



Northern Ireland  
Assembly

# OFFICIAL REPORT (Hansard) and JOURNAL OF PROCEEDINGS

Volume 87

(8 July 2013 to 29 September 2013)



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Bradley, Dominic (Newry and Armagh)	McCrea, Basil (Lagan Valley)
Bradley, Ms Paula (North Belfast)	McCrea, Ian (Mid Ulster)
Brady, Mickey (Newry and Armagh)	McDevitt, Conall (South Belfast) ( <i>Resigned 4 September 2013</i> )
Brown, Ms Pam (South Antrim)	McDonnell, Dr Alasdair (South Belfast)
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Byrne, Joe (West Tyrone)	McGahan, Ms Bronwyn (Fermanagh and South Tyrone)
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Minister for Social Development.....	Mr Nelson McCausland
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Minister of Education .....	Mr John O'Dowd
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Minister of Finance and Personnel .....	Mr Sammy Wilson ( <i>until 29 July 2013</i> ) Mr Simon Hamilton ( <i>from 29 July 2013</i> )
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Minister of Justice .....	Mr David Ford

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Office of the First Minister and deputy First Minister .....	Mr Jonathan Bell Ms Jennifer McCann
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# Official Report (Hansard)





# Assembly Sittings



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# Northern Ireland Assembly

Monday 8 July 2013

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

*Members observed two minutes' silence.*

## Private Members' Business

### **Inquiry into Allegations of Wrongful Political Interference in the Northern Ireland Housing Executive, Potential Breaches of the Ministerial Code of Conduct and Misleading the Assembly and the Committee for Social Development**

**Mr Speaker:** Order. If Members want to remove their jacket, they can do so. Members who may be feeling the heat of the moment can certainly remove their jacket.  
[*Interruption.*] Order, Members.

Having been given notice by not fewer than 30 Members under Standing Order 11, I have summoned the Assembly to meet today for the purpose of debating the motion that appears on the Order Paper. The Business Committee has agreed to allow up to two hours and 15 minutes for the debate. Two amendments have been selected and published on the Marshalled List. The proposer of the motion will have 10 minutes in which to propose the motion and 10 minutes in which to make a winding-up speech. The proposer of each amendment will have 10 minutes in which to propose and five minutes in which to make a winding-up speech. All other Members who wish to speak will have five minutes. The Minister will have 20 minutes in which to respond. The House should note that both amendments cannot be made as they are mutually exclusive. If amendment No 1 is made, the Question will not be put on amendment No 2.

I inform Members that a valid petition of concern was presented on Friday 5 July in relation to the motion.  
[*Interruption.*] Order, Members. I remind Members that the vote on the motion will be on a cross-community basis, while the votes on the amendments will require only a simple majority. I hope that that is clear for the whole House.

**Ms Ruane:** I beg to move

*That this Assembly expresses concern at the contents of the major investigation by the BBC 'Spotlight' programme broadcast on Wednesday 3 July 2013; notes the allegations of serious and wrongful political interference in the Housing Executive and that the Assembly and the Committee for Social Development were purposely misled by the Minister for Social Development over his decision to seek a review of the specification for the supply and fitting of double glazing; and calls for a full inquiry into the relevant*

*Minister to establish any impropriety or irregularity as well as any breach of the ministerial code of conduct.*

Go raibh maith agat, a Cheann Comhairle. Tá mé ag moladh an rúin. I move the motion. Ní bheidh Sinn Féin ag tacú leis an dá leasú. Sinn Féin is not supporting either of the two amendments.

Let us be very clear: we are here today because of the allegations aired in last Wednesday night's 'Spotlight' programme. That programme aired serious allegations of corruption: financial corruption and political corruption. Those allegations, in the public mind, call into question two of our major institutions: the Housing Executive and our political institutions. The public are rightly asking questions about whether political influence can ensure the awarding of public contracts or ensure that business competitors will not be awarded them. They ask whether political influence can ensure political favours.

Of course, allegations, in themselves, are not proof, but what has been put forward in the programme clearly warrants investigation. The claim that contractors were making illegal payments to Housing Executive staff in order to ensure that they turned a blind eye to payment for work that was either not carried out or was of such a shoddy standard that it should not have been paid for is something that was carried in the Public Accounts Committee (PAC) report.

There is a perception that Minister McCausland has raised issues around other contractors to muddy the waters around Red Sky, when, in fact, there is no comparison. I call on the Minister to do the honourable thing and step aside from his role as Social Development Minister until the completion of inquiry and investigative processes. The precedent for standing aside and allowing an investigation to take place has already been set by the Minister's party leader. Anything less will leave our political system open to ridicule, because his actions and those of his political adviser have created the thought in people's minds that politicians are more concerned about boxing off their political supporters than about conducting themselves with probity and fairness.

The Assembly needs to know the full extent of the PSNI investigation. Indeed, at the Policing Board last Thursday, I asked Matt Baggott to investigate the allegations in the 'Spotlight' programme. He has assured me, in public, that he will do so. I await his investigation and report in relation to this.

The programme also makes claims about abuses of political governance. Whatever political parties may have tried to insinuate in the past about sectarian motives for

some decisions, there can be no defence or hiding place from the allegation made about the Social Development Minister's political adviser. The allegations come from a member of the Minister's own party, so let no one try to claim that she has a political axe to grind against the DUP. Although the Minister and his political adviser have sought to dispute Jenny Palmer's version of events about improper political influence, anyone who has seen the programme will draw their own conclusion about who was most believable.

The programme also exposed a difference in a draft letter that the Minister sent to the Social Development scrutiny Committee. It is very noticeable that the final version of the letter delivered by the Minister sought to disguise the fact that he had met a party supporter who had a vested interest in the awarding of contracts for the fitting of windows.

The Minister, in his evidence to the Social Development scrutiny Committee last Thursday, was at great pains to point out that the Housing Executive had already started to review the specification for windows prior to his meeting with representatives of Turkington. That being the case, the public will quite rightly ask why, if the Minister had nothing to hide, did he seek to cover up whom he had met. In particular, the public will ask whether it was appropriate for the Minister to discuss with a potential bidder what the specifications of a contract should be. The 'Spotlight' programme reminded people of the Minister's desired approach of retaining Red Sky despite the overwhelming evidence of its wrongdoing. Such an approach was, at best, a clear demonstration of the Minister's poor political judgement; at worst, it was, as some suggest, a boxing off of party supporters.

There is no place for a brown envelope culture anywhere on this island, and the DUP and Nelson McCausland have major questions to answer. Turkington Holdings is owned by Trevor Turkington, a public supporter of the DUP. He nominated Stephen Moutray in 2011. Is Trevor Turkington or his company a DUP donor? I will give the Floor to the DUP if it would like to answer this question.

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

**Ms Ruane:** No. *[Laughter.]* The questions that I want answered are these: does Red Sky or any of its directors donate to the DUP, and is Trevor Turkington or his company a DUP donor? Yes or no. I will give way if you answer those questions.

**Mr Clarke:** I thank the Member for giving way. In her opening remarks, she referred to speaking to Matt Baggott about the BBC 'Spotlight' programme. When she had that opportunity to speak to him, did she also raise concerns about one of her Ministers interfering and obstructing police in their duty?

**Ms Ruane:** I note that the party did not answer the two questions that I asked. We have seen the impact of the brown envelope culture in the South of Ireland. Last week, we were reminded yet again, if we needed to be, of the arrogance and disdain of the golden circle of bankers, developers and politicians who had been too long in power and forgot who they were working for. Sinn Féin supports transparency regarding political donations and has lobbied the British Government on this. *[Interruption.]*

**Mr Speaker:** Order.

**Ms Ruane:** For the record, all our donations in the North that are of a registrable level are from MLAs, special advisers and other employees. The British Government refuse to publish the names of donors and hide behind security concerns.

Let us look at the record of parties in this House. The UUP and DUP continue to support secrecy on donations. The SDLP claims to support transparency. When Margaret Ritchie became the SDLP leader, she said that she would publish the names of donors — that did not happen. Why? We know, for example, through the work of the Moriarty tribunal, that Denis O'Brien and Paddy McKillen donated to the SDLP. *[Interruption.]*

**Mr Speaker:** Order.

**Ms Ruane:** It serves no one when parties claim to want transparency and continue the practice of secrecy. *[Interruption.]*

**Mr Speaker:** Order. The Member has the Floor. Order.

**Ms Ruane:** The British Government continue to facilitate this practice. Sinn Féin has taken action and stands on its record. Paul Maskey, in 2009 — *[Interruption.]*

**Mr Speaker:** Order.

**Ms Ruane:** — made the Housing Executive aware of the substandard work. Indeed, he was so worried about it that he asked for a complete investigation. Alec Maskey, Chair of the Committee for Social Development, summoned the Minister to the Committee on Thursday, and a full investigation will be carried out. *[Interruption.]*

**Mr Speaker:** Order.

**Ms Ruane:** I have made a complaint to the Assembly Commissioner for Standards —

**Mr P Robinson:** Will the Member give way?

**Ms Ruane:** No, I will not give way.

I have made a complaint to the Assembly Commissioner for Standards regarding Nelson McCausland and await the outcome. I also await the finding of the PSNI investigation that I requested last Thursday at the Policing Board.

**Mr Bell:** On a point of order, Mr Speaker. The honourable Member made an allegation, which is, I believe, factually incorrect, that the Minister was summoned to the Committee. Is it not the case that the Minister volunteered to come to the Committee? While the Member is on her feet, will she tell us how big the brown envelope was for the £26 million from the IRA? *[Interruption.]*

**Mr Speaker:** Order. The Member's point of order is on the record. I am sure that the Minister, when speaking in the House, will clarify the position. *[Interruption.]* Order. Allow the Member to continue.

**12.15 pm**

**Ms Ruane:** Go raibh maith agat, a Cheann Comhairle. I am — *[Interruption.]*

**Mr Speaker:** Order.

**Ms Ruane:** — deeply disappointed by the DUP approach to the debate. The use of a petition of concern in this instance is wrong and inappropriate. It sends a message to the public that the DUP think that it can abuse these

institutions instead of answering the questions that need to be answered.

Let us remind ourselves of who was affected by this scandalous behaviour. It was people such as Sinéad Flannery, who spoke out on 'Spotlight'. For Sinn Féin, it is immaterial whether Sinéad lives on the Falls or the Shankill or in Sandy Row or Warrenpoint. Sinéad was seven months pregnant, had five children, and the roof fell in on her four times in a year — four times in a year after Red Sky repairs. The people of Lenadoon were affected, when, after flooding, tinfoil was wrapped around fuses as a form of repair, breaching every health and safety regulation under the sun and endangering the occupants of the house. Those people deserve the highest standards of housing. They deserve the truth, and they need to know that the Assembly will take action.

**Mr Campbell:** I beg to move amendment No 1:

*Leave out all after the first "Assembly" and insert*

*"welcomes the Committee for Social Development's investigation into the BBC 'Spotlight' programme of 3 July and the allegations made within it; notes that the inquiry will consider the conduct of the Minister for Social Development; considers that such an inquiry should also include the activities, comments broadcast and role of Mr Brian Rowntree in relation to the issues raised including the Rinmore development, the allegations made by politicians and commentators in relation to the issues raised by the programme both during and since the broadcast, the range of companies similar to Red Sky involved in alleged overcharging and the failure of the Housing Executive and previous Ministers to investigate, and the role of previous Ministers in relation to the issues raised; and calls on the Committee for Social Development to request a report from the police into the allegations of corruption made in relation to the Housing Executive."*

I will endeavour to remain on the topic, even though the Member who moved the motion departed from it. As others have pointed out, it would take some size of brown envelope to get £26 million in Northern Bank notes into it.

