

Mrs O'Neill: The following tables provide a breakdown of the number and grades of staff employed in my Department to develop and implement the Land Parcel Identification System, broken down by month, in each of the last three years.

Year 2010-11

Grade of Staff	Apr-10	May-10	Jun-10	Jul-10	Aug-10	Sep-10	Oct-10	Nov-10	Dec-10	Jan-11	Feb-11	Mar-11
Grade 5	0.6	0.6	0.6	0.6	0.6	0.6	0.6	0.6	0.6	0.6	0.6	0.6

Grade of Staff	Apr-10	May-10	Jun-10	Jul-10	Aug-10	Sep-10	Oct-10	Nov-10	Dec-10	Jan-11	Feb-11	Mar-11
Grade 6												
Grade 7	1	1	1	1	1	1	1	1	1	1	1	1
DP	1	1	2	2	2	2	2	2	2	2	2	2
Grade II	1	1	1	1	1	1	1	1	1	1	1	1
Grade III						1	1	1	1	11	10	
SO					0.8	0.8	0.8	0.8	0.8	0.8	2.8	2.8
Group 4		2	2	2	2	2	1	1	1	1	1	1
Group 2	1	1	1	1	1	1	1	1	1	1	1	1
EOII	0.2	0.2	0.2	0.2	0.2	0.2	0.2	0.2	0.2	0.2	0.2	0.2
AO							1	1	1	1	1	1
ICT Lev6	0.5	0.5	0.5	0.5	0.5	0.5	0.5	0.5	0.5	0.5	0.5	0.5
ICT Lev4	0.5	0.5	0.5	0.5	0.5	0.5	0.5	0.5	0.5	0.5	0.5	0.5
Total	5.8	7.8	8.8	8.8	9.6	10.6	10.6	10.6	10.6	20.6	21.6	11.6

Year 2011-12

Grade of Staff	Apr-11	May-11	Jun-11	Jul-11	Aug-11	Sep-11	Oct-11	Nov-11	Dec-11	Jan-12	Feb-12	Mar-12
Grade 5	0.6	0.6	0.6	0.6	0.6	0.6	0.6	0.8	0.2	0.2	0.2	0.2
Grade 6								0.4	0.4	0.4	0.4	0.4
Grade 7	2	2	2	1	1	1	1	1	1	1	1	1
DP	2	3	3	3	4	4	4	4	4	4	4	4
Grade II	1	1	1	2	3	3	3	3	3	3	3	3
Grade III					1	1	1	1	1	1	1	1
SO	2.8	2.8	2.8	2.8	2.8	2.8	2.8	2.8	2.8	2.8	2.8	2.8
Group 4	1	1	7	10.4	18.4	18.4	18.4	18.4	18.4	18.4	18.4	18.4
Group 2	1	1	1	1	1	1	1	1	1	1	1	1
EOII	0.2	0.2	0.2	0.2	0.2	0.2	0.2	0.2	1.2	1.2	1.2	1.2
AO	2	2	2	2	2	2	2	2	2	2	2	2
ICT Lev6	0.5	0.5	0.5	0.5	0.5	0.5	0.5	0.5	0.5	0.5	0.5	0.5
ICT Lev4	0.5	0.5	0.5	0.5	0.5	0.5	0.5	0.5	0.5	0.5	0.5	0.5
Total	13.6	14.6	20.6	24	35	35	35	35.6	36	36	36	36

Year 2012-13

Grade of Staff	Apr-12	May-12	Jun-12	Jul-12	Aug-12	Sep-12	Oct-12	Nov-12	Dec-12	Jan-13	Feb-13	Mar-13
Grade 5	0.2	0.2	0.2	0.2	0.2	0.2	0.2	0.2	0.2	0.2	0.2	0.2
Grade 6	0.4	0.4	0.4	0.4	0.4	0.4	0.4	0.4	0.4	0.4	0.4	0.4
Grade 7	1	1	1	1	1	1	1	1	1	1	1	1
DP	4	4	4	4	4	4	4	4	4	4	4	4
Grade II	3	3	3	3	3	3	3	3	3	3	3	3
Grade III	1	1	1	1	1	1	1	1	1	1	1	1

Grade of Staff	Apr-12	May-12	Jun-12	Jul-12	Aug-12	Sep-12	Oct-12	Nov-12	Dec-12	Jan-13	Feb-13	Mar-13
SO	2.8	2.8	3.8	2	2	2	2	2	2	2	2	1
Group 4	18.4	18.4	17.4	17.4	14	13	13	13	13	13	18	18
Group 2	1	1	1	1	1	1	1	1	1	1	1	1
EOI												1
EOII	1.2	1.2	1.2	1.2	1.2	1.2	1.2	1.2	1.2	1.2	1.2	1.2
AO	2	2	2	2	2	2	2	2	2	2	1.6	0.6
ICT Lev6	0.5	0.5	0.5	0.5	0.5	0.5	0.5	0.5	0.5	0.5	0.5	0.5
ICT Lev4	0.5	0.5	0.5	0.5	0.5	0.5	0.5	0.5	0.5	0.5	0.5	0.5
Total	36	36	36	34.2	30.8	29.8	29.8	29.8	29.8	29.8	34.4	33.4

Single Farm Payment

Mr Kinahan asked the Minister of Agriculture and Rural Development to detail (i) which countries, outside of the UK, received work from her Department relating to the Single Farm Payment; and (ii) the nature of the work, in each of the last five years, (AQW 21212/11-15)

Mrs O'Neill:

- (i) In 2012, my Department conducted a small number of On the Spot Checks to determine land eligibility for Single Farm Payment using remote sensing technology. To do so, we contracted a company from the south of Ireland, through an open procurement competition, to provide specialist services which were not available within my Department.
- (ii) Also, as part of the DARD mapping work Land & Property Services (LPS) employed 2 companies based in Britain and the north of Ireland, Blom (UK) and DSM Geodata to positionally improve Ordnance Survey mapping associated with improving the mapping within the Land Parcel Identification System (LPIS), which is part of the administration of the Single Farm Payment. The Blom work was carried out in their offices in Romania and the DSM Geodata work was carried out in their offices in India.
- (iii) Remote Sensing uses ortho images taken by satellite or aerial photography to check the individual parcels (fields) included in a Single Application Form claim. This is done through a specialised technique called Computer Aided Photo Interpretation (CAPI).

The ortho images are used to verify land eligibility for Single Farm Payment claims without the need for a physical inspection. There may be a small number of exceptions where field visits are required if eligibility cannot be verified remotely.

As far as DARD mapping work is concerned this was undertaken in 2011/12 and 2012/13 and involved the positional improvement of Ordnance Survey mapping

Farmers: Compensation

Mr Kinahan asked the Minister of Agriculture and Rural Development (i) how many cases of error, including departmental error, that were deemed not to be farmer error occurred in the last two years; and (ii) was the farmer compensated in each case. (AQW 21213/11-15)

Mrs O'Neill: The European Council Regulations, which govern the administration of the Single Farm Payment (SFP) Scheme, provide for reductions and exclusions to be applied to claims where the information provided by the applicant is incorrect. Reductions and exclusions are not applied to SFP claims where an incorrect claim is identified as being solely attributable to incorrect information provided by the Department. Information is held on the Grants and Subsidies System only in respect of adjustments actually applied to SFP claims. Information is not systematically available in respect of reductions and exclusions waived in respect of SFP as a result of incorrect information supplied by the Department, so this information cannot be provided.

No compensation has been paid in the past two years in respect of errors by the Department in respect of Single Farm Payment assessments.

NISRA Report: 'Recommendations for Future Research into Spatial Deprivation'

Ms McGahan asked the Minister of Agriculture and Rural Development for an update on the implementation of the NISRA report Recommendations for Future Research into Spatial Deprivation recommending that further research is undertaken into the identification of rural deprivation, giving consideration to the geographical unit of analysis and the suitability of indicators employed.

(AQW 21279/11-15)

Mrs O'Neill: DARD's Evidence and Innovation Strategy 2009-13 established the framework which guides the Department's investment in research and development across its strategic interests. This Strategy is implemented through four research Programme Management Boards (mapped to the Department's principal strategic goals), which seek to identify evidence and innovation needs and to prioritise research commissioning within an annual, policy-led process that takes on board stakeholder views and input.

The recommended research identified in the NISRA report relating to the geography of rural deprivation is within the scope of one of the recognised evidence gaps, but research to address this specific aspect has not yet been commissioned as other socio-economic research needs have been judged to be of higher priority (e.g. research projects to explore access to public services in rural areas, to assess the impact of the recession on the rural labour market, and to identify the causes of spatial disparities in economic growth). However, the recommendation in the NISRA report will continue to be considered as a potential area of research in competition with other existing and emerging research needs within the Department.

Assisted Rural Travel Scheme

Mr Weir asked the Minister of Agriculture and Rural Development to detail the amount spent on the Assisted Rural Travel Scheme in each of the last three years, broken down by constituency.

(AQW 21290/11-15)

Mrs O'Neill: DARD, in conjunction with the Department of Regional Development (DRD), continues to fund the Assisted Rural Travel Scheme (ARTS).

The area based information detailing DARD spend on ARTS subsidised fares is set out in the table below:

DARD funding for Assisted Rural Travel Scheme 2010/11 to 2012/13

Operational Area	Rural Community Transport Partnership	Council Catchment Areas	April 2010 to March 2011	April 2011 to March 2012	April 2012 to Jan 2013
Southern	ART	Armagh City and District Council Area;	£15,913.00	£65,493.06	£53,824.90
	DART	Banbridge District Council Area; Craigavon Borough Council Area;	£10,385.50		
	NMCT	Newry and Mourne District Council Area;	£15,407.09		
Cookstown, Dungannon Magherafelt (CDM)	CRCT	Cookstown District Council Area;	£17,615.50	£76,705.65	£79,030.75
	DDCT	Dungannon and South Tyrone Borough Council Area;	£17,276.00		
	OACT	Magherafelt District Council Area;	£17,295.00		
Down District	DDAT	Down District Council Area; Ards Borough Council Area; North Down Borough Council Area;	£38,499.85	£32,456.00	£20,256.80
Easilink	EASILINK	Strabane District Council Area; Derry City Council Area Omagh District Council Area;	£50,452.15	£75,526.61	£59,035.00
North Coast Community Transport	NCCT	Limavady Borough Council Area	£38,941.09	£67,083.99	£64,312.20
		Coleraine Borough Council Area; Ballymoney Borough Council Area;			
		Moyle District Council Area; Ballymena Borough Council Area;			
Fermanagh Community Transport	FAST	Fermanagh District Council Area;	£20,579.50	£34,829.20	£31,217.25
	RURAL LIFT	Fermanagh District Council Area	£25,536.20	£32,047.00	£28,941.00

Operational Area	Rural Community Transport Partnership	Council Catchment Areas	April 2010 to March 2011	April 2011 to March 2012	April 2012 to Jan 2013
Loughside	LVRT	Lisburn District Council Area; Castlereagh District Council Area;	£10,449.80	£42,334.50	£35107.00
	SACT	Larne City Council Area; Carrickfergus Borough Council Area; Antrim Borough Council Area; Newtownabbey Borough Council Area	£17,480.75		
	Totals		£295,831.43	£426,476.01	£371,724.90

Department of Culture, Arts and Leisure

Cricket

Mr Weir asked the Minister of Culture, Arts and Leisure what plans her Department has to increase participation in cricket. (AQW 20109/11-15)

Ms Ní Chuilín (The Minister of Culture, Arts and Leisure): Responsibility for increasing participation in cricket rests, in the first instance, with the governing body for the sport, Cricket Ireland. Having said that, my Department's strategy for sport, Sport Matters, identifies a number of high level targets aimed at increasing participation rates in sport generally, including cricket. To help achieve these targets, Sport NI has invested a total of £833,212 in exchequer and lottery funding over the last three financial years, up to March 2012 to assist with the development of the sport and increase participation rates.

In addition, Sport NI through its Active Communities Programme has appointed four Active Communities Coaches to provide opportunities for people to participate in cricket across a number of areas in the north of Ireland.

Legal Advice Costs

Mr Easton asked the Minister of Culture, Arts and Leisure how much her Department has spent on legal advice in each of the last three financial years. (AQW 20129/11-15)

Ms Ní Chuilín: The Department spent the following amounts on legal advice in the last three financial years:

Year	Amount (£)
2009-10	8,075
2010-11	3,536
2011-12	4,414

DCAL: Staff Travel Claims

Mr Easton asked the Minister of Culture, Arts and Leisure to detail the cost to her Department of staff travel claims in each of the last three years. (AQW 20191/11-15)

Ms Ní Chuilín: In the financial years 2009-10 to 2011-12 inclusive, the Department spent the following amounts on the reimbursement of staff travel claims:

Year	Amount (£)
2009-10	128,691
2010-11	136,741
2011-12	141,732

Eel Management Plan: Lough Erne

Mr Flanagan asked the Minister of Culture, Arts and Leisure to outline the contents of the eel management plan for Lough Erne and where a copy of the plan can be accessed. (AQW 20401/11-15)

Ms Ní Chuilín: The following is a brief outline of the contents of the North Western River Basin District Eel Management Plan (EMP), which covers Lough Erne:

1	Description of Management Unit;	5	Environmental quality assessment;
2	Description & Analysis of Present Eel stocks;	6	Stocking;
3	The North Western International River Basin District Commercial Eel Fishery;	7	Monitoring
4	Escapement - local stock modelling;	8	Management Measures;
		9	Post EMP monitoring.

The EMP can be found on the Department for Environment, Food and Rural Affairs website at: <http://archive.defra.gov.uk/foodfarm/fisheries/documents/fisheries/emp/ni-northwest.pdf>

Department of Education

Sectoral Support Bodies: Grant Applications

Mrs Dobson asked the Minister of Education, in relation to grant applications to his Department from sectoral support bodies, what mechanisms he will use to ensure that bodies will be awarded funding on a fair and equitable manner. (AQW 20619/11-15)

Mr O'Dowd (The Minister of Education): The main mechanism for funding the sectoral support bodies will be the fair application of the agreed definition of policy on sectoral support: Sectoral Support Post RPA (September 2012) – a copy of which has already been placed in the Assembly Library. This definition was agreed with all sectors. It sets out the functions of sectoral support that will be funded by DE. Further to this common basis for funding, a common format for grant applications has been circulated.

Encouraging Girls into Politics

Mr D McIlveen asked the Minister of Education whether he plans to create a programme for schools to encourage girls to go into politics. (AQW 20876/11-15)

Mr O'Dowd: Programmes to promote Science, Technology, Engineering, and Maths (STEM) subjects are one of my Department's priorities and we are currently supporting a number of STEM careers programmes that aim to encourage the uptake of STEM subjects in schools. These programmes encourage pupils to choose careers in the fields of science, engineering and technology, which may have traditionally been seen as male occupations. The programmes aim to raise awareness amongst all pupils of STEM careers through the development of STEM knowledge and skills, by providing an insight into a range of career areas within STEM, and by promoting STEM careers by offering opportunities for pupils to meet and talk to positive role models from the world of work. It is through programmes such as these that girls can be encouraged into non traditional areas. I believe we all have a role to play both as politicians and wider society in providing positive role models to our young people.

I have no plans to introduce a specific programme to encourage girls into politics. Pupils do have the opportunity to study significant political, social, economic, cultural and religious developments in the past and investigate its impact on our world today within the revised curriculum as part of the history strand of the Environment and Society area of learning at Key Stage 3. Under the entitlement framework, Government and Politics is a subject of choice at Key Stage 5. This is a subject perhaps to which Political Parties should pay more attention by promoting equality of opportunity for young woman to engage in politics.

Careers in Predominately Male Sectors

Mr D McIlveen asked the Minister of Education whether there is programme in place in schools to encourage girls to consider careers in predominately male sectors such as construction, engineering and chemistry. (AQW 20877/11-15)

Mr O'Dowd: Programmes to promote Science, Technology, Engineering, and Maths (STEM) subjects are one of my Department's priorities and we are currently supporting a number of STEM careers programmes that aim to encourage the uptake of STEM subjects in schools. These programmes encourage pupils to choose careers in the fields of science, engineering and technology, which may have traditionally been seen as male occupations. The programmes aim to raise awareness amongst all pupils of STEM careers through the development of STEM knowledge and skills, by providing an insight into a range of career areas within STEM, and by promoting STEM careers by offering opportunities for pupils to meet and talk to positive role models from the world of work. It is through programmes such as these that girls can be encouraged into non traditional areas. I believe we all have a role to play both as politicians and wider society in providing positive role models to our young people.

I have no plans to introduce a specific programme to encourage girls into politics. Pupils do have the opportunity to study significant political, social, economic, cultural and religious developments in the past and investigate its impact on our world

today within the revised curriculum as part of the history strand of the Environment and Society area of learning at Key Stage 3. Under the entitlement framework, Government and Politics is a subject of choice at Key Stage 5. This is a subject perhaps to which Political Parties should pay more attention by promoting equality of opportunity for young woman to engage in politics.

Political Events on School Premises

Mr Campbell asked the Minister of Education, in light of the circular issued by his Department on 27 February 2013 on the Use of School Premises for Political Events, what action he will take should evidence emerge that MLAs or other politicians have taken part in such activity.

(AQW 20964/11-15)

Mr O'Dowd: Circular Number 2013/04, issued by the Department on 27 February, provides specific guidance for the Board of Governors and Principals of schools only.

Special Educational Needs

Mr Kinahan asked the Minister of Education, pursuant to AQW 19430/11-15, by what means Education Library Boards ensure that the provision detailed in part 3 subsection 2 of a statement of special educational needs is normally quantified.

(AQW 21050/11-15)

Mr O'Dowd: The Education and Library Boards (ELBs) have confirmed that the provision detailed in part 3 subsection 2 of a statement of special educational needs is normally quantified by agreement between the relevant professionals involved in the process e.g. the ELB educational psychology service, the local health trust, specialist teachers etc. This agreement is likely to take account of the individual child's needs in terms of the type, frequency and duration of any support and detail any necessary equipment to assist the child's learning.

Children Attending their Local Parish School

Mr McDevitt asked the Minister of Education what priority his Department places on children attending their local parish school.

(AQW 21127/11-15)

Mr O'Dowd: The Department determines enrolment and admissions numbers for each school. It is then the responsibility of each school's Board of Governors in accordance with Article 16 of the Education Order 1997 to determine the admissions criteria it wishes to apply to the placement of pupils at the school. A school may, if it so wishes, decide to include residing within a parish (or parishes) as part of its criteria and determine at what order within the criteria it should appear. The Department has no involvement in determining a school's admissions criteria.

In considering requests from oversubscribed schools for temporary variation increases of their numbers, the Department has to take account of the availability of places at other schools within the same educational sector that are within reasonable travelling distance of the child's home address. Residence in a particular parish is not a factor in the Department's consideration of the school's request.

Kilcooley and Clandeboye Primary Schools

Mr Easton asked the Minister of Education why an additional review has been included in the South Eastern Education and Library Board's Area Plan for Kilcooley and Clandeboye Primary Schools.

(AQW 21268/11-15)

Mr O'Dowd: Historically, both Clandeboye Primary School (PS) and Kilcooley PS have had high levels of unfilled places. This is currently 363 in Clandeboye PS and 428 in Kilcooley PS.

Given the need to reduce numbers of unfilled places, and the proximity of the schools, the SEELB draft Primary Area Plan proposes a review to explore a local area solution.

The review referred to in the plan is the current review being carried out by Boards of Governors of both schools. This is to explore a local solution where the SEELB has put forward a proposal to realign the enrolment numbers for both schools to reflect the needs in the area for both education and the related parental and community development services provided at the schools.

Holocaust

Mr Weir asked the Minister of Education what steps are being taken to increase pupils' awareness of the Holocaust.

(AQW 21322/11-15)

Mr O'Dowd: I am very conscious of the importance of making children aware of the Holocaust and the lessons that can be learned. The curriculum in place in all schools in the north of Ireland provides opportunities to explore the Holocaust and related issues, for example through contributory elements such as History, Local and Global Citizenship and The World Around Us.

There are a number of educational resources relating to the Holocaust, tailored to meet the needs of children at each key stage. The C2k Education Network service (the managed ICT service in schools) currently provides links to educational

resources/lessons on the Holocaust for schools to use. The Department of Education also recently agreed to make a DVD produced by the Holocaust Educational Trust and a Holocaust DVD resource from the Imperial War Museum available to schools through the Education Network service.

Newly Qualified Teachers

Mr Hazzard asked the Minister of Education to outline the measures he has introduced to assist newly qualified teachers in their search for employment; and whether he has any plans to enable newly graduated teachers to overcome barriers in obtaining employment.

(AQW 21355/11-15)

Mr O'Dowd: My Department does not employ teachers but I acknowledge that, in the current economic climate, it can be difficult for many newly qualified teachers (NQTs) to find employment in schools. The same can be said of graduates in a wide range of professions. However, I have taken a number of significant steps to improve employment prospects of NQTs, including:

- urging employers to give preference to NQTs and experienced nonretired teachers when vacancies arise;
- providing guidance to schools about using the Substitute Teacher Register when booking substitute teachers, thus enabling schools to identify younger teachers;
- challenging schools and employing authorities as to why prematurely retired teachers are being re-employed in preference to NQTs or non-retired teachers;
- making schools liable for the total cost of employing prematurely retired teachers;
- restricting the pay of prematurely retired teachers who have received discretionary compensation ("added years") but who subsequently return to teaching.

In addition, over the last three years I have more than halved the number of days worked by retired teachers in providing substitute cover thus increasing opportunities for NQTs and non-retired teachers. I have also made a cut of 32% to the number of students entering initial teacher education courses which is designed to further reduce the pool of teachers seeking employment.

I welcome the announcement by the First and deputy First Ministers of investment in the employment of 230 graduate teachers, not currently in employment, on a two year contract, to improve the literacy and numeracy skills of our young people. Not only does this provide employment opportunities for NQTs, it should also have a positive impact on my raising standards agenda by improving the educational outcomes of pupils who are most at risk of underachieving.

Regional Training Unit

Mr Storey asked the Minister of Education how much funding his Department has allocated to the Regional Training Unit for a post to develop educational materials for schools on social and emotional literacy.

(AQW 21397/11-15)

Mr O'Dowd: My Department provided financial assistance to the Regional Training Unit (RTU) to sustain its partnership arrangement, initially with Together 4 All and more recently with Barnardo's, to develop these materials. Funding of £34k was provided in each of the financial years 2011/12 and 2012/13. Funding ceased at December 2012 and at that point the materials were ready.

Area Planning Steering Group

Mr Storey asked the Minister of Education how many meetings of the Area Planning Steering Group have been held since his announcement on 26 February 2013.

(AQW 21400/11-15)

Mr O'Dowd: The first meeting of the Area Planning Steering Group took place on Monday 8th April 2013. It is intended that the Group will meet on a monthly basis or more frequently if the work programme requires it.

Area Planning Steering Group

Mr Storey asked the Minister of Education to list the people who have been appointed to the Area Planning Steering Group, broken down by sector.

(AQW 21402/11-15)

Mr O'Dowd: The Area Planning Steering Group comprises the Chief Executives of the Education and Library Boards, the Council for Catholic Maintained Schools, the Council for Integrated Education and Comhairle na Gaelscolaíochta. The table below sets out the current membership of the Group by sector.

Sector	Members
Controlled	Clare Mangan, BELB, Barry Mulholland, WELB, Shane McCurdy, NEELB, Gregory Butler, SEELB, Tony Murphy, SELB
Maintained	Jim Clarke, CCMS

Sector	Members
Integrated	Noreen Campbell, NICIE
Irish-medium	Dr Micheál Ó Duibh, CnaG

Gavin Boyd will attend meetings of the Steering Group in his role of Chief Executive (Designate) of the Education and Skills Authority.

The Group is chaired by a senior Departmental official.

The Minister has not ruled out inclusion of the voluntary grammar sector in the Area Planning Steering Group and he has agreed to meet with the Governing Bodies Association on this matter.

Temporary Classrooms

Mr Weir asked the Minister of Education, pursuant to AQW 21321/11-15, to detail the number of temporary classrooms at each of the schools.

(AQW 21470/11-15)

Mr O'Dowd: The following table contains the location and number of temporary classrooms in the North Down area;

School Name	No of Temporary Classrooms
Ballyvester Primary School	3
Bangor Central Primary School	5
Donaghadee Primary School	6
Grange Park Primary School	1
Hollywood Primary School	3
Millisle Primary School	2
Rathmore Primary School	2
St Anne's Primary School	1
St Comgall's Primary School	2
St Malachy's Primary School	1
Towerview Primary School	2
St Columbanus' College	8
Killard House Special School	7

School Sport and Physical Education

Mr McClarty asked the Minister of Education what funding is available and what plans he has to improve the quality of school sport and physical education in primary and secondary schools.

(AQW 21525/11-15)

Mr O'Dowd: Physical Education (PE) is a compulsory part of the curriculum for all pupils at every Key Stage from age 4 to 16 and schools are encouraged to provide at least 2 hours of PE per week. The focus in the revised curriculum is on Physical Education rather than sport and it would be a matter for individual schools to decide on the specific sports they wish to offer their pupils.

In terms of available funding, the Department delegates as much funding and decision-making as possible to schools which are best placed to assess the needs of their pupils and it is therefore a matter for each school to decide how they use their budget for delivery of the curriculum.

The Department also makes additional funding available for the Curriculum Sports Programme and the Extended Schools programme.

£1.5 million continues to be made available each year to enable the delivery of the Curriculum Sports Programme. The programme aims to develop the generic physical literacy skills of our youngest pupils (Foundation and Key Stage 1) through participation in enjoyable physical activities. Key strengths of the programme are the extended opportunities it provides to build on children's basic movement skills and transfer these skills to other areas of PE and to build and develop teachers' expertise and knowledge of games skills.

The Extended Schools (ES) programme provides a range of services and activities beyond the school day to help meet the needs of children, their families and the wider community. The varied activities offered through the programme can include sports and leisure opportunities. In 2012/13 £11.5m of ES resources were allocated to 460 eligible schools.

DE has also been working towards achieving the targets set out in the Department of Culture, Arts and Leisure's sport and physical recreation strategy, Sport Matters. In March 2012, DE conducted an online questionnaire involving primary, post-primary and special schools to establish a baseline for the number of children of compulsory school age participating in a minimum of two hours quality PE per week. A summary report has been published on the DE website and it is intended that follow up visits to schools will be undertaken by the Education and Training Inspectorate.

Department of Enterprise, Trade and Investment

St Patrick's Day Event Funding

Mr Weir asked the Minister of Enterprise, Trade and Investment, to detail for which St. Patrick's Day events her Department provides funding, including the amount allocated to each.

(AQW 21148/11-15)

Mrs Foster (The Minister of Enterprise, Trade and Investment): Following a successful application to the Northern Ireland Tourist Board Tourism Events Fund, the St Patrick's Festival in Armagh was awarded £20,000 through the Events Funding Programme in 2012/13 and also 2013/14.

Invest NI: Innovation Voucher Scheme

Mr Allister asked the Minister of Enterprise, Trade and Investment, in relation to InvestNI's Innovation Voucher Scheme, is a letter of offer issued and does it prohibit double funding.

(AQW 21169/11-15)

Mrs Foster: Invest NI's Innovation Voucher scheme has robust procedures in place which are accredited under ISO9001.

- Successful applicants are not issued with a Letter of Offer; rather they receive a Voucher with a unique reference number and associated Terms and Conditions of use. Their attention is drawn to the fact that the voucher is for the sole purposes of the knowledge question outlined in the original application form and is non-transferable. At the point of application, applicants declare that the proposed project is not already in receipt of, or likely to be in receipt of any other public funding.
- Successful voucher applicants choose one of the 41 registered Knowledge Providers for the scheme and a Terms of Reference for the project is agreed between both parties. The Knowledge Provider confirms in writing that there is no conflict of interest in relation to their engagement on the Project. Invest NI assess all project Terms of Reference prior to the issue of a purchase order direct to the Knowledge Provider.

Hydraulic Fracturing

Mrs Overend asked the Minister of Enterprise, Trade and Investment for an update on the exploratory work which is being undertaken as regards to hydraulic fracturing, including the development of an Environmental Impact Assessment.

(AQW 21194/11-15)

Mrs Foster: The petroleum licence awarded to Tamboran Resources Pty Ltd in County Fermanagh is in Year 3 of its five-year initial term. The work programme associated with the petroleum licence is still in the pre-drilling phase of exploration which comprises analysis of pre-existing geophysical and geological data.

The company has stated its intention to drill a stratigraphic test borehole to recover rock core from the shale target interval, but it has not yet submitted drilling proposals for this borehole to my Department.

If the company completes this borehole and subsequently wishes to drill an exploration well, it will be required to apply for planning permission which will be subject to an Environmental Impact Assessment for which process the Northern Ireland Planning Service has primary responsibility.

Finance Available to Businesses

Mrs Overend asked the Minister of Enterprise, Trade and Investment to detail (i) all the current avenues of finance available to businesses; (ii) the uptake of each scheme or fund; (iii) how they are marketed; and (iii) how success is monitored.

(AQW 21196/11-15)

Mrs Foster: In respect of Invest NI's Access to Finance strategy, 4 of the 5 funds are operational with the development funds expected to be in place later this year.

The current funds available and their performance to date and targets are:

- Northern Ireland Spin Out Funds (NISPO) – Proof of Concept grant – in operation since 2009. It was a £3 million fund; 153 grants have been awarded over 3 years against a target of 120 grant awards. The fund was fully committed and I am pleased that a £2 million extension has now been put in place.
- NISPO – Invest Growth Fund– in operation since 2009. It is a £5 million equity fund and it has made 20 investments to date and is ahead of target. Demand continues to be strong for this funding and I am pleased that a £2 million extension has now been put in place.
- Co-investment Fund NI – in operation since June 2011. There is £7.2 million available for co-investment with private investors over 6 years. It had a target of 12 investments by end December 2012 and £1.8 million co-investment. It met the target, invested £1.86 million and achieved leverage of 64%. Target leverage was 55%. Growth Loan Fund – in operation since June 2012. The Fund has 30 loans approved - £6.85 million and 14 loans drawn down - £3.5 million.
- Small Business Loan Fund – in operation since February 2013. The Fund has 184 enquiries already from which 16 applications have been received. This suggests that there is a high level of pent up demand for lending from small businesses.

The funds are marketed through the Invest NI website, nibusinessinfo and through dedicated websites for each fund, managed by the fund managers. The fund managers actively engage with Invest NI staff, business organisations and the full range of intermediaries. Detailed legal contracts are in place for all of the funds and they provide a range of control clauses. All fund managers are required to be Financial Services Authority approved. Success will be monitored through periodic evaluations of each of the Funds.

Presbyterian Mutual Society

Mrs Overend asked the Minister of Enterprise, Trade and Investment how she will implement the recommendations of the Northern Ireland Ombudsman on her Department's handling of the Presbyterian Mutual Society.
(AQW 21262/11-15)

Mrs Foster: My Department is reviewing procedures for the exercise of its Registry function over industrial and provident societies, and has published revised guidance notes on the legislative requirements for registration as an industrial and provident society.

Treasury Committee: UK Parliament

Mrs Overend asked the Minister of Enterprise, Trade and Investment for her assessment of the criticism of her Department made by the UK Parliamentary Treasury Committee in February 2010.
(AQW 21264/11-15)

Mrs Foster: My primary focus following the collapse of the Presbyterian Mutual Society (PMS) was to work to develop an acceptable remedy to address the loss to its Members. DETI delivered on this, on behalf of the Executive, by enabling legislation and through the development of a rescue package which was put in place in July 2011.

Legal Advice

Mr Agnew asked the Minister of Enterprise, Trade and Investment how many times she has sought legal advice on the issue of (i) petroleum licensing; (ii) unconventional fossil fuel; and (iii) hydraulic fracturing in the last 24 months; and the dates on which she requested this legal advice.
(AQW 21314/11-15)

Mrs Foster: My answer is informed by the general policy that applies in relation to legal advice to Ministers. The concept of legal professional privilege safeguards the rights of a person or organisation, including the Department, to obtain legal advice on a confidential basis and to refuse to disclose such information in the interests of the wider administration of justice. It has been the settled view that in this context, legal advice is not disclosed.

I can confirm that any legal advice which I believe has been necessary, or may become necessary, has or shall be sought.

Ballylumford B Station

Mr Allister asked the Minister of Enterprise, Trade and Investment, given a renewable energy target of 40 percent by 2020 and the planned closure of Ballylumford B station by the end of 2015 and a 50 percent reduction in capacity at Kilroot, what back-up of conventional plant will exist to cope with inadequate wind generated electricity; and how security of supply will be assured.
(AQW 21331/11-15)

Mrs Foster: In addition to base load plant, there is a need for flexible conventional generation which can respond rapidly to changes in wind generation availability. It is primarily the role of the market to stimulate investment in new generation, and it is not the role of government to interfere in the detailed functioning of markets, but to maintain a high level oversight that they are functioning effectively.

Within the Single Electricity Market (SEM) the amount of renewable generation is expected to increase further, and the issue of incentivisation of additional conventional generation is kept under review, with particular consideration of security of supply.

Ballylumford B Station

Mr Allister asked the Minister of Enterprise, Trade and Investment, given the planned closure of Ballylumford B station by the end of 2015 and a 50 percent reduction in capacity at Kilroot from 2016, for her assessment of the scale of reliance on importing electricity.

(AQW 21332/11-15)

Mrs Foster: A reduction in conventional generation capacity in Northern Ireland would result in increased dependence on electricity interconnection with Great Britain and the Republic of Ireland, the scale of which is dependent on factors which include electricity demand, and the amount of available wind and other renewable generation.

I therefore wish to see progress in relation to provision of the new North-South electricity link and I have encouraged Mutual Energy to restore the Moyle electricity link with Great Britain to its full capacity as soon as possible.

Ballylumford B Station

Mr Allister asked the Minister of Enterprise, Trade and Investment, given the planned closure of Ballylumford B station by the end of 2015 and a 50 percent reduction in capacity at Kilroot from 2016, for her assessment of the impact on competition within the electricity generating sector and on electricity prices.

(AQW 21333/11-15)

Mrs Foster: All generators on the island of 10MW or greater are required to bid their generation into the Single Electricity Market (SEM), and the market sets the most competitive wholesale generation price at any particular time.

It is not known at this time what impact the absence of the Ballylumford B station or reduced capacity at the Kilroot site would have on wholesale electricity prices, and ultimately retail prices. However, given the capacity of the generation units in question, compared to the overall level of generation within the SEM, their absence from the market is unlikely to have a significant impact on electricity prices.

Ballylumford B Station

Mr Allister asked the Minister of Enterprise, Trade and Investment, given the planned closure of Ballylumford B station by the end of 2015 and a 50 percent reduction in capacity at Kilroot from 2016, whether she has any concerns in regard to security of power supply if indigenous thermal generation is so radically reduced.

(AQW 21334/11-15)

Mrs Foster: My Department have been engaging with the Utility Regulator and the system operator SONI to consider how best to ensure there is a sufficient future generation capacity margin and therefore adequate security of electricity supply for Northern Ireland.

Petroleum Licence Application: Number PL4/10

Mr Agnew asked the Minister of Enterprise, Trade and Investment to provide details of the withdrawn petroleum licence application number PL4/10; and why her Department could not provide this information to a member of the public through a Freedom of Information request.

(AQW 21350/11-15)

Mrs Foster: On 26 August 2010, my Department received an application for a Petroleum Licence which it registered as PL4/10. On 11 November 2010, the applicant withdrew this application. It is not appropriate to provide further details pertaining to PL4/10 as the information remains commercially sensitive.

My Department did not provide this information to a member of the public through a Freedom of Information request as the company's application, and subsequent letter withdrawing their application, are deemed to be commercially sensitive issues and exempt under Section 43 of the Freedom of Information Act 2000 and regulation 12 (5) (e) of the Environmental Information Regulations 2004.

My Department believes that no public interest would be served by release of this information.

Department of the Environment

Local Government: Improvement, Collaboration and Efficiency Initiative

Mr Swann asked the Minister of the Environment to detail the estimated savings that have been achieved to date through the introduction of the Improvement, Collaboration and Efficiency initiative in local Government.

(AQW 18661/11-15)

Mr Attwood (The Minister of the Environment): The Local Government Improvement, Collaboration and Efficiency (ICE) Programme is a sector-led initiative which is overseen by a Regional Governance Group (RGG) comprising one elected representative of all 26 councils. The sector has advised me, at present, that it cannot confirm estimated savings achieved across the ICE Programme; however, it can confirm that a wide range of collaborative initiatives are underway and that, while some short term efficiencies have been identified, the bulk of these will be delivered in the medium to long term.

That said, I continue to press councils to maximise savings by exploiting all possible opportunities for further collaboration and have added a report from the sector on progress with the ICE programme as a standing agenda item at the Regional Transition Committee, which I chair. I remain convinced that significant savings can be achieved, Councils need to push on with ICE, that more urgency is needed and that there are a number of good examples to date that can more generally be applied.

Accordingly, I advised the recent NILGA conference that I would be meeting with the ICE team to press on the issue of savings. I do not really understand how "estimated" savings to date are not available and I will address this matter at the meeting with the ICE reps on 30 April 2013.

National Parks

Mr McMullan asked the Minister of the Environment, pursuant to AQW 17838/11-15, whether he has completed an economic appraisal of the proposed National Parks in the Glens of Antrim and the Causeway Coast, including the employment opportunities that the parks would provide for these areas.

(AQW 20407/11-15)

Mr Attwood: The first step is to put in place enabling legislation for national parks. The completion of economic appraisals is for the next stage, when the designation of specific areas is under consideration and the relative merits of each one are being debated. The benefits that national parks have brought to other places are well recorded. There is no dispute about that.