Let us deal with the issues that were raised in the programme and the issues that were not raised in the programme. Sometimes, as public representatives, we do extensive interviews, particularly for television, that are narrowed down to little clips that do not reflect what we intended to say. Given that, since the programme went out, not one of the participants — Ross Hussey MLA, Jim Allister MLA, Daithí McKay MLA and Michael Copeland MLA — has attempted to clarify their comments or extricate themselves from the hole into which they have dug themselves. We will assume, unless we hear to the contrary, that they stand over those comments. I notice that none of them has risen to his feet, so we assume that they are firmly in that hole.

Last Thursday, the Minister came before the Committee. The following quotation is from Hansard:

*"I confirmed to the then chairman that the Housing Executive should proceed with the termination of the Red Sky Group contracts".*

Those who imply or allege that the Minister for Social Development wanted to keep Red Sky doing what it

was doing and to keep it in the position that it was in are inaccurate, because the Minister said that he had confirmed to the chairman — Brian Rowntree — that they should proceed with the termination.

Much of what was contained in 'Spotlight' was gleaned from the Public Accounts Committee's report of February 2013. In fact, I noticed that even Sinn Féin members who were interviewed this morning mentioned that fact, so there is not very much that is new. However, what was new was that, the day after the Minister was at the Committee for Social Development, the Comptroller and Auditor General's report was issued. The Comptroller and Auditor General states:

*"I have previously reported my concerns relating to the Housing Executive's management of contractors carrying out response maintenance".*

Note that "contractors" is plural. He continues:

*"These concerns related to issues such as quality of workmanship and overcharging by contractors."*

"Contractors" is plural. He continues:

*"Initially problems were identified in relation to one contractor, Red Sky, who provided response maintenance services across a number of districts ... Further examination was then carried out, both by my staff and the Department who commissioned a firm of accountants to report to the Minister. Both of these examinations have identified significant and systemic issues relating to the management of contractors."*

It is plural. He then states:

*"I am very concerned that the Housing Executive's seemingly lax controls appear to have resulted in such a large potential loss of public money. I am also disappointed that these issues were not addressed earlier, either when they were first identified by SIU in 2010"*

— that was 2010.

**Mr Humphrey:** Who was the Minister then?

**Mr Campbell:** I am coming to that. The report continues:

*"or when the issues were raised again in CAU's review in November 2011. Unfortunately there was a considerable degree of challenge by Housing Executive management to the findings of CAU which delayed the appointment of external surveyors until late 2012."*

Who was in position in 2010? Who was the Minister? Minister Attwood was the Minister for Social Development in 2010.

In his conclusion, the Comptroller and Auditor General says:

*"Significant weaknesses continue to be identified in the Housing Executive's controls over work done by contractors" —*

I hope Members are getting the plurality here —

*"on its response and planned maintenance programme".*

So there we have the independence of the Comptroller and Auditor General.

**Dr McDonnell:** Will the Member give way?

**Mr Campbell:** Yes, I will. You had better be brief, as I will not get an extra minute.

**Dr McDonnell:** I will be very brief. Would the Member like to give us any details of the questions that were placed against contractors and tell us whether, on investigation, those details stood up? That is essential here. We cannot play — *[Interruption.]*

**Mr Speaker:** Order.

**Mr Campbell:** I thank the Member for his intervention, and that is part of what we will attempt to get at when the Social Development Committee investigates. That is why one of the amendments is ludicrous. It assumes guilt where there is no guilt. That is what we will attempt to get at.

I want to move, in my remaining few minutes, to the content of the 'Spotlight' programme. In the programme, the 'Spotlight' presenter said that they had been asking questions for seven months. That was clearly said in the programme. For the first six months, they were only interested in one company, which was Red Sky. There were very strong reasons why they should be interested in Red Sky and should investigate that company. However, in the final month of the investigation, after the Minister had stood in the Assembly and not only referred to other companies but individually named those other companies, the 'Spotlight' programme had four weeks — four weeks — to investigate and tell us what they found out about those companies. What had they to say about those companies? Not a word did they say, because they were interested in one company and one so-called perceived allegiance or bias of people who were interested in protecting employment.

What were we then told in the broadcast? The then chairman, Brian Rowntree, was interviewed extensively. I made this point at the Committee meeting on Thursday: it is inconceivable that the then chairman would have done an interview when he was chairman. I think that is inconceivable, but let us hear from the BBC when that interview took place. Assuming that it took place after he resigned, after he found out that the Minister was going to make a statement in which the then chairman would be clearly named and after he decided that he was going to resign, it appears that he then went to 'Spotlight' or a connection was made with 'Spotlight' — whomsoever by, we are not sure — and the interview was then done. During that full month, there was no indication of any other companies being interviewed.

I come back to the MLAs who were interviewed. Four MLAs were interviewed: two Ulster Unionists, one from the TUV and one from Sinn Féin. Which party is conspicuously absent from the interview list for the programme? The party that just happened to hold the portfolio in 2010. Why, unless 'Spotlight' had an agenda, did they not interview the SDLP for the programme? Sometimes people in public life accuse — *[Interruption.]*

**Mr Speaker:** Order, Members.

**Mr Campbell:** — the media, in a very broad sense, of being partisan. I am not going to accuse the media of being partisan, but I will say that the BBC has been absolutely scandalous in the way that it has treated this issue, both in its programme and in subsequent interviews. When people like me say that we hope that the producer

and the presenter of the programme will come before the Social Development Committee to tell us about the interviews, how they did the interviews, when they did them and where they did them, the presenter — the person cross-examining me — answers my question by saying, "Thank you very much, Gregory Campbell, we'll go back to another interviewee". Were they not prepared to come to the House to tell us about the substance of their programme and how they did what they did?

The Social Development Committee needs to get on with the job of unearthing what happened between all of these companies, the Housing Executive and any others who are associated. To do that effectively, we will need assistance from everyone who has relevant information in any of these cases. This includes the Minister, who has already been before the Committee, the Housing Executive, other individuals and the BBC. Hopefully, we will not hear excuses or reasons why people cannot come before the Committee to answer questions. We in this party stand over what our Minister has done to expose corruption, rather than assist it. We stand over his integrity. Let us see if others, both inside the Assembly and outside, can do likewise.

**Mr Allister:** I beg to move amendment No 2:

*Leave out all after "glazing" and insert*

*"; and having no confidence in the Minister for Social Development calls on him to resign."*

I begin on a totally non-controversial note by saying that it is great to see back in the Chamber the Member for East Londonderry Mr David McClarty. *[Applause.]*

**Members:** Hear, hear.

**Mr Allister:** It is marvellous that he is back with us. I am sure we all wish him every success in the recovery and the battle that he has.

I am not here today to defend the Housing Executive. I am not here today to defend any contractor, whatever vested interest others might have. I have no vested interest in defending any contractor. This debate is about the Minister. It is the Minister that this House can hold to account, and that is why that is the focus and should be the focus of the debate. True to form, of course, the DUP has tabled an amendment in an attempt to divert and divide attention away from the issue — a desperate attempt to muddy the waters as much as they can. We heard Mr Campbell today, as we heard him on the BBC last week, and I think anyone can see through it. Methinks he doth protest too much in the desperate attempts to muddy the waters in these issues.

In holding a Minister to account, let us remind ourselves of the requirements of the ministerial code of conduct. It requires Ministers to:

*"observe the highest standards of propriety and regularity involving impartiality, integrity and objectivity in relation to the stewardship of public funds".*

It records reference to the seven principles of public life, one of which is integrity and another of which is openness. It is against those standards that I invite the House to judge the Minister today. Are the Minister and those for whom he has responsibility in a position to demonstrate the highest standards of propriety, particularly in regard



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to the bully boy tactics of his special adviser? Now the Minister is vicariously liable for his special adviser from the moment that he endorses and backs him, which is what he has done in this case. So he stands over —

**Mr P Robinson:** On a point of order, Mr Speaker. The Member has just drawn attention to the ministerial code of conduct. Would you like to ask the Member if he is aware of the Members' code of conduct and that there is a requirement for transparency and openness? Would he like to take this opportunity to declare any interest that he might have had in terms of any of those who were mentioned in the 'Spotlight' programme? *[Interruption.]*

**Mr Speaker:** Order.

12.30 pm

**Mr Allister:** Mr Speaker, I have no such interest to declare except that, when I was a practising barrister, I gave advices to Mr Turkington in respect of matters. Those were absolutely nothing to do with this case or anything else. However, I thought that when the First Minister rose to his feet to talk about transparency, he might have been going to tell us about the details of his relationship — *[Interruption.]*

**Mr Speaker:** Order.

**Mr Allister:** — with Mr Norman Hayes and Mr Turkington — *[Interruption.]*

**Mr Speaker:** Order.

**Mr Allister:** — and a dozen others.

**Mr P Robinson:** On a point of order, Mr Speaker. I ask the Member, through you, to think again about whether he has any further interests to declare.

**Mr Allister:** If the First Minister has something to put to me —

**Mr Speaker:** Order.

**Mr Allister:** — bring it on.

**Mr Speaker:** Order. Let us try to get back to the motion that is before the House. Order.

**Mr Allister:** The Minister is vicariously liable for his SpAd. His SpAd behaved in a bully-boy fashion to a member of his own party, telling her, "The party comes first" and "You do what you are told". The totalitarianism of it is staggering, and what was she being told to do? She was being told to reverse a previous decision and to extend the contract term for Red Sky. The Minister wrote asking that that might be up to six months, and yet, in a letter to 'Spotlight', he has denied that he ever sought an extension to the Red Sky contract. Yet, his letter asked for that extension. It is quite clear that the Minister, through his special adviser, was in the business of promoting not just a party interest but a commercial interest, with which the party is aligned. That is the essence of it, and that is why the administrator was cut out of the meeting that Mr Douglas, the First Minister, the Minister for Social Development, his SpAd and DSD officials attended. They wanted to go behind the back of the administrator. They wanted to go behind the back of the administrator for the purpose of giving time for Totalis, the reincarnation of Red Sky, to get up and running to compete for contracts.

That is what that was all about, and anyone who watched Councillor Jenny Palmer should have no difficulty in deciding who is telling the truth. She exuded integrity and honesty in everything that she said. What a contrast with the cutting-and-running SpAd who could not even face the cameras. The First Minister is in the perilous position on the fence of not knowing who to believe. He must be the only person in this country who does not know who to believe on that. Of course, that position itself, as with the petition of concern today, is engendered by the party-comes-first attitude that is the hallmark of all of that.

Perhaps, in a way, the most damning portion of the programme was that which dealt with the glazing contracts. After representations from a DUP donor, Mr Turkington, the Minister put on hold the glazing contracts so that those could be separated out from the general housing replacement work and so that Turkington's could directly contract on the window front in that regard. The Minister misrepresented to the Committee for Social Development his involvement and whom he met. He told the Committee that he had a meeting with Fusion21 and the Glass and Glazing Federation. He had a meeting with Turkington Holdings, asked for in a letter of 2 February. Interestingly enough, that letter was cc'd to the Finance Minister. A meeting then took place, and at that meeting, Turkington's made its representation. The Housing Executive staff who were present said that it was nothing to do with the Glass and Glazing Federation, and the Glass and Glazing Federation said that it had nothing to do with it. Personnel at the meeting said that it had nothing to do with the federation. Yes, the Minister had a meeting with Fusion21 on 23 April, but it had nothing to do with the glazing contracts. Yet he changes a letter, drafted for him, to suggest that he had met the Glass and Glazing Federation and Fusion21. He went on to talk about "this meeting" in the singular, as though they were both there — they were not. The only people there were from Turkington Holdings. Yes, he had a meeting with Fusion21 on 14 May, but he had already, on 30 April, written to the Housing Executive to change the spec on the glazing contract. He had already made the decision and made it not on the basis of input from Fusion21 or from the glass and glazing contractors but on the basis of input from Turkington Holdings, which had a vested interest. Those are the facts. Why did the Minister mislead the Committee and the House on those matters?