For example, a Welsh study "Valuing our Environment: Economic Impact of the National Parks of Wales" found that for the period 2001-2006 the 3 Welsh National Parks supported nearly 12,000 jobs and produced an annual income of £177m for the local economy.

In addition, a report in 2006 from the Council of National Parks entitled "Prosperity and Protection" examined the economic benefit of national parks in the Yorkshire and Humber region. This study revealed that businesses in the parks and surrounding towns benefit from the park designation itself. Visitors to the parks were estimated to spend about £400m annually within them and £260m in the rest of Yorkshire and Humber. This total visitor spend of £660m is estimated to support 12,000 jobs.

In the French regional National Park designated in 1989, visitor numbers increased from 5,000 in 1991 to 78,000 in 2004. A Swedish National Park at Fulufallet was designated in 2002 and 53,000 people visited the park in 2003; a 40% increase over visitor numbers in 2001

Within Northern Ireland, independent research into the possible tourism impact of a local national park was commissioned by the Tourist Board and the Mourne Heritage Trust in 2006. The study indicated that a national park, 10 years on from designation, could generate as much as an additional £81m per annum in tourism revenue and support an extra 4,700 jobs in a park area and surrounding districts.

Given the scale, wonder and beauty of our natural, built and archaeological heritage – arguably at its greatest in the glens and Causeway – it is entirely reasonable to believe the scale of opportunity by better promotion and development of this area is significant.

Learner Drivers Legislation

Mr McClarty asked the Minister of the Environment when he plans to introduce the legislation for learner drivers that he announced in May 2012.

(AQO 3533/11-15)

Mr Attwood: The package of measures I announced in May 2012, which will introduce a system of Graduated Driver Licensing for new young drivers, is being progressed with the aim of being introduced to the Assembly in a Road Traffic (Amendment) Bill by April 2013.

Planning Permission

Mr Durkan asked the Minister of the Environment, pursuant to AQW 10899/11-15, for an update on the possibility of extending the five year validity period for granted planning permissions.

(AQW 21309/11-15)

Mr Attwood: Further to my previous response in relation to this issue, I can confirm that the Department currently has no plans within the Planning Bill to increase the 5 year period within which to commence development. However, the existing legislation does provide for a longer timeframe being granted if there are particular circumstances which dictate this.

I, of course, acknowledge the impact which the current economic climate is having on this issue I will continue to investigate ways in which planning can help. For example I can confirm that the reduction in fees for renewal applications is one such proposal which the Department is now to consult as part of the Fees and Funding Review in an effort to respond to this matter

effectively. The consultation was cancelled on 17 September 2012 and, following its conclusion, I will bring forward proposals that will help the situation you identify.

Shale Gas Extraction

Mr Agnew asked the Minister of the Environment at what stage of the granting of permission for shale gas extraction is the impact of greenhouse gas emissions as a result of extraction taken into account.

(AQW 21312/11-15)

Mr Attwood: I have repeatedly stated in my response – and do so again now – to a number of Assembly questions that any organisation that may propose to extract shale gas by means of hydraulic fracturing will be required to identify all the potential impacts of the process which will include potential gas emissions and how potential dangers to public health and safety and the environment could be mitigated. Any planning application will therefore be required to be accompanied by a robust Environmental Statement which will be fully considered by the Department and a range of consultees.

As I have stated in a recent response to AQW 20746/11-15, clearly in making an assessment, there will be a need to apply best science and deploy best practice. This would include emissions measurement and, if this project was ever to proceed – and that is not currently the case – I will ensure that DOE has the internal capacity to ensure best practice and apply best science.

I have met with the US EPA in March 2012 and March 2013. The issue of emissions is one we discussed and it is one – of many – around fracking that must be robustly assessed, should the current exploration licence be taken further.

Driver Registration Details

Mr Weir asked the Minister of the Environment what safeguards have been put in place to ensure that information shared with other jurisdictions on driver registration details is not passed on to private companies.

(AQW 21319/11-15)

Mr Attwood: The release of information about vehicles and their keepers is governed by UK-wide law contained in Regulation 27 of the Road Vehicles (Registration and Licensing) Regulations 2002. This provides for the supply of information from the vehicle register to any person showing “reasonable cause” for needing the information. Legal advice is that the legislation does not limit the release of such information to within the UK.

In March 2010, a scheme was implemented to assist the enforcement authorities in NI and the Republic of Ireland to pursue unpaid penalties incurred by vehicles registered in either jurisdiction. The scheme provides for the exchange of information, including names and addresses of keepers between the relevant licensing authorities (DVA in Northern Ireland and the Vehicle Registration Unit in the RoI).

Each licensing authority is authorised to obtain vehicle keeper data from the other authority and to pass this information to relevant bodies in their own jurisdiction provided they are satisfied that there is reasonable cause for supplying the data and that the data will only be used for legitimate purposes.

Under this arrangement DVA supplies keeper data, through the RoI Licensing authority, to local authorities and the National Roads Authority about NI-registered vehicles that are alleged to have failed to pay charges or penalties in RoI and DVA obtains vehicle keeper information from RoI in relation to RoI-registered vehicles with unpaid parking penalties in NI.

A Memorandum of Understanding (MOU) was drawn up between the two respective parent Departments, the Department for Transport in the UK (for which DVA acts in relation to vehicle licensing) and the Department of Transport in RoI. The MOU provides that the Vehicle Registration Authority in each jurisdiction will be responsible for providing assurance to the other Authority that vehicle keeper data is requested solely for the purposes set out in the MOU, that the data supplied is used solely for those purposes and that it is transferred, stored, processed and disposed of in a secure manner. To satisfy this provision quarterly reports are received setting out the action taken to provide assurance that the provisions of the MOU have been fully applied.

Both Departments carry out audits to ensure the terms of the MOU are complied with. The audits examine the source record of offence, adherence to the data security requirements and evidence that policy and procedures are being adhered to.

Since the scheme's introduction in 2010 there have been no reported incidents of misuse of keeper data.

Snares

Mr Wells asked the Minister of the Environment, pursuant to AQW 17709/11-15, why his Department has not issued a consultation paper on the use of snares.

(AQW 21358/11-15)

Mr Attwood: A consultation paper on snares was published on 15th March with a closing date for responses of 7th June. A copy of the consultation can be viewed or downloaded from the Department's website:

http://www.doeni.gov.uk/index/protect_the_environment/natural_environment/habitats_and_species.htm

MOT Testing: Exemption of Pre-1960 Vehicles

Mr D McIlveen asked the Minister of the Environment what is the timescale for amending the legislation to exempt pre-1960 vehicles from MOT testing.

(AQW 21388/11-15)

Mr Attwood: I have answered this question a number of times, most recently in AQW 21246/11-15.

The Department has consulted on possible exemption of certain categories of historic vehicles from MOT testing. The responses indicated that there is broad support for exemption of pre-1960 vehicles from periodic testing, in line with the British Government's exemption which has been in place since 18 November 2012.

The Environment Committee has indicated that it is content with the Department's proposed way forward following the consultation, which is to make use of the exemption in Roadworthiness Directive 2009/40/EC concerning the periodic testing of pre-1960 vehicles.

However on 13 July 2012, the European Commission published a 'Roadworthiness Package' which, amongst other things, addresses periodic roadworthiness tests for motor vehicles, therein making changes to the rules that apply to historic vehicles; the proposals are expected to be introduced no earlier than August 2014.

If implemented as then drafted, these proposals would narrow the parameters within which the Department can provide for exemptions to historic vehicles, as the definition of a historical vehicle was more prescriptively described. While the Department's policy intentions remained the same; that is to make exempt pre-1960 vehicles from the MOT regime, we had to be mindful of the changing legislative context, to ensure that any changes we make are not made redundant by incoming EC Regulations.

Following receipt of a further update on the EU negotiations regarding the roadworthiness package, one of the main amendments in which was a change to the definition of "historic vehicles" which allows vehicles that have not undergone "substantial" changes to be still classed as historic, I have instructed officials to proceed with legislative amendment to exempt pre-1960 vehicles from the MOT test.

We are now resolving some outstanding issues with Departmental Solicitors, including provision for a voluntary MOT test for such vehicles (for purposes including cherished plate transfer; this is an area where Northern Ireland law differs from British law). I hope to be able to move forward in the short term.

Department of Finance and Personnel

Public Service Pensions Bill

Mr McKay asked the Minister of Finance and Personnel to list the pension schemes that will be affected by the Public Service Pensions Bill.

(AQW 20642/11-15)

Mr Wilson (The Minister of Finance and Personnel): The main public service schemes which will be reformed under the Bill are:

- Northern Ireland Teachers' Pension Scheme
- Local Government Pension Scheme for Northern Ireland
- Principal Civil Service Pension Scheme (Northern Ireland)
- Health and Social Care Pension Scheme
- Firefighters Pension Scheme (Northern Ireland)
- New Firefighters Pension Scheme (Northern Ireland)
- Police Service of Northern Ireland Pension Scheme
- New Police Service of Northern Ireland Pension Scheme

The Bill will specify that these schemes are reformed by 1 April 2015. The Local Government Pension Scheme for Northern Ireland will introduce new pension arrangements from 1 April 2014.

My officials are working with Departments to identify additional public sector pension schemes, which make pension provision for employees of public bodies not captured by the main schemes, and could also be affected by the Bill. These have been identified as:

- North/South Pension Scheme
- Foyle Fisheries Commission Pension Scheme (in as far as these two schemes apply to their Northern Ireland members)
- Northern Ireland Water Limited Pension Scheme
- Ulster Supported Employment Limited Pension Scheme

The Bill will require that such schemes are restricted for the future. The legislation will contain provisions for their incorporation into new public body pension schemes or alternatively they may be extended access to one of the mainstream public service schemes.

The Bill will contain provisions for schemes to be added or removed from the list of restricted schemes as required.

The Bill will make future provision for new schemes for judicial offices and my officials are working with Department of Justice to assess the extent of immediate provision which may be required for this group as at April 2015.

Civil Servants: Flights

Mr McGlone asked the Minister of Finance and Personnel to detail (i) the number of flights taken by civil servants, in each the last five years; and (ii) the cost of these flights, broken down by airline.

(AQW 20843/11-15)

Mr Wilson: The information requested is presented on the attached tables and covers the period from 1 January 2008 to 20 March 2013.

The Northern Ireland Civil Service Travel Management Contract is with a private travel company. Any flights booked outside of the Travel Management Contract are not included.

Top 10 Airlines 2008 (January – December)	Cost	Number of Flights
British Midland	£772,273	3640
Flybe British European	£354,522	3801
Aer Lingus	£189,467	664
Continental Airlines	£185,669	160
British Airways	£98,390	107
Easyjet	£87,248	1943
Virgin Atlantic	£76,913	36
Jet 2.Com	£17,058	260
Jet Airways	£16,025	5
Manx2	£2,727	19
Sub Total	£1,800,292	10,635
Others	£256,549	1,046
Total - All Ticketed Airlines	£2,056,841	11,681

Top 10 Airlines 2009 (January – December)	Cost	Number of Flights
British Midland	£633,104	2806
Flybe British European	£312,620	3392
British Airways	£162,819	157
Aer Lingus	£120,409	568
Easyjet	£83,076	1522
Jet2com	£23,197	251
Sas Skandinavian	£13,714	40
Ryanair	£10,682	350
Kingfisher	£4,800	3
Luxair	£1,977	10
Sub Total	£1,366,398	9,099
Others	£272,290	774
Total - All Ticketed Airlines	£1,638,688	9,873

Top 10 Airlines 2010 (January To October)	Cost	Number of Flights
BMI	£357,938	1484
Flybe British European	£352,591	2450
British Airways	£171,339	144
Continental Airlines	£145,413	118
Aer Lingus	£118,140	583
Easyjet	£94,157	1058
Virgin Atlantic	£50,618	15
United Airlines	£37,744	29
Bmi Baby	£25,269	236
Ryanair	£21,474	321
Sub Total	£1,374,683	6438
Others	£120,477	317
Total - All Ticketed Airlines	£1,495,160	6755

Top 10 Airlines 2011 (November 2010 –October 2011)	Cost	Number of Flights
Flybe	£473,197.82	3468
BMI	£434,750.26	1855
Easyjet	£181,085.96	1716
Aer Lingus	£145,041.34	672
Continental Airlines	£102,388.20	63
Bmi Baby	£52,414.73	528
British Airways	£48,766.31	72
Virgin Atlantic	£46,666.68	13
Jet2.Com	£15,335.52	108
Air Canada	£14,612.34	7
Sub Total	£1,514,259.16	8,502
Others	£129,205.38	349
Total - All Ticketed Airlines	£1,643,464.54	8,851

Top 10 Airlines 2012 (November 2011 – October 2012)	Cost	Number of Flights
Flybe	£616,577.09	4271
BMI	£320,109.23	1347
British Airways	£258,458.27	829
Easyjet	£217,639.12	2065
Aer Lingus	£148,111.16	702
United Airlines	£64,262.91	46
Continental Airlines	£46,618.22	18
Virgin Atlantic	£35,359.89	15
Bmi Baby	£29,276.92	276
Klm	£15,449.05	15

Top 10 Airlines 2012 (November 2011 – October 2012)	Cost	Number of Flights
Sub Total	£1,751,861.86	9,584
Others	£160,387.02	440
Total - All Ticketed Airlines	£1,912,248.88	10,024

Top 10 Airlines 2013 (November 2012 – March 2013)	Cost	Number of Flights
British Airways	£271,360.20	816
Flybe	£176,481.91	1350
Aer Lingus	£98,344.56	655
Easyjet	£72,770.27	806
United Airlines	£66,456.22	36
Emirates	£29,208.64	20
Korean Air	£9,826.20	3
American Airlines	£6,064.50	9
Brussels Airlines Fly	£5,237.62	21
Etihad Airways	£4,931.50	3
Sub Total	£740,681.62	3,719
Others	£32,278.94	159
Total - All Ticketed Airlines	£772,960.56	3,878

Northern Ireland Banks: Customer Deposits

Mr McNarry asked the Minister of Finance and Personnel what guarantees he has received from HM Treasury that customer deposits in Northern Ireland banks, which operate both in Northern Ireland and the Irish Republic, are guaranteed; and what assurances he can give that there will be no deductions from customer deposits undertaken by Government.

(AQW 21285/11-15)

Mr Wilson: I have not sought nor received any assurances recently from HM Treasury on this matter.

Depositors with banks that are incorporated or have incorporated subsidiaries in the UK, including the Allied Irish / First Trust Bank, Bank of Ireland, Danske / Northern Bank, and Ulster Bank are covered by the UK's Financial Services Compensation Scheme up to a limit of £85,000.

I have no indication or expectation that the Government would consider making deductions from UK deposits. The situation in Cyprus in this regard is very much different to ours and is in the context of an agreement on a future EU / IMF bailout programme to address the exceptional financial challenges the authorities there are currently facing.

Equitable Life Compensation Arrangements

Mrs Cochrane asked the Minister of Finance and Personnel, given the recent Parliamentary commitment to extend Equitable Life compensation arrangements to include policyholders who bought annuities prior to 1992, despite there being no legal obligation to do so, whether similar provision can be made in respect of Northern Ireland Civil Service pensioners who are pursuing equal pay provisions.

(AQW 21341/11-15)

Mr Wilson: I have no intention of extending the NICS equal pay settlement to those who have no legal entitlement to it. I have a very clear responsibility to the taxpayer to meet legal obligations whilst protecting so far as possible the public purse. Going beyond that to make payments to people who have no legal right to them would have affordability implications for other spending programmes, which must be set against the background of the current public expenditure pressures.

Department of Health, Social Services and Public Safety

Organ Donor Register

Mr Ross asked the Minister of Health, Social Services and Public Safety why the Public Health Agency has not run any campaigns to encourage people to join the organ donor register.

(AQW 21184/11-15)

Mr Poots (The Minister of Health, Social Services and Public Safety): NHS Blood and Transplant (NHSBT) has responsibility to promote organ donation to the public across the UK and has run several campaigns over the years, which would also have had a local component built into them. Recently NHSBT has focussed its efforts to encourage people to join the organ donor register (ODR) around exploring 'prompted choice' initiatives.

The Public Health Agency has not been responsible to date for an organ donation campaign, although they have been involved in promoting the ODR by various other communications methods.

As responsibility for encouraging people to join the ODR falls to NHSBT, my Department does not directly run or fund any campaigns on this issue. However, I recently launched the "Life's amazing Pass it on" campaign on behalf of the Health and Social Care Trusts. The campaign, which consists of poster advertisements, encourages people to join the ODR.

In addition, I recently announced my intention to survey public attitudes towards organ donation, which would be accompanied by a strong message to join the ODR. The arrangements for the implementation of the consultation will be announced as soon as possible.

Organ Donor Register

Mr Ross asked the Minister of Health, Social Services and Public Safety whether he plans to run an information campaign to boost the levels of organ donation and encourage people to join the organ donor register.

(AQW 21185/11-15)

Mr Poots: NHS Blood and Transplant (NHSBT) has responsibility to promote organ donation to the public across the UK and has run several campaigns over the years, which would also have had a local component built into them. Recently NHSBT has focussed its efforts to encourage people to join the organ donor register (ODR) around exploring 'prompted choice' initiatives.

The Public Health Agency has not been responsible to date for an organ donation campaign, although they have been involved in promoting the ODR by various other communications methods.

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In addition, I recently announced my intention to survey public attitudes towards organ donation, which would be accompanied by a strong message to join the ODR. The arrangements for the implementation of the consultation will be announced as soon as possible.

Healthcare Facilities: Ballygowan, Lisbane and Killinchy

Miss M McIlveen asked the Minister of Health, Social Services and Public Safety what plans there are to assess and review healthcare facilities in the Ballygowan, Lisbane and Killinchy areas.

(AQW 21189/11-15)

Mr Poots: It is the Health and Social Care Board's responsibility to assess and review the provision of, and access to, healthcare facilities in specific areas. In relation to the provision of primary medical services the Health and Social Care Board contract directly with GP practices.

I am aware that following a recent application by a GP practice in Lisbane to close its branch surgery in Ballygowan, the Health and Social Care Board has undertaken a consultation exercise to gather patients' views on the possible impact this would have on healthcare provision for the population of the Ballygowan area.

The outcome of the consultation exercise is currently being considered by the Board before any decision on the future of the branch surgery in Ballygowan is made.

Apart from the current review of healthcare facilities in the Ballygowan and Lisbane areas the HSCB has no further plans to review services in these or the Killinchy areas at this time.

Locum Appointments

Mr Clarke asked the Minister of Health, Social Services and Public Safety how many doctors were recruited at each training level, in each hospital in each of the last five years, as either a (i) Locum Appointment for Training; or (ii) Locum Appointment for Service, broken down by speciality.

(AQW 21206/11-15)

Mr Poots: Locum Appointment for Training and Locum Appointment for Service posts for the last five years, by hospital, specialty, and training level, are shown below. These figures were obtained from the Health and Social Care Trusts, and have not been validated by the Department.

Table Notes:

- 1 For the Western HSC Trust, figures before 2011 are as at February of the stated year.
- 2 Figures for 2009 were not available from the Belfast HSC Trust.
- 3 Training levels were not available from the Northern HSC Trust, as the information is not centrally held and a time-consuming manual exercise would have been required.

Locum Appointments for Training 2009

Training Level	Specialty	Headcount	Hospital
ST 1-2	ICU	1	Craigavon Area
ST 1-2	ENT	1	Craigavon Area
ST3	Obstetrics & Gynaecology	1	Craigavon Area
ST 1-2	Obstetrics & Gynaecology	2	1 Craigavon Area, 1 Daisy Hill
ST 1-2	Paediatrics	1	Craigavon Area
ST3	General Medicine/Rheumatology	1	Craigavon Area
ST1-2	General Medicine	5	2 Craigavon Area, 3 Daisy Hill
ST 1	A&E	1	Altnagelvin
ST 1	Ophthalmology	2	Altnagelvin
ST 3	Obstetrics & Gynaecology	2	Altnagelvin
ST 3	Trauma & Orthopaedics	1	Altnagelvin
ST 3	Psychiatry	1	Altnagelvin
CT2	General Medicine	2	Erne
CT2	Paediatrics	1	Erne
ST 2	Paediatrics	3	Erne
ST 1	Obstetrics & Gynaecology	1	Erne
ST 2	Obstetrics & Gynaecology	1	Erne
CT 2	Psychiatry	2	Tyrone & Fermanagh
CT1	Surgery	3	Erne
CT 2	Paediatrics	1	Erne
CT 2	Obstetrics & Gynaecology	3	Erne
ST 1 / 3	General Medicine	6	Ulster/Lagan Valley/Downe
ST 2	Obstetrics & Gynaecology	3	Ulster
ST 2	Psychiatry	2	Downe/Lagan Valley
ST 2	Emergency Medicine	2	Ulster/Lagan Valley
ST 1	Emergency Medicine	4	Ulster/Lagan Valley

Locum Appointments for Service 2009

Training Level	Specialty	Headcount	Hospital
ST3	General Surgery	1	Craigavon Area
ST3	Urology	1	Craigavon Area
ST 1 - 3	General Medicine	3	Ulster/Lagan Valley
ST2	Obstetrics & Gynaecology	1	Ulster

Training Level	Specialty	Headcount	Hospital
ST1	Emergency Medicine	1	Ulster
ST3	Plastic Surgery	1	Ulster
	General Medicine	1	Antrim
	Paediatrics	1	Causeway

Locum Appointments for Training 2010

Training Level	Specialty	Headcount	Hospital
ST 1	A&E	1	Altnagelvin
ST 1	ENT	1	Altnagelvin
ST 3	Obstetrics & Gynaecology	1	Altnagelvin
ST 3	Trauma & Orthopaedics	2	Altnagelvin
ST 3	Paediatrics	1	Altnagelvin
ST 1	General Medicine	1	Altnagelvin
CT 2	General Medicine	2	Erne
CT 1	General Surgery	2	Erne
CT 2	Paediatrics	4	Erne
ST 1	Obstetrics & Gynaecology	1	Erne
ST 2	Obstetrics & Gynaecology	3	Erne
ST 3	Obstetrics & Gynaecology	1	Erne
CT 2	Psychiatry	1	Tyrone & Fermanagh
ST 3	Oncology	1	Belfast City
ST 3	General Medicine	1	Royal Victoria
ST 3	General Medicine (Respiratory)	1	Belfast City
ST 3	Genito-Urinary Medicine	1	Royal Victoria
CT 1	General Medicine	2	Ulster
ST 1	Emergency Medicine	6	Ulster/Lagan Valley
CT 1	Psychiatry	1	Lagan Valley
ST 3	Obstetrics & Gynaecology	1	Ulster
CT 2	Plastic Surgery	1	Ulster
DF 2	Dentistry	1	Ulster

Locum Appointments for Service 2010

Training Level	Specialty	Headcount	Hospital
ST3	Obstetrics & Gynaecology	2	1 Craigavon Area, 1 Daisy Hill
ST3 and above	Paediatrics	2	Daisy Hill
F2	Paediatrics	1	Altnagelvin
F1	General Surgery	1	Altnagelvin
CT 1-2	ENT	1	Royal Victoria
ST 3	Fractures	1	Royal Victoria
ST 3	General Surgery	1	Belfast City
CT 1-2	General Surgery	1	Royal Victoria
ST 2	Paediatrics	1	Ulster

Training Level	Specialty	Headcount	Hospital
ST 3	Obstetrics & Gynaecology	2	Ulster
CT 3	General Surgery	1	Ulster
ST 3	General Surgery	2	Ulster

Locum Appointments for Training 2011

Training Level	Specialty	Headcount	Hospital
ST 3	Urology	1	Craigavon Area
ST 3	Anaesthetics	1	Altnagelvin
ST 3	Obstetrics & Gynaecology	1	Altnagelvin
ST 1	Obstetrics & Gynaecology	1	Altnagelvin
ST 1	Paediatrics	1	Altnagelvin
ST 1	Psychiatry	1	Altnagelvin
ST 3	Psychiatry	1	Altnagelvin
ST 3	General Medicine	2	Altnagelvin
ST 3	Obstetrics & Gynaecology	1	Erne
ST 2	Obstetrics & Gynaecology	2	Erne
CT 4	Psychiatry	1	Tyrone & Fermanagh
ST 3	Haematology	2	Belfast City
ST 4	Paediatrics	2	Ulster
ST 3	Plastic Surgery	2	Ulster
ST 1, ST 2, ST 4	Obstetrics & Gynaecology	5	Ulster
ST 3	General Surgery	1	Ulster
ST 3	Trauma & Orthopaedics	2	Ulster
	Paediatrics	1	Antrim

Locum Appointments for Service 2011

Training Level	Specialty	Headcount	Hospital
ST 3	Urology	1	Craigavon Area Hospital
ST 1-2	Obstetrics & Gynaecology	1	Daisy Hill Hospital
CT 1-2	General Surgery	1	Craigavon Area Hospital
CT 1	General Surgery	2	Craigavon Area Hospital
ST 1-2	Paediatrics	1	Daisy Hill Hospital
CT 1-2	Obstetrics & Gynaecology	1	Daisy Hill Hospital
ST 1	ENT	1	Altnagelvin
F 2	Dermatology/ENT/Ophthalmology	1	Altnagelvin
DF 2	Oral Surgery	1	Altnagelvin
ST 3	Trauma & Orthopaedics	1	Altnagelvin
F 1	General Medicine	1	Erne
CT 1	General Surgery	4	Erne
CT 2	Paediatrics	3	Erne
ST 3	Obstetrics & Gynaecology	1	Erne

Training Level	Specialty	Headcount	Hospital
ST 2	Obstetrics & Gynaecology	1	Erne
CT 1-2	ENT	3	Royal Victoria
ST 1	Ophthalmology	1	Royal Victoria
ST 1	Paediatrics	1	Royal Belfast Hospital for Sick Children
ST 1	Psychiatry	1	Downe/Lagan Valley
ST 2	Obstetrics & Gynaecology	1	Ulster
CT 2	Plastic Surgery	1	Ulster
	Paediatrics	1	Antrim
	Paediatrics	3	Causeway
	Psychiatry	2	Holywell
	Emergency Medicine	1	Causeway
	Surgery	2	Antrim

Locum Appointments for Training 2012

Training Level	Specialty	Headcount	Hospital
CT 1-2	General Medicine	2	Craigavon Area Hospital
ST 3	General Surgery	1	Altnagelvin
ST 1	Paediatrics	1	Altnagelvin
ST 3	Trauma & Orthopaedics	2	Altnagelvin
ST 1	Psychiatry	1	Altnagelvin
ST 3	General Medicine	1	Altnagelvin
CT 1	General Medicine	1	Erne
ST 2	Paediatrics	3	Erne
ST 3	Paediatrics	1	Erne
ST 2	Obstetrics & Gynaecology	4	Erne
ST 3	Paediatrics	1	Ulster
ST 1	Obstetrics & Gynaecology	2	Ulster
ST 3	Trauma & Orthopaedics	2	Ulster
ST 3	General Medicine	1	Ulster
ST 1	Psychiatry	2	Downe/Lagan Valley

Locum Appointments for Service 2012

Training Level	Specialty	Headcount	Hospital
ST 1-2	General Medicine	1	Daisy Hill Hospital
CT 1-2	General Surgery	2	Craigavon Area Hospital
ST 1-2	Obstetrics & Gynaecology	1	Craigavon Area Hospital
ST 1	A & E	1	Altnagelvin
CT 1	ENT	1	Altnagelvin
CT 1	General Surgery	1	Altnagelvin
ST 3	Obstetrics & Gynaecology	1	Altnagelvin
CT 1	General Medicine	1	Erne

Training Level	Specialty	Headcount	Hospital
CT 1	General Surgery	4	Erne
ST 2	Obstetrics & Gynaecology	1	Erne
CT 1	Psychiatry	2	Tyrone & Fermanagh
ST 3	General Surgery	3	Belfast City/Royal Victoria
ST 3	Vascular Surgery	2	Belfast City
ST 3	General Surgery	1	Ulster
	Surgery	1	Antrim
	General Medicine	1	Antrim

Locum Appointments for Training 2013

Training Level	Specialty	Headcount	Hospital
ST 1	Ophthalmology	1	Altnagelvin
ST 1	ENT	1	Altnagelvin
DF 2	Oral/Maxillofacial Surgery	3	Altnagelvin
ST 3	General Surgery	1	Altnagelvin
ST 1	Obstetrics & Gynaecology	1	Altnagelvin
ST 3	Trauma & Orthopaedics	1	Altnagelvin
ST 1	Psychiatry	1	Altnagelvin
ST 3	General Medicine	1	Altnagelvin
CT 1	General Surgery	2	South-West Acute
ST 2	Paediatrics	2	South-West Acute
ST 2	Obstetrics & Gynaecology	2	South-West Acute
CT 3	Dermatology	2	Royal Victoria
ST 3	General Medicine	1	Ulster

Locum Appointments for Service 2013

Training Level	Specialty	Headcount	Hospital
CT 1-2	ENT	1	Craigavon Area Hospital
ST 3	Obstetrics & Gynaecology	1	Altnagelvin
CT 1	Surgery	4	South-West Acute
ST 2	Obstetrics & Gynaecology	3	South-West Acute
CT 1	Psychiatry	1	Tyrone & Fermanagh
CT1-2	Psychiatry	3	Mater/Muckamore/Knockbracken
ST 1	Ophthalmology	2	Royal Victoria
ST3	Chemical Pathology	1	Belfast City
ST 4	Plastic Surgery	1	Ulster
ST 1	Psychiatry	1	Lagan Valley
	Medicine	1	Antrim
	Surgery	1	Antrim

Northern Ireland Medical and Dental Training Agency

Mr Clarke asked the Minister of Health, Social Services and Public Safety what is the additional cost to the tax payer for training posts, that were to be filled by the Northern Ireland Medical and Dental Training Agency, being filled by (i) Health and Social Care Trust Human Resources Departments; and (ii) locum agencies.

(AQW 21209/11-15)

Mr Poots: Direct recruitment to fill vacant posts incurs a cost. I have been advised that the additional costs incurred by HSC Trusts in filling these posts are directly related to advertising and administration. With the exception of the Belfast HSC Trust, Trusts do not collect the recruitment advertising spend separately and would incur disproportionate cost to try to identify these costs from within their overall advertising and administration budgets. Belfast Trust advised that its additional advertising and administration cost in 2012/13 of filling these posts directly was £6,930.

HSC Trusts indicated additional costs are incurred through the filling of vacant training posts through locum agencies. However, as Trusts collect information on all locum spend, not all could easily differentiate locum spend on training posts from locum spend on general vacancies. The Southern Trust indicated that the estimated additional cost of filling the vacant training posts through a locum agency for the period April 2012 to February 2013 was £402k, while the Western Trust indicated that the additional cost for the period August 2012 to February 2013 was £137k

Doctor Allocation

Mr Clarke asked the Minister of Health, Social Services and Public Safety in what circumstances can a doctor, who has been appointed to the Northern Ireland Training Scheme by the Northern Ireland Medical and Dental Training Agency, refuse to work in a particular hospital; and what are the potential implications for the doctor arising from a refusal.

(AQW 21211/11-15)

Mr Poots: The Northern Ireland Medical and Dental Training Agency is responsible for the recruitment of junior doctors to foundation and specialty training programmes within Northern Ireland ensuring they are given access to obtain necessary competencies for the relevant Royal College or Faculty. A junior doctor signs a training agreement to confirm that they will comply with the requirements of the training programme.

When they accept the programme of training they are asked if they have any special circumstances which need to be taken into consideration with regard to their allocation to a hospital in Northern Ireland, supported by necessary evidence. Adjustments are made to the training programme including hospital location according to the evidence submitted.

A junior doctor who refuses to work in a particular hospital in the absence of special circumstances is in breach of the training programme which he/she has signed up to and therefore has removed himself/herself from the training programme.

Doctor Allocation

Mr Clarke asked the Minister of Health, Social Services and Public Safety how many doctors appointed to the Northern Ireland Training Scheme by the Northern Ireland Medical and Dental Training Agency, in each of the last five years, have refused an appointment, broken down by (i) speciality; and (ii) hospital.

(AQW 21214/11-15)

Mr Poots: The Northern Ireland Medical and Dental Training Agency has provided the following breakdown by speciality in each of the last five years of offers of training programmes, which have been declined, or have expired (without being accepted), or were accepted and subsequently withdrawn:

Specialty	Aug 2012	Aug 2011	Aug 2010	Aug 2009	Aug 2008
Foundation	0	0	0	0	0
Anaesthetics	5	8	4	4	5
Intensive Care Dual CCT	0	0	0	0	0
Emergency Medicine	28	21	15	35	55
Medical Specialties	0	0	0	0	10
Core Medical Training	65	93	91	100	85
Acute Medicine	1	2	0	0	0
Cardiology	8	0	0	0	3
Clinical Oncology	0	0	0	0	0
Clinical Pharmacology & Therapeutics	0	0	0	0	0
Dermatology	2	0	0	4	4
Endocrinology	2	0	0	0	0
Gastroenterology	0	0	2	0	0

Specialty	Aug 2012	Aug 2011	Aug 2010	Aug 2009	Aug 2008
Genitourinary Medicine	0	0	0	0	0
Geriatric Medicine	0	0	1	1	3
Haematology	1	0	1	0	1
Immunology	0	0	0	0	0
Infectious Diseases	2	0	0	0	0
Neurology	0	0	0	0	0
Neurophysiology	0	0	0	1	1
Occupational Medicine	0	0	0	0	0
Palliative Medicine	0	0	0	0	0
Rehabilitation Medicine	0	0	0	0	0
Renal Medicine	1	1	1	0	2
Respiratory Medicine	0	1	1	1	0
Rheumatology	0	0	0	1	2
Medical Oncology	2	0	2	0	0
ST6 Nuclear Medicine	0	0	0	0	0
Core Psychiatry Training	8	22	17	18	26
Child & Adolescent Psychiatry	1	1	0	0	0
Forensic Psychiatry	0	1	0	0	0
General Adult Psychiatry	1	0	0	0	0
General Adult Psychiatry/Psychotherapy	0	0	0	0	0
Psychiatry of Learning Disability	0	0	0	0	0
Psychiatry of Old Age	0	0	0	0	0
Core Surgical Training	7	14	8	13	0
General Surgery	1	0	0	0	2
Trauma & Orthopaedic Surgery	1	2	0	0	0
Paediatric Surgery	0	0	0	0	1
Plastic Surgery	0	0	0	0	1
Cardiothoracic Surgery	1	0	0	0	0
Otolaryngology	0	0	0	0	0
Urology	0	0	0	0	0
General Practice	8	10	9	7	4
Obstetrics & Gynaecology	15	9	17	22	43
Paediatrics	7	3	6	12	12
Radiology	0	2	1	0	2
Forensic Pathology	0	0	0	0	0
Histopathology	1	1	1	1	4
Medical Microbiology	0	0	0	2	1
Public Health	0	0	0	0	0
Neurosurgery	0	0	0	0	0
Ophthalmology	0	3	1		8
Total	168	194	178	222	275

It is not possible to provide a breakdown by hospital as allocation to a hospital post occurs after an offer of appointment to the specialty training programme has been accepted.

Northern Ireland Medical and Dental Training Agency

Mr Clarke asked the Minister of Health, Social Services and Public Safety what was the annual budget of the Northern Ireland Medical and Dental Training Agency in each of the last five years; and to detail the cost of Speciality Recruitment for each of the last five years, broken down by speciality.

(AQW 21216/11-15)

Mr Poots: The annual budget for the Northern Ireland Medical and Dental Training Agency, in each of the last five years, is set out in the table below:

Financial Year	Budget
2012-13	£52,985,000
2011-12	£52,891,698
2010-11	£53,289,187
2009-10	£52,706,287
2008-09	£48,582,000

The specialty recruitment costs, in each of the last five years, are set out in the table below:

Financial Year	Specialty Recruitment costs
2011-12	£597,569
2010-11	£604,842
2009-10	£608,769
2008-09	£582,954
2007-08	£574,699

It has not been possible to analyse the specialty recruitment costs by speciality.

Kingscourt Nursing Home, Templepatrick

Mr Kinahan asked the Minister of Health, Social Services and Public Safety what financial support his Department has provided to the Kingscourt care home in Temple Rise, Templepatrick, over the last three years.

(AQW 21280/11-15)

Mr Poots: The Kingscourt Nursing Home is a privately run facility which provides nursing care services, respite and day care provision to older people and adults with a learning disability.

I am advised by the Northern Health and Social Care Trust that it contracts a rate with the Home for each client according to that client's assessed need. The Trust then considers how much a client can pay directly to the home towards the cost of their placement and the Trust then pays the remainder of the cost.

The total amount paid by the Trust to the home between 7 April 2010 and 2 March 2013 was £1,111,823.72.

Mental Health Advocacy Services Funding

Mr McNarry asked the Minister of Health, Social Services and Public Safety what plans he has to extend funding for mental health advocacy services.

(AQW 21284/11-15)

Mr Poots: In May 2012 my Department published "Developing Advocacy Services – A Guide for Commissioners" alongside its associated Action Plan which was developed by the Health & Social Care Board (HSCB).

One of the actions within the action plan was for the HSCB to carry out a scoping study of existing advocacy provision (including mental health advocacy) in order to estimate costs associated with addressing any priority unmet need. This scoping study is currently underway. The outcomes of this study will help inform the future commissioning and delivery of all health and social care advocacy services (including mental health advocacy).

My Department is currently drafting new mental capacity legislation which subject to executive approval is likely to include a statutory right to advocacy for people who may be deprived of their liberty under the Bill (for treatment or care) and for those compulsorily treated under the Bill.

Standard Conditions of Contract (SS16A)

Mr Allister asked the Minister of Health, Social Services and Public Safety (i) how many times the Standard Conditions of Contract (SS16A) has been reviewed since January 2007; (ii) on what dates the reviews were carried out; (iii) for what purpose the reviews were carried out; and (iv) who carried out the reviews.

(AQW 21299/11-15)

Mr Poots:

- (i) One full review of the Standard Conditions of Contract (SS16A) has been carried out since January 2007.
- (ii) The full review was carried out during the first and second quarters of 2009.
- (iii) The review was to ensure that the standard conditions were not out of date and that they did not contain anything that was contrary to the new health and social care arrangements following RPA.
- (iv) Senior Officers within the Business Services Organisation (BSO) Procurement and Logistics Service (PaLS) and the Directorate of Legal Services conducted the review.

In addition, staff from BSO PaLS worked on a review group with the Central Procurement Directorate of the Department of Finance and Personnel during 2009, though no changes to the standard Terms and Conditions ensued.

As part of a joint task force between Centres of Procurement Expertise (CoPEs) and Confederation of British Industry / Federation of Small Businesses, work is commencing to introduce a level of standardisation of terms and conditions across non-construction CoPEs.

Altnagelvin Hospital

Mr Hussey asked the Minister of Health, Social Services and Public Safety (i) what impact the recent fire had on service provision at Altnagelvin Hospital; (ii) whether there has been a cutback in the orthopaedic provision; (iii) whether patients who were previously scheduled for surgery in Altnagelvin are now being sent to England for treatment; and (iv) whether there has been a reduction in the number of available beds.

(AQW 21345/11-15)

Mr Poots:

- (i) I am advised by the Western Health and Social Care Trust that the fire incident that took place on 23 November 2013 and associated water damage to the wards immediately resulted in several wards being relocated throughout the hospital and to the Waterside Hospital with some elective surgery in all specialities being cancelled.

The Trust's business continuity arrangements ensured that those patients whose procedures were cancelled during that week were rescheduled as quickly as possible and as a result this had no material impact on waiting times in most specialities, with the exception of orthopaedics.
- (ii) and (iv) The orthopaedic ward was relocated to a ward with a reduced bed complement while work is underway to refurbish an alternative ward. This has resulted in a reduction of 14 beds and a loss of side rooms, which has had a significant impact on orthopaedic treatment times. The refurbished ward space with full bed numbers will be operational in June 2013.
- (iii) The Trust has advised that no patients scheduled for surgery in Altnagelvin Area Hospital have been sent to England for treatment; however eleven patients from the Trust's waiting list chose to attend a service provider in England for their treatment.

Secondary Care to Primary Care Treatments

Mr Copeland asked the Minister of Health, Social Services and Public Safety to detail the level of treatment which has moved from secondary care to primary care over the last 10 years; and for his assessment of the impact that this has had on GPs' ability to perform their duties to a sufficient standard.

(AQW 21346/11-15)

Mr Poots: There has been a gradual shift in services from secondary to primary care through the provision of enhanced services and achievements through the Quality and Outcomes Framework (QOF), as part of the General Medical Services Contract. There is no specific data available on the level of movement over the last 10 years, though the Health and Social Care Board, which monitors GP service performance under the Contract, is not aware of any negative impact on performance.

The implementation of Transforming Your Care will see an increased focus away from treating patients in hospital, with more services delivered in primary and community care settings when safe and appropriate to do so. All parts of the Health and Social Care sector, including General Practice, have a role to play in contributing to the implementation of Transforming Your Care to improve the quality of patient and client care.

Mid Staffordshire NHS Foundation Trust

Mr Copeland asked the Minister of Health, Social Services and Public Safety, following the finding of the Francis report on Mid Staffordshire NHS Foundation Trust, which showed that focusing excessively on targets was detrimental to patient care, why his Department has set higher targets in the GP contract than anywhere else in the UK.

(AQW 21347/11-15)

Mr Poots: It is not the case that the Quality and Outcomes Framework thresholds for Northern Ireland are higher in the rest of UK. Following the recent consultation exercise a total of 13 indicators will see an increase in their thresholds with the maximum upper threshold set at 90%. England and Wales have each increased the thresholds for 20 indicators with the majority of the upper thresholds set at levels higher than 90%.

The focus for my Department, as reflected in the changes secured under the General Medical Services Contract for Northern Ireland, is to promote improvements in the quality of care for patients and to ensure that more patients will benefit from care that enhances quality of life.

Transforming Your Care

Mr Copeland asked the Minister of Health, Social Services and Public Safety to detail the consequences on the implementation of Transforming Your Care if GPs are not able to absorb the additional responsibilities.

(AQW 21348/11-15)

Mr Poots: In my Statement to the Assembly on the 19th March on the outcome of the consultation exercise on the proposals contained in 'Transforming Your Care: Vision to Action,' I explained that the consultation exercise demonstrated that there is clear support for the concept of changing the way in which health and social care is delivered in Northern Ireland. I also indicated that time was not on our side, and that we had to take action now to effect the changes that are so critically needed.

I acknowledged that all parts of the Health and Social Care sector, including General Practice, have a role to play in contributing to the implementation of Transforming Your Care.

It is vital that GPs play a full part in the transformation process to ensure that it is a success. That is in the interests of patients, GPs and the sector as a whole. My focus is to secure the best services for patients and clients across Northern Ireland.

Following the agreement with the Northern Ireland General Practitioners Committee of the BMA on changes to the General Medical Services Contract for 2013/14 I welcome the comments from the Committee supporting TYC and the commitment to delivering this important reform.

Melanoma Treatment

Mr P Ramsey asked the Minister of Health, Social Services and Public Safety how many cases of melanoma have been treated by the Western Health and Social Care Trust over the last three years, broken down by (i) the age of patient; and (ii) hospital.

(AQW 21500/11-15)

Mr Poots: The information requested is not readily available.

However information is available on the number of hospital admissions for melanoma to the Western Health and Social Care Trust over the last three years broken down by (i) the age of patient; and (ii) hospital.

- i) Number of admissions by age group to hospitals in the Western HSC Trust with a primary diagnosis of melanoma, 2009/10 – 2011/12

Age	Year		
	2009/10	2010/11	2011/12
0-39	5	9	5
40-49	9	7	18
50-59	10	8	17
60-69	19	9	18
70-79	12	25	25
80+	9	5	13
Total	64	63	96

Source: Hospital Inpatient System

Due to the very small number of admissions for patients aged under 39 years, this age band has been aggregated to protect patient confidentiality.

- ii) Number of admissions by hospital in the Western HSC Trust with a primary diagnosis of melanoma, 2009/10 – 2011/12

Hospital	Year		
	2009/10	2010/11	2011/12
Altnagelvin	47	42	67
Erne	4	5	3
Tyrone County	13	16	26
Total	64	63	96

Source: Hospital Inpatient System

The International Classification of Diseases 10th Revision (ICD 10) codes used to identify melanoma include both malignant melanoma of skin and melanoma in situ and have been searched for in only the primary diagnostic field.

The Hospital Inpatient System does not hold information on patients attending hospital as outpatients or patients treated within the primary care setting.

Department of Justice

Probation Board for Northern Ireland

Mr Allister asked the Minister of Justice, given that the Probation Service does not carry out risk assessments on prisoners convicted of terrorist offences, what risk assessments, as distinct from social history reports, are carried out, and by whom, on such prisoners prior to home leave or moving to the working out schemes in Magilligan.

(AQW 20923/11-15)

Mr Ford (The Minister of Justice): The Northern Ireland Prison Service takes a number of factors into account when considering applications for home leave and transfers to Foyleview at Magilligan. In addition to formal risk assessments it takes account of individual sentence plans, the level of engagement with PREPS (Progressive Regimes and Earned Privileges), results of drug tests, disciplinary and adjudication records, victims' representations, the extent to which a prisoner has complied with and participated in programmes or other interventions and, where applicable, relevant information from other criminal justice agencies and social services.

DOJ: Public Consultations

Mr Nesbitt asked the Minister of Justice to detail (i) the number of public consultations undertaken by his Department, in each year since 2007; (ii) the type of consultation; and (iii) the total cost of each consultation.

(AQW 21144/11-15)

Mr Ford: The Department of Justice came into existence on 12 April 2010; it is therefore not possible to provide the information preceding that date.

The number of consultations undertaken in each financial year since 12 April 2010 is shown in Table 1 below.

The type and the cost of each consultation undertaken since 12 April 2010 are shown in the Table 2 below. In relation to the type of consultation undertaken, the table details the method of consultation undertaken in each case including those that were published on the Department's website and those involving focus groups, meetings with stakeholders, public meetings and workshops.

In relation to the cost of each consultation, it is not possible to disaggregate staff costs as that type of expenditure is not recorded on the Department of Justice finance system in a way that makes this possible. The costs presented relate to external costs only.

Table 1: Number of Consultations undertaken each year since 12 April 2010

Financial Year	Number of Public Consultations
2010-2011	23
2011-2012	24
2012-2013	23

Table 2: Type and cost of each consultation since 12 April 2010 (revised)

Name of Consultation	Month and Year Consultation Undertaken	Type of Consultation	External Cost of Consultation
2010-2011			
Provision of In-Court Interpretation Services	February 2010 (Closing date post devolution)	Published on website.	Nil
Increasing the Jurisdictional Limit of the County Courts in Northern Ireland	March 2010 (Closing date post devolution)	Published on website.	Nil
Local Partnership working on Policing and Community Safety Consultation & summary report of consultation	March 2010 (Closing date post devolution)	Published on website. Focus groups used. Electronic copies issued to key stakeholders and interest groups.	Nil
A Proposal to Revise the Means Test for Criminal Legal Aid in Northern Ireland	March 2010 (Closing date post devolution)	Published on website. Electronic copies issued to key stakeholders and interest groups	Nil
Provision to allow the Public Prosecution Service to commence proceedings without recourse to a lay magistrate	March 2010 (Closing date post devolution)	Published on website.	Nil
Redrawing the Map: A Consultation on Court Boundaries in Northern Ireland	March 2010 (Closing date post devolution)	Published on website.	Nil
Offender Levy and Victims of Crime Fund Consultation & Summary report of consultation responses	March 2010	Published on website. Electronic copies issued to key stakeholders and interest groups.	Nil
Special Measures Consultation	March 2010	Published on website. Electronic copies issued to key stakeholders and interest groups.	Nil
Arrangements for notification of sex offenders from jurisdictions outside the UK	April 2010	Published on website. Electronic copies issued to key stakeholders and interest groups	Nil
Consultations on proposals for achieving best evidence in criminal proceedings.	July 2010	Published on website. Electronic copies issued to key stakeholders and interest groups.	Nil
Equality Impact Assessment for a Proposed Justice Bill (NI) 2010	August 2010	Published on website. Issued to key stakeholders and interest groups.	£2065.18
Consultation on remuneration of Defence Representation in the Crown Court, including Section 75 Equality Impact Assessment	September 2010	Published on website. Electronic copies issued to key stakeholders and interest groups. Meetings held with Bar Council and Law Society.	Nil

Name of Consultation	Month and Year Consultation Undertaken	Type of Consultation	External Cost of Consultation
Consultation on Section 75 Equality Impact Assessment of the Proposals on Reform of legal representation provided by way of criminal legal aid at the Crown Court	September 2010	Published on website. Electronic copies issued to key stakeholders and interest groups.	Nil
Consultation on Section 75 Equality Impact Assessment of the Proposals on new Rules on Remuneration of Defence Representation in the Crown Court	September 2010	Published on website. Electronic copies issued to key stakeholders and interest groups	Nil
Consultation on bribery prevention procedures for commercial organisations to be published under section 9 of the Bribery Act 2010	September 2010	Published on website. Awareness Raising event held. Issued to key stakeholders and interest groups.	£1684.40
Consultation on a Code of Practice for Victims of Crime	October 2010	Published on website. Electronic copies issued to key stakeholders and interest groups. Focus group used.	£1100.00
Consultation on a Sentencing Guidelines Mechanism	October 2010	Published on website. Public consultation notice placed in three main local papers. Electronic copies issued to key stakeholders and interest groups.	£1020.73
Department of Justice Draft Budget 2010 Consultation	January 2011	Published on website. Meeting with NI Council for Voluntary Action (NICVA).	Nil
Consultation on Long-Term Policing Objectives	January 2011	1 Discussion with stakeholders in advance of public consultation. 2 Meetings with stakeholders during consultation period. 3 Public consultation notice placed in three main local papers. 4 Notice letters issued to potential interested parties. 5 Ministerial press release issued.	£1,296.42
Consultation on a New Community Safety Strategy for Northern Ireland	January 2011	Published on website. Electronic copies issued to key stakeholders and interest groups Twelve public meetings. 47 focus group meetings with stakeholders.	c £16,000
Consultation on a Review of Community Sentences	February 2011	Published on website. Public consultation notice placed in three main local papers. Electronic copies issued to key stakeholders and interest groups.	£1555.70

Name of Consultation	Month and Year Consultation Undertaken	Type of Consultation	External Cost of Consultation
Consultation on proposals for the retention and destruction of fingerprints and DNA in Northern Ireland	March 2011	Published on website. Consultees advised individually by letter.	£1217.27
Draft Equality Scheme for the Department of Justice 2011-2015	March 2011	Published on website. Meetings with key stakeholders.	Nil
2011-2012			
Consultation on the implementation of Policing and Community Safety Partnerships; Consultation on the Code of Practice on the Appointment of Independent Members for the Policing and Community Safety Partnerships	June 2011	Published on website. Focus groups used. Electronic copies issued to stakeholders and interest groups.	Nil
Consultation on the Carriage of Dangerous Goods: Approved Derogation and Transitional Provisions	July 2011	Published on the website. UK-wide targeted consultation of key stakeholders with a particular interest identified. Consultees advised individually by letter.	Nil
Consultation on the draft Carriage of Explosives (amendment) Regulations (Northern Ireland 2011)	July 2011	Published on website. Full public consultation key stakeholders with a particular interest identified and included. Consultees advised individually by letter. Advertisements placed in the local papers.	£1359.76
Consultation on Sex Offender Notification and Violent Offender Orders	July 2011	Published on website. Electronic copies issued to stakeholders and interest groups.	Nil
Consultation on fine default in Northern Ireland	July 2011	Published on website. Electronic copies issued to stakeholders and interest groups.	£1108.91
Access to Justice Review	September 2011	Published on website. Electronic copies issued to key stakeholders and interest groups.	Nil
Consultation on Review of Youth Justice	October 2011	Published on Website. Focus Groups. Workshops & Public meetings. Public Notices. Electronic copies issued to stakeholders and interest groups.	£6441.35
Consultation on upper age limit for jury service	November 2011	Published on website. One consultation meeting.	£1,027.09

Name of Consultation	Month and Year Consultation Undertaken	Type of Consultation	External Cost of Consultation
Tribunal Reform: Discussion Paper on the Future Administration and Structure of Tribunals in Northern Ireland	December 2011	Published on website. Electronic copies issued to stakeholders and interest groups.	Nil
Consultation on proposals to close Hearing Centres at Bangor, Larne, Limavady, Magherafelt and Strabane courthouses (NICTS)	December 2011	Published on website. Electronic copies and letters issued to stakeholders and interest groups. Public Meetings held in each Hearing Centre.	Nil
Consultation on revised draft PACE Codes of Practice	December 2011	Published on website. Electronic copies issued to stakeholders and interest groups.	Nil
Consultation on review of the criminal records regime in Northern Ireland	December 2011	Published on website. Sent to all AccessNI Registered Bodies. Electronic copies issued to stakeholders and interest groups.	Nil
Costs Protection for Litigants in Environmental Judicial Review Applications	December 2011	Published on website.	Nil
Consultation on the provision of victim impact statements and victim impact reports	December 2011	Published on website. Electronic copies issued to key stakeholders and interest groups. Focus group used.	£1200.00
Consultation on the European Framework Decision on the transfer and supervision arrangements for offenders	January 2012	Published on website. Electronic copies issued to stakeholders and interest groups.	Nil
Consultation on the Reform of Committal Proceedings.	January 2012	Published on website. Stakeholders and Interest Groups notified by email with link to Consultation Document. Focus group used.	£792.71
Consultation on Encouraging Earlier Guilty Pleas	January 2012	Published on website. Website Stakeholders and Interest Groups notified by email with link to Consultation Document. Focus group used.	£948.11
Consultation on proposals to introduce a recovery of defence costs scheme	February 2012	Published on website. Electronic copies issued to key stakeholders and interest groups.	Nil
Consultation on the governance and accountability of the PPS	February 2012	Published on website. Electronic copies issued to stakeholders and interest groups.	Nil

Name of Consultation	Month and Year Consultation Undertaken	Type of Consultation	External Cost of Consultation
Proposed amendments to the Legal Aid for Crown Court Proceedings (Costs) Rules (Northern Ireland) 2005	February 2012	Published on website. Electronic copies issued to key stakeholders and interest groups.	Nil
Consultation on the proposals to align the Pyrotechnic Articles Directive and the Civil Explosives Directive to the new legislative framework	Feb 2012 May 2012	Published on website. Full public consultation key stakeholders with a particular interest identified and included. Consultees advised individually by letter.	Nil
Disability Action Plan 2012-2015 Consultation	February 2010/2	Published on website. Invitations to respond e-mailed to key stakeholders.	Nil
Consultation on the Future Operation of the Office of the Police Ombudsman for Northern Ireland	March 2012	Published on website. One public meeting.	£122.00
Prison Service Pay Review Body Regulations 2012	November 2011	Published on website. Invitations to respond e-mailed to remit staff associations.	Nil
2012-2013			
Consultation on legislative amendments and Department of Justice engagement in relation to Human Trafficking	April 2012	Published on website. Electronic copies issued to stakeholders and interest groups.	Nil
Review of Criminal Records Regime further consultation	May 2012	Published on website. Invitations to respond e-mailed to prospective respondents.	Nil
Future Regulation of the Private Security Industry	May 2012	Published on website. Published on Security Industry Authority (SIA) website and on nibusinessinfo website. Electronic copies issued to stakeholders and interest groups. 3 Industry workshops (Newry, Londonderry, Belfast). Focus group used.	£604.25
Provision of Community Impact Assessments	May 2012	Published on website. Electronic copies issued to key stakeholders and interest groups. Focus group held.	£1300.00
Consultation on the Introduction of a Scheme to allow for the early removal of Foreign National Prisoners	May 2012	Published on website. Electronic copies issued to stakeholders and interest groups.	Nil

Name of Consultation	Month and Year Consultation Undertaken	Type of Consultation	External Cost of Consultation
Consultation on proposals to extend the use of live links in courts	June 2012	Published on website. Electronic copies issued to stakeholders and interest groups.	Nil
Consultation on proposal to vary Firearms Licensing fees	June 2012	Published on website. Discussion with stakeholder in advance of publication. Full public consultation key stakeholders with a particular interest identified and included. Advertisements placed in the local papers.	£1727.11
Strategic Framework for Reducing Offending Consultation	June 2012	Published on website. Stakeholder Workshops.	£1018.55
Consultation on the future of the prison estate in Northern Ireland	June 2012	Published on NIPS website. Public meetings. Workshops.	£2309.00
NIPS Employability Strategy	June 2012	Published on website. Electronic copies issued to stakeholders and interest groups.	Nil
Draft guidance on the Working Arrangements for the Welfare and Protection of Adult Victims of Human Trafficking.	July 2012	Published on website. Targeted consultation.	Nil
Consultation on proposals to extend Mental Capacity legislation to the Criminal Justice System in Northern Ireland and implications for Mental Health powers	July 2012	Published on website. Focus Group (Criminal Justice organisations). Electronic copies issued to stakeholders and interest groups.	Nil
Consultation on discount rate and how it should be set	August 2012	UK-wide consultation carried out jointly with Ministry of Justice and Scottish Government. Publication announced on website with link to paper on Ministry of Justice website. Electronic copies issued to stakeholders and interest groups.	Nil
Making a Difference – Improving Access to Justice for Victims and Witnesses of Crime	October 2012	Published on website. Electronic copies issued to key stakeholders and interest groups. Focus group used.	£1400.00
Review of the Magistrates' Courts and County Court Appeals (Criminal Legal Aid) (Costs) Rules (Northern Ireland) 2009 (The Rules)	November 2012	Published on website. Meetings held with Bar Council and Law Society.	Nil

Name of Consultation	Month and Year Consultation Undertaken	Type of Consultation	External Cost of Consultation
Managing Criminal Cases	November 2012	Published on website. Stakeholders and Interest Groups notified by email with link to Consultation Document. Focus group used.	£184.80
Reform of publicly funded legal representation in the Civil and Family Courts	November 2012	Published on website. Electronic copies issued to stakeholders and interest groups.	Nil
Pre Consultation on Refresh or Women's Strategy	December 2012	Stakeholder Workshops.	£372 (to date)
The Future Administration and Structure of Tribunals in Northern Ireland	January 2013	Published on website. Electronic copies issued to stakeholders and interest groups. Roundtable discussions with voluntary, advisory and legal sector.	£33.80
Review of Statutory Discount Rate – Review of the Legal Base Consultation	February 2013	UK-wide consultation carried out jointly with Ministry of Justice and Scottish Government. Publication announced on website with link to paper on Ministry of Justice website. Electronic copies issued to stakeholders and interest groups.	Nil
Safeguards to Protect Individual Decisions on the Granting of Civil Legal Aid	February 2013	Published on DOJ website. Letters and hard copies issued in line with the DOJ User Guide to Stakeholder Consultation.	Nil
Equality Consultation for a Proposed Justice Bill (NI) 2013	March 2013	Published on website. Electronic copies issued to stakeholders and interest groups.	Nil
Consultation on proposals for the use of live links in weekend courts	March 2013	Published on website. Electronic copies issued to stakeholders and interest groups.	Nil

Northern Ireland Prison Service: Staff

Lord Morrow asked the Minister of Justice, pursuant to AQW 18977/11-15, how many Northern Ireland Prison Service's staff have been dismissed and subsequently have had that decision upheld by the Northern Ireland Civil Service Appeal Board, since 2004.

(AQW 21218/11-15)

Mr Ford: Since 2004 the Civil Service Appeal Board has upheld six dismissal cases.

Northern Ireland Prison Service: Staff

Lord Morrow asked the Minister of Justice, pursuant to AQW 18977/11-15, how many Northern Ireland Prison Service staff have been dismissed but subsequently had that decision overturned by the Northern Ireland Civil Service Appeal Board and then reinstated, since 2004.

(AQW 21219/11-15)

Mr Ford: To date the Northern Ireland Prison Service has not reinstated any members of staff where a decision to dismiss has been overturned by the Civil Service Appeal Board.

Northern Ireland Prison Service: Staff

Lord Morrow asked the Minister of Justice, pursuant to AQW 20042/11-15, why those Northern Ireland Prison Service staff and senior management responsible for administering gross misconduct cases are failing to identify serious, fundamental flaws in procedures and unfair dismissals since 2008.

(AQW 21221/11-15)

Mr Ford: Those staff currently responsible for administering disciplinary actions, do so in accordance with the current Code of Conduct and Discipline.

The Member will however, be aware from my responses to previous Assembly Questions that the Northern Ireland Prison Service is developing a revised disciplinary system, in response to the findings and recommendations of a number of external inspections and reviews.

Injury on Duty Reviews

Mr Weir asked the Minister of Justice to detail, in each of the last five years (i) how many Injury on Duty Reviews were carried out; and (ii) in each case was the band of the decision (a) upgraded; (b) reduced; or (c) stayed the same.

(AQW 21227/11-15)

Mr Ford: The Policing board has provided the information given in the table below:

(1) All Injury On Duty reviews

Year	Reviews carried out	Band decreased	Band increased	Band remained the same
2008/09	121	76	52	2
2009/10	96	75	39	11
2010/11	No reviews conducted			
2011/12	No reviews conducted			
2012/13	37	29	4	4

Note: The number of reviews does not always tally with the number of results due to overlapping from one financial year to another.

In addition to the above information the member requested details of a further breakdown of:

(2) Injury On Duty reviews for those who are aged 65.

Year	Reviews carried out	Band decreased	Band increased	Band remained the same
2008/2013	80	58	4	18

Note: The above figures are from May 2008 when reviews were first carried out until March 2013. This information is not available in financial years.

Criminal Justice (Northern Ireland) Order 2008

Lord Morrow asked the Minister of Justice, pursuant to 20500/11-15, whether this person has been deemed dangerous as defined by the Criminal Justice (NI) Order 2008; and whether this was the case on either release date.

(AQW 21276/11-15)

Mr Ford: The Criminal Justice (NI) Order 2008 does not apply in this case as the individual was convicted of murder prior to the commission of this legislation.

Prison Officers

Lord Morrow asked the Minister of Justice, pursuant to AQW 19857/11-15, to detail (i) whether the two prison officers concerned were interviewed during the initial investigation and whether similar allegations were made; (ii) what action was taken against the Governor concerned in respect of these specific allegations; and (iii) given the seriousness of the allegations, whether the two officers were interviewed as potential witnesses in terms of criminal and disciplinary offences, particularly as the encouragement or assistance of an offence is a criminal matter.

(AQW 21323/11-15)

Mr Ford:

- (i) All staff interviewed were asked to respond to all allegations made during the investigation.
- (ii) On conclusion of the investigation, the Northern Ireland Prison Service (NIPS) did not consider that there was evidence of a criminal offence having been committed by any staff. This view was confirmed by legal advisers. As you are aware two Governors were charged under the NIPS Code of Conduct and Discipline (COCD). They were charged with contributing to the reputational damage of the Northern Ireland Prison Service under Section 3 of the COCD. Both Governors were found guilty and given a written warning.
- (iii) All staff interviewed were told in advance of the interview commencing, that the investigation was being conducted under the NIPS COCD and that if evidence was found of a criminal offence having been committed by staff then this would be passed to the Police Service of Northern Ireland for further investigation.

Northern Ireland Prison Service: Assaults on Staff

Lord Morrow asked the Minister of Justice, pursuant to AQW 19071/11-15 whether prior to the date of the AQW being tabled, a member of Northern Ireland Prison Service staff was assaulted whilst in the course of duty, and to detail (i) whether this was by a prisoner; (ii) whether any assailant was charged and/or reported for prosecution; (iii) whether any injury was sustained; and (iv) the circumstances and/or situation which led to the incident.

(AQW 21324/11-15)

Mr Ford: I have been informed by the Governor of each prison that no member of staff was assaulted in the course of his/her duty.

Northern Ireland Prison Service: Absence Procedures

Lord Morrow asked the Minister of Justice, in light of findings by the Northern Ireland Prison Ombudsman in relation to how the Northern Ireland Prison Service handles staff Absence Procedures, whether any recommendations will be applied retrospectively to all staff who were dealt with in a similar manner and who subsequently took grievance proceedings or appealed the action but the decisions were upheld based on the incorrect application of procedures.

(AQW 21329/11-15)

Mr Ford: The Northern Ireland Prison Service (NIPS) applies the Northern Ireland Civil Service Sickness Absence and Inefficiency Sickness Absence policies in order to manage sickness absence and unsatisfactory attendance.

The Northern Ireland Ombudsman raised issues in relation to a specific case and concluded that the procedural issues would not have changed the outcome.

NIPS will not be applying any recommendations on a retrospective basis.

PSNI Helicopters

Mr P Ramsey asked the Minister of Justice what action his Department is taking to minimise the disruption to people in the Foyle area when PSNI helicopters are used at night.

(AQW 21363/11-15)

Mr Ford: The deployment of the PSNI helicopter is an operational matter for the Chief Constable. I am 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.

Department for Regional Development**DRD: Advertising Campaigns**

Mr McNarry asked the Minister for Regional Development to detail his Department's TV, radio and newspaper advertising campaigns, in each of the last three years; and the spend on each campaign.

(AQW 21060/11-15)

Mr Kennedy (The Minister for Regional Development): My Department has not carried out any advertising campaigns in the last three years.

Potholes

Mr Easton asked the Minister for Regional Development how much has been spent repairing potholes, in the last three years.

(AQW 21131/11-15)

Mr Kennedy: My Department's Roads Service does not separately record the amount spent on repairing potholes. However, the table below details the total expenditure on carriageway patching, for the past three financial years, which includes the cost of repairing a range of surface defects, such as, cracking, potholes, depressions, edge deterioration etc:

Year	2009/10	2010/11	2011/12
Cost of Patching	18,012,000	19,236,000	19,415,000

Road Standards

Mr Easton asked the Minister for Regional Development how much money is required to ensure that all roads are to the required standard.

(AQW 21132/11-15)

Mr Kennedy: It has been independently established that some £126 million, at 2012 prices, is needed annually to maintain the road network in its current condition. However, this figure does not include maintenance costs for the majority of the motorway network and some of the trunk road network which is maintained by private companies, on behalf of Roads Service.

The level of funding allocated to my Department has historically been well below what is required and, in 2011, it was estimated the maintenance backlog exceeded £800 million. As a result of successful in-year bids, Roads Service expenditure on the road network on 2011/12 was £120 million and the budget for 2012/13 is likely to be in the region of £110 million, much higher than in previous years, albeit still leaving shortfalls of £6 million and £16 million respectively, when compared with the level recommended.

As the Member will also appreciate, as roads deteriorate through a lack of planned maintenance, they require relatively expensive patching to avoid public liability claims and maintain road safety, which draws further funds away from better value resurfacing and surface dressing.

Road Resurfacing

Mr Easton asked the Minister for Regional Development to outline the criteria by which roads are graded to prioritise resurfacing.

(AQW 21133/11-15)

Mr Kennedy: Article 8 of the Roads (Northern Ireland) Order 1993 places a duty on my Department's Roads Service to maintain all public roads and footways in reasonable condition to ensure that these assets remain safe and serviceable to users. To this end, Roads Service operates a system of regular safety inspections to ensure that essential response maintenance is identified and completed, as necessary.

In accordance with the Roads Maintenance Standards for Safety, Roads Service inspects the condition of public roads and information collected, along with consideration of a number of other factors including road usage, general surface condition, structural deformation, public enquiries and public liability claims is used in the preparation and prioritisation of Roads Service's annual reconstruction and resurfacing programme.

These programmes are subsequently presented by Roads Service to the various District Councils at their Spring/Autumn meetings.

Road Resurfacing: North Down

Mr Easton asked the Minister for Regional Development whether Roads Service has a waiting list of roads that need resurfaced in North Down.

(AQW 21134/11-15)

Mr Kennedy: My Department's Roads Service carries out routine safety inspections on all carriageways and footways and any surface defects, which are deemed hazardous to the public, are identified and prioritised for repair.

In addition, Roads Service prepares a flexible and reactive programme of carriageway resurfacing and footway reconstruction works, which takes account of the level of funding available.

These programmes are reviewed on a regular basis and priorities reassessed, using the most up-to-date information available, including data from the on-going routine cyclic inspections. These programmes are therefore subject to change, depending on the condition of the road network.

Roads Service is currently finalising its 2013/14 programme for North Down and details will be published in its next Spring and Autumn reports to North Down Borough Council.

DRD: Public Consultations

Mr Nesbitt asked the Minister for Regional Development to detail (i) the number of public consultations undertaken by his Department, in each year since 2007; (ii) the type of consultation; and (iii) the total cost of each consultation.

(AQW 21145/11-15)

Mr Kennedy: The table below sets out the number of public consultations undertaken each year since 2007, the type of consultation, and the cost of each consultation.

	Financial Year	Type of consultation (EQIA/policy/legislations/other)	Consultation name	Total Costs £s
1.	2007/08	Legislation	Airports (Sale of Aircraft) Order	1503
2.		Legislation	Penalty Fares (increase) Order 2008	1503
3.		Legislation	Donaghadee (Harbour Area) Order 2008	1349
4.		Policy	Accessible Transport Strategy Draft Action Plan 2007-2009	7390
5.		Policy – NICS wide consultation lead by OFMdfM	Disability Action Plan 2007	Nil
6.		EQIA	Sub Regional Transport Plan	12981
7.		Legislation	Cross Border (Railway Services) Working Time Regulations 2008	1500
Total Cost 2007/08				26226
8.	2008-09	EQIA	Equality Impacts of DRD Elements of draft PfG 2008/11, Draft Budget 2008/11 and draft Investment Strategy - Equality Unit	2908
9.		Policy	Setting Local Speed Limits	1200
10.		EQIA	NI concessionary Fares Scheme; free fares for people aged 60-64	1230
11.		Legislation	The Water Supply - Water Fittings Regulations (NI) 2009	3753
12.		Legislation	The Water Supply – (Water Quality) Amendment Regulations (NI) 2009	1710
13.		Legislation	Cross Border Services Working Time Regulations	1062
14.		Targeted consultation	RDS Review pre-consultation stakeholder meetings	38,518
15.		Targeted consultation aimed at key environmental groups and NIEA to enable key environmental issues to be identified and discussed	RDS strategic environmental assessment scoping	20310
16.		Policy & EQIA	Setting Local Speed Limits (approx advertising costs)	1200
17.		Policy	Guidance on Port Master Plans for Sea Ports	646
18.		Policy	Draft Social and Environmental Guidance for the Water & Sewerage Industry	1396
Total Cost 2008/09				73933
19.	2009/10	Policy	ATS Action Plan 2009-12	8280
20.		Strategy	Regional Transport Strategy Discussion document	948
21.		Policy	Rathlin Island Policy	1696
22.		Legislation	Railways Infrastructure Access and Management and Licensing of Railway Undertakings (Amendment Regulations)	1230
23.		Legislation	Donaghadee Harbour Order	1349
24.		Legislation	River Bann Navigation Order	1349
25.		Legislation	Level Crossing Order	1490

	Financial Year	Type of consultation (EQIA/policy/legislations/other)	Consultation name	Total Costs £s
26.		Legislation	Train Driving Licences and Certificates (Amendment)	1357
27.		Policy	Belfast Rapid Transit	3480
28.		Policy & EQIA	Restricted Zones Access Permits (translation and advertising costs)	1400
29.		Legislation	The Airport (Sale of Aircraft) Regulations Order	1503
Total Cost 2009/10				24082
30.	2010-11	Policy & EQIA	Public Transport Reform Consultation	21445
31.		Policy	Policy Proposals for a Roads (Miscellaneous Provisions) Bill	2422
32.		Legislation	Stakeholder Workshop on the Consultation on UK Aviation Strategy	378
33.		Strategy & EQIA	Regional Transportation Strategy – Consultation Document	4955
34.		Policy & EQIA	Public Transport Reform Consultation – Final	3746
35.		Strategy	Regional Development Strategy Review	18743
36.		Policy	Cross Border/Spatial Strategies	1090
37.		EQIA	Bi-lingual Traffic Signs (translation and advertising costs)	2500
38.		Policy	Review of Financial Assistance for Domestic Properties not Served by a Watermain	2696
39.		Legislation	Roads(Functions of District Councils)Bill	2152
40.		Legislation	Belfast International Airport(Control over Land) Order	3877
41.		Legislation	City of Derry (Control over Land) Order	3711
42.		Legislation	Coleraine (Transfer of Harbour Undertaking) Order	1594
43.		Legislation	Rail Passenger Rights and Obligations (Exemption) Regulations	1404
44.		Policy	Disability Action Plan	1434
45.		Policy	Equality Scheme 2011 – 16	Nil
46.		Policy & EQIA	Draft EQIA and Departmental Spending & Savings Plans	Nil
47.		Policy & EQIA	Belfast Rapid Transit Proposals	7419
48.		Policy	Building an Active Travel Future for NI	3510
Total Cost 2010/11				83076
49.	2011/12	EQIA	Policy to permit Rail Journeys to be purchased using half fare smart passes only.	810
50.		EQIA	Regional Development Strategy (RDS) 2035	1567
Total Cost 2011/12				2377
51.	2012/13	Policy	Accessible transport strategy draft Action plan 2012 -15	3820
52.		Policy & EQIA	Review of the Door 2 door scheme	3696
53.		Policy	Future Railway Investment A Consultation Paper	6091
54.		Legislation	Rail Vehicle Accessibility Regulations & Rail Vehicle Accessibility (Application for Exemption Orders) Regulations	2254
55.		Policy	Aviation Policy Framework -Stakeholder Event	189

	Financial Year	Type of consultation (EQIA/policy/legislations/other)	Consultation name	Total Costs £s
56.		Policy & EQIA	Taxis in Bus Lanes (Advertising Costs)	1160
		Policy	Disability Action Plan (Braille copies)	43
Total Cost 2012/13				17253

Road Surface Maintenance

Mr Craig asked the Minister for Regional Development to detail of the number of actions taken against NI Water in relation to road surface maintenance post pipe laying contracts in the past five years.
(AQW 21207/11-15)

Mr Kennedy: My Department has carried out over 31,000 inspections of NI Water reinstatements over the past five years, identifying almost 4,400 defects. A further 5,000 inspections have been carried out to ensure those defects were repaired. In the last five years, my Department has also taken two successful prosecutions against NI Water for offences relating to failure to reinstate to the required specification.

Road Resurfacing: Lisburn, Banbridge, Down and Craigavon

Mr Craig asked the Minister for Regional Development how much has been spent on roads resurfacing in the council areas of Lisburn, Banbridge, Down and Craigavon, in each of the last five years
(AQW 21208/11-15)

Mr Kennedy: My Department's Roads Service does not maintain an analysis of its spend in the format requested, however, it does hold an analysis of its total Structural Maintenance spend, which includes the maintenance activities of Resurfacing, Surface Dressing and Structural Drainage.

Details of its total Structural Maintenance spend in each of the Council areas requested, during the last five years, are set out in the table below:

District Council	Structural Maintenance Spend £'000				
	2007/08	2008/09	2009/10	2010/11	2011/12
Lisburn	3,066	4,364	4,604	5,411	5,297
Banbridge	2,734	1,880	2,811	3,572	4,212
Down	2,552	3,336	3,377	4,065	5,323
Craigavon	3,614	2,231	3,867	4,809	5,417

However, it should be noted that whilst the actual spend on a resurfacing scheme may be within one district council area, the benefits are not confined to the district council in which the work was completed.