I have to ask the Democratic Unionist Party this: have you no shame that you would use your position in office — abuse it — to oppress a member of your party who dared to stand in your way in order to promote the commercial interest of a political buddy? Did you learn nothing from the £5 land deals and the various property scandals of a few years ago? Is your arrogance such that you think that you can still abuse power for your own ends and those of your friends?

**Mr P Robinson:** On a point of order, Mr Speaker. Would the Member like to acquaint the House with his own begging for funds from developers?

**Mr Allister:** I have not begged for funds from anyone. I may have learned — *[Interruption.]*

**Mr Speaker:** Order. The Member's time has gone.

**Mr Allister:** I may have — *[Interruption.]*

**Mr Speaker:** Order, Members.

**Mr Allister:** I may have been exposed to such tricks when — *[Interruption.]* — I was in the DUP, but I learned no such tricks. My integrity stands intact, unlike that of the shameless ones, who have no shame, and who are here today to promote themselves and their friends, the developers. *[Interruption.]*

**Mr Speaker:** Order. I must insist that the Member take his seat. The Member's time is up.

**Mr Durkan:** The revelations by 'Spotlight' and its allegations and insinuations of political corruption — at least that, and possible criminality — have generated huge public interest. Not only have they aroused public interest, they have shaken public confidence — confidence in Mr McCausland as Minister, confidence in Mr Brimstone as his special adviser, confidence in this very Assembly and confidence in democracy. We must act swiftly and decisively to restore that confidence. That is why we must get to the truth. Not only do the public have a desire to know the truth, they a right to it.

Why, then, has the DUP lodged a petition of concern against today's motion? What more has it to hide? Maybe someone in the party persuaded it, as Mr Brimstone persuaded Councillor Palmer, that the party must come first. We need to get to the bottom of the allegations of political interference, and it appears that the DUP is determined to thwart that quest for the truth. To do so, it is once more misusing the petition of concern device. A mechanism created to protect minorities is now being abused to preserve ministries. This is the DUP sticking two fingers up, not just to us, its political opponents, and the people who elected us but to the people who elected them. You should hang your heads in shame.

The programme raised many questions. How does the DUP do business? What is the relationship between Red Sky and the DUP? Mr McCausland's critique of the programme was that it was a hotchpotch that left bits out. Maybe the bits that the programme left out are what the DUP is so keen to keep out of the public domain.

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

**Mr Durkan:** No, I will not.

The programme did not really touch on political donations. Although the corporate hospitality lavished on Housing Executive officials was mentioned, there was no mention of elected representatives or SpAds receiving similar treatment. It is important that the debate and questions remain focused on the questions that the 'Spotlight' programme raised. We cannot be distracted by the DUP, which will filibuster and hide behind the ASM report, the fig leaf that the Minister claims proves his decency. That report vindicates all that he said and did, he claimed on Thursday. No, it does not. Claims of overpayments were overblown in a direct attempt to further discredit the Housing Executive and to distract from the BBC exposé that the DUP knew was coming.

**Mr McGlone:** I thank the Member for giving way. Will he put on record that one contractor that the Minister made allegations against had one of its contracts looked at over a nine-month period and an alleged £130,000 overpayment amounted to a £3,000 overpayment?

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

**Mr Durkan:** I am aware that the reports put out were based on the extrapolation of figures, but even if accurate, two wrongs do not make a right, and nothing can vindicate the political interference that, if proven, constitutes a clear breach of the ministerial code.

There is also a SpAd code, and if what Jenny Palmer claims is true, and I have no reason to doubt that it is, and if Mr Brimstone acted unilaterally, that code was breached. If he acted on instruction, who instructed him? Has Mr McCausland or the First Minister established the veracity of Councillor Palmer's claims? Do they even care? Was their meeting with the former directors of Red Sky in a ministerial capacity or as political representatives, as originally claimed?

The Minister should not have met with those people to discuss contracts in the absence of the administrators or Audit Office. What is more, Minister McCausland knows that now and knew it then. He said that he sought legal advice prior to that meeting because he knew that questions were bound to be asked. Does he seek legal advice before every meeting? Why did he think that questions would be asked? Will the Minister publish that legal advice? Did he seek legal advice before meeting Turkington's or before taking as gospel its erroneous claim that it could save his Department £15 million?

The Minister was accused of misleading the Committee and he certainly obfuscated on this issue and others. Last week, he told us that the ASM report, which he heralded as his redemption, was totally accessible to the public. It is not. There are many questions around the Minister's conduct and question marks over his future. Those questions need to be answered. The SDLP demands it, the House demands it and the public demand it.

Furthermore, we want to see a full and thorough police investigation into allegations of criminality in the 'Spotlight' programme. Although the DUP may invoke all its political chicanery to avoid and evade accountability to the House, those accused of wrongdoing must not be able to sidestep the rigours of the law.

**Mr Campbell:** On a point of order, the MLA who just spoke alluded to our party's amendment thwarting the ongoing investigation. Will you confirm, Mr Speaker, that the outcome of this debate and any vote that follows will have no impact whatsoever on the decision by all parties, supported by our party and the SDLP, to investigate by the Committee for Social Development?

**Mr Speaker:** On the point of order, that is exactly right. The debate and any vote do not add anything to what the Committee may do or any decisions that it may make.

**Mr P Robinson:** On a further point of order, will you confirm that it is the DUP amendment that asks for a police investigation?

**Mr Speaker:** Order. I am sure that Members read and saw the amendments for themselves.

**Mr Durkan:** On a point of order. Why, then, the petition of concern? Would either Member like to answer?

**Mr Speaker:** Order. Petitions of concern are for parties, and parties alone. Let us move on.



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12.45 pm

**Mr Copeland:** I will attempt to cut straight to the chase. The 'Spotlight' programme called into question the alleged conduct of some elected representatives, and that strikes at the very heart of this devolved institution. The programme raised several issues: first, political interference, and I will leave that to my colleague Ross Hussey; and, secondly, we have the Red Sky meeting. 'Spotlight' demonstrated that a meeting took place between the Minister for Social Development, DUP representatives, including the First Minister, and Red Sky on 27 June 2011. During that meeting, we have been told that the minutes show that the Minister's preferred choice was to extend the Housing Executive's contract with Red Sky, which was worth around £7 million per annum. That was despite the fact that he was aware of the contractor's involvement in overcharging, something he has quite rightly referred to as a scandal.

It appears on the face of it that we have a situation where a Minister wanted to extend the contract of a firm that he knew had been involved in financial impropriety and irregularity. The reason given by the Minister and his party colleagues is a laudable one; that of saving jobs in east Belfast. However, Minister, is it not true that all those workers who fulfilled the legal criteria on these contracts had their jobs guaranteed through Transfer of Undertakings (Protection of Employment) Regulations 2006 (TUPE)? Is it not further true that the administrators took 11 weeks to identify those workers to the Housing Executive due to a lack of clarity within the management of Red Sky? That suggests to me, and you will forgive me, that it was not the interests of the workers but the interests of the directors and shareholders that had primacy in these considerations. It must call into question the actions taken on the basis of saving jobs.

Of further concern about this meeting was the fact that neither the administrators who were effectively in charge of Red Sky at the time nor the Housing Executive was present at this meeting, and the Minister has so far dodged giving any answer as to why that was the case. He claims to have sought legal advice before and after the meeting, and that somehow puts him in the clear. Let us have details of what this legal advice was on record here today. Why was it sought and from whom, on both occasions? I think that the fact that the Minister sought this advice before the meeting indicates that he knew he was on very shaky ground. I also have very serious reservations about the Minister being present at this meeting, given that an open tender process for Housing Executive contracts was imminent. If any contractor were to gain an unfair advantage when tendering for a contract because of any meeting held with the relevant Minister or Ministers, there appears to be a case for a potential breach of the ministerial code.

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

**Mr Copeland:** No, sir.

The Minister should perhaps reflect on that.

Lastly is the issue of the Minister seeking a review of the double glazing of all Housing Executive properties. The target, of course, has merits, but the Minister's actions in the deliverance of it, perhaps less so. Much of the alleged wrongdoing in this incident centres on a meeting that the Social Development Minister had in May 2012. Publicly,

we were told that the review was being conducted in light of this meeting, which was, according to the Minister, with the Glass and Glazing Federation and Fusion. Fusion has since issued a statement saying that it did not meet with the Minister on this matter, and the federation is seemingly unaware of any such meeting; rather, it was Turkington Holdings that the Minister met, a company that appears to have links with his party.

The Minister has, therefore, misled the Social Development Committee with his correspondence and misled this House with his statement on 18 September 2012. If that was done as an attempt to hide the fact that he decided to suspend the supply and fitting of double glazing off the back of a meeting with a link company, then, again, I am afraid that he has serious questions to answer about breaches of the ministerial code.

I very much doubt that what I have outlined here today is anywhere near the beginning of the full story, which is why we need a full inquiry as the motion suggests.

Finally, I ask the Minister to confirm whether he or to his knowledge any other Ministers, party members or advisers have enjoyed hospitality, as has been alluded to, in the homes of or at the expense of Red Sky as a company or of any other person formally connected with the company, in light of all this?

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

**Mr Copeland:** I have finished, sir.

**Mr Dickson:** To quote Kenneth Clarke MP:

*"Transparency is the most effective public inoculation against corruption that any country can have."*

What is at stake is, in the eyes of the public, the integrity of this House. Every single Member is tarnished by the events that bring us here today, and we will remain so unless and until there is an independent, full, open and transparent investigation and the consequences of what it brings to light are faced up to. Nothing else will suffice. Today is about an individual Minister and a political party and how they rise to the challenge of being part of the Government and holding public office. I refer to Minister McCausland. It is he and his integrity and that of his party and the office that he holds that is under scrutiny here today.

**Mr Lyttle:** I thank the Member for giving way. Does he agree that given the seriousness of the allegations, it would be only appropriate that the Minister step aside until any inquiry is allowed to run its full course?

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

**Mr Dickson:** I wholly agree with the Member.

In the wake of the very serious allegations of wrongdoing, nothing would or should give this House more pleasure than to see Minister McCausland voluntarily stepping aside and submitting himself, his Department, the Housing Executive and his party — the DUP — to a full and independent scrutiny, including, where appropriate, by the police. By doing so, the Minister would not only confound his critics but rebuild public trust and confidence in the institution in which he took a pledge of office:

*"to discharge in good faith all the duties of the office".*

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Further, Minister McCausland signed up to a ministerial code, which has already been quoted. To save time, I will not re-quote it.