In addition, details of total spend on resurfacing, as part of the total spend on Structural Maintenance in Northern Ireland, during the last five years, are set out in the table below:

Financial Year	Total Spend on Resurfacing £'000	Total Spend on Structural Maintenance £'000
2007/08	38,361	77,332
2008/09	24,412	62,986
2009/10	41,444	85,190
2010/11	40,521	88,313
2011/12	63,335	120,437
Total	208,073	434,258

DRD: Declan Gormley

Mr Wells asked the Minister for Regional Development when will he be in a position to detail the total legal costs his Department incurred in relation to the recently concluded Declan Gormley case.
(AQW 21235/11-15)

Mr Kennedy: While my Department is endeavouring to finalise this matter as quickly as possible it has not yet received details of the legal fees and outlay from the Plaintiff's solicitors referred to in my answer to AQW 20361. In the absence of this information, I am not in a position to specify when the quantum of the legal costs is likely to be available.

If it would be helpful I will be happy to write to you when the details of the legal fees incurred in this case are available.

Northern Ireland Railways

Mr Easton asked the Minister for Regional Development what has been the cost of damage, due to anti-social behaviour, to the rolling stock of NI Railways over the last three financial years.

(AQW 21237/11-15)

Mr Kennedy: Translink has advised that their management information systems do not include a specific code under the description 'anti-social behaviour'. However, they record incidents of 'damage' which will include instances of events arising as a result of such behaviour.

The table below details information relating to damage costs over the last 3 full financial years, as well as the associated cost for the current financial year, to date. It should be noted that most of "damage" is as a result of trains coming into contact with obstacles on track (debris/trees/livestock) but also includes broken windows and damage to train interiors.

	2009/10 £	2010/11 £	2011/12 £	2012/13 to end Period 11 £
NI Railways	243,303	247,510	259,904	284,175

Translink Bus Fleet

Mr Easton asked the Minister for Regional Development what has been the cost of damage, due to anti-social behaviour, to the Translink bus fleet over the last three financial years.

(AQW 21239/11-15)

Mr Kennedy: Translink have advised me that the information is not available in the format requested as its management information systems do not include a specific category to record damage under the description of anti-social behaviour. However, it does record incidents of 'malicious damage' which often arise as a result of such behaviour.

The table below details the relevant cost information, recorded under this category over the last 3 full financial years, as well as the associated statistics for the current financial year, to date.

	2012/13 to end Period 11	2011/12	2010/11	2009/10
Ulsterbus	£264,305	£261,979	£353,287	£319,710
Metro	£123,871	£105,346	£175,778	£263,195
Total	£388,175	£367,325	£529,064	£582,905

Bus Shelters: Vandalism

Mr Easton asked the Minister for Regional Development what has been the cost of damage, due to anti-social behaviour, to bus shelters over the last three financial years.

(AQW 21240/11-15)

Mr Kennedy: Maintenance of bus shelters, provided by Adshel through its contract with my Department's Roads Service and most District Councils, is funded by the company at its own expense. My Department, therefore, does not hold information on the costs incurred by Adshel in fulfilling its contractual commitments.

A4 Dual Carriageway

Lord Morrow asked the Minister for Regional Development what consideration he has given to the provision of a flyover or connecting bridge on the A4 dual carriageway to connect Moygashel with west-bound traffic.

(AQW 21274/11-15)

Mr Kennedy: I am aware that you previously raised this issue with my Department's Roads Service following the opening of the A4 dual carriageway. I understand your concern was that as a consequence of the new Moygashel junction layout on the dual carriageway, westbound traffic from Moygashel had to travel eastwards along the A4 to the junction at the end of the M1 and from there join the westbound A4 traffic.

Following your discussions with Roads Service officials, at that time, additional signage was provided at the exit to the Linengreen retail park directing all traffic to return to the A4 and M1 via the A29 and Junction 15 (Stangmore Roundabout). This route adds approximately two kilometres to the return journey and is not considered to be unreasonable.

I further understand Roads Service also provided additional signage directing traffic south of Moygashel to gain access to the A4 westbound carriageway, via the Syerla Road underbridge and the Syerla Link Road to the A4 along Mullybrannon Road, which connects with the westbound carriageway on the south side of the route. This route adds approximately one kilometre to the return journey. Traffic counts confirm that this route is lightly used, as it carries approximately 700 vehicles per day.

Given the current low levels of traffic using the Syerla Link road and the fact that not all of that traffic uses the route to gain access to the westbound A4 carriageway and the associated costs, the provision of a flyover to convey traffic leaving Moygashel to the westbound A4 carriageway could not be justified.

Parking Tickets: County Tyrone

Lord Morrow asked the Minister for Regional Development to detail the number of parking tickets handed out in each town in County Tyrone over the last 12 months.

(AQW 21277/11-15)

Mr Kennedy: The number of Penalty Charge Notices (PCNs) issued in each main town in County Tyrone during the 12 months, to end February 2013, is detailed in the table below:-

Town	PCNs Issued	PCNs issued as percentage of Northern Ireland total
Strabane	2,019	1.9%
Omagh	4,179	3.8%
Cookstown	1,522	1.4%
Dungannon	2,036	1.9%

It should be noted that a further 174 PCNs were also issued during this period in various villages throughout the county.

Northern Ireland Water Chairman

Mr Allister asked the Minister for Regional Development, pursuant to AQW 20673/11-15, whether the information contained on the NI Water website as to the experience of its Chairman is accurate.

(AQW 21298/11-15)

Mr Kennedy: I am advised by NI Water that it has reviewed the information contained in the Chairman's profile on its website and acknowledges that the reference to 25 years of experience relates to both private and public sector roles.

However, it is also accepted that the information is not up-to-date and, as a matter of good governance, the NI Water Board has agreed that all director profiles should be reviewed on an annual basis to ensure they contain only relevant and consistent information. It is planned to republish revised profiles as soon as practicable.

Salt Boxes

Mr Ross asked the Minister for Regional Development to detail the locations of the public salt boxes in (i) Newtownabbey; (ii) Carrickfergus; and (iii) Larne Borough Council areas.

(AQW 21303/11-15)

Mr Kennedy: Details of the locations of salt boxes in the Newtownabbey, Carrickfergus and Larne Borough Council areas are available in the Assembly Library.

Salt Boxes

Mr Ross asked the Minister for Regional Development to outline the criteria used for the location of public salt boxes.

(AQW 21304/11-15)

Mr Kennedy: Salt bins or grit piles may be provided for use by the public, on a self help basis, on roads which do not qualify for inclusion onto the gritting schedule, providing the necessary criteria are met. There are no limits placed on the number of salt bins which may be provided, although they will not normally be provided within 100m of another bin.

Roads Service will consider the provision of a salt bin when the following criteria are met:

- the location in question must be on the publically maintained road network;
- the gradient of the road in question must be over 5 per cent;
- no reasonable alternative route shall be available; and
- the subject road attains a minimum overall score, derived using a specific formula, where points are awarded depending on road geometry, residential usage, community welfare and commercial usage.

Salt boxes can also be provided to schools that are regularly affected by severe wintry weather.

New bins will not be provided unless requested by a member of the public, who also agrees to spread the salt provided.

Salt Boxes

Mr Ross asked the Minister for Regional Development whether the criteria used for the location of public salt boxes has changed within the past five years.

(AQW 21305/11-15)

Mr Kennedy: I can confirm that the criteria used for the location of salt bins, which I outlined in my answer to AQW 21304/11-15, was amended in September 2010 to include the provision, upon request, of salt bins for rural schools.

Salt Boxes

Mr Ross asked the Minister for Regional Development what is the cost of providing a public salt box.

(AQW 21306/11-15)

Mr Kennedy: My Department's Roads Service has advised that the average cost of supplying and maintaining a grit box is approximately £167.00 for the first year, which includes the capital costs of the grit box and costs associated with the average winter replenishment cycle.

Precise details of costs cannot be provided for reasons of commercial sensitivity.

Salt Boxes

Mr Ross asked the Minister for Regional Development to detail the annual maintenance cost of public salt boxes in the (i) Newtownabbey; (ii) Carrickfergus; and (iii) Larne Borough Council areas.

(AQW 21307/11-15)

Mr Kennedy: My Department's Roads Service does not separately record details of costs incurred maintaining salt levels in salt boxes. However, based on records held, approximate costs have been calculated which are set out in the table below:

Borough Council	Number of salt boxes	Approximate annual maintenance cost
Newtownabbey	202	£10,500
Carrickfergus	77	£4,000
Larne	60	£4,500

Whilst the number of refills varies each year according to the prevailing weather conditions, an average of five refills has been assumed for the purposes of this exercise.

A6 Scheme

Mr Durkan asked the Minister for Regional Development for an update on progress of the A6 scheme.

(AQO 3738/11-15)

Mr Kennedy: I am pleased to advise the Member that I have recently received the Inspector's Report on the proposed A6 Londonderry to Dungiven dualling scheme. I intend to publish a statement on the way forward in due course after issues arising from the report have been fully examined and resolved.

The Investment Strategy for Northern Ireland 2011-2021 includes construction of a number of high priority schemes on the M2, A6 and A26, as part of a £390 million package funded through alternative finance in the period 2015/16 to 2020/21. However, a commitment to fund the revenue consequences of this roads package will be required, therefore, the timing will depend upon future resource budget settlements. In the event of alternative finance not being available, the scheme could be included, together with other priority schemes, in the bidding process for conventional funds, in the next Budget period.

Belfast on the Move

Dr McDonnell asked the Minister for Regional Development for an update on the current phase of Belfast On The Move.

(AQO 3739/11-15)

Mr Kennedy: The current phase of Belfast on the Move works began on 28 January and is progressing well, in line with my Department's programme.

Works on College Avenue and College Square East are nearing completion with the new road layouts, including a new southbound bus lane, planned to be introduced this week.

Works on Grosvenor Road and Great Victoria Street through to Wellington Place are also well advanced with the new road layouts, including a new northbound bus lane on Great Victoria Street through to Wellington Place, planned to be introduced by mid April.

The final part of the works will focus on Wellington Place, Donegall Square North, Donegall Square East and Chichester Street.

Despite the recent exceptionally adverse weather conditions which held up our resurfacing programme, I am confident that the remaining work to complete the final phase of the Sustainable Transport Enabling Measures, will be completed by the end of May this year.

DRD: Declan Gormley

Mr Brady asked the Minister for Regional Development what was the total cost of settling the recent legal case with Declan Gormley.

(AQO 3740/11-15)

Mr Kennedy: The Department does not yet have the details of the total legal fees. However, the terms of the settlement included an apology which was read out in Court on the 27 February 2013 and an agreement that the Department would pay Mr Gormley's reasonable legal costs to date. There will be no damages or compensation.

The Plaintiff's solicitors will submit a note of their fees and outlay in due course. These will then be considered by my department in consultation with the Departmental Solicitor's Office, prior to agreement and payment.

Tourism Signage Policy

Mr Storey asked the Minister for Regional Development for an update on the steps being taken to implement the recommendations from the review of the Tourism Signage Policy.

(AQO 3741/11-15)

Mr Kennedy: I can confirm that Roads Service is currently working in partnership with the Department of Enterprise, Trade and Investment (DETI) and the Northern Ireland Tourist Board (NITB), with a view to achieving a mutually agreeable and sustainable change to the current policy following the joint DETI/NITB review.

DRD Capital Works 2013-14: South Antrim

Mr Girvan asked the Minister for Regional Development what capital works are planned for the South Antrim constituency in the 2013/14 financial year.

(AQO 3742/11-15)

Mr Kennedy: I can advise that the detailed budget for the 2013/14 financial year has not yet been finalised and it is therefore not possible to provide details of future works programmes at this time.

Information on completed and proposed road schemes 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 address:

<http://www.drdni.gov.uk/index/publications-details.htm?docid=8571>

Railways: Larne Line

Mr Ross asked the Minister for Regional Development to outline the increase in passenger numbers on the Larne railway line over the last 12 months.

(AQO 3743/11-15)

Mr Kennedy: Translink advise that up to the end of their period 11 (17 February 2013) there have been 2,119,960 passenger journeys made on the Larne railway line. In the corresponding period in 2011/12 there were 1,923,416 journeys made. This is an increase of 196,544 journeys or more than a tenth over the last year.

The increase in passenger journeys covers both those paying fares and those on concessionary schemes.

Rivers Agency

Mr Copeland asked the Minister for Regional Development for his assessment of any proposal to transfer the Rivers Agency from the Department of Agriculture and Rural Development to his Department.

(AQO 3744/11-15)

Mr Kennedy: I support the proposal to transfer Rivers Agency to my Department, provided it is accompanied by reasonable funding. This will consolidate the three main drainage agencies within one Department and was one of the recommendations in the Executive's Review of Response to Flooding on 27th and 28th June 2012. I have written to the Minister of Agriculture and Rural Development urging her to support the proposal.

Department for Social Development

Industrial Injuries Benefit Tribunals

Mr Durkan asked the Minister for Social Development to detail the arrangements that exist for holding Industrial Injuries Benefit Tribunals outside of Omagh and Belfast.

(AQW 20747/11-15)

Mr McCausland (The Minister for Social Development): At this time there are no arrangements for holding Industrial Injuries Benefit Tribunals outside of Omagh and Belfast. However, The Appeals Service is currently assessing additional hearing venues.

Industrial Injuries Benefit Tribunals

Mr Durkan asked the Minister for Social Development how many Industrial Injuries Benefit Tribunal cases have been heard in (i) Omagh; and (ii) Belfast in the last twelve months.

(AQW 20748/11-15)

Mr McCausland: In the period 1 March 2012 to 28 February 2013, 35 Industrial Injuries Benefit Tribunal appeals were heard in Omagh and 138 were heard in Belfast.

Employment and Support Allowance

Mr Durkan asked the Minister for Social Development, over the last two years, how many people in each constituency were successful in their Employment Support Allowance (ESA) appeals but were called for reassessment by ESA within three months of the Appeals Service Decision.

(AQW 20749/11-15)

Mr McCausland: The Department is unable to provide the information requested regarding how many ESA claimants were called for a re-referral within three months of a successful appeal outcome, as this information is not currently available. The Chairman of the Tribunal records whether the decision made on appeal was either more or less advantageous than a previous decision. A more advantageous decision may increase the allowance or direct that a new award be made. A less advantageous decision may reduce the allowance or make no change to the original determination.

The following table details the overall number of ESA appeals that have received a final determination/ outcome and how many were successful in the last 2 years up to 31 January 2013. The selection of venues for appeal hearings is determined by the postal district within which the appellant resides. The data is only available by tribunal districts.

Tribunal District	1st April 2011 - 31st March 2012		1st April 2012 - 31st January 2013	
	Final Outcome	More Advantageous	Final Outcome	More Advantageous
Armagh	150	43	193	61
Ballymena	398	116	523	162
Ballymoney	72	35	89	29
Banbridge	114	29	131	40
Belfast	2,054	705	2,420	773
Coleraine	259	67	248	78
Cookstown	88	25	117	36
Craigavon	479	163	501	164
Downpatrick	224	66	228	80
Dungannon	292	105	249	74
Enniskillen	292	129	236	91
Limavady	120	60	134	46
Londonderry	505	235	517	213
Magherafelt	189	59	161	48
Newry	369	89	335	105
Newtownards	324	106	394	139
Omagh	270	112	234	87

Tribunal District	1st April 2011 - 31st March 2012		1st April 2012 - 31st January 2013	
	Final Outcome	More Advantageous	Final Outcome	More Advantageous
Strabane	119	49	176	73
Grand Total	6,318	2,193	6,886	2,299

Capital Works Projects

Mr McGlone asked the Minister for Social Development what capital works projects are currently being considered by his Department, including social housing projects.

(AQW 20955/11-15)

Mr McCausland: The Housing Executive plans to start a total of 3,275 new social homes across Northern Ireland over the two year period 2013/14 and 2014/15. This will complete the social housing element of the Programme for Government commitment to deliver 8,000 new social and affordable homes by 2015. The individual schemes are published on the Housing Executive's website at http://www.nihe.gov.uk/index/services/housing_need.htm.

The Social Security Agency is considering capital works in regards to modernising its local office network. This project is at a very early stage and a business case is being developed to consider all the potential options. The Agency is also considering any capital works that may be required to support the introduction of welfare reform.

On the Urban Regeneration front, the Department will be progressing a wide range of different capital schemes in the next 2 years. Details can be found on the Investment Strategy NI website – ISNI.gov.uk. The site is usefully organised on a regional basis.

Transgender Community

Ms Maeve McLaughlin asked Minister for Social Development, in terms of its legal obligation under Section 75 of the Northern Ireland Act 1998, how his Department consults with the transgender community.

(AQW 21066/11-15)

Mr McCausland: All consultations are conducted in accordance with the Department's Equality Scheme and its Section 75 consultee mailing list, which includes The Rainbow Coalition and the Coalition on Sexual Orientation, who represent the transgender community.

Housing Executive: Rent Arrears

Mr Copeland asked the Minister for Social Development (i) what proportion of Housing Executive tenants are in rent arrears; (ii) how this figure compares to the same period in each of the last five years; and (iii) what is the average level of arrears.

(AQW 21105/11-15)

Mr McCausland: The Housing Executive has provided the information below regarding the proportion of its tenants in rent arrears (i) at 28 February 2013; (ii) the previous five years; and (iii) the average level of rent arrears.

Date	% of tenants in rent arrears	Average level of arrears
28 February 2013	26.8%	£476
31 March 2012	26.7%	£462
31 March 2011	24.9%	£402
31 March 2010	25.7%	£399
31 March 2009	26.2%	£431
31 March 2008	26.7%	£449

The Information provided in this response is governed by the Principles and Protocols of the Code of Practice for Official Statistics. This is enforced by UK Statistics Authority.

Housing Executive, Housing Association and Private Rented Properties

Mr Copeland asked the Minister for Social Development to detail the proportion of households living in (i) Northern Ireland Housing Executive properties; (ii) housing association properties; and (iii) private rented properties assisted with housing benefits, in which there is no member of the household in paid employment.

(AQW 21107/11-15)

Mr McCausland: The Housing Executive has provided the information below regarding the proportion of households living in (i) Northern Ireland Housing Executive properties; (ii) housing association properties; and (iii) private rented properties assisted with housing benefits, in which there is no member of the household in paid employment.

Type of Tenure	Proportion of Housing Benefit claims where no member of household is in paid employment
Housing Executive	90%
Housing Associations	90%
Private Rented	87%

Note: The Information provided in this response is governed by the Principles and Protocols of the Code of Practice for Official Statistics. This is enforced by UK Statistics Authority.

DSD: Public Consultations

Mr Nesbitt asked the Minister for Social Development to detail (i) the number of public consultations undertaken by his Department, in each year since 2007; (ii) the type of consultation; and (iii) the total cost of each consultation.

(AQW 21146/11-15)

Mr McCausland: Please see the attached table which details the information you have requested

Year	Number of consultations
2007	16
2008	45
2009	25
2010	26
2011	33
2012	71
2013	59

Name of consultation	Type of consultation i.e. face to face, electronic etc	Cost of Consultation
Glen Road Development Framework	Public consultation. Costs relate to venue hire and hospitality for community consultation events.	£210.50
Physical Regeneration Concept Masterplans	Public consultation. Costs relate to venue hire and hospitality for community consultation events.	£19,053.80
Hesketh Park	Public consultation. Costs relate to venue hire and hospitality for community consultation events.	Included in Professional Fees no breakdown available. Consultation is normal part of every scheme which takes place.
Donegall Road/ Greater Village	Public consultation. Costs relate to venue hire and hospitality for community consultation events.	Included in Professional Fees no breakdown available. Consultation is normal part of every scheme which takes place.
Highfield Estate	Public consultation. Costs relate to venue hire and hospitality for community consultation events.	Included in Professional Fees no breakdown available. Consultation is normal part of every scheme which takes place.
Lanark Way/Cupar Way	Public consultation. Costs relate to venue hire and hospitality for community consultation events.	Included in Professional Fees no breakdown available. Consultation is normal part of every scheme which takes place.
Lenadoon Estate	Public consultation. Costs relate to venue hire and hospitality for community consultation events.	Included in Professional Fees no breakdown available. Consultation is normal part of every scheme which takes place.
Lower Shankill scheme	Public consultation. Costs relate to venue hire and hospitality for community consultation events.	Included in Professional Fees no breakdown available. Consultation is normal part of every scheme which takes place.

Name of consultation	Type of consultation i.e. face to face, electronic etc	Cost of Consultation
Sandy Row/Lower Donegal Road	Public consultation. Costs relate to venue hire and hospitality for community consultation events.	Included in Professional Fees no breakdown available. Consultation is normal part of every scheme which takes place.
Shankill Rd Tree Planting scheme	Public consultation. Costs relate to venue hire and hospitality for community consultation events.	Included in Professional Fees no breakdown available. Consultation is normal part of every scheme which takes place.
Suffolk Estate	Public consultation. Costs relate to venue hire and hospitality for community consultation events.	Included in Professional Fees no breakdown available. Consultation is normal part of every scheme which takes place.
Turf Lodge Banks	Public consultation. Costs relate to venue hire and hospitality for community consultation events.	Included in Professional Fees no breakdown available. Consultation is normal part of every scheme which takes place.
Victoria Parade	Public consultation. Costs relate to venue hire and hospitality for community consultation events.	Included in Professional Fees no breakdown available. Consultation is normal part of every scheme which takes place.
Ballygomartin Road	Public Open/Face to Face - Through Partnership and local community groups and all businesses and property owners directly affected by the scheme.	Included in Professional Fees no breakdown available. Consultation is normal part of every scheme which takes place.
Ballysillan Road	Public Open/Face to Face - Through Partnership and local community groups and all businesses and property owners directly affected by the scheme.	Included in Professional Fees no breakdown available. Consultation is normal part of every scheme which takes place.
Ballysillan Road D scheme Ballysillan Road E2 scheme	Public Open/Face to Face - Through Partnership and local community groups and all businesses and property owners directly affected by the scheme.	Included in Professional Fees no breakdown available. Consultation is normal part of every scheme which takes place.
Beersbridge Road tree planting	Public Open/Face to Face - Through Partnership and local community groups and all businesses and property owners directly affected by the scheme.	Included in Professional Fees no breakdown available. Consultation is normal part of every scheme which takes place.
Bloomfield Avenue tree planting	Public Open/Face to Face - Through Partnership and local community groups and all businesses and property owners directly affected by the scheme.	Included in Professional Fees no breakdown available. Consultation is normal part of every scheme which takes place.
Castlereagh St/ Beersbridge Rd/ Albertbridge Rd	Public Open/Face to Face - Through Partnership and local community groups and all businesses and property owners directly affected by the scheme.	Included in Professional Fees no breakdown available. Consultation is normal part of every scheme which takes place.
Cromac Street	Public Open/Face to Face - Through Partnership and local community groups and all businesses and property owners directly affected by the scheme.	Included in Professional Fees no breakdown available. Consultation is normal part of every scheme which takes place.
Crumlin Road	Public Open/Face to Face - Through Partnership and local community groups and all businesses and property owners directly affected by the scheme.	Included in Professional Fees no breakdown available. Consultation is normal part of every scheme which takes place.
Falls Road tree planting	Public Open/Face to Face - Through Partnership and local community groups and all businesses and property owners directly affected by the scheme.	Included in Professional Fees no breakdown available. Consultation is normal part of every scheme which takes place.

Name of consultation	Type of consultation i.e. face to face, electronic etc	Cost of Consultation
Glen Road A	Public Open/Face to Face - Through Partnership and local community groups and all businesses and property owners directly affected by the scheme.	Included in Professional Fees no breakdown available. Consultation is normal part of every scheme which takes place.
Glen Road B	Public Open/Face to Face - Through Partnership and local community groups and all businesses and property owners directly affected by the scheme.	Included in Professional Fees no breakdown available. Consultation is normal part of every scheme which takes place.
Glen Road D2	Public Open/Face to Face - Through Partnership and local community groups and all businesses and property owners directly affected by the scheme.	Included in Professional Fees no breakdown available. Consultation is normal part of every scheme which takes place.
Glen Road D4 scheme	Public Open/Face to Face - Through Partnership and local community groups and all businesses and property owners directly affected by the scheme.	Included in Professional Fees no breakdown available. Consultation is normal part of every scheme which takes place.
Glenwood/Woodside Estates	Public Open/Face to Face - Through Partnership and local community groups and all businesses and property owners directly affected by the scheme.	Included in Professional Fees no breakdown available. Consultation is normal part of every scheme which takes place.
Grosv Road, C'ville Road & A'Bridge Road	Public Open/Face to Face - Through Partnership and local community groups and all businesses and property owners directly affected by the scheme.	Included in Professional Fees no breakdown available. Consultation is normal part of every scheme which takes place.
Grosvenor Road tree planting	Public Open/Face to Face - Through Partnership and local community groups and all businesses and property owners directly affected by the scheme.	Included in Professional Fees no breakdown available. Consultation is normal part of every scheme which takes place.
Holywood Road/ Belmont Road	Public Open/Face to Face - Through Partnership and local community groups and all businesses and property owners directly affected by the scheme.	Included in Professional Fees no breakdown available. Consultation is normal part of every scheme which takes place.
Kennedy Way	Public Open/Face to Face - Through Partnership and local community groups and all businesses and property owners directly affected by the scheme.	Included in Professional Fees no breakdown available. Consultation is normal part of every scheme which takes place.
Lanark Way/Shankill Rd Junction	Public Open/Face to Face - Through Partnership and local community groups and all businesses and property owners directly affected by the scheme.	Included in Professional Fees no breakdown available. Consultation is normal part of every scheme which takes place.
Ligoniel Road tree planting	Public Open/Face to Face - Through Partnership and local community groups and all businesses and property owners directly affected by the scheme.	Included in Professional Fees no breakdown available. Consultation is normal part of every scheme which takes place.
Newtownards Road	Public Open/Face to Face - Through Partnership and local community groups and all businesses and property owners directly affected by the scheme.	Included in Professional Fees no breakdown available. Consultation is normal part of every scheme which takes place.
North Queen Street	Public Open/Face to Face - Through Partnership and local community groups and all businesses and property owners directly affected by the scheme.	Included in Professional Fees no breakdown available. Consultation is normal part of every scheme which takes place.

Name of consultation	Type of consultation i.e. face to face, electronic etc	Cost of Consultation
Nubia Street	Public Open/Face to Face - Through Partnership and local community groups and all businesses and property owners directly affected by the scheme.	Included in Professional Fees no breakdown available. Consultation is normal part of every scheme which takes place.
Ormeau Rd Widening	Public Open/Face to Face - Through Partnership and local community groups and all businesses and property owners directly affected by the scheme.	Included in Professional Fees no breakdown available. Consultation is normal part of every scheme which takes place.
Sally Gardens	Public Open/Face to Face - Through Partnership and local community groups and all businesses and property owners directly affected by the scheme.	Included in Professional Fees no breakdown available. Consultation is normal part of every scheme which takes place.
Shankill Rd Junctions	Public Open/Face to Face - Through Partnership and local community groups and all businesses and property owners directly affected by the scheme.	Included in Professional Fees no breakdown available. Consultation is normal part of every scheme which takes place.
St Comgalls	Public Open/Face to Face - Through Partnership and local community groups and all businesses and property owners directly affected by the scheme.	Included in Professional Fees no breakdown available. Consultation is normal part of every scheme which takes place.
Upper Crumlin Road tree planting	Public Open/Face to Face - Through Partnership and local community groups and all businesses and property owners directly affected by the scheme.	Included in Professional Fees no breakdown available. Consultation is normal part of every scheme which takes place.
West Circular Road tree planting	Public Open/Face to Face - Through Partnership and local community groups and all businesses and property owners directly affected by the scheme.	Included in Professional Fees no breakdown available. Consultation is normal part of every scheme which takes place.
Wheatfield Link	Public Open/Face to Face - Through Partnership and local community groups and all businesses and property owners directly affected by the scheme.	Included in Professional Fees no breakdown available. Consultation is normal part of every scheme which takes place.
Woodstock Link	Public Open/Face to Face - Through Partnership and local community groups and all businesses and property owners directly affected by the scheme.	Included in Professional Fees no breakdown available. Consultation is normal part of every scheme which takes place.
Woodvale Avenue	Public Open/Face to Face - Through Partnership and local community groups and all businesses and property owners directly affected by the scheme.	Included in Professional Fees no breakdown available. Consultation is normal part of every scheme which takes place.
Woodvale Cricket Club	Public Open/Face to Face - Through Partnership and local community groups and all businesses and property owners directly affected by the scheme.	Included in Professional Fees no breakdown available. Consultation is normal part of every scheme which takes place.
Woodvale Park	Public Open/Face to Face - Through Partnership and local community groups and all businesses and property owners directly affected by the scheme.	Included in Professional Fees no breakdown available. Consultation is normal part of every scheme which takes place.
Woodvale Park & Glen Road	Public Open/Face to Face - Through Partnership and local community groups and all businesses and property owners directly affected by the scheme.	Included in Professional Fees no breakdown available. Consultation is normal part of every scheme which takes place.

Name of consultation	Type of consultation i.e. face to face, electronic etc	Cost of Consultation
Woodvale Park Phase 2	Public Open/Face to Face - Through Partnership and local community groups and all businesses and property owners directly affected by the scheme.	Included in Professional Fees no breakdown available. Consultation is normal part of every scheme which takes place.
Woodvale Park/ Ballygomartin Road	Public Open/Face to Face - Through Partnership and local community groups and all businesses and property owners directly affected by the scheme.	Included in Professional Fees no breakdown available. Consultation is normal part of every scheme which takes place.
Ballygomartin Road/ Woodvale Park	Public Open/Face to Face - Through Partnership and local community groups and all businesses and property owners directly affected by the scheme.	Included in Professional Fees no breakdown available. Consultation is normal part of every scheme which takes place.
Ballysillan	Public Open/Face to Face - Through Partnership and local community groups and all businesses and property owners directly affected by the scheme.	Included in Professional Fees no breakdown available. Consultation is normal part of every scheme which takes place.
Ligoniel Road	Public Open/Face to Face - Through Partnership and local community groups and all businesses and property owners directly affected by the scheme.	Included in Professional Fees no breakdown available. Consultation is normal part of every scheme which takes place.
White's Rise/ Bogstown Glen	Public Open/Face to Face - Through Partnership and local community groups and all businesses and property owners directly affected by the scheme.	Included in Professional Fees no breakdown available. Consultation is normal part of every scheme which takes place.
Deanby Youth Club	Public Open/Face to Face - Through Partnership and local community groups and all businesses and property owners directly affected by the scheme.	Included in Professional Fees no breakdown available. Consultation is normal part of every scheme which takes place.
Forthriver Road tree planting	Public Open/Face to Face - Through Partnership and local community groups and all businesses and property owners directly affected by the scheme.	Included in Professional Fees no breakdown available. Consultation is normal part of every scheme which takes place.
Holywood Road tree planting	Public Open/Face to Face - Through Partnership and local community groups and all businesses and property owners directly affected by the scheme.	Included in Professional Fees no breakdown available. Consultation is normal part of every scheme which takes place.
Oldpark Road tree planting	Public Open/Face to Face - Through Partnership and local community groups and all businesses and property owners directly affected by the scheme.	Included in Professional Fees no breakdown available. Consultation is normal part of every scheme which takes place.
Springfield Road tree planting	Public Open/Face to Face - Through Partnership and local community groups and all businesses and property owners directly affected by the scheme.	Included in Professional Fees no breakdown available. Consultation is normal part of every scheme which takes place.
Woodstock Link tree planting scheme	Public Open/Face to Face - Through Partnership and local community groups and all businesses and property owners directly affected by the scheme.	Included in Professional Fees no breakdown available. Consultation is normal part of every scheme which takes place.
York Road/Shore Road tree planting scheme	Public Open/Face to Face - Through Partnership and local community groups and all businesses and property owners directly affected by the scheme.	Included in Professional Fees no breakdown available. Consultation is normal part of every scheme which takes place.

Name of consultation	Type of consultation i.e. face to face, electronic etc	Cost of Consultation
Albertbridge Gateway	Public Open/Face to Face - Through Partnership and local community groups and all businesses and property owners directly affected by the scheme.	Included in Professional Fees no breakdown available. Consultation is normal part of every scheme which takes place.
Albertbridge Planters	Public Open/Face to Face - Through Partnership and local community groups and all businesses and property owners directly affected by the scheme.	Included in Professional Fees no breakdown available. Consultation is normal part of every scheme which takes place.
Andersonstown Road	Public Open/Face to Face - Through Partnership and local community groups and all businesses and property owners directly affected by the scheme.	Included in Professional Fees no breakdown available. Consultation is normal part of every scheme which takes place.
Colin gateway	Public Open/Face to Face - Through Partnership and local community groups and all businesses and property owners directly affected by the scheme.	Included in Professional Fees no breakdown available. Consultation is normal part of every scheme which takes place.
Colin Mill shops	Public Open/Face to Face - Through Partnership and local community groups and all businesses and property owners directly affected by the scheme.	Included in Professional Fees no breakdown available. Consultation is normal part of every scheme which takes place.
Eversleigh Street play park	Public Open/Face to Face - Through Partnership and local community groups and all businesses and property owners directly affected by the scheme.	Included in Professional Fees no breakdown available. Consultation is normal part of every scheme which takes place.
Grosvenor Road shops	Public Open/Face to Face - Through Partnership and local community groups and all businesses and property owners directly affected by the scheme.	Included in Professional Fees no breakdown available. Consultation is normal part of every scheme which takes place.
Albertbridge/ Templemore Junction PREI Scheme	Public Open/Face to Face - Through Partnership and local community groups and all businesses and property owners directly affected by the scheme.	Included in Professional Fees no breakdown available. Consultation is normal part of every scheme which takes place.
Andersonstown Roundabout PREI Scheme	Public Open/Face to Face - Through Partnership and local community groups and all businesses and property owners directly affected by the scheme.	Included in Professional Fees no breakdown available. Consultation is normal part of every scheme which takes place.
Ardoyne Roundabout Ardoyne Shops Junction	Public Open/Face to Face - Through Partnership and local community groups and all businesses and property owners directly affected by the scheme.	Included in Professional Fees no breakdown available. Consultation is normal part of every scheme which takes place.
Ballysillan Park tree Planting	Public Open/Face to Face - Through Partnership and local community groups and all businesses and property owners directly affected by the scheme.	Included in Professional Fees no breakdown available. Consultation is normal part of every scheme which takes place.
Brucevale Park	Public Open/Face to Face - Through Partnership and local community groups and all businesses and property owners directly affected by the scheme.	Included in Professional Fees no breakdown available. Consultation is normal part of every scheme which takes place.
Castlereagh Street Virtual Shops	Public Open/Face to Face - Through Partnership and local community groups and all businesses and property owners directly affected by the scheme.	Included in Professional Fees no breakdown available. Consultation is normal part of every scheme which takes place.

Name of consultation	Type of consultation i.e. face to face, electronic etc	Cost of Consultation
Clifton Park Avenue Tree Planting	Public Open/Face to Face - Through Partnership and local community groups and all businesses and property owners directly affected by the scheme.	Included in Professional Fees no breakdown available. Consultation is normal part of every scheme which takes place.
Clifton Street Gateway PREI Scheme	Public Open/Face to Face - Through Partnership and local community groups and all businesses and property owners directly affected by the scheme.	Included in Professional Fees no breakdown available. Consultation is normal part of every scheme which takes place.
Clifton Street Graveyard	Public Open/Face to Face - Through Partnership and local community groups and all businesses and property owners directly affected by the scheme.	Included in Professional Fees no breakdown available. Consultation is normal part of every scheme which takes place.
Cliftonville Circus	Public Open/Face to Face - Through Partnership and local community groups and all businesses and property owners directly affected by the scheme.	Included in Professional Fees no breakdown available. Consultation is normal part of every scheme which takes place.
Cliftonville Community Centre	Public Open/Face to Face - Through Partnership and local community groups and all businesses and property owners directly affected by the scheme.	Included in Professional Fees no breakdown available. Consultation is normal part of every scheme which takes place.
Colin Glen Trust Fencing	Public Open/Face to Face - Through Partnership and local community groups and all businesses and property owners directly affected by the scheme.	Included in Professional Fees no breakdown available. Consultation is normal part of every scheme which takes place.
Conway Street PREI Scheme	Public Open/Face to Face - Through Partnership and local community groups and all businesses and property owners directly affected by the scheme.	Included in Professional Fees no breakdown available. Consultation is normal part of every scheme which takes place.
Cross Community Corridor PREI Scheme	Public Open/Face to Face - Through Partnership and local community groups and all businesses and property owners directly affected by the scheme.	Included in Professional Fees no breakdown available. Consultation is normal part of every scheme which takes place.
Divis Street Gateway PREI Scheme	Public Open/Face to Face - Through Partnership and local community groups and all businesses and property owners directly affected by the scheme.	Included in Professional Fees no breakdown available. Consultation is normal part of every scheme which takes place.
Donegal Road Pedestrian Island	Public Open/Face to Face - Through Partnership and local community groups and all businesses and property owners directly affected by the scheme.	Included in Professional Fees no breakdown available. Consultation is normal part of every scheme which takes place.
Donegal Road Roundabout	Public Open/Face to Face - Through Partnership and local community groups and all businesses and property owners directly affected by the scheme.	Included in Professional Fees no breakdown available. Consultation is normal part of every scheme which takes place.
Donegal Road Tourist Blades	Public Open/Face to Face - Through Partnership and local community groups and all businesses and property owners directly affected by the scheme.	Included in Professional Fees no breakdown available. Consultation is normal part of every scheme which takes place.
Everton Complex	Public Open/Face to Face - Through Partnership and local community groups and all businesses and property owners directly affected by the scheme.	Included in Professional Fees no breakdown available. Consultation is normal part of every scheme which takes place.

Name of consultation	Type of consultation i.e. face to face, electronic etc	Cost of Consultation
Gaeltacht Quarter PREI Scheme	Public Open/Face to Face - Through Partnership and local community groups and all businesses and property owners directly affected by the scheme.	Included in Professional Fees no breakdown available. Consultation is normal part of every scheme which takes place.
Giants Foot Scheme	Public Open/Face to Face - Through Partnership and local community groups and all businesses and property owners directly affected by the scheme.	Included in Professional Fees no breakdown available. Consultation is normal part of every scheme which takes place.
Glen Road Roundabout	Public Open/Face to Face - Through Partnership and local community groups and all businesses and property owners directly affected by the scheme.	Included in Professional Fees no breakdown available. Consultation is normal part of every scheme which takes place.
Gransha Shops PREI Scheme	Public Open/Face to Face - Through Partnership and local community groups and all businesses and property owners directly affected by the scheme.	Included in Professional Fees no breakdown available. Consultation is normal part of every scheme which takes place.
Infill and Replacment Tree Planting on Donegal Road	Public Open/Face to Face - Through Partnership and local community groups and all businesses and property owners directly affected by the scheme.	Included in Professional Fees no breakdown available. Consultation is normal part of every scheme which takes place.
Infill tree planting at Agnes and Northumberland Street	Public Open/Face to Face - Through Partnership and local community groups and all businesses and property owners directly affected by the scheme.	Included in Professional Fees no breakdown available. Consultation is normal part of every scheme which takes place.
Infill tree planting at Templemore Avenue	Public Open/Face to Face - Through Partnership and local community groups and all businesses and property owners directly affected by the scheme.	Included in Professional Fees no breakdown available. Consultation is normal part of every scheme which takes place.
Kennedy Way Roundabout	Public Open/Face to Face - Through Partnership and local community groups and all businesses and property owners directly affected by the scheme.	Included in Professional Fees no breakdown available. Consultation is normal part of every scheme which takes place.
Land at McSweeney Centre	Public Open/Face to Face - Through Partnership and local community groups and all businesses and property owners directly affected by the scheme.	Included in Professional Fees no breakdown available. Consultation is normal part of every scheme which takes place.
Monarch Laundry	Public Open/Face to Face - Through Partnership and local community groups and all businesses and property owners directly affected by the scheme.	Included in Professional Fees no breakdown available. Consultation is normal part of every scheme which takes place.
Mountforde Playground	Public Open/Face to Face - Through Partnership and local community groups and all businesses and property owners directly affected by the scheme.	Included in Professional Fees no breakdown available. Consultation is normal part of every scheme which takes place.
Mountpottinger Road/ Templemore Avenue Tree Planting Scheme	Public Open/Face to Face - Through Partnership and local community groups and all businesses and property owners directly affected by the scheme.	Included in Professional Fees no breakdown available. Consultation is normal part of every scheme which takes place.
New railings at Hamilton Sculptures	Public Open/Face to Face - Through Partnership and local community groups and all businesses and property owners directly affected by the scheme.	Included in Professional Fees no breakdown available. Consultation is normal part of every scheme which takes place.

Name of consultation	Type of consultation i.e. face to face, electronic etc	Cost of Consultation
Newtownards Road Shop Frontage	Public Open/Face to Face - Through Partnership and local community groups and all businesses and property owners directly affected by the scheme.	Included in Professional Fees no breakdown available. Consultation is normal part of every scheme which takes place.
North Belfast	Public Open/Face to Face - Through Partnership and local community groups and all businesses and property owners directly affected by the scheme.	Included in Professional Fees no breakdown available. Consultation is normal part of every scheme which takes place.
Oldpark Road PREI Scheme	Public Open/Face to Face - Through Partnership and local community groups and all businesses and property owners directly affected by the scheme.	Included in Professional Fees no breakdown available. Consultation is normal part of every scheme which takes place.
Ormeau Road Tree Planting	Public Open/Face to Face - Through Partnership and local community groups and all businesses and property owners directly affected by the scheme.	Included in Professional Fees no breakdown available. Consultation is normal part of every scheme which takes place.
Peters Hill Gateway PREI Scheme	Public Open/Face to Face - Through Partnership and local community groups and all businesses and property owners directly affected by the scheme.	Included in Professional Fees no breakdown available. Consultation is normal part of every scheme which takes place.
Pitch and Mitch Playpark	Public Open/Face to Face - Through Partnership and local community groups and all businesses and property owners directly affected by the scheme.	Included in Professional Fees no breakdown available. Consultation is normal part of every scheme which takes place.
PREI Scheme at 519 Falls Road (Old Barracks Site)	Public Open/Face to Face - Through Partnership and local community groups and all businesses and property owners directly affected by the scheme.	Included in Professional Fees no breakdown available. Consultation is normal part of every scheme which takes place.
PREI Scheme at Crumlin Road Courthouse	Public Open/Face to Face - Through Partnership and local community groups and all businesses and property owners directly affected by the scheme.	Included in Professional Fees no breakdown available. Consultation is normal part of every scheme which takes place.
PREI Scheme at Millenium Way	Public Open/Face to Face - Through Partnership and local community groups and all businesses and property owners directly affected by the scheme.	Included in Professional Fees no breakdown available. Consultation is normal part of every scheme which takes place.
Ravenhill Road Tree Planting	Public Open/Face to Face - Through Partnership and local community groups and all businesses and property owners directly affected by the scheme.	Included in Professional Fees no breakdown available. Consultation is normal part of every scheme which takes place.
Ravenhill/Short Strand Gateway PREI Scheme	Public Open/Face to Face - Through Partnership and local community groups and all businesses and property owners directly affected by the scheme.	Included in Professional Fees no breakdown available. Consultation is normal part of every scheme which takes place.
Replacement and Infill tree planting at Donegal Pass	Public Open/Face to Face - Through Partnership and local community groups and all businesses and property owners directly affected by the scheme.	Included in Professional Fees no breakdown available. Consultation is normal part of every scheme which takes place.
Springmartin Estate	Public Open/Face to Face - Through Partnership and local community groups and all businesses and property owners directly affected by the scheme.	Included in Professional Fees no breakdown available. Consultation is normal part of every scheme which takes place.

Name of consultation	Type of consultation i.e. face to face, electronic etc	Cost of Consultation
Suffolk Road Shops PREI Scheme	Public Open/Face to Face - Through Partnership and local community groups and all businesses and property owners directly affected by the scheme.	Included in Professional Fees no breakdown available. Consultation is normal part of every scheme which takes place.
Tree Planting Scheme at Glenn Road	Public Open/Face to Face - Through Partnership and local community groups and all businesses and property owners directly affected by the scheme.	Included in Professional Fees no breakdown available. Consultation is normal part of every scheme which takes place.
Upper Ardoyne Youth Centre	Public Open/Face to Face - Through Partnership and local community groups and all businesses and property owners directly affected by the scheme.	Included in Professional Fees no breakdown available. Consultation is normal part of every scheme which takes place.
Woodstock Road Virtual Shops	Public Open/Face to Face - Through Partnership and local community groups and all businesses and property owners directly affected by the scheme.	Included in Professional Fees no breakdown available. Consultation is normal part of every scheme which takes place.
Yard Men	Public Open/Face to Face - Through Partnership and local community groups and all businesses and property owners directly affected by the scheme.	Included in Professional Fees no breakdown available. Consultation is normal part of every scheme which takes place.
York/Shore Road PREI Scheme	Public Open/Face to Face - Through Partnership and local community groups and all businesses and property owners directly affected by the scheme.	Included in Professional Fees no breakdown available. Consultation is normal part of every scheme which takes place.
Albert Street PREI Scheme	Public Open/Face to Face - Through Partnership and local community groups and all businesses and property owners directly affected by the scheme.	Included in Professional Fees no breakdown available. Consultation is normal part of every scheme which takes place.
Avoca Street PREI Scheme	Public Open/Face to Face - Through Partnership and local community groups and all businesses and property owners directly affected by the scheme.	Included in Professional Fees no breakdown available. Consultation is normal part of every scheme which takes place.
Ballysillan Leisure Centre Boundary fencing	Public Open/Face to Face - Through Partnership and local community groups and all businesses and property owners directly affected by the scheme.	Included in Professional Fees no breakdown available. Consultation is normal part of every scheme which takes place.
Ballysillan Playpark	Public Open/Face to Face - Through Partnership and local community groups and all businesses and property owners directly affected by the scheme.	Included in Professional Fees no breakdown available. Consultation is normal part of every scheme which takes place.
Carrs Glen Link	Public Open/Face to Face - Through Partnership and local community groups and all businesses and property owners directly affected by the scheme.	Included in Professional Fees no breakdown available. Consultation is normal part of every scheme which takes place.
Castlereagh Street Linkage	Public Open/Face to Face - Through Partnership and local community groups and all businesses and property owners directly affected by the scheme.	Included in Professional Fees no breakdown available. Consultation is normal part of every scheme which takes place.
Central Station PREI Scheme	Public Open/Face to Face - Through Partnership and local community groups and all businesses and property owners directly affected by the scheme.	Included in Professional Fees no breakdown available. Consultation is normal part of every scheme which takes place.

Name of consultation	Type of consultation i.e. face to face, electronic etc	Cost of Consultation
Cooldarragh park Shopping Node	Public Open/Face to Face - Through Partnership and local community groups and all businesses and property owners directly affected by the scheme.	Included in Professional Fees no breakdown available. Consultation is normal part of every scheme which takes place.
Donegall Road/ Broadway	Public Open/Face to Face - Through Partnership and local community groups and all businesses and property owners directly affected by the scheme.	Included in Professional Fees no breakdown available. Consultation is normal part of every scheme which takes place.
Forfar Street Scheme	Public Open/Face to Face - Through Partnership and local community groups and all businesses and property owners directly affected by the scheme.	Included in Professional Fees no breakdown available. Consultation is normal part of every scheme which takes place.
Frontage Scheme at Lower Newtownards Road (BCC)	Public Open/Face to Face - Through Partnership and local community groups and all businesses and property owners directly affected by the scheme.	Included in Professional Fees no breakdown available. Consultation is normal part of every scheme which takes place.
Frontage Scheme at Ormeau Road (BCC)	Public Open/Face to Face - Through Partnership and local community groups and all businesses and property owners directly affected by the scheme.	Included in Professional Fees no breakdown available. Consultation is normal part of every scheme which takes place.
Hamiltons Sculptures	Public Open/Face to Face - Through Partnership and local community groups and all businesses and property owners directly affected by the scheme.	Included in Professional Fees no breakdown available. Consultation is normal part of every scheme which takes place.
Infill Tree planting Donegal Road	Public Open/Face to Face - Through Partnership and local community groups and all businesses and property owners directly affected by the scheme.	Included in Professional Fees no breakdown available. Consultation is normal part of every scheme which takes place.
Infill Tree Planting on Templemore Avenue	Public Open/Face to Face - Through Partnership and local community groups and all businesses and property owners directly affected by the scheme.	Included in Professional Fees no breakdown available. Consultation is normal part of every scheme which takes place.
Ladybrook Bus turning Circle	Public Open/Face to Face - Through Partnership and local community groups and all businesses and property owners directly affected by the scheme.	Included in Professional Fees no breakdown available. Consultation is normal part of every scheme which takes place.
Ladybrook Shopping Node	Public Open/Face to Face - Through Partnership and local community groups and all businesses and property owners directly affected by the scheme.	Included in Professional Fees no breakdown available. Consultation is normal part of every scheme which takes place.
Land Adjacent to Cloona house	Public Open/Face to Face - Through Partnership and local community groups and all businesses and property owners directly affected by the scheme.	Included in Professional Fees no breakdown available. Consultation is normal part of every scheme which takes place.
Limehill Grove Scheme	Public Open/Face to Face - Through Partnership and local community groups and all businesses and property owners directly affected by the scheme.	Included in Professional Fees no breakdown available. Consultation is normal part of every scheme which takes place.
Lower Newtownards Road Linkage	Public Open/Face to Face - Through Partnership and local community groups and all businesses and property owners directly affected by the scheme.	Included in Professional Fees no breakdown available. Consultation is normal part of every scheme which takes place.

Name of consultation	Type of consultation i.e. face to face, electronic etc	Cost of Consultation
Manor St/Oldpark Road Landscaped area	Public Open/Face to Face - Through Partnership and local community groups and all businesses and property owners directly affected by the scheme.	Included in Professional Fees no breakdown available. Consultation is normal part of every scheme which takes place.
Millenium Way	Public Open/Face to Face - Through Partnership and local community groups and all businesses and property owners directly affected by the scheme.	Included in Professional Fees no breakdown available. Consultation is normal part of every scheme which takes place.
Mount Vernon Community Garden and Park	Public Open/Face to Face - Through Partnership and local community groups and all businesses and property owners directly affected by the scheme.	Included in Professional Fees no breakdown available. Consultation is normal part of every scheme which takes place.
Mountpottinger Road PREI Scheme	Public Open/Face to Face - Through Partnership and local community groups and all businesses and property owners directly affected by the scheme.	Included in Professional Fees no breakdown available. Consultation is normal part of every scheme which takes place.
PREI Scheme Andersonstown Link	Public Open/Face to Face - Through Partnership and local community groups and all businesses and property owners directly affected by the scheme.	Included in Professional Fees no breakdown available. Consultation is normal part of every scheme which takes place.
PREI Scheme at Ballymacarrett Road and Cycle Paths	Public Open/Face to Face - Through Partnership and local community groups and all businesses and property owners directly affected by the scheme.	Included in Professional Fees no breakdown available. Consultation is normal part of every scheme which takes place.
PREI scheme at Bridgend	Public Open/Face to Face - Through Partnership and local community groups and all businesses and property owners directly affected by the scheme.	Included in Professional Fees no breakdown available. Consultation is normal part of every scheme which takes place.
PREI scheme at Denmark Link	Public Open/Face to Face - Through Partnership and local community groups and all businesses and property owners directly affected by the scheme.	Included in Professional Fees no breakdown available. Consultation is normal part of every scheme which takes place.
PREI Scheme at Roden Street Bridge	Public Open/Face to Face - Through Partnership and local community groups and all businesses and property owners directly affected by the scheme.	Included in Professional Fees no breakdown available. Consultation is normal part of every scheme which takes place.
Sandy Row/Linfield Junction	Public Open/Face to Face - Through Partnership and local community groups and all businesses and property owners directly affected by the scheme.	Included in Professional Fees no breakdown available. Consultation is normal part of every scheme which takes place.
Shankill Gateway PREI Scheme	Public Open/Face to Face - Through Partnership and local community groups and all businesses and property owners directly affected by the scheme.	Included in Professional Fees no breakdown available. Consultation is normal part of every scheme which takes place.
Shankill Lost Streets	Public Open/Face to Face - Through Partnership and local community groups and all businesses and property owners directly affected by the scheme.	Included in Professional Fees no breakdown available. Consultation is normal part of every scheme which takes place.
Shaws road Shopping Node	Public Open/Face to Face - Through Partnership and local community groups and all businesses and property owners directly affected by the scheme.	Included in Professional Fees no breakdown available. Consultation is normal part of every scheme which takes place.

Name of consultation	Type of consultation i.e. face to face, electronic etc	Cost of Consultation
Stockman's Lane roundabout	Public Open/Face to Face - Through Partnership and local community groups and all businesses and property owners directly affected by the scheme.	Included in Professional Fees no breakdown available. Consultation is normal part of every scheme which takes place.
The Ashton Centre	Public Open/Face to Face - Through Partnership and local community groups and all businesses and property owners directly affected by the scheme.	Included in Professional Fees no breakdown available. Consultation is normal part of every scheme which takes place.
Tree Planting Scheme at Glenn Road	Public Open/Face to Face - Through Partnership and local community groups and all businesses and property owners directly affected by the scheme.	Included in Professional Fees no breakdown available. Consultation is normal part of every scheme which takes place.
Tullycarnet Subways	Public Open/Face to Face - Through Partnership and local community groups and all businesses and property owners directly affected by the scheme.	Included in Professional Fees no breakdown available. Consultation is normal part of every scheme which takes place.
Tullymore Community Centre Garden	Public Open/Face to Face - Through Partnership and local community groups and all businesses and property owners directly affected by the scheme.	Included in Professional Fees no breakdown available. Consultation is normal part of every scheme which takes place.
Tyndale Grove PREI Scheme	Public Open/Face to Face - Through Partnership and local community groups and all businesses and property owners directly affected by the scheme.	Included in Professional Fees no breakdown available. Consultation is normal part of every scheme which takes place.
Upper Crumlin Road Junction Scheme	Public Open/Face to Face - Through Partnership and local community groups and all businesses and property owners directly affected by the scheme.	Included in Professional Fees no breakdown available. Consultation is normal part of every scheme which takes place.
Upper Oldpark Road Shops	Public Open/Face to Face - Through Partnership and local community groups and all businesses and property owners directly affected by the scheme.	Included in Professional Fees no breakdown available. Consultation is normal part of every scheme which takes place.
Wheatfield Link Fencing	Public Open/Face to Face - Through Partnership and local community groups and all businesses and property owners directly affected by the scheme.	Included in Professional Fees no breakdown available. Consultation is normal part of every scheme which takes place.
Woodbourne Phase3 Art Project	Public Open/Face to Face - Through Partnership and local community groups and all businesses and property owners directly affected by the scheme.	Included in Professional Fees no breakdown available. Consultation is normal part of every scheme which takes place.
Woodstock/ Albertbridge PREI Scheme	Public Open/Face to Face - Through Partnership and local community groups and all businesses and property owners directly affected by the scheme.	Included in Professional Fees no breakdown available. Consultation is normal part of every scheme which takes place.
Warm Homes	Face to Face/Electronic	£5,820
Private Rented Sector Strategy	Electronic	£300
Mortgage Rescue Scheme	Electronic	£550
Consultation on Housing Amendment Bill	Face to Face/Electronic	£317.55
House Sales Scheme	Electronic	NIL
Fuel Poverty Strategy	Face to Face/Electronic	£690.99

Name of consultation	Type of consultation i.e. face to face, electronic etc	Cost of Consultation
Policy to Support Owner Occupiers in Redevelopment Areas	Electronic	NIL
Fundamental Review of Houses in Multiple Occupation	Electronic	£300
Reviewing Support for Repair and Improvement in the Private Housing Sector	Electronic	£300
Consultation on Housing Strategy	Face to Face/Electronic	£1,914
Consultation on Interdepartmental Review of Housing Adaptations Services	Electronic	Cost not known at this time
Betting and Gaming Law – Proposed Changes including relaxation of Sunday restrictions	Public	NIL
Licensing and Registration of Clubs (Amendment) (Northern Ireland) Order 2007	Public	NIL
Consultation document on the number and location of Area Advice Centres	Public	£14,598.78
Join In, Get Involved: Build a Better Future	Public	£10,718.43
Draft Regeneration & Housing Bill	Public	£1,172.46
Regional Infrastructure Programme Review	Stakeholder	£552.30
Introduction of Powers to prohibit or restrict irresponsible alcohol promotions	Public	£972.32
Business Improvement Districts and Licensing of Pavement Cafés	Public	£1,280.50
Guidance on the provision of local generalist Voluntary Sector Advice	Stakeholder	£452.30
Sunday Trading Laws	Public	NIL

Name of consultation	Type of consultation i.e. face to face, electronic etc	Cost of Consultation
Review of Gambling Law	Public	£1465.41
Minimum Unit Pricing of alcohol	Public	£1222.32
Concordat between the Voluntary & Community Sector and the Northern Ireland Government	Stakeholder	£1,256
Irresponsible Drinks Promotions Regulations	Public	£968.70
Proposed changes to the law regulating the sale and supply of Alcohol in Northern Ireland.	Public	NIL
Street Trading and Pedlar Laws in compliance with European Services Directive	Public	£1245.24
Urban Regeneration & Community Development Policy Framework	Public	£93
Draft Masterplan for Crumlin Road Gaol and Girdwood Barracks	Public/Stakeholder/Face to Face	£9,290.59
Draft EQIA Crumlin Road Gaol & Girdwood Park Masterplan	Public	£6,012.87
Westside Masterplan (draft report)	Stakeholder	£9,393.84
Consultation on Access and Mobility Study for Belfast City Centre (draft report)	Public/Stakeholder/Face to Face	£2,984
Bank Square Consultation (Design proposals for Public Realm Scheme)	Public/Stakeholder	£4,998.75
Queen's Quay Draft Masterplan	Public/Face to Face/Stakeholder	Costs included in Consultancy Assignment therefore no separate costs available for consultancy process
BT1 Gateway & Library Square	Public/Stakeholder/Face to Face	Costs included in Consultancy Assignment therefore no separate costs available for consultancy process
Maximising Incomes and Outcomes – a Plan for Improving the Uptake of Benefits	Public Consultation	£1,016.77

Name of consultation	Type of consultation i.e. face to face, electronic etc	Cost of Consultation
Work Capability Assessment review – Call for Evidence Year 3	Public Consultation	nil
Work capability Assessment – Informal consultation on accounting for the effects of cancer treatments.	Public Consultation	Nominal*
Social Fund Reform Project – Public Consultation - Enniskillen	Face to Face Consultation	Nominal*
Social Fund Reform Project – Public Consultation - Londonderry	Face to Face Consultation	Nominal*
Social Fund Reform Project – Public Consultation - Coleraine	Face to Face Consultation	Nominal*
Social Fund Reform Project – Public Consultation - Belfast	Face to Face Consultation	Nominal*
Social Fund Reform Project – Public Consultation – Londonderry	Face to Face Consultation	Nominal*
Work Capability Assessment review – Call for Evidence Year 2	Public Consultation	Nominal*
Work Capability Assessment review – Call for Evidence Year 1	Public Consultation	Nominal*
Equality Impact Assessment (EQIA) on the closure of Cookstown Medical Examination Centre	Public Consultation	£1,000.00**
EQIA Initial Screening – Relocation of Corporation Street SSO and Gloucester House JobCentre	Public Consultation	£1,000.00**
EQIA Initial Screening – Relocation of Downpatrick SSO and Jobcentre	Public Consultation	£1,000.00**

Name of consultation	Type of consultation i.e. face to face, electronic etc	Cost of Consultation
EQIA Initial Screening – Decant of Newcastle SSO staff during Jobs & Benefits Office construction	Public Consultation	£1,000.00**
EQIA – Implementation arrangements for the Strategic Business Review	Public Consultation	£7,950.00
EQIA Initial Screening – Relocation of Downpatrick SSO and JobCentre	Public Consultation	£,1000.00**
EQIA Initial Screening – Relocation of Newtownards SSO and JobCentre	Public Consultation	£,1000.00**
EQIQ Screening Exercise – “Outreach Services for Older People”	Public Consultation	Nominal*
Proposed Changes to DSD National Statistics Benefit Publications	Internet based	Estimated internal costs-£1115
Consultations On the proposed withdrawal of national statistic Publications –Income related benefits estimates of take up Series northern Ireland	Internet based	Estimated internal costs-£2388
Family resource Survey and households below average income user consultation survey	Internet based	Estimated internal costs-£3273
Housing statistics and housing bulletin user consultation survey	Internet based	Estimated internal costs-£4244
Child Maintenance Bill EQIA	Post	£63.41
Child Maintenance Green Paper “Strengthening Families”, promoting Parental responsibility: the future of Child Maintenance	Email but 72 sent by post	£19.56
Disability Living Allowance Reform	Mostly by email but 32 by post Available online	£18.88

Name of consultation	Type of consultation i.e. face to face, electronic etc	Cost of Consultation
Equality Impact Assessment in relation to the Mesothelioma Bill	By post and available online	£246.22
Personal Independence Payment: Assessment thresholds and consultation	Mainly by email but 56 copies issued by post Available online	£61.60
The Child Support Maintenance Calculation Regulations 2013	Email	Nil
The Child Support Management of Payments and Arrears	email	nil
DLA Reform and Personal Independence Payment: completing the detailed design	Mainly by email but 60 issued by post Available online	£55.20
Supporting Separated Families: Securing Children's Futures	Email	nil
A State Pension for the 21st Century	Email with 60 hard copies	£44.00
Equality Impact Assessment "Proposals for a Pensions Bill"	Email with 60 hard copies	£55.00
The Single Tier Pension: a simple foundation for saving.	Email with 60 hard copies	£45.60
Draft Pensions Bill.	Email with 60 hard copies	£60.00
Social Fund: A New Approach	Email and post	£135.00
Housing Benefit Supporting People into Work – the next stage of HB Reform	Email and post	£135.00
Social Fund Debt, Credit and Low income households.	E mail and post	£135.00
Equality Impact Assessment on the Welfare Reform Bill (NI) 2012.	E mail and post	Direct mail to 65 organisations & available electronically on Departmental website. Estimated cost of postage.£80.60
Bereavement Benefit for the 21st Century	Email and post	DWP consultation Paper issued electronically to 44 consultees in Northern Ireland
Support for Mortgage Interest – Call for Evidence		nil

Name of consultation	Type of consultation i.e. face to face, electronic etc	Cost of Consultation
Preparing for automatic enrolment Regulatory differences between occupational and workplace personal pensions.		nil
Automatic enrolment earnings thresholds review and revision 20/12-13.		nil
Meeting future workplace pension challenges improving transfers and dealing with small pension pots.		nil
Automatic enrolment earnings thresholds review and revision 2013/2014.		nil
Supporting automatic enrolment. A call for evidence on the impact of the annual contribution limit and the restrictions on transfers on the National Employment Savings Trust.		nil
Welfare Reform 21st Century Welfare		nil
Universal credit- Welfare that Works		nil
Derry City Center Public Realm	Public Consultation	Commitment included in the consultancy assignment therefore no separate cost available
Strabane Limavady Masterplan	Public Consultation	Commitment included in the consultancy assignment therefore no separate cost available
Limavady Masterplan	Public Consultation	Commitment included in the consultancy assignment therefore no separate cost available
Clondermot	Public Consultation	Commitment included in the consultancy assignment therefore no separate cost available
Omagh Town Centre Masterplan	Public Consultation	Commitment included in the consultancy assignment therefore no separate cost available
Ballymena Masterplan	Public Consultation	Commitment included in the consultancy assignment therefore no separate cost available
Armagh City Centre Masterplan	Public Consultation	Commitment included in the consultancy assignment therefore no separate cost available

Name of consultation	Type of consultation i.e. face to face, electronic etc	Cost of Consultation
Dungannon Masterplan	Public Consultation	Commitment included in the consultancy assignment therefore no separate cost available
Antrim Masterplan	Public Consultation	Commitment included in the consultancy assignment therefore no separate cost available
Downpatrick Masterplan	Public Consultation	Commitment included in the consultancy assignment therefore no separate cost available
Larne Masterplan	Public Consultation	Commitment included in the consultancy assignment therefore no separate cost available
Lisburn Masterplan	Public Consultation	Commitment included in the consultancy assignment therefore no separate cost available
Carrickfergus Masterplan	Public Consultation	Commitment included in the consultancy assignment therefore no separate cost available
Craigavon Masterplan	Public Consultation	Commitment included in the consultancy assignment therefore no separate cost available
Newtownards Masterplan	Public Consultation	Commitment included in the consultancy assignment therefore no separate cost available
Bangor Masterplan	Public Consultation	Commitment included in the consultancy assignment therefore no separate cost available
Ballyclare & Glengormley Masterplan	Public Consultation	Commitment included in the consultancy assignment therefore no separate cost available
Newry Town Centre Masterplan	Public Consultation	Commitment included in the consultancy assignment therefore no separate cost available
Magherafelt Masterplan	Public Consultation	Commitment included in the consultancy assignment therefore no separate cost available
Coleraine Masterplan	Public Consultation	Commitment included in the consultancy assignment therefore no separate cost available
Enniskillen Masterplan	Public Consultation	Commitment included in the consultancy assignment therefore no separate cost available
South-East Coast Masterplan	Public Consultation	Commitment included in the consultancy assignment therefore no separate cost available

St Patrick's Day Event Funding

Mr Weir asked the Minister for Social Development which St Patrick's Day events his Department funds; and how much funding is provided in each case.

(AQW 21155/11-15)

Mr McCausland: The Department for Social Development did not fund any St Patrick's Day events in 2013

Volunteering Infrastructure

Mr B McCrea asked the Minister for Social Development, pursuant of AQW 20256/11-15, which volunteering organisations he has met over the last six months; and whether any of these meetings dealt with matters associated with the volunteering infrastructure.

(AQW 21160/11-15)

Mr McCausland: In my capacity as Minister with lead responsibility for volunteering I have attended and spoken at numerous events where I would have had contact with representatives from voluntary and volunteering organisations.

I have not met with any volunteering organisations over the last six months regarding volunteering infrastructure although my officials have had regular contact with volunteering organisations on volunteering matters including volunteering infrastructure.

Disability Living Allowance, Employment and Support Allowance and Carer's Allowance

Mr Durkan asked the Minister for Social Development how many people receive (i) Disability Living Allowance; (ii) Employment Support Allowance; and (iii) Carers Allowance.

(AQW 21190/11-15)

Mr McCausland: The table below shows the number of recipients of each benefit as at November 2012.

Benefit	Recipients
Disability Living Allowance	192,280
Employment Support Allowance	53,740
Carers Allowance	38,230

Note: The Information provided in this response is governed by the Principles and Protocols of the Code of Practice for Official Statistics. This is enforced by UK Statistics Authority.

DSD: Advice Services

Mr Durkan asked the Minister for Social Development how much funding his Department has provided to (i) advice services; and (ii) the independent advice sector, in each of the last five years.

(AQW 21192/11-15)

Mr McCausland: All advice services funded by my Department are provided by the independent advice sector. This funding provides advice services and support at regional and frontline level on a range of issues.

In addition the Social Security Agency's Benefit Uptake Programme includes a range of uptake activities delivered through competitive tendering.

Details of funding over the last five years are in the table below.

Year	Funding for Advice Services	Funding to the Independent Advice Sector
2008/09	£4,882,447	£4,882,447
2009/10	£4,931,940	£4,931,940
2010/11	£4,747,030	£4,747,030
2011/12	£4,949,828	£4,949,828
2012/13	£4,906,574	£4,906,574
Total	£24,417,819	£24,417,819

Disability Living Allowance

Mr Durkan asked the Minister for Social Development, should the Welfare Reform Bill be enacted, how many Disability Living Allowance claimants, who are on a fixed term benefit, will have to apply for personal independent payment in June 2013.

(AQW 21195/11-15)

Mr McCausland: Personal Independence Payment is a new benefit which will replace Disability Living Allowance for working age claimants (16 – 64). Subject to the Welfare Reform Bill successfully completing its passage through the Assembly, it is now anticipated that Personal Independence Payment will be introduced in Northern Ireland in autumn 2013

There are 14,000 existing Working Age Disability Living Allowance claimants on fixed term awards and the Social Security Agency will be contacting those claimants in good time, some 20 weeks in advance of their Disability Living Allowance award ending to advise when they will need to apply for Personal Independence Payment and how to make a claim.

Underoccupancy Penalty: Exemptions

Mr Agnew asked the Minister for Social Development how much it would cost to exempt from the under occupancy penalty (i) people with disabilities, where the house has been adapted to suit the individual's needs; (ii) families and individuals with disabilities who require additional rooms; (iii) people with caring responsibilities; (iv) foster carers; (v) people for whom the Department cannot provide suitable alternative and smaller accommodation; (vi) parents with caring responsibilities who are not the primary carers of their children; (vii) grandparents; (viii) parents with children who are attending university; and (ix) parents with children in the armed forces.

(AQW 21255/11-15)

Mr McCausland: Due to the wide variation of personal circumstances for claimants in receipt of Housing Benefit it is not possible to provide costs for the aforementioned specific groups. Taking the examples of grandparents and parents with children in the armed forces, for instance, the Northern Ireland Housing Executive would not be able to readily extrapolate statistics for those categories from their existing IT systems. Whilst the IT systems are designed to extrapolate data for high-level statistics, there are limitations to its use. In the absence of such detailed statistics, it is not possible to apply costs to the specific categories which you have identified.

Whilst I have not yet had time to fully consider the detail of Iain Duncan Smith's recent proposals in respect of exemptions and how they might impact in Northern Ireland, I am conscious that because of the potential difficulties here the additional resources for Discretionary Housing Payments previously announced will be a major factor in ensuring that the provisions can be implemented here. In my ongoing discussions on Welfare Reform with Lord Freud amongst others, I will be seeking to ensure that there are sufficient Discretionary Housing Payments available to assist those households who may require financial assistance to meet the shortfall in their rents.

Underoccupancy Penalty

Mr Agnew asked the Minister for Social Development for an estimate of the cost of administering the under-occupancy penalty.

(AQW 21257/11-15)

Mr McCausland: The costs of administering the Housing Benefit size criteria rules have not yet been estimated.

Universal Credit System

Mr Durkan asked the Minister for Social Development whether the expected Universal Credit system will allow payment to be made to claimants during the reconsideration stage, should they lose an element of their benefit.

(AQW 21260/11-15)

Mr McCausland: There is provision in the Northern Ireland Welfare Reform Bill to introduce changes to the appeals process so that claimants must seek a revision of a disputed decision before making an appeal to a tribunal.

The aim of a mandatory reconsideration is to ensure that the decision on a claimant's benefit is correct and to speed up decision making for the claimant so that the Department can revisit a case and, where necessary, correct the decision rather than have to wait for it to go to a tribunal.

Under existing provisions, if a claimant is refused benefit and requests a revision of that decision, benefit is not paid pending the consideration of that request. This will be carried forward into Universal Credit.

As the Universal Credit award will comprise a number of elements, those elements which are not subject to reconsideration will be paid. This will allow, for example, for the protection of a claimant's housing costs while the decision on their entitlement to the limited capability for work element is being reconsidered.

Another decision maker will review the original decision, requesting extra information or evidence as required, and where appropriate, correct the decision without the need for an appeal. Where a decision is revised following reconsideration, payment will be made in accordance with the revised decision.

Employment and Support Allowance

Mr Durkan asked the Minister for Social Development whether, under the welfare reform changes, Employment Support Allowance claimants, who have their claim disallowed, will be entitled to have their benefit paid to them during the reconsideration stage.

(AQW 21261/11-15)

Mr McCausland: Under new proposed welfare reform changes, Employment Support Allowance (ESA) claimants, who have their claim disallowed, will not have an entitlement to ESA during the reconsideration stage. This does not represent a change from existing arrangements for those claimants who choose to challenge a decision to disallow ESA by opting to have a reconsideration undertaken of the original decision. However, where the decision is subject to a formal appeal, a claimant can seek a pending-appeal award of ESA from the date the appeal is lodged plus arrears for the "gap" period (ie the period between date of the claim being disallowed and the date of lodgement of appeal).

The proposed welfare reform changes will also introduce a new rule that will require mandatory reconsideration of the benefit decision before a case goes to formal appeal. This change is intended to help reduce the number of people who have to go to

appeal by introducing a formal review stage allowing them to submit additional information and having the case reviewed by someone not involved in the original decision. The 'mandatory reconsideration before appeals' rule is due to be introduced for ESA in October 2013.

Employment and Support Allowance

Mr Durkan asked the Minister for Social Development how many people in Derry are currently claiming Employment Support Allowance.

(AQW 21263/11-15)

Mr McCausland: The most recent published figures show that at November 2012, in the Local Government District of Londonderry, there were a total of 4,440 people claiming Employment and Support Allowance.

The Information provided in this response is governed by the Principles and Protocols of the Code of Practice for Official Statistics. This is enforced by UK Statistics Authority.

Housing Waiting List: North Down

Mr Weir asked the Minister for Social Development how many people are on the housing waiting list in North Down, broken down by electoral ward.

(AQW 21287/11-15)

Mr McCausland: The information is not available in the format requested as the Housing Executive does not routinely collate data by Electoral Ward. However, the Housing Executive has provided details of the waiting list, including the numbers in Housing Stress, in its Bangor District Office for the last five financial years and the current year (at 1 March 2013) as set out in the table below: -

Position at:-	Total Applicants	Applicants in Housing Stress (30 points or more)
31 March 2008	1,913	1,011
31 March 2009	1,930	1,006
31 March 2010	1,885	958
31 March 2011	1,323	748
31 March 2012	2,197	1,081
1 March 2013	2,406	1,194

The Information provided in this response is governed by the Principles and Protocols of the Code of Practice for Official Statistics. This is enforced by UK Statistics Authority.

One- and Two-bedroom Houses

Mrs D Kelly asked the Minister for Social Development for his assessment of the need for one and two bedroom houses in each Housing District area of Upper Bann; and what plans he has to meet these needs.

(AQW 21292/11-15)

Mr McCausland: The Housing Executive has advised that the Upper Bann Parliamentary Constituency consists of their District Office areas of Lurgan, Portadown and part of Banbridge.

Waiting list demand is reported by household type rather than bedrooms required. Typically one and two bedroom houses are allocated to single persons, small adult households and lone parents/small families (subject to the ages and sexes of the children). Elderly applicants can also be allocated one or two bed properties but they would not be adversely impacted by under occupation under Welfare Reform.

The household composition of first preference housing applicants on the social housing waiting list across the three District Office areas is detailed in the table below.

Table 1 – Household Composition of Housing Applicants

District Office Area		Single Person	Small Adult	Small Family	Elderly
Lurgan	Total Applicants	487	90	340	171
	Housing Stress	196	38	136	99
	Allocations	82	9	72	25

District Office Area		Single Person	Small Adult	Small Family	Elderly
Portadown	Total Applicants	346	66	209	120
	Housing Stress	99	9	50	48
	Allocations	74	22	60	29
Banbridge	Total Applicants	265	50	134	108
	Housing Stress	113	19	53	69
	Allocations	80	7	40	21

Notes: Waiting list figures as at December 2012

Allocation figures December 2011 to December 2012

The Housing Executive currently owns a total of 1,075 one bed and 2,360 two bed dwellings across all three District Office areas. The majority of waiting list demand is met through social housing allocations (521 for the period December 2011 to December 2012). With Welfare Reform, I recognised the potential for under occupation within current housing stock and the need for additional one bed units. I instructed the Housing Executive, who manage the Social Housing Development Programme, to ensure that Housing Associations bring forward additional single units over the next three years. The current Social Housing Development Programme for the three District Office areas currently comprises seven schemes totalling 67 units. The housing mix for these schemes allows for three one bed and 34 two bed units. However, these numbers may be subject to change as designs evolve.