Minister McCausland has a duty to refer himself to the Commissioner for Standards, to fully cooperate with the inquiry set up by the Committee for Social Development, to report such matters that may be appropriate to the PSNI, to refer the alleged allegations of his special adviser and civil servants to the head of the Civil Service, and to commit today to abide by the outcome of those inquiries. For the record, in the event that the Minister will not —

**Mr P Robinson:** Will the Member give way?

**Mr Dickson:** No, I will not give way further.

For the record, in the event that the Minister will not make appropriate referrals, the Alliance Party has done so. I further advise the House that my colleague Naomi Long, MP for East Belfast, has written to the Secretary of State asking for a public inquiry under the Public Inquiries Act 2005. That way, we may not only get to the bottom of this unsavoury mess but go some way to restoring the value and integrity of the seven principles of public life, particularly the principle of integrity, which requires:

*"Holders of Public Office not to place themselves under any financial or other obligation to outside individuals or organisations that might influence them in the performance of their duties."*

The use of a petition of concern requires serious reform, given that, today, it is once again being used to protect a party political interest and not, as, I believe, it was conceived, to protect minorities. If the DUP was really committed to having this matter fully investigated, as its amendment asks, why did it launch that petition of concern? Surely a more constructive approach would have been to contact the Whips to attempt to persuade —

**Mr P Robinson:** Will the Member give way?

**Mr Speaker:** Order. The Member has the Floor.

**Mr Dickson:** — us of the merits of the amendment.

**Mr P Robinson:** He asked a question. Will he give way?

**Mr Dickson:** No.

**Mr Speaker:** Order.

**Mr P Robinson:** You do not want an answer to the question.

**Mr Speaker:** Order.

**Mr Dickson:** Surely a more constructive approach would have been to contact the Whips to attempt to persuade us of the merits of its amendment rather than choose the method of a petition of concern. That only serves to heighten the belief that it is a party that has something to hide. I call on the DUP to abandon its petition of concern. I call on the Minister to stand aside voluntarily, and I call on the House to back the motion and to begin to restore public confidence.

We demand clear answers on the Minister's role and its impact, as well as clarity around the reference to Turkington windows. Did the Minister meet it? There are allegations of improper influence over employees and board members of the Housing Executive, and there are suggestions that the Minister has misled the Assembly

and its Committees. Only an investigation will adequately provide answers to those.

**Mr Newton:** I welcome this chance to shine a light on this matter. I look forward to the proposed Committee inquiry. Bring it on. Let us shine a light into every dark corner of this matter.

**Some Members:** Hear, hear.

**Mr Newton:** Let the Committee bring to the inquiry, as one of its first witnesses, the Minister who refused to fully investigate this matter; Minister Attwood. Let him explain why he could not see the injustice, the prejudice and the one-sidedness of only one company being singled out for seemingly overcharging too much. Overcharging is simply wrong, and no firm should be allowed to get away with it. It is public money. But to single out only one company, when all contractors are subject to the same quality measurements and methods of scrutiny, is not only unjust but biased and partial.

The situation in east Belfast was this: 450 jobs were at stake — local jobs and jobs for people from outside east Belfast. From both sides of the community, 450 families would suffer. DUP Members have been criticised for representing the Red Sky workforce. Is there any West Belfast MLA, were 450 jobs to be at stake in that constituency, who would not have done the same? I think not. In fact, the headline story would have been if the DUP MLAs had not put their shoulders to the wheel and sought to provide support to a local firm of this calibre. How the media would have criticised in those circumstances, had we not supported the company. Indeed, other parties also supported Red Sky: other parties, including the Alliance Party and the Ulster Unionist Party, as the Social Development Committee inquiry will show.

This east Belfast company had been identified. It had been singled out and was being investigated by NIHE — an investigation that was initiated by the former chairman, Mr Brian Rowntree; an exercise that was strongly perceived by Red Sky employees to be sectarian. Mr Rowntree was keeping his Minister fully up to speed, but was Mr Attwood fully on top of his brief? Minister Attwood, after leaving DSD, and commenting on the possible reinstatement of the Red Sky contract, said:

*"I simply do not understand how a conclusion can be drawn that there are somehow issues around other contractors in the scale and magnitude of the issues around Red Sky."*

Mr Attwood was simply wrong, wrong, wrong and wrong again: four times wrong, Minister Attwood. The scale of overcharging within one of the firms awarded the Red Sky contract was off the Richter scale. They were part of the overpayment of £18 million.

Much has been made of who DUP members get their photograph taken with. I have a photograph. It is a photograph of Minister Attwood, and he is standing alongside P K Murphy. This photograph, at least until recently, was on the P K Murphy website.

**A Member:** 'Spotlight' missed that.

**Mr Newton:** 'Spotlight' missed that.

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

**Mr Newton:** Let me suggest that there are other questions —

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

**Mr Newton:** — that need answers.

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

**Mr Speaker:** Order.

**Mr Newton:** There are other questions that need answers. I will give way, Mr Speaker.

**Mr Clarke:** I thank the Member for the picture that he just used. Is he prepared to leave that in the Library for the rest of us to get a look at?

**Mr Newton:** I am happy to do that, Mr Speaker.

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

**Mr Newton:** Let me suggest that there are other questions that need answers. Which firms benefited from the unseemly carve-up of the Red Sky contract — Minister Attwood's carve-up, without due diligence on procurement issues being fulfilled? Which firms got what percentage of the contracts? What was the financial value to each of the firms, and what due diligence took place before the contract carve-up went to firms that, subsequent to Minister McCausland's initiating an investigation, were found to have been overcharging — a scale of overcharging that is difficult to understand?

Much has been made of DUP political relationships. Let me pose questions on political relationships. Has the SDLP any questions to answer? We remember Margaret — ah, what do you call her? Whatever her name — Margaret Ritchie. *[Laughter.]* When she was leader, she was going to publish all the donations. Have individual SDLP MLAs and Ministers done that? Are there questions about financial donations to the SDLP, questions about who attends SDLP events or SDLP dinners, questions about funding or donations? Much has been made from this quarter. Mr Norman Hayes is not a member of the DUP; has never been a member of the DUP; has never contributed to the Democratic Unionist Party; has never been a fundraiser for the Democratic Unionist Party.

Let me also say this: is there supporting evidence — the employees strongly felt it — that Red Sky was being targeted in a sectarian manner? Yes, there is. Yes, there is, and the one-dimensional and shallow look by the BBC 'Spotlight' programme either missed the information or simply refused to take it to the table.

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

**Mr Newton:** That information exists and will be produced.

**1.00 pm**

**Mr Maskey:** I support the motion and oppose both amendments. I want to make a number of points. I did not really want to deal with the issue of the Committee and how the media treated the Committee's performance last Thursday. However, for what it is worth, I want to put on record that I contacted the Minister's special adviser at around 12.38 am to say that I had no alternative but to have the Minister summoned to attend a Committee meeting because of the programme. Subsequent to that text conversation that I had with Stephen Brimstone, the Minister confirmed to me at 1.25 am that he would be keen to attend the meeting. That is a matter of record.

The Minister attended the Committee meeting on Thursday morning. As far as I was concerned, I was chairing the meeting. The Committee agreed, first thing on Thursday morning, that we would conduct an inquiry. In other words, we agreed to establish an inquiry. That was very important, and Gregory Campbell has already made the point that the Committee unanimously agreed that we would convene a special inquiry into all these matters.

I am further pleased that members agreed that we would maximise the terms of the inquiry and invite as many relevant people as possible to contribute evidence to it. As we speak, I am engaged with Assembly officials to work out the details and timescale of that, and so on. The Social Development Committee will take that forward in due course as promptly as is practicably possible.

The Committee takes seriously any suggestion that it has been misled by anyone. Again, I want to place on record that the Committee has rigorously pursued all the matters that were dealt with in the 'Spotlight' programme. In fact, as has been said, quite a number of the issues that were raised in it have been aired before, not least in the Assembly, at the Committee and, indeed, in the PAC report. That is just for the record.

The Committee will take the matter forward, and I have no doubt whatsoever that when the inquiry gets under way, it will be a fundamentally rigorous examination of all the relevant matters —

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

**Mr Maskey:** No, thank you. All Members will have an opportunity to speak this afternoon, so I will not take any interjections. I have a lot to get through.

On behalf of all the members of the Committee, I can safely say that, as was agreed on Thursday, we will rigorously pursue every line of inquiry and every piece of evidence. We will have available to us all the relevant individuals, including the Minister, who has said that he is available to participate in the inquiry.

**Mr P Robinson:** Will the Member give way?

**Mr Maskey:** Everyone will be invited to —

**Mr P Robinson:** Will the Member give way? He will get an extra minute, and I will be less than a minute.

**Mr Maskey:** I am not going to give way, First Minister, with all due respect. As I have said, I do not want to differentiate between one Member and another. I have a lot to get through. You and others will have an opportunity to speak. I am not being disrespectful; I have a lot to cover.

Today in the Assembly, or indeed at Thursday's Committee meeting, we were never going to be able to get to the bottom of all the allegations that were made in the TV programme. It has left a lot of fundamentally important questions to be addressed by this House. I believe that this is, perhaps, the biggest scandal, outside of what might be called political issues, to affect this Assembly.

The way in which we hold ourselves to account in this institution will be a big test of our integrity. It is a very important matter of public confidence, which is why I support the call for the Minister to step aside, not least — and I put this to him directly on Thursday — because of his current responsibilities in relation to the reform and possible replacement of the Housing Executive. The

public's confidence in the Minister being in charge of that very important work would leave a lot to be desired. He should step aside for his own benefit and that of his party, but more importantly for the sake of public confidence in these institutions.

I want to put on record that I said to the Minister that there were questions to be answered. I put it to him directly at a meeting in his office in this Building, in the company of his Department's permanent secretary and a range of other officials, including his special adviser, that he was fundamentally wrong in attending a meeting of Red Sky's outgoing management — people who had basically been found guilty of fraud involving public money. I told him that it was untenable for the Minister to attend that meeting with members of a company who had been found guilty and who were, at the time, lobbying the Minister to be allowed to retain the contract while they attempted to buy over the company. I actually said to the Minister that he was on very thin ice. Obviously, that raises a big question that has not been addressed. I will carefully scrutinise the Minister's comments on 'The View', his comments at the Committee meeting last Thursday and his comments here today. There are fundamental questions to be answered by the Minister, his adviser and his party. The Minister totally exonerated his special adviser. That is fine, and I cannot contradict him, but his party leader did not have the same confidence. That leaves a public confidence deficit. Go raibh maith agat.

**Mr Weir:** One of the questions in many people's mind today is this: why are we holding a special sitting for this motion? Ostensibly, if you were to take the motion at face value, it calls for an inquiry into the 'Spotlight' allegations. Yet, that cannot be the reason for the Assembly reconvening because, as mentioned by the previous Member to speak, the Chairperson of the Committee for Social Development, not only do we as a party fully support a full inquiry but the Social Development Committee unanimously voted for a full inquiry before this sitting was convened. So we have a motion calling for something that will already happen. We might as well table a motion saying that the Twelfth should be on a Friday this year or that Christmas will come, because that would have the same import as what has been tabled.

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

**Mr Weir:** I will give way briefly.

**Mr Beggs:** If this is not an important sitting, why the petition of concern?

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

**Mr Weir:** I will come to that in a moment.

**Mr P Robinson:** Will my colleague give way?

**Mr Weir:** Yes.

**Mr P Robinson:** I wonder why the Member raises such a question. On several occasions, that question has been raised by Members. When I sought to intervene to answer, they refused to give way. The answer is obvious: the motion would restrict the remit of the Social Development Committee, whereas the amendment would ensure that it does exactly what the Chairperson of that Committee said, which I welcome, namely examine all the issues. The DUP amendment allows the Committee to examine all the

issues, whereas the motion limits and restricts what it can look at.

**Mr Allister:** The party comes first. That is the answer.

**Mr Weir:** The Member is making comments from a sedentary position. I turn briefly to his position. Honest Jim Allister tabled his amendment. He is a man who revels in due process and ensuring that people have a fair trial. Yet, what is the import of his proposal? Instead of having an investigation, it wants us to go straight to the execution of Nelson McCausland. He has become judge, jury and executioner in one go.