The Information provided in this response is governed by the Principles and Protocols of the Code of Practice for Official Statistics. This is enforced by UK Statistics Authority.

Owner-occupier Grants

Mr Weir asked the Minister for Social Development what grants are available through his Department for owner occupiers who wish to improve insulation, treat damp or make general home improvements.

(AQW 21317/11-15)

Mr McCausland: The Housing Executive has advised that the current grants/schemes available to owner occupiers are as follows:

- Renovation Grants/Home Repairs Assistance Grants
 - only available in exceptional circumstances to improve homes where there is imminent and significant risk to the health and safety of the occupants
- Warm Homes Scheme
 - To provide loft and cavity wall insulation, and to provide new heating where none exists or to replace Economy 7 heating with oil or gas
- Boiler Replacement Scheme
 - To replace old, inefficient boilers which are more than 15 years old in owner occupied homes

Employment and Support Allowance

Mr Weir asked the Minister for Social Development to detail the number of phone calls to the Employment Support Allowance ongoing-claims phone number, in each of the last three years; and what steps have been taken to ensure that there are sufficient staff to deal with the volume of calls.

(AQW 21318/11-15)

Mr McCausland: The Employment and Support Allowance Centre operates two telephone lines for claimants and their representatives; a 0800 number for making a claim and a 0845 number that handles calls about an existing claim when someone wants to report a change of circumstances or has a general enquiry about a claim.

The tables below detail the number of phone calls received by the Employment and Support Allowance Centre in each of the last three years, along with the response rates:

0800 Claim Line

Year	Calls received	Response rate
2010/11	53,642	92.8%
2011/12	61,017	92.9%
April 2012 – February 2013	49,882	91.8%

0845 Enquiry Line

Year	Calls received	Response rate
2010/11	235,783	92.6%
2011/12	249,392	91.3%
April 2012 – February 2013	233,631	90.7%

The Social Security Agency's Integrated Complementing System is used to determine appropriate staffing levels for the Employment and Support Allowance telephone lines. The Integrated Complementing System determines the appropriate staff resource for each of the Social Security Agency's benefit activities which is an accepted, HM Treasury approved, methodology. While the Employment and Support Allowance centre operates within this model the staffing levels allocated are kept under constant review and when demand to answer telephone calls fluctuate the number of call handlers can be increased using trained staff from other areas across the Centre.

Discretionary Housing Payment Budget

Mr Agnew asked the Minister for Social Development to detail the discretionary housing payment budget for each of the last three years; and the projected budget for the next three years.

(AQW 21353/11-15)

Mr McCausland: Discretionary Housing Budget is detailed in the table below.

Year	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
DHP Budget (m)	£1.142	£1.713	£3.426	£6.944	£5.939	£4.431	£4.431

Landlord Registration

Mr Durkan asked the Minister for Social Development (i) when Landlord Registration is due to commence; (ii) whether a decision has been taken on who will be the scheme registrar; and (iii) what stakeholder engagement his Department has had in relation to the running of this scheme.

(AQW 21516/11-15)

Mr McCausland: I informed the Assembly on 15 January 2013 that it was intended that a landlord registration system would be ready by the summer. Officials are still working to this date. As to the design of the system and the appointment of a Registrar no final decision has been taken.

Early in the development of the Landlord Registration Regulations, the Department established a stakeholder forum representative of key stakeholder bodies in the private rented sector. This forum assisted the Department in the drafting of the Regulations.

Underoccupancy Penalty

Ms Brown asked the Minister for Social Development to outline the level of protection that tenants with disabilities can expect following the introduction of the under occupancy penalty.

(AQO 3755/11-15)

Mr McCausland: While I am supportive of the need for reform of the benefit system where it seeks to support people back into work and offer help to those who are genuinely in need of assistance, I am also very aware of the concerns people have about the Welfare Reform proposals and the need to protect the vulnerable in our society.

Generally, there will be no exceptions to the application of the size criteria rules for tenants with a disability, although there will be certain cases (such as those in supported housing) where the restrictions will not apply. The size criteria will allow a disabled claimant or partner who needs a non-resident overnight carer an extra room. If there is another reason that an extra room is necessary, help may be available through the Discretionary Housing Payments Scheme.

Many houses in Northern Ireland will already be adapted to the needs of disabled occupants so it will not always be practical or cost effective for many disabled people to move to alternative accommodation. In such cases it may be more appropriate to use Discretionary Housing Payments to make up the shortfall in their rent.

Financial support to tenants by way of Discretionary Housing Payments could, for example, act as a safety net for claimants who need to find alternative accommodation, or longer term support for claimants who are less able to move to new accommodation. They offer flexibility and are based on local decisions which can be targeted as needed. To this end, I have already increased the budget allocated to the Discretionary Housing Payment scheme over the next number of years.

This includes additional funding specifically targeted at those living in accommodation that has been significantly adapted for their needs (including new builds).

Dereliction: Dungiven

Mr Ó hOisín asked the Minister for Social Development what steps he is taking to deal with dereliction in Dungiven.
(AQO 3756/11-15)

Mr McCausland: Dungiven has a population of approximately 3,000 and is therefore defined as rural by the Northern Ireland Statistics and Research Agency. As Dungiven is not defined as an urban settlement, DSD does not have a role in its regeneration as we focus solely on regeneration of urban areas. Responsibility for the regeneration of rural areas lies with the Department for Agriculture and Rural Development.

Rural Housing: South Armagh

Ms Fearon asked the Minister for Social Development what his Department is doing to deal with the unfitness of rural properties in the South Armagh area.
(AQO 3757/11-15)

Mr McCausland: The Housing Executive operates a specific Rural Plan and the latest plan covering the period 2013 – 2015 will be launched in May 2013. The Rural Action Plan is designed to ensure that rural areas get their “fair share” of available resources.

The 2011 House Condition Survey estimated that there were some 35,200 dwellings that were statutorily unfit in Northern Ireland. This represents a headline rate of 4.6 per cent.

Unfitness figures by District Councils cannot be provided until later this year as work is underway to produce modelled estimates.

However, I would say to the Member that if she has a particular issue in her own constituency to approach me with details and I can investigate.

Double Glazing Window Replacement Schemes

Ms P Bradley asked the Minister for Social Development for an update on the implementation of the Programme for Government commitment to install double glazing in all Housing Executive homes by 2015, particularly in relation to the Newtownabbey 1 district area.
(AQO 3758/11-15)

Mr McCausland: The Housing Executive plans to complete the programme of installing double glazing in all its stock by 2015 in line with the Programme for Government target. They intend to achieve the target of 8,600 dwellings to have double glazing installed this year. This target includes 1134 dwellings in Newtownabbey which had double glazing installed as follows: -

- | | |
|------------------------------|---|
| ■ 250 dwellings in Ballyduff | ■ 621 dwellings in Rathcoole |
| ■ 58 dwellings in Bawnmore | ■ 165 dwellings in Ballyclare |
| ■ 38 dwellings in Longlands | ■ 2 individual dwellings in Glengormley |

There are a further 9,000 dwellings programmed for 2013/14 and the remaining 4,000 approximately are programmed to be completed in 2014/15. This will include 387 dwellings in its Newtownabbey District Office areas as follows: -

- 81 dwellings in Rathcoole
- 55 dwellings in Monkstown
- 16 dwellings in Mossley
- 234 dwellings in New Mossley
- 1 dwelling in Queens Park

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.

Revised Written Answers

Department of Education

In Bound Volume 81, page WA 92, please replace AQW 18560/11-15 with:

Education and Library Boards: Expenditure

Mr Storey asked the Minister of Education to outline expenditure on (i) maintenance; and (ii) minor works by each Education and Library Board in each of the last three years up to 31 December 2012.

(AQW 18560/11-15)

Mr O'Dowd (The Minister of Education): The expenditure on (i) maintenance; and (ii) minor works in each of the education and library board areas in each of the last three years up to 31 December 2012 is as follows:

		BELB	WELB	NEELB	SEELB	SELB
2010/11 (£000s)	(i) Maintenance	9,689	7,075	8,046	7,628	8,524
	(ii) Minor Works	12,327	6,451	5,538	5,856	8,613
2011/12 (£000s)	(i) Maintenance	10,875	5,946	7,089	5,354	7,731
	(ii) Minor Works	20,529	6,067	8,275	11,113	10,138
1 April to 31 December 2012	(i) Maintenance	12,045	3,530	4,809	5,917	7,175
	(ii) Minor Works	9,027	6,907	4,837	7,961	4,461
Total	(i) Maintenance	32,609	16,551	19,944	18,899	23,430
	(ii) Minor Works	41,883	19,425	18,650	24,930	23,212

The estimate of anticipated expenditure on (i) maintenance; and (ii) minor works in each education and library board area in the 2012/13 financial year is as follows:

£000s	BELB	WELB	NEELB	SEELB	SELB
(i) Maintenance	14,160	8,188	8,516	6,882	9,482
(ii) Minor Works*	20,259	9,735	9,976	13,225	11,072

* Minor works figure does not include anticipated voluntary sector expenditure from 1 January to 31 March 2013. Funding will continue to be allocated as projects progress through planning stages up until 31 March 2013.

Department of Education

In Bound Volume 81, page WA 93, please replace AQW 18561/11-15 with:

Education and Library Boards: Anticipated Expenditure

Mr Storey asked the Minister of Education for an estimate of the anticipated expenditure on (i) maintenance; and (ii) minor works by each Education and Library Board in the 2012/13 financial year.

(AQW 18561/11-15)

Mr O'Dowd (The Minister of Education): The expenditure on (i) maintenance; and (ii) minor works in each of the education and library board areas in each of the last three years up to 31 December 2012 is as follows:

		BELB	WELB	NEELB	SEELB	SELB
2010/11	(iii) Maintenance	9,689	7,075	8,046	7,628	8,524
(£000s)	(iv) Minor Works	12,327	6,451	5,538	5,856	8,613
2011/12	(iii) Maintenance	10,875	5,946	7,089	5,354	7,731
(£000s)	(iv) Minor Works	20,529	6,067	8,275	11,113	10,138
1 April to 31 December 2012	(iii) Maintenance	12,045	3,530	4,809	5,917	7,175
	(iv) Minor Works	9,027	6,907	4,837	7,961	4,461
TOTAL	(iii) Maintenance	32,609	16,551	19,944	18,899	23,430
	(iv) Minor Works	41,883	19,425	18,650	24,930	23,212

The estimate of anticipated expenditure on (i) maintenance; and (ii) minor works in each education and library board area in the 2012/13 financial year is as follows:

£000s	BELB	WELB	NEELB	SEELB	SELB
(iii) Maintenance	14,160	8,188	8,516	6,882	9,482
(iv) Minor Works*	20,259	9,735	9,976	13,225	11,072

* Minor works figure does not include anticipated voluntary sector expenditure from 1 January to 31 March 2013. Funding will continue to be allocated as projects progress through planning stages up until 31 March 2013.

Department of the Environment

In Bound Volume 82, page WA 260, please replace AQW 17841/11-15 with:

National Parks

Mr McMullan asked the Minister of the Environment, pursuant to AQW 16919/11-15, to list the parties with whom he had private meetings; and to detail the content and outcomes of these meetings.

(AQW 17841/11-15)

Mr Attwood (The Minister of the Environment): I have met with a wide variety of groups, including the Ulster Farmers' Union, Mourne Heritage Trust, the Institute of Directors, and the Northern Ireland Tourist Board, amongst others.

These meetings provide the opportunity for me both to explain my rationale for advocating national parks and to listen to the opinions and concerns of others. They allow for frank and serious face-to-face discussion in private, as I take stock of where we are in relation to national parks. Such meetings play a valuable role in helping me to determine where we go from here in a situation where there has been some very vocal opposition to the idea of national parks.

I will therefore continue to meet with interested parties, and consider all that they have to say, before taking a decision on the most appropriate way forward.

Department of the Environment

In Bound Volume 82, page WA 384, please replace AQW 20194/11-15 with:

DOE: Staff Travel Claims

Mr Easton asked the Minister of the Environment to detail the cost to his Department of staff travel claims in each of the last three years.

(AQW 20194/11-15)

Mr Attwood (The Minister of the Environment): The table below provides the expenditure on staff travel claims by Department excluding agencies, and for each Agency for the last three years 2009/10 to 2011/12.

	2009/10 £	2010/11 £	2011/12 £
Department (excluding agencies)	389,958	298,636	287,656
Northern Ireland Environment Agency	260,282	289,446	292,362
Driver and Vehicle Agency	300,161	296,468	331,572
Total	950,401	884,550	911,590

Whilst there has been a general increase in costs between 2010-11 and 2011-12 as a consequence of the change in the NICS mileage rate from 40 to 45 pence, the increase in Northern Ireland Environment Agency travel costs between 2009-10 and 2010-11 is associated with greater enforcement and regulatory activity within the Agency's Environmental Crime Unit and Water Management Unit.

Likewise in Driver and Vehicle Agency (DVA) there were additional costs due to a change in mileage rate as well as the additional costs required for DVA staff attending training courses in relation to migration from the existing financial system to Account NI.

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Minutes of Proceedings

Northern Ireland Assembly

Monday 11 March 2013

The Assembly met at noon, the Speaker in the Chair.

1. Personal Prayer or Meditation

Members observed two minutes' silence.

2. Speaker's Business

The Speaker delivered a ruling on challenges to the authority of the Chair arising out of the Plenary session on Monday 4 March 2013.

3. Assembly Business

3.1 Motion – Committee Membership

Proposed:

That Mr Leslie Cree replace Mr Robin Swann as a member of the Committee for the Office of the First Minister and deputy First Minister.

Mr R Swann

Mrs S Overend

The Question being put, the Motion was **carried** without division.

3.2 Motion: Financial Assistance for Political Parties Scheme 2013

Proposed:

That, as set out in section 2(4) of the Financial Assistance for Political Parties Act (Northern Ireland) 2000, this Assembly approves the revised scheme (NIA 101/11-15) laid before the Assembly on 22 February 2013 for payments to political parties for the purpose of assisting Members of the Northern Ireland Assembly who are connected with such parties to perform their Assembly duties.

Mr P Weir

Ms C Ruane

Mr P Ramsey

Mr L Cree

Mrs J Cochrane

Debate ensued.

The Question being put, the Motion was **carried** without division.

4. Executive Committee Business

4.1 Motion: Mental Health (Private Hospitals) Regulations (Northern Ireland) 2013

Proposed:

That the Mental Health (Private Hospitals) Regulations (Northern Ireland) 2013 be affirmed.
Minister of Health, Social Services and Public Safety

Debate ensued.

The Question being put, the Motion was **carried** without division.

5. Committee Business

5.1 Motion: Ovarian Cancer Awareness

Proposed:

That this Assembly notes with concern the results of the Target Ovarian Cancer Pathfinder Study 2012 which revealed low levels of awareness of the symptoms of ovarian cancer among women in Northern Ireland, and delays in diagnosis and treatment; and calls on the Minister of Health, Social Services and Public Safety to consider a public awareness campaign on this issue.

Chairperson, Committee for Health, Social Services and Public Safety

Debate ensued.

The Deputy Speaker (Mr Dallat) took the Chair.

The Question being put, the Motion was **carried** without division.

5.2 Motion: Report on the Inquiry into Maximising the Potential of the Creative Industries

Proposed:

That this Assembly approves the Report of the Committee for Culture, Arts and Leisure on its Inquiry into Maximising the Potential of the Creative Industries (NIA 98/11-15); and calls on the Minister of Culture, Arts and Leisure to implement the recommendations contained in the Report.

Chairperson, Committee for Culture, Arts and Leisure

Debate ensued.

The debate was suspended for Question Time.

The Principal Deputy Speaker (Mr Molloy) took the Chair.

6. Question Time

6.1 Social Development

Questions were put to, and answered by, the Minister for Social Development, Mr Nelson McCausland.

6.2 Culture, Arts and Leisure

Questions were put to, and answered by, the Minister of Culture, Arts and Leisure, Ms Carál Ní Chuilín.

7. Committee Business (Cont'd)

7.1 Motion: Report on the Inquiry into Maximising the Potential of the Creative Industries

Debate resumed on the motion.

The Question being put, the Motion was **carried** without division.

8. Private Members' Business

8.1 Motion: Age Discrimination Legislation

Proposed:

That this Assembly acknowledges and endorses the Programme for Government commitment to extend age discrimination legislation to the provision of goods, facilities and services; and calls on the First Minister and deputy First Minister to ensure that, in delivering on this commitment, the legislation affords protection to everyone regardless of age.

Ms M Fearon

Ms B McGahan

Mr M Brady

8.2 Amendment

Proposed:

Leave out all after 'protection' and insert:

'to people aged 18 and over, in line with international best practice.'

Mr S Moutray

Ms G Robinson

Mrs B Hale

Mr P Givan

Debate ensued.

The Deputy Speaker (Mr Beggs) took the Chair.

The Question being put, the Amendment **fell** (Division).

The Question being put, the Motion was **carried** without division.

9. Adjournment

Proposed:

That the Assembly do now adjourn.

The Speaker

The Assembly adjourned at 5.17pm.

Mr William Hay

The Speaker

11 March 2013

Northern Ireland Assembly

11 March 2013

Division

Motion: Age Discrimination Legislation – Amendment

Proposed:

Leave out all after 'protection' and insert:

'to people aged 18 and over, in line with international best practice.'

*Mr S Moutray
Ms G Robinson
Mrs B Hale
Mr P Givan*

The Question was put and the Assembly divided.

Ayes: 39

Noes: 44

AYES

Mr Anderson, Mr Bell, Ms P Bradley, Ms Brown, Mr Buchanan, Mr Clarke, Mr Craig, Mr Cree, Mrs Dobson, Mr Dunne, Mr Easton, Mr Elliott, Mrs Foster, Mr Frew, Mr Gardiner, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Irwin, Mr Kennedy, Mr Kinahan, Mr McCausland, Mr I McCrea, Mr D McIlveen, Miss M McIlveen, Mr Moutray, Mr Nesbitt, Mr Newton, Mr G Robinson, Mr Ross, Mr Spratt, Mr Storey, Mr Swann, Mr Weir, Mr Wells, Mr Wilson.

Tellers for the Ayes: Mr D McIlveen and Mr G Robinson.

NOES

Mr Agnew, Mr Attwood, Mr Boylan, Ms Boyle, Mr D Bradley, Mr Brady, Mrs Cochrane, Mr Dallat, Mr Dickson, Mr Durkan, Mr Eastwood, Dr Farry, Ms Fearon, Mr Flanagan, Mr Hazzard, Mrs D Kelly, Ms Lo, Mr Lynch, Mr Lyttle, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCarthy, Mr McCartney, Ms McCorley, Mr McDevitt, Dr McDonnell, Mr McElduff, Ms McGahan, Mr McGlone, Mr McKay, Mrs McKeivitt, Ms Maeve McLaughlin, Mr Mitchel McLaughlin, Mr McMullan, Mr A Maginness, Mr Maskey, Ms Ní Chuilín, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Ms S Ramsey, Ms Ruane, Mr Sheehan.

Tellers for the Noes: Mr Brady and Ms Fearon.

The Amendment **fell**.

Northern Ireland Assembly

**Papers Presented to the Assembly on
6 March – 11 March 2013**

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

Annual Report and Financial Accounts 2011/12 - Ilex Urban Regeneration Company, Derry-Londonderry (DSD/OFMDFM).

5. Assembly Reports

6. Statutory Rules

S. R. 2013/36 The Police Pension (Northern Ireland) (Amendment) Regulations 2013 (DOJ).

S. R. 2013/38 The Policing and Community Safety Partnerships (Designated Organisations) Order (Northern Ireland) 2013 (DOJ).

S. R. 2013/39 The Food (Miscellaneous Amendment and Revocation) Regulations (Northern Ireland) 2013 (DHSSPS).

S. R. 2013/40 The Health and Personal Social Services (Superannuation Scheme and Injury Benefits) and Health and Social Care (Pension Scheme) (Amendment) Regulations (Northern Ireland) 2013 (DHSSPS).

S. R. 2013/41 The Curran Street and Obins Street, Portadown (Abandonment) Order (Northern Ireland) 2013 (DRD).

S. R. 2013/43 The Welfare of Animals (Dog Breeding Establishments and Miscellaneous Amendments) Regulations (Northern Ireland) 2013 (DARD).

S. R. 2013/44 The Dogs (Guard Dog Kennels) Regulations (Northern Ireland) 2013 (DARD).

S. R. 2013/45 The New NAV List (Time of Valuation) Order (Northern Ireland) 2013 (DFP).

S. R. 2013/46 Rates (Small Business Hereditament Relief) (Amendment) Regulations (Northern Ireland) 2013 (DFP).

S. R. 2013/47 The Rates (Unoccupied Hereditaments) (Amendment) Regulations (Northern Ireland) 2013 (DFP).

S. R. 2013/49 The Fair Employment (Specification of Public Authorities) (Amendment) Order (Northern Ireland) 2013 (OFMDFM).

S. R. 2013/50 The Social Security (Claims and Payments) (Amendment) Regulations (Northern Ireland) 2013 (DSD).

S. R. 2013/54 The Teachers' Superannuation (Amendment) Regulations (Northern Ireland) 2013 (DE).

S. R. 2013/56 The Pneumoconiosis, etc., (Workers' Compensation) (Payment of Claims) (Amendment) Regulations (Northern Ireland) 2013 (DSD).

S. R. 2013/57 The Mesothelioma Lump Sum Payments (Conditions and Amounts) (Amendment) Regulations (Northern Ireland) 2013 (DSD).

S. R. 2013/58 The Social Fund Maternity and Funeral Expenses (General) (Amendment) Regulations (Northern Ireland) 2013 (DSD).

S. R. 2013/59 The Health and Personal Social Services (General Medical Services Contracts) (Amendment) Regulations (Northern Ireland) 2013 (DHSSPS).

For Information Only:

S. R. 2013/52 The Waiting Restrictions (Brockagh) Order (Northern Ireland) 2013 (DRD).

7. Written Ministerial Statements

8. Consultation Documents

9. Departmental Publications

10. Agency Publications

11. Westminster Publications

HGV Road User Levy Act 2013 Chapter 7.

Mental Health (Discrimination) Act 2013 Chapter 8.

European Union (Approvals) Act 2013 Chapter 9.

12. Miscellaneous Publications

Northern Ireland Assembly

Tuesday 12 March 2013

The Assembly met at 10.30am, the Speaker in the Chair.

1. Personal Prayer or Meditation

Members observed two minutes' silence.

2. Speaker's Business

The Speaker invited Mr Jim Allister to clarify comments he had made during a debate on 4 March 2013. Mr Allister clarified the comments he had made. The Speaker issued a warning in relation to any similar comments about a party being made in the future.

3. Executive Committee Business

3.1 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 27 February 2013, following which he replied to questions.

3.2 Further Consideration Stage: Criminal Justice Bill (NIA 10/11-15)

A valid Petition of Concern was presented under Standing Order 28 on Monday 11 March 2013 in relation to Amendment 1 (Appendix 1).

The Minister of Justice, Mr David Ford, moved the Further Consideration Stage of the Criminal Justice Bill.

7 amendments were tabled to the Bill.

Debate ensued.

The sitting was suspended at 12.45pm.

The sitting resumed at 2.00pm, with the Principal Deputy Speaker (Mr Molloy) 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 Employment and Learning

Questions were put to, and answered by, the Minister for Employment and Learning, Dr Stephen Farry.

4.3 Assembly Commission

Questions were put to, and answered by, Members of the Assembly Commission.

The Speaker took the Chair.

5. Executive Committee Business (Cont'd)

5.1 Further Consideration Stage - Criminal Justice Bill (NIA 10/11-15) (Cont'd)

After debate, Amendment 1, inserting new Clause 11A after Clause 11 was **negatived** (Division).

The Deputy Speaker (Mr Dallat) took the Chair.

After debate, Amendment 2, inserting new Clause 12A after Clause 12 was **made** without division.

After debate, Amendment 3 to Clause 14 was **made** without division.

Schedules

After debate, Amendment 4 to Schedule 3 was **made** without division.

After debate, Amendment 5 to Schedule 3 was **made** without division.

After debate, Amendment 6 to Schedule 3 was **made** without division.

After debate, Amendment 7 to the Long Title was **made** without division.

The Criminal Justice Bill (NIA 10/11-15) stood referred to the Speaker for consideration in accordance with section 10 of the Northern Ireland Act 1998.

6. Adjournment

Mr Pat Ramsey spoke to his topic regarding the Woodlands Speech and Language Unit in Derry City Council Area.

Proposed:

That the Assembly do now adjourn.

The Speaker

The Assembly adjourned at 7.58pm.

Mr William Hay

The Speaker

12 March 2013

Appendix 1

Northern Ireland Assembly

The undersigned Members of the Northern Ireland Assembly presented a Petition of Concern, in accordance with Standing Order 28, on Monday 11 March 2013 in relation to Amendment 1 proposed to the Criminal Justice Bill (NIA 10/11-15).

- Ms Bronwyn McGahan
- Ms Michaela Boyle
- Mr Barry McElduff
- Mr Francie Molloy
- Mr Seán Lynch
- Mr Declan McAleer
- Mr Cathal Ó Hoisín
- Mr Fra McCann
- Mr Pat Sheehan
- Ms Sue Ramsey
- Mr Daithí McKay
- Mr Chris Hazzard
- Mr Alex Maskey
- Ms Caitríona Ruane
- Mr Phil Flanagan
- Mr Cathal Boylan
- Ms Rosaleen McCorley
- Mr Oliver McMullan
- Mr Mickey Brady
- Ms Megan Fearon
- Ms Maeve McLaughlin
- Mr John O'Dowd
- Mrs Michelle O'Neill
- Mr Steven Agnew
- Ms Jennifer McCann
- Ms Anna Lo
- Mr Raymond McCartney
- Mr Gerry Kelly
- Ms Carál Ní Chuilín
- Mr Mitchel McLaughlin
- Mr Martin McGuinness

Northern Ireland Assembly

12 March 2013

Division

Further Consideration Stage - Criminal Justice Bill (NIA 10/11-15) – Amendment 1

Proposed:

After clause 11 insert -

'Ending the life of an unborn child

Ending the life of an unborn child

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

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

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

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

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

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

Mr P Givan

Mr T Elliott

Mr A Maginness

Mr J Allister

Mr J Wells

Question put, That the amendment be made.

The Assembly divided.

Ayes: 48

Noes: 46

AYES

Nationalist:

Mr D Bradley, Mr Byrne, Mr Durkan, Mrs D Kelly, Mr McGlone, Mrs McKeivitt, Mr A Maginness, Mr P Ramsey, Mr Rogers.

Unionist:

Mr Allister, Mr Anderson, Mr Beggs, Mr Bell, Ms P Bradley, Ms Brown, Mr Buchanan, Mr Campbell, Mr Clarke, Mr Craig, Mr Cree, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Easton, Mr Elliott, Mrs Foster, Mr Frew, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Hussey, Mr Irwin, Mr Kennedy, Mr McCausland, Mr I McCrea, Mr D McIlveen, Miss M McIlveen, Mr McNarry, Mr McQuillan, Lord Morrow, Mr Moutray, Mr Newton, Mr Poots, Mr G Robinson, Mr Ross, Mr Spratt, Mr Storey, Mr Swann, Mr Weir, Mr Wells.

Tellers for the Ayes: Mrs McKeivitt and Mr Wells.

NOES**Nationalist:**

Mr Boylan, Ms Boyle, Mr Brady, Ms Fearon, Mr Flanagan, Mr Hazzard, Mr Lynch, Mr McAleer, Mr F McCann, Mr McCartney, Ms McCorley, Mr McElduff, Ms McGahan, Mr McKay, Ms Maeve McLaughlin, Mr Mitchel McLaughlin, Mr McMullan, Mr Maskey, Mr Molloy, Ms Ní Chuilín, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Ms S Ramsey, Ms Ruane, Mr Sheehan.

Unionist:

Mr Copeland, Mr Kinahan, Mr McCallister, Mr Nesbitt, Mrs Overend.

Other:

Mr Agnew, Mrs Cochrane, Mr Dickson, Dr Farry, Mr Ford, Ms Lo, Mr Lunn, Mr Lyttle, Mr McCarthy.

Tellers for the Noes: Ms Lo and Ms Ruane.

Total votes	93	Total Ayes	53	[57.0%]
Nationalist Vote	35	Nationalist Ayes	9	[25.7%]
Unionist Votes	49	Unionist Ayes	44	[89.8%]
Other Votes	9	Other Ayes	0	[0.0%]

The amendment **fell** on a cross-community vote.

Criminal Justice Bill

Marshalled List of Amendments

Further Consideration Stage

Tuesday 12 March 2013

Amendments tabled up to 9.30am Thursday, 7 March 2013 and selected for debate

Amendment 1

New Clause

After clause 11 insert -

'Ending the life of an unborn child

Ending the life of an unborn child

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

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

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

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

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

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

*Mr Paul Givan
Mr Tom Elliott
Mr Alban Maginness
Mr Jim Allister
Mr Jim Wells*

Amendment 2

New Clause

After clause 12 insert -

'Criminal proceedings on Sunday

Criminal proceedings on Sunday

12A.—(1) Section 7 of the Sunday Observance Act (Ireland) 1695 (which prohibits the service or execution on a Sunday of any writ, process, warrant, order, judgment or decree, except in certain cases) and any rule of law preventing or restricting the holding of a court on a Sunday do not apply, at any time when this subsection is in operation, in relation to—

(a) the holding of a magistrates' court for the purpose of exercising any criminal jurisdiction; or

(b) anything done in the course of, or in connection with, the exercise by a magistrates' court of any criminal jurisdiction.

(2) Subsection (1)—

(a) comes into operation on such day as the Department may by order appoint; and

(b) ceases to be in operation one month after that day.

(3) The Department may by order made at any time when subsection (1) is not in operation provide for that subsection to come into operation again on such day as is appointed by the order.

(4) Where subsection (1) comes into operation on a day appointed under subsection (3), it ceases to be in operation one month after that day.

(5) An order under subsection (2) or (3) requires the approval of the First Minister and deputy First Minister acting jointly; and no such order shall be made unless—

(a) the Chief Constable has requested the Department to make the order; and

(b) the Department, after consulting the Lord Chief Justice, is of the opinion that such exceptional circumstances exist as to justify the making of the order.'

Minister of Justice

Amendment 3

Clause 14, Page 13, Line 36

After 'subsection (2)' insert 'and section (Criminal proceedings on Sunday)'

Minister of Justice

Amendment 4

Schedule 3, Page 31, Line 20

Leave out 'under a disability' and insert 'unfit to be tried'

Minister of Justice

Amendment 5

Schedule 3, Page 31, Line 34

Leave out paragraph 5 and insert -

'5. In Article 89 (orders and regulations) after paragraph (2) insert—

"(2A) An order under Article 63D(5)(c) shall not be made unless a draft of the order has been laid before, and approved by a resolution of, the Assembly."

Minister of Justice

Amendment 6

Schedule 3, Page 31, Line 37

Leave out '(b)' and insert '(c)'

Minister of Justice

Amendment 7

Long Title

After 'judiciary' insert '; and to permit criminal proceedings on Sunday at certain times'

Minister of Justice

Northern Ireland Assembly

Papers Presented to the Assembly on 12 March 2013

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

For Information Only:

S. R. 2013/51 The Road Races (Croft Hill Climb) Order (Northern Ireland) 2013 (DRD)

S. R. 2013/53 The Cycle Routes (Amendment) Order (Northern Ireland) 2013 (DRD)

S. R. 2013/55 The Road Races (Circuit of Ireland Easter Stages Rally) Order (Northern Ireland) 2013 (DRD)

7. **Written Ministerial Statements**
Bamford Action Plan (DHSSPS)

8. Consultation Documents
9. Departmental Publications
10. Agency Publications
11. Westminster Publications
12. Miscellaneous Publications

Northern Ireland Assembly Legislation:

Stages in Consideration of Public Bills

First Stage: Introduction of Bill.

Second Stage: General debate of the Bill with an opportunity for Members to vote on its general principles.

Committee Stage (Comm. Stage): Detailed investigation by a Committee which concludes with the publication of a report for consideration by the Assembly.

Consideration Stage (CS): Consideration by the Assembly of, and an opportunity for Members to vote on, the details of the Bill including amendments proposed to the Bill.

Further Consideration Stage (FCS): Consideration by the Assembly of, and an opportunity for Members to vote on, further amendments to the Bill.

Final Stage: Passing or rejecting of Bill by the Assembly, without further amendment.

Royal Assent.

Proceedings as at 12 March 2013

2011-2015 Mandate

Executive Bills

Title & Bill Number	First Stage	Second Stage	Comm. Stage to Conclude	Report Ordered to be Printed	CS	FCS	Final Stage	Royal Assent
Marine Bill NIA Bill 5/11-15	21.02.12	05.03.12	06.07.12	05.07.12				
Superannuation Bill NIA Bill 6/11-15	12.03.12	26.03.12	28.09.12	26.09.12	22.10.12	06.11.12	19.11.12	10.01.13
Inquiry into Historical Institutional Abuse Bill NIA Bill 7/11-15	12.06.12	25.06.12	26.10.12	24.10.12	20.11.12	03.12.12	11.12.12	18.01.13
Business Improvement Districts Bill NIA Bill 9/11-15	25.06.12	17.09.12	13.12.12	13.12.12	21.01.13	29.01.13	11.02.13	
Criminal Justice Bill NIA Bill 10/11-15	25.06.12	03.07.12	14.12.12	13.12.12	19.02.13 & 25.02.13	12.03.13		
Charities Bill NIA Bill 11/11-15	02.07.12	11.09.12	23.10.12	23.10.12	20.11.12	03.12.12	11.12.12	18.01.13
Welfare Reform Bill NIA Bill 13/11-15	01.10.12	09.10.12	19.02.13	14.02.13				
Education Bill NIA Bill 14/11-15	02.10.12	15.10.12	08.04.13					

Title & Bill Number	First Stage	Second Stage	Comm. Stage to Conclude	Report Ordered to be Printed	CS	FCS	Final Stage	Royal Assent
/Air Passenger Duty (Setting of Rate) Bill NIA Bill 15/11-15	08.10.12	16.10.12	N/A	N/A	22.10.12	05.11.12	06.11.12	11.12.12
Water and Sewerage Services (Amendment) Bill NIA Bill 16/11-15	19.11.12	27.11.12	29.01.12	23.01.13	12.02.13	25.02.13	05.03.13	
Planning Bill NIA Bill 17/11-15	14.01.13	22.01.13	07.06.13					
Budget Bill NIA Bill 18/11-15	11.02.13	12.02.13	N/A	N/A	18.02.13	19.02.13	25.02.13	

**2011-2015 Mandate
Non-Executive Bills**

Title & Bill Number	First Stage	Second Stage	Comm. Stage to Conclude	Report Ordered to be Printed	CS	FCS	Final Stage	Royal Assent
Civil Service (Special Advisers) Bill NIA Bill 12/11-15	02.07.12	25.09.12	15.02.13	13.02.13				

/ Bill progressing by accelerated passage

** Please note that any bills that received Royal Assent in the previous session have been removed from the table.

Northern Ireland Assembly

Tuesday 19 March 2013

The Assembly met at 10.30am, the Speaker in the Chair.

1. Personal Prayer or Meditation

Members observed two minutes' silence.

2. Matter of the Day

2.1 Mortar Bomb find outside the New Barnsley Police Station

Mr Conall McDevitt made a statement, under Standing Order 24, in relation to the mortar bomb find outside New Barnsley Police Station. Other Members were also called to speak on the matter.

3. Speaker's Business

3.1 Royal Assent

The Speaker advised Members that Royal Assent had been signified on 14 March 2013 to the Budget Act (Northern Ireland) 2013.

4. Public Petitions

4.1 Public Petition – Strabane Campaign for Jobs

Mr Joe Byrne was granted leave, in accordance with Standing Order 22, to present a Public Petition relating to the Strabane campaign for jobs.

5. Executive Committee Business

5.1 Statement - Northern Ireland Prison Service Estate Strategy

The Minister of Justice, Mr David Ford, made a statement regarding the Northern Ireland Prison Service Estate Strategy, following which he replied to questions.

The Deputy Principal Speaker (Mr Molloy) took the Chair.

5.2 Statement - Update on Transforming Your Care

The Minister of Health, Social Services and Public Safety, Mr Edwin Poots, made a statement regarding Transforming Your Care, following which he replied to questions.

5.3 Statement - North South Ministerial Council meeting in Language Sectoral Format

The Minister of Culture, Arts and Leisure, Ms Carál Ní Chuilín, made a statement regarding the North South Ministerial Council meeting in Language sectoral format, held on 6 March 2013, following which she replied to questions.

The sitting was suspended at 12.53pm.

The sitting resumed at 2.00pm, with the Deputy Speaker (Mr Dallat) in the Chair.

6. Question Time

6.1 Enterprise, Trade and Investment

Questions were put to, and answered by, the Minister of Enterprise, Trade and Investment, Mrs Arlene Foster.

6.2 Regional Development

Questions were put to, and answered by, the Minister for Regional Development, Mr Danny Kennedy.

6.3 Finance and Personnel

Questions were put to, and answered by, the Minister of Finance and Personnel, Mr Sammy Wilson.

6.4 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.

7. Executive Committee Business (Cont'd)

7.1 Assembly Consent Motion - The Public Bodies (Abolition of British Shipbuilders) Order 2013

Proposed:

That this Assembly consents to The Public Bodies (Abolition of British Shipbuilders) Order 2013 in the form of the draft laid before the UK Parliament on 1 November 2012.

Minister of Enterprise, Trade and Investment

The Speaker took the Chair.

Debate ensued.

The Question being put, the Motion was **carried** without division.

7.2 Assembly Consent Motion - The Public Bodies (Abolition of the Aircraft and Shipbuilding Industries Arbitration Tribunal) Order 2013

Proposed:

That this Assembly consents to The Public Bodies (Abolition of the Aircraft and Shipbuilding Industries Arbitration Tribunal) Order 2013 in the form of the draft laid before the UK Parliament on 1 November 2012.

Minister of Enterprise, Trade and Investment

Debate ensued.

The Question being put, the Motion was **carried** without division.

8. Private Members' Business

8.1 Consideration Stage: Civil Service (Special Advisers) Bill (NIA 12/11-15)

The sponsor of the Bill, Jim Allister, moved the Consideration Stage of the Civil Service (Special Advisers) Bill.

44 amendments were tabled to the Bill.

Clauses

After debate, Amendment 1 to clause 1 was **made** without division.

The question being put, it was **agreed** without division that Clause 1 as amended stand part of the Bill.

The Deputy Speaker (Mr Beggs) took the Chair.

The Speaker took the Chair.

After debate, Amendment 2 to Clause 2 was **made** (Division 1).

As Amendment 2 was made, Amendments 3 and 4 were not called.

After debate, Amendment 5 to Clause 2 was **made** without division.

After debate, Amendment 6 to Clause 2 was **negatived** without division.

After debate, Amendment 7 to Clause 2 was **negatived** (Division 2).

After debate, Amendment 8 to Clause 2 was **made** (Division 3).

After debate, Amendments 9 and 10 to Clause 2 were **made** without division.

The question being put, it was **agreed** on division that Clause 2 as amended stand part of the Bill (Division 4).

After debate, it was agreed on division, that Amendment 11 be **made** and that the new Clause 2A stand part of the Bill (Division 5).

After debate, Amendment 12, inserting a new clause after clause 2, was **negatived** (Division 6).

After debate, Amendment 13, inserting a new clause after clause 2, was **negatived** (Division 7).

As Amendments 12 and 13 were not made, Amendments 14 and 15 were not called.

As Amendments 3 and 6 were not made and Amendment 11 was made, Amendment 16 was not called.

After debate, it was agreed on division, that Amendment 17 be **made** and that the new Clause 2B stand part of the Bill (Division 8).

After debate, Amendment 18 to Clause 3 was **made** without division.

After debate, Amendment 19 to Clause 3 was **made** without division.

After debate, Amendment 20 to Clause 3 was **made** without division.

After debate, Amendment 21 to Clause 3 was **made** without division.

After debate, Amendment 22 to Clause 3 was **made** without division.

The question being put, it was **agreed** on division that Clause 3 as amended stand part of the Bill (Division 9).

As Amendments 3, 4, 7, 12, 13 and 16 were not made, Amendment 23 was not called.

After debate, Amendment 24 to Clause 4 was **made** without division.

The question being put, it was **agreed** on division that Clause 4 as amended stand part of the Bill (Division 10).

After debate, Amendment 25 to Clause 5 was **made** without division.

After debate, Amendments 26, 27 and 28 to Clause 5 were **made** without division.

After debate, Amendment 29 to Clause 5 was **made** without division.

The question being put, it was **agreed** on division that Clause 5 as amended stand part of the Bill (Division 11).

After debate, Amendment 30 to Clause 6 was **made** without division.

After debate, Amendment 31 to Clause 6 was **made** (Division 12).

After debate, Amendment 32 to Clause 6 was **made** (Division 13).

As Amendment 32 was made, Amendments 33 and 34 were not called.

Amendment 35 was not moved.

Amendment 36 was not moved.

The question being put, it was **agreed** on division that Clause 6 as amended stand part of the Bill (Division 14).

As Clause 6 as amended had been ordered to stand part of the Bill, Amendment 37 was not called.

The question being put, it was **agreed** without division that Clause 7 stand part of the Bill.

After debate, Amendment 38 to Clause 8 was **made** without division.

After debate, Amendment 39 to Clause 8 was **made** without division.

After debate, Amendment 40 to Clause 8 was **made** without division.

The question being put, it was **agreed** without division that Clause 8 as amended stand part of the Bill.

The question being put, it was **agreed** without division that Clause 9 stand part of the Bill.

After debate, Amendment 41 to Clause 10 was **made** without division.

As Amendments 12 and 13 were not made, Amendment 42 was not called.

As Amendments 6, 16 and 23 were not made, and Amendment 41 was made, Amendment 43 was not called.

After debate, Amendment 44 to Clause 10 was **made** without division.

The question being put, it was **agreed** without division that Clause 10 as amended stand part of the Bill.

The question being put, it was **agreed** without division that Clause 11 stand part of the Bill.

Schedules

The question being put, it was **agreed** without division that the Schedule stand part of the Bill.

Long Title

The question being put, it was **agreed** without division that the Long Title stand part of the Bill.

Bill NIA 12/11-15 stood referred to the Speaker.

The Deputy Speaker (Mr Beggs) took the Chair.

8.2 Motion: EU Regional Aid

The following Motion stood on the Order Paper in the names of Mr Robin Newton, Mr Paul Frew and Mr Gordon Dunne.

That this Assembly recognises the positive effect that Northern Ireland's 100 percent coverage for EU Regional Aid has had on the economy; believes that it has been significant in aiding economic growth and inward investment; is concerned that removing this automatic coverage would have a detrimental impact on the economy, jobs and growth; and calls on the Minister of Enterprise, Trade and Investment to continue to lobby the Government at Westminster and the European Commission to ensure that EU Regional Aid is retained for all of Northern Ireland.

The Motion was **not moved**.

9. Adjournment

Mr Raymond McCartney spoke to his topic regarding the 'Together Towards Tomorrow' report on the post primary review process.

Proposed:

That the Assembly do now adjourn.

The Speaker

The Assembly adjourned at 11.24pm.

Mr William Hay

The Speaker

19 March 2013

Northern Ireland Assembly

19 March 2013

Division 1

Consideration Stage: Civil Service (Special Advisers) Bill (NIA 12/11-15) – Amendment 2

Proposed:

Clause 2, Page 1, Line 9

Leave out subsection (1) and insert -

‘(1) Subject to subsection (2) and section (*Determination of eligibility of special advisers by Commissioners (Amendment 11)*), a person is not eligible for appointment as a special adviser if the person has a serious criminal conviction.

(2) Where a Minister proposes to appoint as a special adviser a person who has a serious criminal conviction, that person may refer the proposed appointment to the Commissioners.’

Mr Allister

Question put, That the amendment be made.

The Assembly divided.

Ayes: 48

Noes: 36

AYES

Mr Allister, Mr Anderson, Mr Bell, Ms P Bradley, Ms Brown, Mr Buchanan, Mr 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 Hamilton, Mr Hilditch, Mr Humphrey, Mr Hussey, Mr Irwin, Mr Kennedy, Mr Kinahan, Mr McCallister, Mr McCausland, Mr McClarty, Mr B McCrea, Mr I McCrea, Mr D McIlveen, Miss M McIlveen, Mr McNarry, Mr McQuillan, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mr Poots, Mr G Robinson, Mr Ross, Mr Spratt, Mr Storey, Mr Swann, Mr Weir, Mr Wells, Mr Wilson.

Tellers for the Ayes: Mr Allister and Mr McNarry.

NOES

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

Tellers for the Noes: Mr Boylan and Mr Sheehan.

The following Members voted in both Lobbies and are therefore not counted in the result: Mrs Cochrane, Ms Lo, Mr Lunn, Mr Lyttle

Question accordingly agreed to.

Northern Ireland Assembly

19 March 2013

Division 2

Consideration Stage: Civil Service (Special Advisers) Bill (NIA 12/11-15) – Amendment 7

Proposed:

Clause 2, Page 1, Line 17

At end insert -

‘, but this is subject to section (*Exception for conflict-related offences: procedure for existing appointees*).’

Mr M McLaughlin

Ms M Fearon

Question put, That the amendment be made.

The Assembly divided.

Ayes: 27

Noes: 61

AYES

Mr Boylan, Ms Boyle, Mr Brady, Ms Fearon, Mr Flanagan, Mr Hazzard, Mr G Kelly, Mr Lynch, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCartney, Ms McCorley, Mr McElduff, Ms McGahan, Mr McKay, Ms Maeve McLaughlin, Mr Mitchel McLaughlin, Mr McMullan, Mr Maskey, Mr Molloy, Ms Ní Chuillín, Mr Ó hOisín, Mr O’Dowd, Ms S Ramsey, Ms Ruane, Mr Sheehan.

Tellers for the Ayes: Mr Boylan and Mr Sheehan.

NOES

Mr Agnew, Mr Allister, Mr Anderson, Mr Bell, Mr D Bradley, Ms P Bradley, Ms Brown, Mr Buchanan, Mr Byrne, Mr Clarke, Mrs Cochrane, Mr Copeland, Mr Craig, Mr Cree, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Durkan, Mr Easton, Mr Elliott, Mrs Foster, Mr Frew, Mr Gardiner, Mr Girvan, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Hussey, Mr Irwin, Mr Kennedy, Mr Kinahan, Ms Lo, Mr Lunn, Mr Lyttle, Mr McCallister, Mr McCausland, Mr McClarty, Mr B McCrea, Mr I McCrea, Mr McDevitt, Mr McGlone, Mr D McIlveen, Miss M McIlveen, Mrs McKeivitt, Mr McNarry, Mr McQuillan, Mr A Maginness, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mr Poots, Mr G Robinson, Mr Rogers, Mr Ross, Mr Spratt, Mr Storey, Mr Swann, Mr Weir, Mr Wells, Mr Wilson.

Tellers for the Noes: Mr Allister and Mr McNarry.

Question accordingly **negatived**.

Northern Ireland Assembly

19 March 2013

Division 3

Consideration Stage: Civil Service (Special Advisers) Bill (NIA 12/11-15) – Amendment 8

Proposed:

Clause 2, Page 1, Line 17

At end insert -

'() but a person to whom subsection (3) will apply may refer the appointment to the Commissioners, within 21 days of this subsection coming into operation.'

Mr J Allister

Question put, That the amendment be made.

The Assembly divided.

Ayes: 53

Noes: 27

AYES

Mr Agnew, Mr Allister, Mr Anderson, Mr Bell, Ms P Bradley, Ms Brown, Mr Buchanan, Mr Clarke, Mrs Cochrane, 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 Hamilton, Mr Hilditch, Mr Humphrey, Mr Hussey, Mr Irwin, Mr Kennedy, Mr Kinahan, Ms Lo, Mr Lunn, Mr Lyttle, Mr McCallister, Mr McCausland, Mr McClarty, Mr B McCrea, Mr I McCrea, Mr D McIlveen, Miss M McIlveen, Mr McNarry, Mr McQuillan, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mr Poots, Mr G Robinson, Mr Ross, Mr Spratt, Mr Storey, Mr Swann, Mr Weir, Mr Wells, Mr Wilson.

Tellers for the Ayes: Mr Allister and Mr McNarry.

NOES

Mr Boylan, Ms Boyle, Mr Brady, Ms Fearon, Mr Flanagan, Mr Hazzard, Mr G Kelly, Mr Lynch, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCartney, Ms McCorley, Mr McElduff, Ms McGahan, Mr McKay, Ms Maeve McLaughlin, Mr Mitchel McLaughlin, Mr McMullan, Mr Maskey, Mr Molloy, Ms Ní Chuilín, Mr Ó hOisín, Mr O'Dowd, Ms S Ramsey, Ms Ruane, Mr Sheehan.

Tellers for the Noes: Mr Boylan and Mr Sheehan.

Question accordingly **agreed** to.

Northern Ireland Assembly

19 March 2013

Division 4

Consideration Stage: Civil Service (Special Advisers) Bill (NIA 12/11-15) – Clause 2, as amended, stand part of the Bill

Question put, That the clause, as amended, stand part of the Bill.

The Assembly divided.

Ayes: 48

Noes: 36

AYES

Mr Allister, Mr Anderson, Mr Bell, Ms P Bradley, Ms Brown, Mr Buchanan, Mr 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 Hamilton, Mr Hilditch, Mr Humphrey, Mr Hussey, Mr Irwin, Mr Kennedy, Mr Kinahan, Mr McCallister, Mr McCausland, Mr McClarty, Mr B McCrea, Mr I McCrea, Mr D McIlveen, Miss M McIlveen, Mr McNarry, Mr McQuillan, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mr Poots, Mr G Robinson, Mr Ross, Mr Spratt, Mr Storey, Mr Swann, Mr Weir, Mr Wells, Mr Wilson.

Tellers for the Ayes: Mr Allister and Mr McNarry.

NOES

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

Tellers for the Noes: Mr Boylan and Mr Sheehan.

Question accordingly **agreed** to.

Clause 2, as amended, ordered to stand part of the Bill.

Northern Ireland Assembly

19 March 2013

Division 5

Consideration Stage: Civil Service (Special Advisers) Bill (NIA 12/11-15) – Amendment 11

Proposed:

After clause 2 insert

“Determination of eligibility of special advisers by Commissioners

2A.—(1) Where—

(a) a proposed appointment is referred to the Commissioners under section 2(2- as inserted by Amendment 2), or

(b) an appointment is referred to the Commissioners under section 2(subsection as inserted by Amendment 8),

the Commissioners shall determine whether the person is eligible for appointment as, or to continue to hold appointment as, a special adviser.

(2) The Commissioners shall only determine that a person is eligible for appointment as, or to continue to hold appointment as, a special adviser, if satisfied that there are exceptional circumstances justifying it—

(a) after having regard to the matters set out in subsection (3), and

(b) in the case of a proposed appointment, after taking account of the outcome of the vetting procedures mentioned in subsection (4).

(3) Those matters are—

(a) whether the person has shown contrition for the offence to which the serious criminal conviction relates,

(b) whether the person has taken all reasonable steps to assist in the investigation and prosecution of all other persons connected with the commission of the offence,

(c) the views of any victim of the offence, or where a victim has died, the views of any close family member of the victim.

(4) The Commissioners must arrange for the proposed appointee to be the subject of the same vetting procedures as apply to the appointment of persons as Senior Civil Servants to the Northern Ireland Civil Service.”

Mr J Allister

Question put, That the amendment be made.

The Assembly divided.

Ayes: 46

Noes: 36

AYES

Mr Allister, Mr Anderson, Mr Bell, Ms P Bradley, Ms Brown, Mr Buchanan, Mr 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 Hamilton, Mr Hilditch, Mr Humphrey, Mr Hussey, Mr Irwin, Mr Kennedy, Mr Kinahan, Mr McCausland, Mr McClarty, Mr I McCreagh, Mr D McIlveen, Miss M McIlveen, Mr McNarry, Mr McQuillan, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mr Poots, Mr G Robinson, Mr Ross, Mr Spratt, Mr Storey, Mr Swann, Mr Weir, Mr Wells, Mr Wilson.

Tellers for the Ayes: Mr Allister and Mr McNarry.

NOES

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

Tellers for the Noes: Mr Boylan and Mr Sheehan.

The following Members voted in both Lobbies and are therefore not counted in the result: Mrs Cochrane, Ms Lo, Mr Lunn, Mr Lyttle

Question accordingly **agreed** to.

New clause ordered to stand part of the Bill.

Northern Ireland Assembly

19 March 2013

Division 6

Consideration Stage: Civil Service (Special Advisers) Bill (NIA 12/11-15) – Amendment 12

Proposed:

After clause 2 insert

‘Exception for conflict-related offences: procedure for proposed appointees

2A.—(1) Where a Minister proposes to appoint as a special adviser a person who has incurred a serious criminal conviction for a conflict-related offence, the Minister must refer the matter to the First Minister and deputy First Minister.

(2) The First Minister and deputy First Minister, acting jointly, must within 14 days of the referral, establish a review panel in accordance with section (*Exception for conflict-related offences: review panel*) and refer the matter to it.

(3) The review panel must arrange for the proposed appointee to be the subject of the vetting procedures referred to in section 6.

(4) Subject to the outcome of those procedures, the review panel must determine that the proposed appointee is eligible for appointment, unless satisfied that the nature of the proposed appointee's role as a special adviser is manifestly incompatible with the circumstances of the conflict-related offence.'

Mr M McLaughlin

Ms M Fearon

Question put, That the amendment be made.

The Assembly divided.

Ayes: 27

Noes: 61

AYES

Mr Boylan, Ms Boyle, Mr Brady, Ms Fearon, Mr Flanagan, Mr Hazzard, Mr G Kelly, Mr Lynch, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCartney, Ms McCorley, Mr McElduff, Ms McGahan, Mr McKay, Ms Maeve McLaughlin, Mr Mitchel McLaughlin, Mr McMullan, Mr Maskey, Mr Molloy, Ms Ni Chuilin, Mr Ó hOisín, Mr O'Dowd, Ms S Ramsey, Ms Ruane, Mr Sheehan.

Tellers for the Ayes: Mr Boylan and Mr Sheehan.

NOES

Mr Agnew, Mr Allister, Mr Anderson, Mr Bell, Mr D Bradley, Ms P Bradley, Ms Brown, Mr Buchanan, Mr Byrne, Mr Clarke, Mrs Cochrane, Mr Copeland, Mr Craig, Mr Cree, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Durkan, Mr Easton, Mr Elliott, Mrs Foster, Mr Frew, Mr Gardiner, Mr Girvan, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Hussey, Mr Irwin, Mr Kennedy, Mr Kinahan, Ms Lo, Mr Lunn, Mr Lyttle, Mr McCallister, Mr McCausland, Mr McClarty, Mr B McCreagh, Mr I McCreagh, Mr McDevitt, Mr McGlone, Mr D McIlveen, Miss M McIlveen, Mrs McKeivitt, Mr McNarry, Mr McQuillan, Mr A Maginness, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mr Poots, Mr G Robinson, Mr Rogers, Mr Ross, Mr Spratt, Mr Storey, Mr Swann, Mr Weir, Mr Wells, Mr Wilson.

Tellers for the Noes: Mr Allister and Mr McNarry.

Question accordingly **negatived**.

Northern Ireland Assembly

19 March 2013

Division 7

Consideration Stage: Civil Service (Special Advisers) Bill (NIA 12/11-15) – Amendment 13

Proposed:

After clause 2 insert:

“Exception for conflict-related offences: procedure for existing appointees

2B.—(1) This section applies if, on the date of its coming into operation—

- (a) a person holds an appointment as a special adviser,
- (b) the person has before that date incurred a serious criminal conviction, and
- (c) the serious criminal conviction was for a conflict-related offence.

(2) The Minister who appointed that person may, within 21 days of the coming into operation of this section, and after consultation with the person, refer the matter to the First Minister and deputy First Minister.

(3) The First Minister and deputy First Minister, acting jointly, must within 14 days of the referral, establish a review panel in accordance with section (Exception for conflict-related offences: review panel) and refer the matter to it.

(4) The review panel must determine that the person’s appointment will not be, or is not, terminated by virtue of this Act, unless satisfied that the nature of the person’s role as a special adviser is manifestly incompatible with the circumstances of the conflict-related offence.”

Mr M McLaughlin

Ms M Fearon

Question put, That the amendment be made.

The Assembly divided.

Ayes: 27

Noes: 61

AYES

Mr Boylan, Ms Boyle, Mr Brady, Ms Fearon, Mr Flanagan, Mr Hazzard, Mr G Kelly, Mr Lynch, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCartney, Ms McCorley, Mr McElduff, Ms McGahan, Mr McKay, Ms Maeve McLaughlin, Mr Mitchel McLaughlin, Mr McMullan, Mr Maskey, Mr Molloy, Ms Ní Chuilín, Mr Ó hOisín, Mr O’Dowd, Ms S Ramsey, Ms Ruane, Mr Sheehan.

Tellers for the Ayes: Mr Boylan and Mr Sheehan.

NOES

Mr Agnew, Mr Allister, Mr Anderson, Mr Bell, Mr D Bradley, Ms P Bradley, Ms Brown, Mr Buchanan, Mr Byrne, Mr Clarke, Mrs Cochrane, Mr Copeland, Mr Craig, Mr Cree, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Durkan, Mr Easton, Mr Elliott, Mrs Foster, Mr Frew, Mr Gardiner, Mr Girvan, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Hussey, Mr Irwin, Mr Kennedy, Mr Kinahan, Ms Lo, Mr Lunn, Mr Lyttle, Mr McCallister, Mr McCausland, Mr McClarty, Mr B McCrea, Mr I McCrea, Mr McDevitt, Mr McGlone, Mr D McIlveen, Miss M McIlveen, Mrs McKeivitt, Mr McNarry, Mr McQuillan, Mr A Maginness, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mr Poots, Mr G Robinson, Mr Rogers, Mr Ross, Mr Spratt, Mr Storey, Mr Swann, Mr Weir, Mr Wells, Mr Wilson.

Tellers for the Noes: Mr Allister and Mr McNarry.

Question accordingly **negatived**.

Northern Ireland Assembly

19 March 2013

Division 8

Consideration Stage: Civil Service (Special Advisers) Bill (NIA 12/11-15) – Amendment 17

Proposed:

After clause 2 insert

“Appeals against Commissioners’ determinations

2B.—(1) Where a person who is the subject of a determination of the Commissioners is aggrieved by that determination, that person may appeal to the High Court.

(2) The appeal can only be brought on the ground that it was not reasonable for the Commissioners to make that determination.

(3) The appeal must be brought within 21 days from the day on which the Commissioners made the determination.

(4) On hearing the appeal, the High Court may make such order as it thinks fit in respect of a person's eligibility for appointment as, or to continue to hold appointment as, a special adviser.”

Mr D Bradley

Mr A Maginness

Question put, That the amendment be made.

The Assembly divided.

Ayes: 61

Noes: 27

AYES

Mr Agnew, Mr Allister, Mr Anderson, Mr Bell, Mr D Bradley, Ms P Bradley, Ms Brown, Mr Buchanan, Mr Byrne, Mr Clarke, Mrs Cochrane, Mr Copeland, Mr Craig, Mr Cree, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Durkan, Mr Easton, Mr Elliott, Mrs Foster, Mr Frew, Mr Gardiner, Mr Girvan, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Hussey, Mr Irwin, Mr Kennedy, Mr Kinahan, Ms Lo, Mr Lunn, Mr Lyttle, Mr McCallister, Mr McCausland, Mr McClarty, Mr B McCrea, Mr I McCrea, Mr McDevitt, Mr McGlone, Mr D McIlveen, Miss M McIlveen, Mrs McKeivitt, Mr McNarry, Mr McQuillan, Mr A Maginness, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mr Poots, Mr G Robinson, Mr Rogers, Mr Ross, Mr Spratt, Mr Storey, Mr Swann, Mr Weir, Mr Wells, Mr Wilson.

Tellers for the Ayes: Mr Byrne and Mr Durkan.

NOES

Mr Boylan, Ms Boyle, Mr Brady, Ms Fearon, Mr Flanagan, Mr Hazzard, Mr G Kelly, Mr Lynch, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCartney, Ms McCorley, Mr McElduff, Ms McGahan, Mr McKay, Ms Maeve McLaughlin, Mr Mitchel McLaughlin, Mr McMullan, Mr Maskey, Mr Molloy, Ms Ní Chuilín, Mr Ó hOisín, Mr O'Dowd, Ms S Ramsey, Ms Ruane, Mr Sheehan.

Tellers for the Noes: Mr Boylan and Mr Sheehan.

Question accordingly **agreed** to.

New clause ordered to stand part of the Bill.

Northern Ireland Assembly

19 March 2013

Division 9

Consideration Stage: Civil Service (Special Advisers) Bill (NIA 12/11-15) – Clause 3, as amended, stand part of the Bill

Question put, That the clause, as amended stand part of the Bill.

The Assembly divided.

Ayes: 48

Noes: 35

AYES

Mr Allister, Mr Anderson, Mr Bell, Ms P Bradley, Ms Brown, Mr Buchanan, Mr 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 Hamilton, Mr Hilditch, Mr Humphrey, Mr Hussey, Mr Irwin, Mr Kennedy, Mr Kinahan, Mr McCallister, Mr McCausland, Mr McClarty, Mr B McCrea, Mr I McCrea, Mr D McIlveen, Miss M McIlveen, Mr McNarry, Mr McQuillan, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mr Poots, Mr G Robinson, Mr Ross, Mr Spratt, Mr Storey, Mr Swann, Mr Weir, Mr Wells, Mr Wilson.

Tellers for the Ayes: Mr Allister and Mr McNarry.

NOES

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

Tellers for the Noes: Mr Boylan and Mr Sheehan.

The following Member voted in both Lobbies and is therefore not counted in the result: Mr Agnew.

Question accordingly **agreed** to.

Clause 3, as amended, ordered to stand part of the Bill.

Northern Ireland Assembly

19 March 2013

Division 10

Consideration Stage: Civil Service (Special Advisers) Bill (NIA 12/11-15) – Clause 4, as amended, stand part of the Bill

Question put, That the clause, as amended, stand part of the Bill.

The Assembly divided.

Ayes: 61

Noes: 27

AYES

Mr Agnew, Mr Allister, Mr Anderson, Mr Bell, Mr D Bradley, Ms P Bradley, Ms Brown, Mr Buchanan, Mr Byrne, Mr Clarke, Mrs Cochrane, Mr Copeland, Mr Craig, Mr Cree, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Durkan, Mr Easton, Mr Elliott, Mrs Foster, Mr Frew, Mr Gardiner, Mr Girvan, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Hussey, Mr Irwin, Mr Kennedy, Mr Kinahan, Ms Lo, Mr Lunn, Mr Lyttle, Mr McCallister, Mr McCausland, Mr McClarty, Mr B McCrea, Mr I McCrea, Mr McDevitt, Mr McGlone, Mr D McIlveen, Miss M McIlveen, Mrs McKeivitt, Mr McNarry, Mr McQuillan, Mr A Maginness, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mr Poots, Mr G Robinson, Mr Rogers, Mr Ross, Mr Spratt, Mr Storey, Mr Swann, Mr Weir, Mr Wells, Mr Wilson.

Tellers for the Ayes: Mr Allister and Mr McNarry.

NOES

Mr Boylan, Ms Boyle, Mr Brady, Ms Fearon, Mr Flanagan, Mr Hazzard, Mr G Kelly, Mr Lynch, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCartney, Ms McCorley, Mr McElduff, Ms McGahan, Mr McKay, Ms Maeve McLaughlin, Mr Mitchel McLaughlin, Mr McMullan, Mr Maskey, Mr Molloy, Ms Ní Chuilín, Mr Ó hOisín, Mr O'Dowd, Ms S Ramsey, Ms Ruane, Mr Sheehan.

Tellers for the Noes: Mr Boylan and Mr Sheehan.

Question accordingly **agreed** to.

Clause 4, as amended, ordered to stand part of the Bill.

Northern Ireland Assembly

19 March 2013

Division 11

Consideration Stage: Civil Service (Special Advisers) Bill (NIA 12/11-15) – Clause 5, as amended, stand part of the Bill

Question put, That the clause, as amended, stand part of the Bill.

The Assembly divided.

Ayes: 60

Noes: 27

AYES

Mr Agnew, Mr Allister, Mr Anderson, Mr Bell, Mr D Bradley, Ms P Bradley, Ms Brown, Mr Buchanan, Mr Byrne, Mr Clarke, Mrs Cochrane, Mr Craig, Mr Cree, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Durkan, Mr Easton, Mr Elliott, Mrs Foster, Mr Frew, Mr Gardiner, Mr Girvan, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Hussey, Mr Irwin, Mr Kennedy, Mr Kinahan, Ms Lo, Mr Lunn, Mr Lyttle, Mr McCallister, Mr McCausland, Mr McClarty, Mr B McCrea, Mr I McCrea, Mr McDevitt, Mr McGlone, Mr D McIlveen, Miss M McIlveen, Mrs McKeivitt, Mr McNarry, Mr McQuillan, Mr A Maginness, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mr Poots, Mr G Robinson, Mr Rogers, Mr Ross, Mr Spratt, Mr Storey, Mr Swann, Mr Weir, Mr Wells, Mr Wilson.

Tellers for the Ayes: Mr Allister and Mr McNarry.

NOES

Mr Boylan, Ms Boyle, Mr Brady, Ms Fearon, Mr Flanagan, Mr Hazzard, Mr G Kelly, Mr Lynch, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCartney, Ms McCorley, Mr McElduff, Ms McGahan, Mr McKay, Ms Maeve McLaughlin, Mr Mitchel McLaughlin, Mr McMullan, Mr Maskey, Mr Molloy, Ms Ní Chuilín, Mr Ó hOisín, Mr O'Dowd, Ms S Ramsey, Ms Ruane, Mr Sheehan.

Tellers for the Noes: Mr Boylan and Mr Sheehan.

Question accordingly **agreed** to.

Clause 5, as amended, ordered to stand part of the Bill.

Northern Ireland Assembly

19 March 2013
Division 12

Consideration Stage: Civil Service (Special Advisers) Bill (NIA 12/11-15) – Amendment 31

Proposed:

In page 3, line 3, at end insert

“() Where a Minister proposes to appoint a special adviser, such an appointment shall be subject to the terms of the code.”

Mrs J Cochrane
Mr S Dickson
Mr C Lyttle

Question put, That amendment be made.

The Assembly divided.

Ayes: 52

Noes: 35

AYES

Mr Agnew, Mr Allister, Mr Anderson, Mr Bell, Ms P Bradley, Ms Brown, Mr Buchanan, Mr Clarke, Mrs Cochrane, Mr Craig, Mr Cree, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Easton, Mr Elliott, Dr Farry, Mrs Foster, Mr Frew, Mr Gardiner, Mr Girvan, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Hussey, Mr Irwin, Mr Kennedy, Mr Kinahan, Ms Lo, Mr Lunn, Mr Lyttle, Mr McCallister, Mr McCausland, Mr McClarty, Mr B McCrea, Mr I McCrea, Mr D McIlveen, Miss M McIlveen, Mr McQuillan, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mr Poots, Mr G Robinson, Mr Ross, Mr Spratt, Mr Storey, Mr Swann, Mr Weir, Mr Wells, Mr Wilson.

Tellers for the Ayes: Mrs Cochrane and Ms Lo.

NOES

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

Tellers for the Noes: Mr Boylan and Mr Sheehan.

Question accordingly **agreed** to.

Northern Ireland Assembly

19 March 2013
Division 13

Consideration Stage: Civil Service (Special Advisers) Bill (NIA 12/11-15) – Amendment 32

Proposed:

In page 3, line 4, leave out subsection (2) and insert

“(2) Without prejudice to the generality of subsection (1), the code must provide that persons proposed for appointment as special advisers—

(a) must be subject to the same vetting procedures as persons to be appointed as Senior Civil Servants to the Northern Ireland Civil Service,

(b) must not be subject to further vetting procedures if they have been subject to vetting procedures in accordance with section (Determination of eligibility of special advisers by Commissioners (Amendment 11)).”

Mr J Allister

Question put, That the amendment be made.

The Assembly divided.

Ayes: 56

Noes: 27

AYES

Mr Agnew, Mr Allister, Mr Anderson, Mr Bell, Mr D Bradley, Ms P Bradley, Ms Brown, Mr Buchanan, Mr Byrne, Mr Clarke, Mr Craig, Mr Cree, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Durkan, Mr Easton, Mr Elliott, Mrs Foster, Mr Frew, Mr Gardiner, Mr Girvan, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Hussey, Mr Irwin, Mr Kennedy, Mr Kinahan, Mr McCallister, Mr McCausland, Mr McClarty, Mr B McCrea, Mr I McCrea, Mr McDevitt, Mr McGlone, Mr D McIlveen, Miss M McIlveen, Mrs McKeivitt, Mr McNarry, Mr McQuillan, Mr A Maginness, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mr Poots, Mr G Robinson, Mr Rogers, Mr Ross, Mr Spratt, Mr Storey, Mr Swann, Mr Weir, Mr Wells, Mr Wilson.

Tellers for the Ayes: Mr Allister and Mr McNarry.

NOES

Mr Boylan, Ms Boyle, Mr Brady, Ms Fearon, Mr Flanagan, Mr Hazzard, Mr G Kelly, Mr Lynch, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCartney, Ms McCorley, Mr McElduff, Ms McGahan, Mr McKay, Ms Maeve McLaughlin, Mr Mitchel McLaughlin, Mr McMullan, Mr Maskey, Mr Molloy, Ms Ni Chuilin, Mr Ó hOisín, Mr O’Dowd, Ms S Ramsey, Ms Ruane, Mr Sheehan.

Tellers for the Noes: Mr Boylan and Mr Sheehan.

Question accordingly **agreed** to.

Northern Ireland Assembly

19 March 2013
Division 14

Consideration Stage: Civil Service (Special Advisers) Bill (NIA 12/11-15) – Clause 6, as amended, stand part of the Bill

Question put, That the clause, as amended, stand part of the Bill.

The Assembly divided.

Ayes: 61

Noes: 27

AYES

Mr Agnew, Mr Allister, Mr Anderson, Mr Bell, Mr D Bradley, Ms P Bradley, Ms Brown, Mr Buchanan, Mr Byrne, Mr Clarke, Mrs Cochrane, Mr Craig, Mr Cree, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Durkan, Mr Easton, Mr Elliott, Dr Farry, Mrs Foster, Mr Frew, Mr Gardiner, Mr Girvan, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Hussey, Mr Irwin, Mr Kennedy, Mr Kinahan, Ms Lo, Mr Lunn, Mr Lyttle, Mr McCallister, Mr McCausland, Mr McClarty, Mr B McCrea, Mr I McCrea, Mr McDevitt, Mr McGlone, Mr D McIlveen, Miss M McIlveen, Mrs McKeivitt, Mr McNarry, Mr McQuillan, Mr A Maginness, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mr Poots, Mr G Robinson, Mr Rogers, Mr Ross, Mr Spratt, Mr Storey, Mr Swann, Mr Weir, Mr Wells, Mr Wilson.

Tellers for the Ayes: Mr Allister and Mr McNarry.

NOES

Mr Boylan, Ms Boyle, Mr Brady, Ms Fearon, Mr Flanagan, Mr Hazzard, Mr G Kelly, Mr Lynch, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCartney, Ms McCorley, Mr McElduff, Ms McGahan, Mr McKay, Ms Maeve McLaughlin, Mr Mitchel McLaughlin, Mr McMullan, Mr Maskey, Mr Molloy, Ms Ní Chuilín, Mr Ó hOisín, Mr O'Dowd, Ms S Ramsey, Ms Ruane, Mr Sheehan.

Tellers for the Noes: Mr Boylan and Mr Sheehan.

Question accordingly **agreed** to.

Clause 6, as amended, ordered to stand part of the Bill.

Northern Ireland Assembly

Papers Presented to the Assembly on 13 March – 19 March 2013

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

Funds in Court in Northern Ireland Statement of Accounts 2011-2012 (DOJ).

DFP Minute on the Direction of Accruing Resources (DFP).

Department of Culture, Arts and Leisure: Management of Major Capital Projects (NIAO).

5. Assembly Reports

Report of the Examiner of Statutory Rules to the Assembly and the Appropriate Committees 15 March 2013 (NIA 104/11-15) (Examiner of Statutory Rules).

6. Statutory Rules

S. R. 2013/60 Building (Prescribed Fees) (Amendment) Regulations (Northern Ireland) 2013 (DFP).

S. R. 2013/61 The Social Security Pensions (Flat Rate Accrual Amount) Order (Northern Ireland) 2013 (DSD).

S. R. 2013/62 The Social Security Revaluation of Earnings Factors Order (Northern Ireland) 2013 (DSD).

S. R. 2013/63 The Social Security Pensions (Low Earnings Threshold) Order (Northern Ireland) 2013 (DSD).

S. R. 2013/65 The Guaranteed Minimum Pensions Increase Order (Northern Ireland) 2013 (DSD).

S. R. 2013/66 The Food Safety (Sampling and Qualifications) Regulations (Northern Ireland) 2013 (DHSSPS).

S. R. 2013/67 The Social Security (Miscellaneous Amendments) Regulations (Northern Ireland) 2013 (DSD).

S. R. 2013/68 The Education (Student Loans) (Repayment) (Amendment) Regulations (Northern Ireland) 2013 (DEL).

S. R. 2013/69 The Social Security Benefits Up-rating Order (Northern Ireland) 2013 (DSD).

S. R. 2013/70 The Social Security Benefits Up-rating Regulations (Northern Ireland) 2013 (DSD).

S. R. 2013/71 Local Government Pension Scheme (Amendment) Regulations (Northern Ireland) 2013 (DOE).

S. R. 2013/72 The Occupational and Stakeholder Pension Schemes (Miscellaneous Amendments) Regulations (Northern Ireland) 2013 (DSD).

For Information Only:

S. R. 2013/42 The Companies (Public Sector Audit) Order (Northern Ireland) 2013 (DFP).

S. R. 2013/64 The Parking Places (Disabled Persons' Vehicles) (Amendment No. 2) Order (Northern Ireland) 2013 (DRD).

7. Written Ministerial Statements

Bamford Action Plan (DHSSPS).

Status of Compensation Agency (DOJ).

8. Consultation Documents

Equality Consultation for a Proposed Justice Bill (NI) 2013 (DOJ).

Public Consultation on Mutual Recognition of Penalty Points Between Northern Ireland and Ireland (DOE).

9. Departmental Publications

10. Agency Publications

11. Westminster Publications

12. Miscellaneous Publications

Civil Service (Special Advisers) Bill
Marshalled List of Amendments
Consideration Stage
Tuesday 19 March 2013

Amendments tabled up to 9.30am Thursday, 14 March 2013 and selected for debate
The Bill will be considered in the following order-
Clauses, Schedule and Long Title

Amendment 1

Clause 1, Page 1, Line 7

After 'position on' insert 'or before'

Mr Jim Allister

Amendment 2

Clause 2, Page 1, Line 9

Leave out subsection (1) and insert -

'(1) Subject to subsection (2) and section (*Determination of eligibility of special advisers by Commissioners (Amendment 11)*), a person is not eligible for appointment as a special adviser if the person has a serious criminal conviction.