One notes that he is a very learned gentleman, with many years at the Bar, and he is not short in telling us that on many occasions. On this occasion, however, he seems to have moved beyond any inquiry or investigation and to have gone straight to the position of accusing Nelson McCausland and calling on him to resign without bothering to go through any of the evidence in front of us.

At least that is a more honest position than that taken in the motion. If the motion is not about an inquiry, it must be purely about point scoring and an opportunity to create a kangaroo court in which to try the Minister. I welcome the remarks of the Chairperson, who said that a full range of issues will be covered by the inquiry. I hope that that vigorous range will incorporate the issues in our amendment. That is why we tabled a petition of concern: what is in front of us has far too narrow an agenda.

A number of Members mentioned wanting to have the fullest possible inquiry into these issues. I completely agree with them. That is why Members should back our amendment, which says that the inquiry should deal with all the issues in front of us. Indeed, a number of Members said that any evidence of corruption or fraudulent activity should be brought before the police. Again, I completely agree with that. That is dealt with directly in our amendment but is sadly lacking in the amendment from Mr Allister and the substantive motion. So, if Members are genuine in their motivation for wanting the police to be involved in investigating allegations of corruption, they should back our amendment.

Similarly, the problems in the Housing Executive have been going on for a number of years. At various stages, I noticed the SDLP leader becoming very agitated. He wanted to set the record straight, presumably about the actions or otherwise of his party Members when in office. I think that it is perfectly fair that he wants to do so.

**Dr McDonnell:** Will the Member give way?

**Mr Weir:** Sorry, I only have a limited amount of time. Let me make an offer — *[Interruption.]* Clearly, Mr Speaker, I am not giving way. If the Member —

**Mr Speaker:** Order. I remind Members that Members who have the Floor decide whether they want to give away the Floor. Let us be absolutely clear.

**Mr Weir:** The Member is quite agitated in wanting to set the record straight with regards the SDLP. I think that that is a perfectly reasonable position. However, if the Member can show good reason why the SDLP either took various actions or failed to take actions, let him do it in an inquiry. Let us widen the scope of the inquiry to look at what other Ministers have done as well. If the Member has no fear of anything being swept under the carpet, let him today back



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our amendment and ensure that this is not just a witch-hunt against one Minister. We should not have any degree of cover up. Consequently, I believe that it needs to be looked at.

Similarly, we need to look at the other companies involved, and mention has been made of that. That seemed to be dismissed, particularly by Mr Durkan, as a mere trifle. Yet the forensic examination has suggested that we are talking about somewhere in the region of £18 million. I think that any investigation has got to look at what has happened within the Housing Executive. I have to say, it is hard to divorce the role of Mr Brian Rowntree from this —

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

**Mr Weir:** — who was there for nine years. I urge Members, if they are genuinely interested in a full inquiry, to back our amendment to ensure that all the issues are properly inquired.

**Mr McKay:** Go raibh maith agat, a Cheann Comhairle. I will speak in favour of the motion.

I listened to the Social Development Committee on Friday. At that meeting, the Minister stated that the Housing Executive was reviewing the double-glazing spec long before his meeting with Turkington's, and he tried to distance himself from that process, but the evidence says otherwise. The Housing Executive review was into the method of installation of windows, not the specifications. The Minister met Turkington's on 16 April. Turkington's raised the issues of replastering and hinges. The Minister then sent a letter to John McPeake, chief executive of the Housing Executive, a couple of weeks later on 30 April. I will read what he requested:

*"I would ask you to rigorously review your entire glazing specification, especially the requirement to remove and replaster around frames, thus necessitating payment of redecoration grants and the standards set down for hinges and handles."*

So Turkington's raised two issues with the Minister and then the Minister asked the Housing Executive to review the same two issues. That sounds like a request directly from the Minister, as a result of that meeting, to review specifications.

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

**Mr McKay:** Briefly.

**Mr McGlone:** I thank the Member for giving way. That is interesting. I would count that as an operational matter. Last Tuesday, you were part of the delegation that met a number of subcontractors. The Minister refused to meet those subcontractors because it was about Housing Executive operational matters.

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

**Mr McKay:** Thanks, a Cheann Comhairle. I totally agree with the Member. It seems that two different sets of standards are being applied to two different companies.

Turkington's never made or supplied a window to the Housing Executive. Yet here it was, having the ear of the Minister above everybody else. Without any consultation with any other company involved in the installation of windows, the Minister asked for a review of the specifications. He never spoke to any of those who were

actually supplying windows to the Housing Executive. Turkington's came first. That is quite clear. This was a decision that was to the commercial benefit of one company and to the detriment of those that had secured the work.

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

**Mr McKay:** I will not take any more interventions.

This was about reviewing multimillion pound contracts with a view to opening them up to friends of the DUP. The Minister says that he met the Glass and Glazing Federation in April 2012. The Glass and Glazing Federation is not aware of that meeting. A former Turkington's employee who was there said that the meeting was with Turkington's. I have here the letter requesting the meeting. This is the letter. It does not say the Glass and Glazing Federation. It does not say Fusion21. It says Turkington Holdings Limited, in bold writing. So the Minister was under no illusion that the letter was from Turkington's or that the meeting that was requested — by the way, this was cc'd to the Finance Minister for some reason — was with Turkington's of Portadown.

**1.15 pm**

Of course, there was a draft letter that was to be sent to the Chair of the Committee for Social Development. It originally stated the truth that the Minister had met with Turkington's, but that letter was carefully edited to remove any reference to Turkington's. The final letter stated that he had met the Glass and Glazing Federation and Fusion21 and refers to it as a single meeting and not two meetings. There was never a single meeting between the Minister, Fusion21 and the Glass and Glazing Federation. That is a total and absolute falsehood. That is how the Committee was misled. The question is: why did the Minister mislead the Committee, Members of the Assembly and this institution? He clearly wanted to throw the Committee for Social Development off the scent. He clearly wanted to mislead Members of the House. He clearly wanted to hide the fact that he was meeting Turkington's and that, as a result of that meeting, he reviewed a scheme worth millions of pounds. That is fairly serious stuff.

This is not the first time that there have been connections between a DUP Minister and Turkington's. In respect of a Tesco store in Newry, the then Environment Minister, Edwin Poots, overruled the planners' objections to push ahead with that development. Who benefited? Turkington's. How much money has Turkington's spent on bankrolling the DUP?

**Mr Clarke:** Not as much as the Northern Bank on you.

**Mr Speaker:** Order.

**Mr McKay:** It is quite clear from how animated some DUP Members are getting that Ulster's gombeen men have been caught with their snouts in the trough once again. This episode stinks of corruption; the public know it. The Minister should stand down. He should stand aside while these allegations are investigated. The House wants that. The majority of Members in the House want the Minister to stand aside. The public want it. He should heed those calls.

**Mr Speaker:** I call Mr Alex Attwood. *[Interruption.]* Order.

**Mr Attwood:** On all these occasions, it is what people do not say that is most revealing. We will hear what the Minister has to say. However, in the debate so far, no DUP Member has explained, defended or commented on the activities of Mr McCausland's SpAd. There has been no explanation, defence or comment over what happened with the Turkington's business. In fact, you get the sense that the name of the SpAd and the name of Turkington dare not cross the lips of the DUP. You wonder why.

Whatever way you slice and dice this, and whatever diversion tactics have been heard this afternoon and will no doubt be heard over the next number of weeks, this comes down to a fundamental issue. It is a fundamental issue about the relationship between one party and business, commercial and development interests. That is what this debate is about. That goes to the very heart, character and nature of the democracy that we struggled for so long to achieve at such a price and delay. Whatever the pressure that the DUP puts on one of its own members, whatever about the flurry of legal letters, and whatever about the petition of concern, which is the DUP's own version of refusing to recognise the court of the Assembly and of public opinion, let us never lose sight of what this issue is really about.

Let us look at the responsibility of a SpAd. The SpAd code states:

*"It is important that there is public confidence in the individuals who are appointed ... otherwise there is a risk of reputational damage."*

It states that special advisers are subject to general Northern Ireland Civil Service codes, including standards of conduct and codes of ethics. It states:

*"Special Advisers must not take part in the work of their party's national organisation".*

The question is: did the SpAd act unilaterally? Was he out of control, or was he very much under the control, if not of the Minister for Social Development, of those who sit in those ranks or of those who are not sitting in those ranks? He was either out of control, in which case he should be dismissed, or he was under the control and direction of individuals inside this Chamber or otherwise. We need to know.

I want to read in to the record, Mr Speaker, how far the DUP will go to defend those who it thinks are worthy of some sort of defence. In doing so, let me make it very clear that there has been no public body in the lifetime of the restoration of this Assembly that has been subject to more interrogation, scrutiny, robust investigation, and so on and so forth, than the Northern Ireland Housing Executive. That was not easy — *[Interruption.]* That was not straightforward — *[Interruption.]*

**Mr Speaker:** Order. The Member has the Floor.

**Mr Attwood:** In one way, that was not straightforward, because whatever the ills and wrongs of the Housing Executive, it has served this part of the world and hundreds and thousands of our families and citizens well. However, let me also make it very clear that it lost its way and badly lost its way. That is why, during my time and the time of my predecessor, there was interrogation of the affairs of the Housing Executive like never before. That

was reported to the Committee and to this Chamber—*[Interruption.]*

**Mr Speaker:** Order.

**Mr Attwood:** — but what does the DUP do around all this? It rushes to protect those who were indicted by the Housing Executive board and by independent inquiry. In rushing to their defence, at a sensitive time in this city, where there is rioting in east Belfast by the UVF and graffiti on the walls in east Belfast about people who have already been told to leave their house, the First Minister at an Executive meeting says:

*"This decision had a sectarian background with a nationalist Minister and a nationalist Chair."*

Does that not tell you all that you need to know —

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

**Mr Attwood:** — about the view of some — *[Interruption.]*

**Mr Speaker:** Order.

**Mr Attwood:** — but not many in this Chamber? *[Interruption.]*

**Mr Speaker:** Order.

**Mr Hussey:** It is with mixed emotions that I rise to speak. I have sadness at the damage that is being done to the reputation of this institution. I have sympathy for some of the people caught up in this, such as Councillor Jenny Palmer, whose integrity remains intact as far as I am concerned. I have anger at the apparent arrogance of some who seem to believe that they can play down the seriousness of these allegations and try to deflect blame elsewhere. I have disbelief that the DUP has again flaunted any sense of ethics by abusing a petition of concern to ensure that the motion cannot be passed. Quite why it wants to block the Assembly from voting in favour of an investigation into Nelson McCausland is beyond me. The use of this mechanism today serves only to reinforce that the DUP, and the Social Development Minister in particular, have something to hide.

The House will be aware that I participated in the 'Spotlight' —

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

**Mr Hussey:** I will not give way. *[Interruption.]*

**Mr Speaker:** Order.

**Mr Hussey:** Mr Speaker, I will not be bullied by this party, like Mrs Palmer was, so I will carry on. The bully-boy tactics, Mr Speaker — *[Interruption.]*

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

**Mr Hussey:** Thank you, Mr Speaker. The bully-boy tactics that these people are attempting today are exactly what they were doing to Mrs Palmer.

The House will be aware that I participated in the 'Spotlight' programme, and one of the most shocking aspects of that was the video that I was shown of the DUP councillor Jenny Palmer. I saw a lot more of her reaction than that which was used in the programme. Despite the fire and brimstone raining down on her from her party, it is my belief that she stood firm and acted with honesty and integrity. She explained how she refused to be bullied into voting against the cancellation of the Red Sky contract,

despite pressure from the Minister's special adviser. Why? Because it was the right thing to do. I commend her for that because party does not and never should come before the good of the people of Northern Ireland. That is where the DUP has its profiles all wrong.