(2) Where a Minister proposes to appoint as a special adviser a person who has a serious criminal conviction, that person may refer the proposed appointment to the Commissioners.'

Mr Jim Allister

Amendment 3

Clause 2, Page 1, Line 9

Leave out subsection (1) and insert -

'(1) Where a Minister proposes to appoint as a special adviser a person who has a conviction for a conflict-related offence, the Minister must refer the proposed appointment to the Commissioners.'

Mr Dominic Bradley
Mr Alban Maginness

Amendment 4

Clause 2, Page 1, Line 10

At end insert -

', but this is subject to section (Exception for conflict-related offences: procedure for proposed appointees).'

Mr Mitchel McLaughlin
Ms Megan Fearon

Amendment 5

Clause 2, Page 1, Line 14

Leave out 'section' and insert 'subsection'

Mr Jim Allister

Amendment 6**Clause 2**, Page 1

Leave out line 17 and insert -

'the Minister who appointed that person must, after consultation with that person, refer the appointment to the Commissioners, within 21 days of this subsection coming into operation.'

*Mr Dominic Bradley
Mr Alban Maginness*

Amendment 7**Clause 2**, Page 1, Line 17

At end insert -

;', but this is subject to section (Exception for conflict-related offences: procedure for existing appointees).'

*Mr Mitchel McLaughlin
Ms Megan Fearon*

Amendment 8**Clause 2**, Page 1, Line 17

At end insert -

'() but a person to whom subsection (3) will apply may refer the appointment to the Commissioners, within 21 days of this subsection coming into operation.'

Mr Jim Allister

Amendment 9**Clause 2**, Page 1, Line 18

Leave out 'Ministers' and insert 'A Minister'

Mr Jim Allister

Amendment 10**Clause 2**, Page 1, Line 19

Leave out 'them' and insert 'the Minister'

Mr Jim Allister

Clause 2

The Members listed below give notice of their intention to oppose the question that clause 2 stand part of the Bill.

*Ms Judith Cochrane
Mr Stewart Dickson
Mr Chris Lyttle*

Amendment 11**New Clause**

After clause 2 insert -

'Determination of eligibility of special advisers by Commissioners

2A.—(1) Where—

(a) a proposed appointment is referred to the Commissioners under section 2 (*2- as inserted by Amendment 2*), or

(b) an appointment is referred to the Commissioners under section 2 (*subsection as inserted by Amendment 8*),

the Commissioners shall determine whether the person is eligible for appointment as, or to continue to hold appointment as, a special adviser.

(2) The Commissioners shall only determine that a person is eligible for appointment as, or to continue to hold appointment as, a special adviser, if satisfied that there are exceptional circumstances justifying it—

(a) after having regard to the matters set out in subsection (3), and

(b) in the case of a proposed appointment, after taking account of the outcome of the vetting procedures mentioned in subsection (4).

(3) Those matters are—

(a) whether the person has shown contrition for the offence to which the serious criminal conviction relates,

(b) whether the person has taken all reasonable steps to assist in the investigation and prosecution of all other persons connected with the commission of the offence,

(c) the views of any victim of the offence, or where a victim has died, the views of any close family member of the victim.

(4) The Commissioners must arrange for the proposed appointee to be the subject of the same vetting procedures as apply to the appointment of persons as Senior Civil Servants to the Northern Ireland Civil Service.'

Mr Jim Allister

Amendment 12**New Clause**

After clause 2 insert -

'Exception for conflict-related offences: procedure for proposed appointees

2A.—(1) Where a Minister proposes to appoint as a special adviser a person who has incurred a serious criminal conviction for a conflict-related offence, the Minister must refer the matter to the First Minister and deputy First Minister.

(2) The First Minister and deputy First Minister, acting jointly, must within 14 days of the referral, establish a review panel in accordance with section (*Exception for conflict-related offences: review panel*) and refer the matter to it.

(3) The review panel must arrange for the proposed appointee to be the subject of the vetting procedures referred to in section 6.

(4) Subject to the outcome of those procedures, the review panel must determine that the proposed appointee is eligible for appointment, unless satisfied that the nature of the proposed appointee's role as a special adviser is manifestly incompatible with the circumstances of the conflict-related offence.'

*Mr Mitchel McLaughlin
Ms Megan Fearon*

Amendment 13**New Clause**

After clause 2 insert -

'Exception for conflict-related offences: procedure for existing appointees

2B.—(1) This section applies if, on the date of its coming into operation—

- (a) a person holds an appointment as a special adviser,
- (b) the person has before that date incurred a serious criminal conviction, and
- (c) the serious criminal conviction was for a conflict-related offence.

(2) The Minister who appointed that person may, within 21 days of the coming into operation of this section, and after consultation with the person, refer the matter to the First Minister and deputy First Minister.

(3) The First Minister and deputy First Minister, acting jointly, must within 14 days of the referral, establish a review panel in accordance with section (*Exception for conflict-related offences: review panel*) and refer the matter to it.

(4) The review panel must determine that the person's appointment will not be, or is not, terminated by virtue of this Act, unless satisfied that the nature of the person's role as a special adviser is manifestly incompatible with the circumstances of the conflict-related offence.'

*Mr Mitchel McLaughlin
Ms Megan Fearon*

Amendment 14**New Clause**

After clause 2 insert -

'Exception for conflict-related offences: review panel

2C.—(1) This section applies where the First Minister and deputy First Minister, acting jointly, are required to appoint a review panel for the purposes of section (*Exception for conflict-related offences: procedure for proposed appointees*) or (*Exception for conflict-related offences: procedure for existing appointees*).

(2) The First Minister and deputy First Minister, acting jointly, must—

- (a) appoint independent persons with suitable qualifications, expertise or experience, to be members of the review panel,
- (b) pay those persons such fees, allowances or expenses as appear appropriate,
- (c) provide the review panel with staff, accommodation or other facilities as appear appropriate.

(3) A review panel may regulate its own procedure.

(4) A review panel only remains in existence for so long as is necessary for it to exercise its functions.'

*Mr Mitchel McLaughlin
Ms Megan Fearon*

Amendment 15**New Clause**

After clause 2 insert -

'Exception for conflict-related offences: appeals

2D.—(1) Where a review panel—

(a) determines under section (*Exception for conflict-related offences: procedure for proposed appointees*) that a person is not eligible for appointment as a special adviser, or

(b) determines under section (*Exception for conflict-related offences: procedure for existing appointees*) that a person's appointment as a special adviser will be, or is terminated by virtue of this Act,

that person may appeal to the High Court.

(2) The appeal can only be brought on the ground that the nature of the person's role as a special adviser would not be, or is not manifestly incompatible with the circumstances of the conflict-related offence.

(3) The appeal must be brought within 21 days from the day on which the review panel made the determination.

(4) On hearing the appeal, the High Court may make such order as it thinks fit in respect of the person's—

(a) eligibility for appointment as a special adviser, or

(b) termination of appointment as a special adviser.'

*Mr Mitchel McLaughlin
Ms Megan Fearon*

Amendment 16**New Clause**

After clause 2 insert -

'Determination of eligibility of special advisers by Commissioners

2A.—(1) Where—

(a) a proposed appointment is referred to the Commissioners under section 2 (*1 - as inserted by Amendment 3*), or

(b) an appointment is referred to the Commissioners under section 2 (*3- as amended by Amendment 6*),

the Commissioners shall determine whether the person is eligible for appointment as, or to continue to hold appointment as, a special adviser.

(2) The Commissioners shall only determine that a person is eligible for appointment as, or to continue to hold appointment as, a special adviser, if satisfied that it is reasonable to do so—

(a) after having regard to the matters set out in subsection (3), and

(b) in the case of a proposed appointment, after taking account of the outcome of the vetting procedures mentioned in subsection (4).

(3) Those matters are—

(a) the nature of the offence to which the serious criminal conviction relates,

(b) the relevance of the nature of the offence to the person's role as a special adviser, and

(c) such other matters as the Commissioners consider relevant.

(4) The Commissioners must arrange for the proposed appointee to be the subject of the same vetting procedures as apply to the appointment of persons as Senior Civil Servants to the Northern Ireland Civil Service.'

*Mr Dominic Bradley
Mr Alban Maginness*

Amendment 17**New Clause**

After clause 2 insert -

'Appeals against Commissioners' determinations

2B.—(1) Where a person who is the subject of a determination of the Commissioners is aggrieved by that determination, that person may appeal to the High Court.

(2) The appeal can only be brought on the ground that it was not reasonable for the Commissioners to make that determination.

(3) The appeal must be brought within 21 days from the day on which the Commissioners made the determination.

(4) On hearing the appeal, the High Court may make such order as it thinks fit in respect of a person's eligibility for appointment as, or to continue to hold appointment as, a special adviser.'

*Mr Dominic Bradley
Mr Alban Maginness*

Amendment 18

Clause 3, Page 2, Line 1

After 'sentence of' insert 'immediate'

Mr Jim Allister

Amendment 19

Clause 3, Page 2, Line 5

After 'State' insert 'or the Minister of Justice'

Mr Jim Allister

Amendment 20

Clause 3, Page 2, Line 9

After 'Governor' insert 'or the Secretary of State'

Mr Jim Allister

Amendment 21

Clause 3, Page 2, Line 15

Leave out 'Act' and insert 'section'

Mr Jim Allister

Amendment 22

Clause 3, Page 2, Line 15

At end insert -

'(3) Where the person was convicted in a country or territory outside Northern Ireland, the references in subsection (1) (c), (d) and (e) to sentences are to be read as references to equivalent sentences in the country or territory in which the person was convicted.'

Mr Jim Allister

Clause 3

The Members listed below give notice of their intention to oppose the question that clause 3 stand part of the Bill.

*Ms Judith Cochrane
Mr Stewart Dickson
Mr Chris Lyttle*

Amendment 23**New Clause**

After clause 3 insert -

'Meaning of "conflict-related offence"

3A. In this Act, 'conflict-related offence' means—

(a) an offence for which a person was released on licence under the Northern Ireland (Sentences) Act 1998, and that licence has not been revoked, or

(b) an offence for which a person would have been released on licence under the Northern Ireland (Sentences) Act 1998, had the person not already been released before that Act came into operation.'

Mr Mitchel McLaughlin
Ms Megan Fearon

Amendment 24

Clause 4, Page 2, Line 18

After 'employed' insert 'at any time'

Mr Jim Allister

Amendment 25

Clause 5, Page 2, Line 26

Leave out '3' and insert '2'

Mr Jim Allister

Amendment 26

Clause 5, Page 2, Line 30

Leave out 'function' and insert 'power'

Mr Jim Allister

Amendment 27

Clause 5, Page 2, Line 32

Leave out 'function' and insert 'power'

Mr Jim Allister

Amendment 28

Clause 5, Page 2, Line 34

Leave out 'function' and insert 'power'

Mr Jim Allister

Amendment 29

Clause 5, Page 2, Line 38

Leave out 'employment' and insert 'appointment'

Mr Jim Allister

Amendment 30

Clause 6, Page 3, Line 3

Leave out '3' and insert '2'

Mr Jim Allister

Amendment 31**Clause 6**, Page 3, Line 3

At end insert -

'() Where a Minister proposes to appoint a special adviser, such an appointment shall be subject to the terms of the code.'

*Ms Judith Cochrane
Mr Stewart Dickson
Mr Chris Lyttle*

Amendment 32**Clause 6**, Page 3, Line 4

Leave out subsection (2) and insert -

'(2) Without prejudice to the generality of subsection (1), the code must provide that persons proposed for appointment as special advisers—

(a) must be subject to the same vetting procedures as persons to be appointed as Senior Civil Servants to the Northern Ireland Civil Service,

(b) must not be subject to further vetting procedures if they have been subject to vetting procedures in accordance with section (*Determination of eligibility of special advisers by Commissioners (Amendment 11)*).'

Mr Jim Allister

Amendment 33**Clause 6**, Page 3, Line 4

Leave out subsection (2) and insert -

'(2) Without prejudice to the generality of subsection (1), the code must provide that the appointment of special advisers must be subject to—

(a) an assessment of the candidate's character by the Department of Finance and Personnel, including a criminal record check; and

(b) a recommendation to the appointing Minister regarding test of character, consistent with the decision that would have been taken with any other applicant to the NICS.'

*Ms Judith Cochrane
Mr Stewart Dickson
Mr Chris Lyttle*

Amendment 34**Clause 6**, Page 3, Line 4

Leave out subsection (2) and insert -

'(2) Without prejudice to the generality of subsection (1), the code must provide that persons proposed for appointment as special advisers—

(a) must be subject to the same vetting procedures as persons to be appointed as Senior Civil Servants to the Northern Ireland Civil Service,

(b) must not be subject to further vetting procedures if they have been subject to vetting procedures in accordance with section (*Determination of eligibility of special advisers by Commissioners (Amendment 16)*).'

*Mr Dominic Bradley
Mr Alban Maginness*

Amendment 35**Clause 6**, Page 3, Line 7

At end insert -

'() Until such times as the appointment process has been completed, and an appointment made in accordance with the code, no person may exercise the functions or be entitled to the benefits and privileges of a special adviser.

() The code must provide for a mechanism that would allow an appointing Minister or a prospective candidate to appeal to an independent panel appointed for that purpose by the First Minister and deputy First Minister.'

*Ms Judith Cochrane
Mr Stewart Dickson
Mr Chris Lyttle*

Amendment 36**Clause 6**, Page 3, Line 9

At end insert -

'(4) All persons exercising functions in respect of the appointment of special advisers must have regard to the code.'

Mr Jim Allister

Clause 6

The Members listed below give notice of their intention to oppose the question that clause 6 stand part of the Bill.

*Mr Mitchel McLaughlin
Ms Megan Fearon*

Amendment 37**New Clause**

After clause 6 insert -

'Procedure for appointments

6A.—(1) The Department must, within 3 months from the date of coming into operation of this section, make regulations governing the appointment of special advisers.

(2) Without prejudice to the generality of subsection (1), those regulations must provide that—

(a) a person to be appointed as a special adviser must be subject to the same vetting procedures as persons appointed as civil servants to the Northern Ireland Civil Service, save that the vetting procedures must not take into account any serious criminal conviction the person has for a conflict-related offence,

(b) where enhanced vetting procedures apply to a particular class of civil servants, those enhanced vetting procedures do not apply to persons to be appointed as special advisers,

(c) where a person has been subject to vetting procedures in accordance with section (*Exception for conflict-related offences: procedure for proposed appointees*), the person will not be subject to any further vetting procedures for the purposes of appointment as a special adviser.

(3) Regulations under this section must not be made unless a draft of the regulations has been laid before and approved by a resolution of the Assembly.'

*Mr Mitchel McLaughlin
Ms Megan Fearon*

Amendment 38**Clause 8**, Page 3, Line 19

At end insert -

'"the Commissioners" means the Civil Service Commissioners for Northern Ireland,'

Mr Jim Allister

Amendment 39**Clause 8**, Page 3, Line 20

Before 'Department' insert 'The'

*Mr Jim Allister***Amendment 40****Clause 8**, Page 3, Line 21

Before 'Minister' insert 'The'

*Mr Jim Allister***Amendment 41****Clause 10**, Page 3, Line 32

After 'Sections' insert '2 (subsection as inserted by Amendment 8), (Determination of eligibility of special advisers by Commissioners (Amendment 11)),'

*Mr Jim Allister***Amendment 42****Clause 10**, Page 3, Line 32

After 'Sections' insert '(Exception for conflict-related offences: procedure for existing appointees), (Exception for conflict-related offences: review panel), (Exception for conflict-related offences: appeals), (Meaning of "conflict-related offence"),'

*Mr Mitchel McLaughlin
Ms Megan Fearon***Amendment 43****Clause 10**, Page 3, Line 32

After 'Sections' insert '2(subsection as amended by Amendment 6), (Meaning of "conflict-related offence"), (Determination of eligibility of special advisers by Commissioners (Amendment 16)),'

*Mr Dominic Bradley
Mr Alban Maginness***Amendment 44****Clause 10**, Page 3, Line 32

Leave out 'and 6' and insert ', 6, 8, 10 and 11'

Mr Jim Allister

Northern Ireland Assembly Legislation:

Stages in Consideration of Public Bills

First Stage: Introduction of Bill.

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Committee Stage (Comm. Stage): Detailed investigation by a Committee which concludes with the publication of a report for consideration by the Assembly.

Consideration Stage (CS): Consideration by the Assembly of, and an opportunity for Members to vote on, the details of the Bill including amendments proposed to the Bill.

Further Consideration Stage (FCS): Consideration by the Assembly of, and an opportunity for Members to vote on, further amendments to the Bill.

Final Stage: Passing or rejecting of Bill by the Assembly, without further amendment.

Royal Assent.

Proceedings as at 19 March 2013

2011-2015 Mandate

Executive Bills

Title & Bill Number	First Stage	Second Stage	Comm. Stage to Conclude	Report Ordered to be Printed	CS	FCS	Final Stage	Royal Assent
Marine Bill NIA Bill 5/11-15	21.02.12	05.03.12	06.07.12	05.07.12				
Superannuation Bill NIA Bill 6/11-15	12.03.12	26.03.12	28.09.12	26.09.12	22.10.12	06.11.12	19.11.12	10.01.13
Inquiry into Historical Institutional Abuse Bill NIA Bill 7/11-15	12.06.12	25.06.12	26.10.12	24.10.12	20.11.12	03.12.12	11.12.12	18.01.13
Business Improvement Districts Bill NIA Bill 9/11-15	25.06.12	17.09.12	13.12.12	13.12.12	21.01.13	29.01.13	11.02.13	
Criminal Justice Bill NIA Bill 10/11-15	25.06.12	03.07.12	14.12.12	13.12.12	19.02.13 & 25.02.13	12.03.13		
Charities Bill NIA Bill 11/11-15	02.07.12	11.09.12	23.10.12	23.10.12	20.11.12	03.12.12	11.12.12	18.01.13
Welfare Reform Bill NIA Bill 13/11-15	01.10.12	09.10.12	19.02.13	14.02.13				
Education Bill NIA Bill 14/11-15	02.10.12	15.10.12	08.04.13					

Title & Bill Number	First Stage	Second Stage	Comm. Stage to Conclude	Report Ordered to be Printed	CS	FCS	Final Stage	Royal Assent
/Air Passenger Duty (Setting of Rate) Bill NIA Bill 15/11-15	08.10.12	16.10.12	N/A	N/A	22.10.12	05.11.12	06.11.12	11.12.12
Water and Sewerage Services (Amendment) Bill NIA Bill 16/11-15	19.11.12	27.11.12	29.01.12	23.01.13	12.02.13	25.02.13	05.03.13	
Planning Bill NIA Bill 17/11-15	14.01.13	22.01.13	07.06.13					
/Budget Bill NIA Bill 18/11-15	11.02.13	12.02.13	N/A	N/A	18.02.13	19.02.13	25.02.13	14.03.13

**2011-2015 Mandate
Non-Executive Bills**

Title & Bill Number	First Stage	Second Stage	Comm. Stage to Conclude	Report Ordered to be Printed	CS	FCS	Final Stage	Royal Assent
Civil Service (Special Advisers) Bill NIA Bill 12/11-15	02.07.12	25.09.12	15.02.13	13.02.13	19.03.13			

/ Bill progressing by accelerated passage

** Please note that any bills that received Royal Assent in the previous session have been removed from the table.

Northern Ireland Assembly

Monday 8 April 2013

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 Resignation

The Speaker informed Members that he had received a letter from Mr Francie Molloy resigning as a Member of the Assembly with effect from noon on Sunday 7 April 2013.

2.2 New Member

The Speaker informed Members that he had been notified by the Chief Electoral Officer that Mr Ian Milne had been returned as a Member of the Assembly for the Mid Ulster constituency to fill the vacancy that resulted from the resignation of Mr Francie Molloy.

Mr Ian Milne had signed the Roll of Members on 8 April 2013 in the presence of the Speaker. The Speaker confirmed that the Member had signed the Roll and had entered his designation of identity.

2.3 Royal Assent

The Speaker advised Members that Royal Assent had been signified on 21 March 2013 to the Business Improvement Districts Act (Northern Ireland) 2013.

3. Executive Committee Business

3.1 Final Stage: Criminal Justice Bill (NIA 10/11-15)

The Minister of Justice, Mr David Ford, moved that the Final Stage of the Criminal Justice Bill (NIA 10/11-15) do now pass.

Debate ensued.

The Deputy Speaker (Mr Beggs) took the Chair.

The Criminal Justice Bill (NIA 10/11-15) passed Final Stage (Division).

4. Private Members' Business

4.1 Motion: One-stop Shop on Energy Advice

Proposed:

That this Assembly calls on the Minister of Enterprise, Trade and Investment, in conjunction with her Executive colleagues, to introduce a one-stop shop to provide free, independent and impartial advice to consumers and small businesses about their energy needs, to focus on saving consumers money and to encourage consumers to move away from fossil fuels and maximise energy efficiency.

*Mr P Flanagan
Ms S Ramsey
Ms M McLaughlin*

Debate ensued.

The Speaker took the Chair.

The debate was suspended for Question Time.

5. Question Time

5.1 Office of the First Minister and deputy First Minister

Questions were put to, and answered by, the deputy First Minister, Mr Martin McGuinness. The junior Minister, Ms Jennifer McCann, also answered a number of questions.

5.2 Justice

Questions were put to, and answered by, the Minister of Justice, Mr David Ford.

6. Matter of the Day

6.1 The Death of Former Prime Minister, Baroness Thatcher

Mr Peter Robinson made a statement, under Standing Order 24, in relation to the death of former Prime Minister, Baroness Thatcher. Other Members were also called to speak on the matter.

7. Private Members' Business (Cont'd)

7.1 Motion: One-stop Shop on Energy Advice

Debate resumed on the Motion.

The Deputy Speaker (Mr Beggs) took the Chair.

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 4.11pm.

**Mr William Hay
The Speaker**

8 April 2013

Northern Ireland Assembly

8 April 2013
Division

Final Stage: Criminal Justice Bill (NIA 10/11-15)

The Question was put and the Assembly divided.

Ayes: 58

Noes: 38

AYES

Mr Agnew, Mr Allister, Mr Anderson, Mr Bell, Ms P Bradley, Ms Brown, Mr Buchanan, Mr Campbell, Mr Clarke, Mrs Cochrane, Mr Copeland, Mr Craig, Mr Cree, Mrs Dobson, Mr Dunne, Mr Elliott, Dr Farry, Mr Ford, Mrs Foster, Mr Frew, Mr Gardiner, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Hussey, Mr Irwin, Mr Kennedy, Mr Kinahan, Ms Lo, Mr Lunn, Mr Lyttle, Mr McCallister, Mr McCarthy, Mr McCausland, Mr McClarty, Mr I McCreagh, Mr McGimpsey, Mr D McIlveen, Miss M McIlveen, Mr McNarry, Lord Morrow, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mr Poots, Mr G Robinson, Mr P Robinson, Mr Ross, Mr Spratt, Mr Storey, Mr Swann, Mr Weir, Mr Wells, Mr Wilson.

Tellers for the Ayes: Mr Lunn and Mr McCarthy.

NOES

Mr Boylan, Ms Boyle, Mr D Bradley, Mr Brady, Mr Durkan, Mr Eastwood, Ms Fearon, Mr Flanagan, Mr G Kelly, Mr Lynch, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCartney, Ms McCorley, Mr McDevitt, Dr McDonnell, Mr McElduff, Ms McGahan, Mr McGlone, Mr M McGuinness, Mr McKay, Mrs McKeivitt, Ms Maeve McLaughlin, Mr Mitchel McLaughlin, Mr McMullan, Mr A Maginness, Mr Maskey, Mr Ian Milne, Ms Ní Chuilín, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Mr P Ramsey, Ms S Ramsey, Mr Rogers, Ms Ruane, Mr Sheehan.

Tellers for the Noes: Mr McCartney and Ms McCorley.

Resolved:

That the Criminal Justice Bill [NIA 10/11-15] do now pass.

Northern Ireland Assembly

Papers Presented to the Assembly on 20 March – 8 April 2013

1. Acts of the Northern Ireland Assembly

Budget Act (Northern Ireland) 2013 Chapter 4.

Business Improvement Districts Act (Northern Ireland) 2013 Chapter 5.

2. Bills of the Northern Ireland Assembly

Civil Service (Special Advisers) Bill (as amended at consideration stage) (NIA Bill 12/11-15).

3. Orders in Council

4. Publications Laid in the Northern Ireland Assembly

Sport Northern Ireland Retention and Disposal Schedule (DCAL).

Court of Judicature Northern Ireland Land Purchase 2010-11 (DOJ).

Court of Judicature Northern Ireland Land Purchase 2011-12 (DOJ).

A Review of the Voluntary and Community Sector's Involvement in the Northern Ireland Criminal Justice System (DOJ).

Guidance for Criminal Justice Organisations on Human Rights Standards Relevant to the Protection of the Right to Life by the Attorney General for Northern Ireland (DOJ).

South Eastern Education and Library Board Annual Report and Accounts 2011-2012 (DE).

Department of Finance and Personnel Memorandum on the Eleventh Report from the Public Accounts Committee Mandate 2011-2015 (DFP).

The Pollution Prevention and Control (District Councils) Charging Scheme (Northern Ireland) 2013 (DOE).

Annual Report- Improving Children's Life Chances – the Second Year (OFMDFM).

Northern Ireland Fire & Rescue Service Annual Report & Statement of Accounts 2011-12 (DHSSPS).

Southern Education and Library Board Annual Report & Accounts 2011 – 2012 (DE).

5. Assembly Reports

Report on the Northern Ireland Housing Executive: Management of Response Maintenance Contracts (NIA 99/11-15) (Public Accounts Committee).

Second Report on the Unauthorised Disclosure of a Draft Report of the Public Accounts Committee (NIA 103/11-15) (Committee on Standards and Privileges).

Report on the Inquiry into Topical Questions (NIA 105/11-15) (Committee on Procedures).

6. Statutory Rules

S. R. 2013/73 The Health and Personal Social Services (Superannuation), Health and Social Care (Pension Scheme) (Amendment) Regulations (Northern Ireland) 2013 (DHSSPS).

S. R. 2013/74 The Recovery of Health Services Charges (Amounts) (Amendment) Regulations (Northern Ireland) 2013 (DHSSPS).

S. R. 2013/76 The Zoonoses (Fees) (Amendment) Regulations (Northern Ireland) 2013 (DARD).

S. R. 2013/77 The Misuse of Drugs (Designation) (Amendment) Order (Northern Ireland) 2013 (DHSSPS).

- S. R. 2013/78 The Misuse of Drugs (Amendment) Regulations (Northern Ireland) 2013 (DHSSPS).
- S. R. 2013/79 The Automatic Enrolment (Earnings Trigger and Qualifying Earnings Band) Order (Northern Ireland) 2013 (DSD).
- S. R. 2013/80 The Rates (Unoccupied Hereditaments) (Amendment No. 2) Regulations (Northern Ireland) 2013 (DFP).
- S. R. 2013/81 The Costs Protection (Aarhus Convention) Regulations (Northern Ireland) 2013 (DOJ).
- S. R. 2013/82 The Crown Court (Amendment) Rules (Northern Ireland) 2013 (DOJ).
- S. R. 2013/84 The New Firefighters' Pension Scheme (Amendment) Order (Northern Ireland) 2013 (DHSSPS).
- S. R. 2013/85 The Firefighters' Pension Scheme (Amendment) Order (Northern Ireland) 2013 (DHSSPS).
- S. R. 2013/86 Registered Rents (Increase) Order (Northern Ireland) 2013 (DSD).
- S. R. 2013/92 The Gas and Electricity (Internal Markets) Regulations (Northern Ireland) 2013 (DETI).
- S. R. 2013/93 Electricity (Class Exemptions from the Requirement for a Licence) Order (Northern Ireland) 2013 (DETI).
- S. R. 2013/94 The Electricity (Dispute Resolution) Regulations (Northern Ireland) 2013 (DETI).
- S. R. 2013/95 The Pension Protection Fund and Occupational and Personal Pensions Schemes (Miscellaneous Amendments) Regulations (Northern Ireland) 2013 (DSD).

For Information Only:

- Draft S. R. 2013/ The Renewables Obligation (Amendment) Order (Northern Ireland) 2013 (DETI).
- S. R. 2013/83 (C. 5) The Pensions (2012 Act) (Commencement No. 3) Order (Northern Ireland) 2013 (DSD).
- S. R. 2013/87 The Road Races (Cookstown 100) Order (Northern Ireland) 2013 (DRD).
- S. R. 2013/88 The Road Races (Tandragee 100) Order (Northern Ireland) 2013 (DRD).
- S. R. 2013/89 The Magistrates' Courts (Amendment) Rules (Northern Ireland) 2013 (DOJ).

7. Written Ministerial Statements

- Child Poverty Act 2010 – Annual Report- Improving Children's Life Chances – the Second Year (OFMDFM).

8. Consultation Documents

- Consultation on Draft Snares Order (DOE).
- Pre-Consultation seeking views on the need for a Northern Ireland Climate Change Bill (DOE).
- Inquiry into Historical Institutional Abuse 1922-1995 (OFMDFM).
- The Limited Circumstances for a Lawful Termination of Pregnancy in Northern Ireland (DHSSPS).

9. Departmental Publications

- Statistical Review of Northern Ireland Agriculture 2013 (DARD).

10. Agency Publications

11. Westminster Publications

- Supply and Appropriation (Anticipation and Adjustments) Act 2013 Chapter 12.
- Antarctic Act 2013 Chapter 15.
- Welfare Benefits Up-rating Act 2013 Chapter 16.

12. Miscellaneous Publications

- Historic Buildings Council for Northern Ireland 2010-2013 18th Report (DOE).

Northern Ireland Assembly

Tuesday 9 April 2013

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 – Economic inactivity: Baseline Study

The Minister for Employment and Learning, Dr Stephen Farry, made a statement regarding the Economic Inactivity: Baseline Study, following which he replied to questions.

2.2 Statement – Departmental response to the recent severe snow events in parts of Northern Ireland

The Minister for Regional Development, Mr Danny Kennedy, made a statement regarding the Departmental response to the recent severe snow events in parts of Northern Ireland, following which he replied to questions.

The Deputy Speaker (Mr Dallat) took the Chair.

2.3 Statement – Consequences for farming from the severe weather event

The Minister of Agriculture and Rural Development, Mrs Michelle O'Neil, made a statement regarding the consequences for farming from the severe weather event, following which she replied to questions.

The sitting was suspended at 12.52pm.

The sitting resumed at 2.00pm, with the Deputy Speaker (Mr Beggs) in the Chair.

3. Question Time

3.1 Regional Development

Questions were put to, and answered by, the Minister for Regional Development, Mr Danny Kennedy.

3.2 Social Development

Questions were put to, and answered by, the Minister for Social Development, Mr Nelson McCausland.

4. Private Members' Business

4.1 Motion: EU Regional Aid

Proposed:

That this Assembly recognises the positive effect that Northern Ireland's 100 percent coverage for EU Regional Aid has had on the economy; believes that it has been significant in aiding economic growth and inward investment; is concerned that removing this automatic coverage would have a detrimental impact on the economy, jobs and growth; and calls on the Minister of Enterprise, Trade and Investment to continue to lobby the Government at Westminster and the European Commission to ensure that EU Regional Aid is retained for all of Northern Ireland.

Mr R Newton

Mr P Frew

Mr G Dunne

Debate ensued.

The Question being put, the Motion was **carried** without division.

The Speaker took the Chair.

4.2 Motion: Civic Forum on Participative Democracy

Proposed:

That this Assembly calls on the First Minister and deputy First Minister to reconvene the Civic Forum to fulfil the commitments of the Belfast Agreement to participative democracy and to facilitate an all-inclusive consultative forum to help address the social, economic and cultural issues facing this region.

Mr C Eastwood

Mr J Dallat

Mrs D Kelly

Debate ensued.

The Question being put, the Motion was **carried** (Division).

5. Adjournment

Mr Trevor Lunn spoke to his topic regarding the pollution in the River Lagan and its tributaries.

The Deputy Speaker (Mr Dallat) took the Chair.

Proposed:

That the Assembly do now adjourn.

The Speaker

The Assembly adjourned at 6.36pm.

Mr William Hay

The Speaker

9 April 2013

Northern Ireland Assembly

9 April 2013
Division

Motion: Civic Forum on Participative Democracy

Proposed:

That this Assembly calls on the First Minister and deputy First Minister to reconvene the Civic Forum to fulfil the commitments of the Belfast Agreement to participative democracy and to facilitate an all-inclusive consultative forum to help address the social, economic and cultural issues facing this region.

Mr C Eastwood

Mr J Dallat

Mrs D Kelly

Question was put and the Assembly divided.

Ayes: 48

Noes: 47

AYES

Mr Agnew, Mr Attwood, Mr Boylan, Ms Boyle, Mr D Bradley, Mr Brady, Mr Byrne, Mrs Cochrane, Mr Dallat, Mr Durkan, Mr Eastwood, Dr Farry, Ms Fearon, Mr Flanagan, Mr Ford, Mr Hazzard, Mr G Kelly, Mr Lunn, Mr Lynch, Mr Lyttle, Mr McAleer, Mr McCallister, Mr F McCann, Ms J McCann, Mr McCartney, Ms McCorley, Mr B McCrea, Mr McDevitt, Dr McDonnell, Mr McElduff, Ms McGahan, Mr McGlone, Mr M McGuinness, Mr McKay, Mrs McKeivitt, Ms Maeve McLaughlin, Mr Mitchel McLaughlin, Mr McMullan, Mr A Maginness, Mr Maskey, Mr Milne, Ms Ní Chuilín, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Ms S Ramsey, Ms Ruane, Mr Sheehan.

Tellers for the Ayes: Mr McGlone and Mrs McKeivitt.

NOES

Mr Allister, Mr Anderson, Mr Beggs, Mr Bell, Ms P Bradley, Ms Brown, Mr Buchanan, Mr Campbell, Mr Clarke, Mr Copeland, Mr Craig, Mr Cree, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Easton, Mr Elliott, Mrs Foster, Mr Frew, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Irwin, Mr Kennedy, Mr Kinahan, Mr McCausland, Mr I McCrea, Mr D McIlveen, Miss M McIlveen, Mr McQuillan, Lord Morrow, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mr Poots, Mr G Robinson, Mr P Robinson, Mr Ross, Mr Spratt, Mr Storey, Mr Swann, Mr Weir, Mr Wells.

Tellers for the Noes: Mr Clarke and Mr G Robinson.

The Motion was **carried**.

Northern Ireland Assembly

Papers Presented to the Assembly on 9 April 2013

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

S. R. 2013/90 Superannuation (Maze/Long Kesh Development Corporation) Order (Northern Ireland) 2013 (DFP).

S. R. 2013/91 Pensions Increase (Review) Order (Northern Ireland) 2013 (DFP).

S. R. 2013/96 The Planning (General Development) (Amendment) Order (Northern Ireland) 2013 (DOE).

For Information Only:

7. Written Ministerial Statements
8. Consultation Documents
9. Departmental Publications
Statutory Biosecurity Guidance for Brucellosis (DARD).
10. Agency Publications
11. Westminster Publications
12. Miscellaneous Publications

Northern Ireland Assembly Legislation:

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Final Stage: Passing or rejecting of Bill by the Assembly, without further amendment.

Royal Assent.

Proceedings as at 9 April 2013

2011-2015 Mandate

Executive Bills

Title & Bill Number	First Stage	Second Stage	Comm. Stage to Conclude	Report Ordered to be Printed	CS	FCS	Final Stage	Royal Assent
Marine Bill NIA Bill 5/11-15	21.02.12	05.03.12	06.07.12	05.07.12				
Superannuation Bill NIA Bill 6/11-15	12.03.12	26.03.12	28.09.12	26.09.12	22.10.12	06.11.12	19.11.12	10.01.13
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Business Improvement Districts Bill NIA Bill 9/11-15	25.06.12	17.09.12	13.12.12	13.12.12	21.01.13	29.01.13	11.02.13	21.03.13
Criminal Justice Bill NIA Bill 10/11-15	25.06.12	03.07.12	14.12.12	13.12.12	19.02.13 & 25.02.13	12.03.13	08.04.13	
Charities Bill NIA Bill 11/11-15	02.07.12	11.09.12	23.10.12	23.10.12	20.11.12	03.12.12	11.12.12	18.01.13
Welfare Reform Bill NIA Bill 13/11-15	01.10.12	09.10.12	19.02.13	14.02.13				
Education Bill NIA Bill 14/11-15	02.10.12	15.10.12	08.04.13	08.04.13				

Title & Bill Number	First Stage	Second Stage	Comm. Stage to Conclude	Report Ordered to be Printed	CS	FCS	Final Stage	Royal Assent
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Water and Sewerage Services (Amendment) Bill NIA Bill 16/11-15	19.11.12	27.11.12	29.01.12	23.01.13	12.02.13	25.02.13	05.03.13	
Planning Bill NIA Bill 17/11-15	14.01.13	22.01.13	07.06.13					
/Budget Bill NIA Bill 18/11-15	11.02.13	12.02.13	N/A	N/A	18.02.13	19.02.13	25.02.13	14.03.13

**2011-2015 Mandate
Non-Executive Bills**

Title & Bill Number	First Stage	Second Stage	Comm. Stage to Conclude	Report Ordered to be Printed	CS	FCS	Final Stage	Royal Assent
Civil Service (Special Advisers) Bill NIA Bill 12/11-15	02.07.12	25.09.12	15.02.13	13.02.13	19.03.13			

/ Bill progressing by accelerated passage

** Please note that any bills that received Royal Assent in the previous session have been removed from the table.