Of course, questions still remain over this phone call. For example, on whose authority was the Minister's special adviser acting? He is employed by the Minister, so we assume that he was directed by the Minister. Alternatively, was he directed by the party? Whether he acted alone or on the instruction of others, allegations of political interference have been made, and the evidence is clearly there from the DUP's dissenting councillor.

Before I move on, I want to praise Councillor Palmer for her strength of conviction, and I quote directly from her own words, printed in Friday's 'News Letter':

*"I couldn't sleep at night because I knew that what had been done was wrong and I expect better from people, especially when they are charged with the governance of Northern Ireland. For two years I have been tortured by what was being played out in a political arena; I didn't like it and I thought it was wrong — that's the reason I spoke out."*

Councillor Palmer is one of the most decent DUP people. Everyone in the House should praise her for what she did.

We have heard a lot, today, about the meeting between Red Sky, the Social Development Minister and the other DUP representatives. The old saying is that "A red sky in the morning is a shepherd's warning". Some of these people paid no attention to the warning. We also know that, at that meeting, the Minister stated that his preferred option was to extend Red Sky's contract, despite his knowledge of its part in overpayment for work. I want to make a point about that. The extension of Red Sky's contract might have allowed the company Totalis Solutions — Red Sky in disguise, should I say — to have become fully constituted in time to bid for the imminent tender of Housing Executive contracts. By that stage, all the other contractors might have been implicated in the overpayments scandal. Hypothetically, the end result could have been that the way was paved for Totalis Solutions to bid successfully for those Housing Executive contracts as the only clean company.

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

**Mr Hussey:** No, I will not.

If there is any semblance of truth in that, the Minister should be ashamed. It seems to me that the meetings that took place with Red Sky were highly political in nature. If not, why was only the DUP involved? I am aware that departmental officials even raised concerns at some of the meetings about their own involvement. That shows how uneasy they were. I want a reassurance that the investigation being carried out by the Social Development Committee will seek a copy of the recording and copies of all the documents that the journalists had.

I also make the point that, as a member of the Public Accounts Committee, I believe that various documents should have been made available to us but were not. I base that assertion on documents that I was shown during the recording of the 'Spotlight' programme. There was clearly an element of secrecy throughout.

I conclude by saying this: despite the petition of concern today, further investigations will take place. The DSD will conduct its own inquiry, and I, too, agree that the Minister should stand aside.

**Mr B McCrea:** One might have thought that the allegations of sleaze, corruption and profiteering might have provoked a united response from the Executive because, make no mistake, the programme was very damaging for the body politic. Certainly, I suspect that, if this was in Westminster or the Dáil, the Prime Minister or the Taoiseach would have moved with some speed to reassure the public that all was well with politics. You might even have heard the offer of some resignations or at least an offer to stand aside while we try to improve things and prove to the people that we actually care about what they think. At the very least, we would have expected some form of agreed independent review — something that would genuinely say to the people, "We are going to do things better". Not here. It does not seem to matter what the people think. We will go our own way. We will try to do our own thing. We are even going to introduce a petition of concern to stop such a review.

In the normal course of events, I would have wanted to ask the Minister a few pertinent questions. Why did he have a meeting with the directors of Red Sky, not the administrators? Why would anybody want to give the directors of a firm that had been found guilty of poor performance and serious overcharging a second chance? Why would you want to do that? Why would you not accept the view of a DUP councillor sitting on the board that the decision to terminate was made not for sectarian reasons but after proper investigation? Surely, that person would have had the inside track and would have informed the Minister's thinking.

I would also like to ask why the Minister sat on the report for over a year. Perhaps the most telling thing, which Mr Allister brought up, is this: why did he stop the double glazing contract?

1.30 pm

**Mr McCausland (The Minister for Social Development):** On a point of order. In view of the fact that the report did not sit on my desk for a year but, rather, sat for most of that year on the desk of the Housing Executive, is it right for the Member to mislead the House?

**Mr Speaker:** On the point of order that Mr McCausland has raised, the Minister now has it on the record. The Minister will have the job of replying to the debate.

**Mr B McCrea:** I am happy to carry on asking questions. No doubt, some will get answers.

The most important point, as brought out by Mr Allister, is why the Minister stopped the double glazing contract. What role did the meeting with Turkington's play? Why did you suggest that it was as a result of the Glass and Glazing Federation and Fusion21? All those things come together to say that those answers are demanded. It does not look good, and you should address the issue.

There are many questions that I would like to ask, but the introduction of a petition of concern rather changes the nature of the debate. This is indeed a constitutional crisis, not because of the matter in hand, although that is serious enough, but because of our obvious inability to deal with

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it and hold the Government to account. As things stand, it appears that the most effective oversight lies with the BBC. Apparently, only it has the means to investigate things independently.

**Mr McCallister:** I am grateful to the Member for giving way. I assume that he is not buying into the First Minister's argument that the petition of concern was introduced merely to assist the Committee in its deliberations.

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

**Mr B McCrea:** That is a really interesting point. It was news to me when the First Minister said that we had misunderstood and they were introducing a petition of concern to help us all. Did you ever hear anything more ridiculous? *[Interruption.]*

**Mr Speaker:** Order. The Member must be heard.

**Mr B McCrea:** Well, let us try this: did you ever hear anything more arrogant and self-serving than the braying of the people on the other side *[Interruption.]* —

**Mr Speaker:** Order. The Member must be heard, but the Member should not point across the Chamber.

**Mr B McCrea:** Mr Speaker, I take your admonishment and trust that you will provide the protection necessary for me to make my points. The points will be made whether you like it or not.

It is not a good position for the Assembly to appear to be ineffective. If the democratic process appears to be irrelevant, if democracy itself fails and if the ordinary man and woman on the street looks at this place and says that the Government are not acting in the common good, then other, more sinister, elements will take charge. That is not good for democracy.

Let us look at how the debate is conducted. Some of it is entirely predictable. The DUP will circle the wagons, confident that nobody will land a punch on them, happy to play the sectarian card if necessary. Sinn Féin will take the opportunity to embarrass the DUP but will not expose them. They will not bring down the Government for they are their partners. As I look at the UUP, let us not kid ourselves that they will really get in and attack when what they want is an electoral pact. This is not the way to have any form of oversight of this business. That will not happen. What we need in this place — *[Interruption.]*

**Mr Speaker:** Order.

**Mr B McCrea:** — is a complete reform of the institutions of government — *[Interruption.]*

**Mr Speaker:** Order, order.

**Mr B McCrea:** You cannot leave it — *[Interruption.]*

**Mr Speaker:** Order.

**Mr B McCrea:** You cannot leave it — *[Interruption.]*

**Mr Speaker:** Order.

**Mr B McCrea:** — to the BBC — *[Interruption.]*

**Mr Speaker:** Order. The Member must be heard. Order.

**Mr B McCrea:** You cannot leave it to the BBC to provide the proper and necessary democratic alternative. There are people and parties in the House that really need to

consider their position. This is not the way it was meant to be.

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

**Mr B McCrea:** This place needs an alternative, and I call on those people to look to opposition — *[Interruption.]*

**Mr Speaker:** Order.

**Mr B McCrea:** — and give the people of Northern Ireland what they want.

**Mr Poots:** Is has been an interesting debate so far. It is interesting to see that Mr Allister is jumping into bed — the political bed, I should say — with the Colombian butterfly hunter and those who robbed the Northern Bank. I will not take lectures on probity or integrity — *[Interruption.]*

**Mr Speaker:** Order.

**Mr Poots:** — from that side of the House. The issue that is here today — *[Interruption.]*

**Mr Speaker:** Order.

**Mr Poots:** — and the issue that Mr Allister did not want to discuss was corruption — not Mr McCausland but corruption. When I came into office at DCAL, I found corruption in the Northern Ireland Events Company. There have been allegations of corruption in the Fire Service, the Northern Trust and the Housing Executive. Corruption was endemic in many areas of government prior to devolution, and many of us are working to uncover it. Our amendment is best placed to uncover corruption generally, and Members do not want to go down that route. One has to ask "Why?". Why is the focus on Nelson McCausland, not on corruption? Corruption is what is wrong, and that is what needs to be dealt with.

In my opinion, Nelson McCausland is one of the politicians least susceptible to corruption. I cannot really imagine him sipping champagne on a yacht on the French Riviera in his spare time. Do you want to know what Nelson does in his spare time? He is at the Linen Hall Library or Belfast Central Library looking up the work of some obscure Presbyterian clergyman. Nelson is not in the least bit corrupt. I will certainly not take any information from Sinn Féin on that point when it has "Gerry Armani" jetting off in first class across the Atlantic for private healthcare. Who paid for that? We all want to know, but we never get the answer.

The problem that we have with Red Sky —

**Mr Clarke:** I thank the Minister for giving way. The Minister is surely not suggesting that it would not have been covered by Gerry's industrial wage.

**Mr Speaker:** The Member is speaking as a Member of the House, not as Minister.

**Mr Poots:** I suspect, given the cost associated with private healthcare, that it was not covered by Gerry's industrial wage. Healthcare in Northern Ireland or in the Republic of Ireland was not good enough for Mr Adams.

The issue is the misappropriation of money and corruption. Red Sky has been talked about a lot, but the work was transferred to other companies, including PK Murphy, a company that had inappropriately taken about six times as much money out of the system as Red Sky. The issue for this party was not that Red Sky should lose the contract



but that it was given to others who were misappropriating public money. That does not seem to be an issue for anyone else in the House. That, very clearly, is a problem.

**Mr Campbell:** I thank the Member for giving way briefly. Does the Member find it interesting, as I do, that, after I had read from the Comptroller and Auditor General's report, which concluded that there were problems going back to 2010, the Member who was then Minister for Social Development did not refer for one second of his five-minute contribution to his tenure there? Why?

**Mr Poots:** I thank the Member for his intervention. Wednesday night's 'Spotlight' was on Nelson McCausland, but the spotlight today is turning to the SDLP. One possible reason why 'Spotlight' on Wednesday night did not focus on the corruption that was endemic in the Housing Executive is that, apparently, one of the people on the production team is the son of an SDLP councillor. If I am wrong, perhaps the SDLP would like to correct me. *[Interruption.]*

**Mr Speaker:** Order. The Member must be heard.

**Mr Poots:** That said, I have known Mrs Palmer for a long time. I find her an honourable lady, I respect her and I hold her and her family in high regard. For a very long time, Mrs Palmer has been deeply concerned about Rinnmore and the SDLP's political interference there. It all started when Margaret Ritchie was Minister, and multi-element improvement (MEI) schemes did not take place because she was focused solely on newbuilds. In order to have an MEI scheme carried out in that part of Foyle, an SDLP-dominated constituency, she wanted a transfer to one housing association — free, gratis. She wanted to ignore the corporate governance that should have taken place. She wanted to get work done that was not available anywhere else in Northern Ireland, and she wanted it to be done in a place that was fifteenth on the list for such work. She wanted to do it surreptitiously. When Mr Attwood came into office, it did not stop there. Prior to a board meeting of the Northern Ireland Housing Executive, just before the election, Mr Attwood rang Mr Brian Rowntree and told him that he had to get this through the board meeting because he was announcing it that day. If we are talking about political interference in the inner workings of the Northern Ireland Housing Executive, the finger points very clearly back to the SDLP, which ignored the £18 million of public money that was lost.

**Mr Speaker:** The Member's time has almost gone.

**Mr Poots:** It did not take the actions to ensure that that money was not lost. The SDLP is guilty of ensuring that a multiple of over 10 times of what Red Sky lost was taken out of the Northern Ireland economy —

**Mr Speaker:** Order. The Member's time has gone.

**Mr Poots:** — and misappropriated to companies fraudulently.

**Mr McCausland:** Let me start by making it clear that, in making my decisions, my primary concern at all times from my appointment as Minister to now has been to ensure that the services provided by the Housing Executive give the best possible value for money to taxpayers and the best possible service to tenants. At all times, I have sought in every way to carry out my duties with the utmost integrity and probity. I also assure you that I have never sought to influence the award of any contract to any company. Indeed, I do not even have any role in the tendering and

letting process for any contracts. I do not see any of the documents; I do not know who has tendered; and, until an announcement is made, I do not know who has been selected. Nor should I. This, as I have always advised, is entirely an operational matter for the Housing Executive.

My position in relation to the termination of the Red Sky Group contract by the Housing Executive in July 2011 has been a matter of public record for some time. Shortly after taking up office in May 2011, I expressed my concerns about contract management, both on foot of briefing on the governance review findings carried out in 2010 and on the issues leading to the termination of the Red Sky Group contract in July 2011. Although there has been a great deal of speculation and innuendo that I sought either to extend the contract with the Red Sky Group or to assign the contract to a new company, that was not the case. Any examination of the correspondence between me and the then chairman of the Housing Executive, which is already in the public domain, makes that abundantly clear.

One of the key issues made in the 'Spotlight' programme and constantly brought up since is the reference to the meeting that I attended with Red Sky representatives on 27 June 2011. Much inference was made about that meeting based on the fact that it was with Red Sky representatives and that the administrators and the Housing Executive were not at the meeting. The minutes of the meeting have also been open to misinterpretation. Let me address that matter up front, because it is wholly incorrect. Inferences have been drawn from the meeting that have fuelled much of the debate. I meet many companies and individuals in relation to many issues. My role as Minister is to make myself available to serve all the people of Northern Ireland. That is a key part of my role and responsibilities as Minister in order to discharge the duties of my office. Let me be clear on my position in relation to that meeting, as it is at the core of the accusations being made against me. Before the meeting took place, legal advice was sought from the departmental solicitors. I sought that advice in the light of the fact that I was being asked to meet individuals from a company in administration, and I wanted to be assured of the probity of my actions. It advised me that Ministers may meet such persons as they choose. It cannot be any clearer than that.

Much has also been made about the fact that the Housing Executive and the administrators were not at the meeting. Let me be clear on the facts around that: the Housing Executive was advised about the meeting beforehand. Indeed, the Housing Executive provided me with briefing on the current situation and sought information from the administrators for that. At the meeting, some information was discussed that neither I nor my officials were aware of. As a result, one of the officials actually left the meeting briefly and rang the Housing Executive to seek further information. Indeed, the minutes of the meeting refer to this. Also not referred to is the fact that, right at the end of the minutes, it clearly states that attendees were informed that:

*"the proper route for the consideration of contractual matters is between the Housing Executive and the Administrator".*

So, taking all that into account, how could this be considered, as portrayed and implied by 'Spotlight', a secretive or shady meeting? It was all above board.

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**1.45 pm**

Of equal importance are my subsequent actions following the meeting. In that respect, I refer Members to the detailed correspondence in the PAC report, 'Northern Ireland Housing Executive: Management of Response Maintenance Contracts', which was published in March this year. Indeed, some of the contributors to the programme — Mr Hussey and, I think, Mr McKay — served on the PAC. So, those folks should be well aware of all of that correspondence. That is all a matter of public record.

I single out in particular my letter to the then chairman on 7 July, which makes it clear that I believed the most appropriate way forward was for an open procurement exercise for the Red Sky Group contracts to be undertaken rather than automatic assignment to adjacent contractors. This was subject to the administrator being able to provide assurance that those contracts could be serviced until such an exercise could be undertaken. When the Housing Executive advised that the administrator could provide services only until the end of July and that, thereafter, it was intended that the company would be sold and, from that date, the service could be provided only by a new company and it would take in the region of four months for an open procurement exercise, I confirmed to the then chairman that the Housing Executive should proceed with the termination of the Red Sky Group contracts and reassign those contracts. This was not an ideal situation. I would have preferred an open competition as I was concerned that the contractual failings were not limited to one company. However, the fact of the matter was that this was the only practical way to ensure the continued provision of services to tenants.

I find all this conjecture extraordinary, bearing in mind that the Red Sky contract was already — sorry — actually terminated. The ASM report that I commissioned barely gets a mention. Indeed, some people took the report and dismissed it almost as an irrelevance. That report, however, is hugely important because it truly vindicates the position that I took in July 2011. It confirms that I was right to have concerns. The findings in this report were, in my view, all the more alarming, since the failings identified in the ASM report post-dated the work that the NIHE had already done on the Red Sky Group contracts. How can I be accused of not being open and transparent when I have made this investigation report available to the Assembly website and have published it on my Department's website?

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

**Mr McCausland:** No.

'Spotlight' does not appear to understand my role as Minister —

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

**Mr McCausland:** — particularly with regard to the stewardship of public funds.

**Mr Speaker:** A point of order from Mr Durkan.

**Mr Durkan:** Thank you, Mr Speaker. The version of the ASM report that has appeared on the DSD website is heavily redacted. I put that to the Minister in Committee on Thursday.

**Mr Speaker:** Order.

**Mr Durkan:** It is a —

**Mr Speaker:** Order. I ask the Member to take his seat. I know that it happens from time to time, but, if the Member is not prepared to give way, let us not try to get a point of order on the same issue. Let us move on.

**Mr McCausland:** There are, indeed, redactions in that report for commercial reasons — there are certain figures that are not put out there — but anybody who reads it is bound to conclude that it is a pretty damning report. It was the report that the SDLP did not want carried out, because it looked at all the other companies. I will return to why the SDLP might not have wanted that in due course.

'Spotlight' did not appear to understand my role as Minister, particularly with regard to the stewardship of public funds. Nor did it recognise the work that I have personally carried out to ensure the implementation of the Programme for Government target for the double glazing programme, bearing in mind that I took up office in May 2011 and immediately raised the issue with my officials in June 2011 and have been working on it ever since.

I have been accused of breaching the ministerial code, an accusation that I totally reject. Throughout this process, my position and role in this has always been a matter of public record. Serious issues have been identified with contract management in the Housing Executive. Those issues impact on value for money and services to tenants. They are matters that I have devoted considerable time to uncovering and addressing.

There is much work to be done, and I am determined to see it through for the sake of tenants, for the sake of taxpayers and for the sake of the Housing Executive. That is right: I did say "the Housing Executive". I want it to be an organisation and a landlord that staff and tenants can be proud of and one that is ready for the new era in housing that my housing strategy and reform proposals put forward.

Members have raised points that I want to deal with. The first is this: the Chairman of the Social Development Committee will confirm that, indeed, I did not have to be summoned to any Committee; I volunteered to go, and I wanted to go. I welcomed the opportunity, just as I welcome — even though it is rather a pointless exercise in some ways because there is already going to be an inquiry — the opportunity to clarify matters today.

I look forward to a full and comprehensive investigation of matters relating to Housing Executive contractors. Unlike others, we do not turn a blind eye to these things; we will look at the whole picture. That is why I initiated the ASM report. It was important that we looked at this across the board.

I want to pick up on the issue of the telephone call that was made on 1 July 2011. It would have been wrong, I believe, and remiss of the special adviser if he had not sought to explain to a member of the board with whom he had contact — it was a short, eight-minute conversation — some understanding of the broader context of all this. Already, at that point, it was abundantly clear that wrongdoing was not restricted to one contractor or, indeed, to one Housing Executive district.

We know that, because already, a year previously, under the SDLP it was becoming clear that there were concerns in the Housing Executive about a second contractor. You do not need to be a genius to work out that, if more

than one contractor is involved — there were concerns a year earlier about that — and more than one Housing Executive district involved, it starts to become clear that this was something endemic and systemic in the whole process in relation to contracts. Yet, when I spoke to the chairman of the Housing Executive at a meeting and when he subsequently responded to me in writing, he assured me that “We have really robust systems in the Housing Executive. We can stand over things because we are very robust in the way we do things”.

In fact, at an earlier meeting, which is mentioned in the PAC report, the then acting chief executive, Mr Stewart Cuddy, assured those present that the Housing Executive closely monitors all its contractors. It monitors them so closely that the current chairman has to come before the media to say, “Well, actually, we have now carried out a review, and there may be as much as £18 million overpaid on planned maintenance contracts.” So you have a situation in which the acting chief executive at the time said, “We closely monitor”, with implication that, “We can stand over this”. It then emerges that £18 million was overpaid in planned maintenance on top of the overpayments and the irregular payments for response maintenance. Clearly, the problem is much more widespread than one company: it was endemic in the structures and the systems. It was right and proper that that information was imparted to a member of the board.

The issue of the other contractor being suspected started in May 2010 under Alex Attwood. The Housing Executive became aware of issues then, yet that contractor was kept on to the very end of its contract, which terminated on 1 August 2012. Whether it was right or wrong in that, that confirms that the Housing Executive was aware that the problem involved more than one company and that it was in more than one district.

Red Sky, according to ASM, received overpayments of around £1 million. Those contracts were then transferred to three other companies, which were the adjacent companies. It now emerges that the recipient of a substantial part of that work was one of the companies that was named in relation to the £18 million. So you take work away from a company to which there has been an overpayment of £1 million and you give it to another company to which there has been a far bigger overpayment in relation to planned maintenance. The question that I would ask is whether that makes good sense, but that is the route that we were being taken down.

One of the biggest recipients was P K Murphy; P K Murphy was one of the companies associated with the £18 million. That is an estimated figure, but whatever final figure emerges, it is a substantial amount. It would not matter whether it was £16 million or £15 million; it is still big money in anybody's terms. That company was one of the recipients of the Red Sky contracts.

On the question of payments by staff of a contractor to the Housing Executive, if that sort of thing was happening with one contractor, I wonder where else it was happening. Let me say clearly that wherever there has been wrongdoing, that wrongdoing needs to be dealt with.

I want to touch quickly on the issue of specifications for windows. I came into the Department in May 2011. In June 2011, I raised the issue of double glazing with officials in the Department. Why? Because constituents

had raised it with me, just as they had with many other people here, asking, “Why are we, as social tenants, living in houses that do not have double glazing?” It was clear to me by October 2011 that the Housing Executive was already reviewing specifications. That is something that it does regularly. It previously reviewed the specification in 2006. In 2006, it identified a particular hinge, which is available only from one producer in Scandinavia and which is supplied to the Northern Ireland Housing Executive by somebody in Dublin. When you make specifications so precise that you can have only one hinge and your suppliers are restricted to one company, that raises the question for me as to whether it is good practice.

The issue of Housing Executive specification for windows had also been dealt with during a performance review meeting in December 2011. In other words, six months before the meeting with the Glass and Glazing Federation, all of this matter was already under review by the Housing Executive.

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

**2.00 pm**

**Mr McCausland:** No, I will not because I am nearly out of time, and others have refused to give way.

There are issues here of significant substance. With regards to the meeting with Red Sky, as it was, and the meeting with another contractor, over the two years that I have been in the Department, I have met a range of businesspeople, from Northern Ireland, Great Britain or wherever. I am quite happy to deal with all those issues.

**Mr McCausland:** I just want to finally, in the last few seconds, say this: with regards to the issue of Fusion21, the details of the initial meeting were set out in an Assembly question for written answer in September 2012. After the meeting, which looked at the issue of procurement — there is a minor error, which I will in due course correct, with regards to the grammar and detail of that response — the fact is this: Fusion21 then contacted my officials about the double-glazing programme.

**Mr Speaker:** The Minister's time is almost gone.

**Mr McCausland:** They were rightly told that an NIHE contract would be put out to procurement and to contact the Housing Executive. That is what they did, because it is the Housing Executive that deals in operational matters with all those contracts.

**Mr Allister:** We have just heard from the Minister for 20 minutes, on top of his 54 minutes to the Committee. It is very significant that he left to the very end the issue of Turkington, so that it appears that he ran out of time. However, here is the kernel of the matter, as far as this House is concerned, as to whether it has been misled through what was told to the Committee. It is abundantly clear that the representations about the hinges came from a window company; Turkington Holdings. It is abundantly clear that the meeting was a meeting with Turkington Holdings. It was not a meeting with the Glass and Glazing Federation, which has denied —

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

**Mr Allister:** No; the Minister did not show any such generosity when he was speaking.

It is abundantly clear that it was not a meeting with the Glass and Glazing Federation. It has said that it knew nothing about it. Mr Young, who was there representing Turkington's, has gone on record to say that it had nothing to do with the Glass and Glazing Federation. It was a Turkington meeting. The Housing Executive folk who were there said that it had nothing to do with that issue. In the minutes, DSD officials say all that.

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

**Mr Allister:** Well, Mr Speaker, I hope that you will give the same admonition —

**Mr Speaker:** Order.

**Mr Allister:** — on this focused point of order —

**Mr Speaker:** Order.

**Mr Allister:** — as you have on others.

**Mr Speaker:** Order. Allow me to chair the proceedings.

**Mr McCausland:** In view of the fact that the official minute of the meeting is very specific and clear and refers to a meeting with the Glass and Glazing Federation in relation to Glass and Glazing Federation guidelines, is the Member in order in constantly misleading, I think, Members of this Assembly?

**Mr Speaker:** Order. The Minister has that on record. Let us move on.

**Mr Allister:** I think the House knows who is in the business of misleading: the Minister, who wrote a letter to the Committee Chairman saying "after this meeting", referring to a meeting with the Glass and Glazing Federation and Fusion21, when in fact what he had was a meeting with Turkington Holdings, not the federation and not Fusion21. I think that it is quite clear who is in the business of misleading the House. That is the kernel of the matter; that a Minister changes the draft of a letter deliberately and purposefully to pull the wool over the Committee's eyes. That is why my amendment raises the issue of confidence in him. The question for each Member of this House — apart from the DUP Members, who will put party first, not least because the First Minister is sitting with 37 resignation letters in his pocket if they do not put the party first — *[Interruption.]*

**Mr Speaker:** Order.

**Mr P Robinson:** On a point of order, Mr Speaker. Is it in order for the Member to deliberately mislead the House? There are no resignation letters from any of our Members available in my pocket or elsewhere.

**Mr Speaker:** Order. Once again, the Member has it on the record. Let us move on.

**Mr Allister:** I am glad that there has been some relaxation in the totalitarian control that previously operated; that is good. If the First Minister says that — *[Interruption.]*

**Mr Speaker:** Order. The Member must be heard.

**Mr Allister:** If the First Minister says that, I am sure that, on that issue, he is not misleading the House.

I am not appealing to the DUP to do the right thing. I am saying to other Members of the House: you have heard the Minister, have you got confidence in him? That is the question for each one of you, and that is the question that

will be put in the vote on amendment No 2. Have you got confidence in him? You have heard him. If you do not, the right thing to do is to back amendment No 2, but that is a matter for Members.

We have had an interesting range in the debate. Mr Newton thinks that there is some great importance in photographs. Well he did not quite produce the DUP family album, but I wonder whether there would be any photographs of dinner parties in the home of Mr Norman Hayes. I wonder whether there would be any photographs of work done at the homes of members of the DUP. I wonder whether there would be any photographs of the alleged £27,000-worth of work to partition an office at 141 Hollywood Road, which Red Sky charged to the Assembly. Are there any photographs of that?

What is at the heart of this matter is the desperation of the Democratic Unionist Party to cover its tracks in relation to its unhealthy arrangements with commercial interests. We have seen it in the past.

**Mr P Robinson:** Would the Member like to give way?

**Mr Allister:** I will not give way at this point whatsoever. *[Interruption.]* We have seen it in the past. *[Interruption.]* They did not learn from it in the past — *[Interruption.]* — and it is quite clear that it is not prepared to learn from it now. *[Interruption.]*

**Mr Speaker:** Order. The Member has the Floor. Order.

**Mr Allister:** If it is in the party interest to court commercial interest — *[Interruption.]*

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

**Mr Allister:** — and if it is in the party interest to court developers, the party will do it because the party comes first. That is what we have seen in years past. *[Interruption.]*

**Mr Speaker:** Order, Members.

**Mr Wilson:** The debate has been an interesting one. We have heard lots of reasons why the DUP has taken the stance that it has and why this motion is before the House today. The first is that we are trying to block the truth. Anybody who reads our amendment will see that, rather than blocking the truth, we are seeking the truth.

We have been told that we are trying to divert attention away from our corruption, and there has been no one more diligent and strident in that call than Mr Allister. I remind Mr Allister that given some of the interventions from the First Minister, he might just want to be very careful. I think that an Exocet has been launched today that will eventually find its target. The cant, hypocrisy and pseudo outrage that he is so good at will be blown away once that Exocet reaches its target. We have no difficulty in explaining what has happened with meetings, etc.

The other and most bizarre claim came from Mr McCrea, which is that, somehow or other, this is the prelude to some political pact between ourselves and the Ulster Unionists. How you make that connection, I am not so sure.

Let us look at what Members have said today. Mr Durkan wants to make sure that we do not thwart a full investigation. Mr Allister wants to make sure that we do not divert attention from the real issues. Mr Maskey wants fundamental questions answered. Mr Copeland wants



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a full inquiry. Mr Hussey, who thinks that an intervention means that you bully him, wants to make sure that there is no blocking of an investigation into the Minister. Mr McCrea wants to make sure that we agree to a full review. Which is the only item on the Order Paper that fulfils all those criteria? It is the amendment to the motion that has been tabled in the name of the DUP. The motion in the name of the Ulster Unionists, Sinn Féin, Alliance and the SDLP asks only for a full inquiry into the Minister. Mr Allister has joined Sinn Féin's kangaroo court brigade. He wants the Minister treated as if he were guilty already.

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

**Mr Wilson:** I do not have very much time, so I do not want to give way. Normally, I would give way, and the Member knows that I would.

Today, we have a choice between a real inquiry or some kind of political game that is directed towards Nelson McCausland. That is the choice that we have today: to get a real inquiry that does all the things that Members said they wanted or else simply get at the DUP. Of course, the latter is what 'Spotlight' wanted, because it ignored a lot of the issues.

Members have asked why we tabled a petition of concern. We did so for two reasons. First, because we wanted to ensure that there is a full inquiry, and, secondly, we will not allow our Minister to be kicked around in some political game either. Let us make that quite clear.

It has been said that there are two issues that we have not addressed. The first is the meeting with Red Sky and Turkington's. We were told that there was some kind of cover-up. A cover-up where there were minutes, where Ministers were briefed, where officials were present, where the outcome was known and where there was no benefit to either of the two companies. The only thing that happened from the meeting with Turkington's was that it was identified that there was £28.6 million worth of savings on a window contract, which the Housing Executive then agreed may not have been £26 million but was £15.1 million and would go out to tender on that. There was no attempt to try to force this onto — *[Interruption.]*

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

**Mr Wilson:** Members know full well that the procurement process is so tight in Northern Ireland and judicial reviews are so frequent that to have made any attempt to do that would have been absolutely futile anyway.

The second issue is why the SpAd did what he did. The SpAd was living up to his terms and conditions. The inquiry can find out what exactly was said, but we have the terms and conditions of SpAds that say —

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

**Mr Wilson:** — that it is his job to ensure that the party publicity is factually accurate and consistent, and, to ensure consistency, the Administration will also want to make sure that —

**Mr Speaker:** Time is gone.

**Mr Wilson:** — Assembly Members and officials of the Member's party are briefed on issues of policy. That is what the job of the SpAd is. As far as the SpAd is concerned —

**Mr Speaker:** Order. The Member's time is gone.

**Mr Wilson:** Let me just finish.

**Mr Speaker:** Order.

**Mr Wilson:** If Members want a full inquiry —

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

**Mr Wilson:** Let them back our amendment today.

**Some Members:** Hear, hear.

**Mr Speaker:** Order.

**Mr Nesbitt:** For the avoidance of doubt, I will not be taking interventions from anyone supporting the petition of concern. *[Interruption.]* It is legal, yes. *[Interruption.]* You can shout me down. If that is your vision of democracy, shout away. *[Interruption.]*

**Mr Speaker:** Order. Let us have remarks through the Chair. Order. Let us not have debate across the Chamber. Order.

**Mr Nesbitt:** It is legal to table a petition of concern, but it is an abuse of democracy. As Mr Durkan said, you are holding up two fingers to democracy and to the electorate. Why did you do it? Because you could. Not because the party should, but because it could. It is a bit like Members of Parliament and expenses. They claimed because they could. They knew that they should not, but they thought, "I can, so I will", irrespective of the utter carnage delivered to the reputation of the Mother of Parliaments by MPs who did what they could rather than what they should.

**Mr Speaker:** Order. Let us not have a debate on MPs' expenses. Let us get to the motion, and let us stay with the motion. *[Interruption.]* Order.

**Mr Nesbitt:** The DUP brought this petition of concern today because they could, not because they should. The Chamber, the Assembly and the Executive — the devolved institutions — all suffer, as Mr Dickson made clear. It is protectionism. As Councillor Jenny Palmer put it on 'Spotlight', the party comes first, and you do as you are told.

A petition of concern is a protection of politics, not of a political party. It was designed as a safeguard against sectarian politics. Interestingly, David Campbell, much maligned by the DUP and former chairman of the Ulster Unionist Party, who was an architect and an author of the Belfast Agreement, while you — *[Interruption.]*

**2.15 pm**

**Mr Speaker:** Order. The Member must be heard.

**Mr Nesbitt:** With Edwin Poots — *[Interruption.]*

**Mr Speaker:** The Member must be heard. Order.

**Mr Nesbitt:** Mr Campbell, who along with Mr Poots voted for everything that — *[Interruption.]*

**Mr Speaker:** Order.

**Mr Nesbitt:** An architect, an author of the Belfast Agreement — something that was signed while the DUP stood rattling the gates and marching its troops up and down Prince of Wales Avenue — said it was a safeguard. *[Interruption.]*

**Mr Speaker:** Order. The Member must be heard. He is concluding on the motion. Let us have remarks made through the Chair.

**Mr Nesbitt:** Mr Campbell has written to the Secretary of State to say:

*"Since the Assembly first sat in 1998 I believe that the Petition of Concern has largely worked as intended" —*

as a safeguard —

*"...however, the recent use by the DUP over a potential vote on the alleged actions of the DSD Minister, Nelson McCausland, MLA is a blatant abuse of the procedure. The petition is to prevent " —*

**Mr P Robinson:** On a point of order, Mr Speaker. The Member has accused you, sir, of being in a position where you have allowed an abuse of the rules of the Assembly. I think that that is a challenge to your role and position, and you need to make it clear that the petition of concern is in order and quite legitimately has been placed before the House.

**Mr Speaker:** Let me say this: at the outset of the debate, I made it absolutely clear that the petition of concern before us was accurate and was within the Standing Orders of the House.

**Mr Nesbitt:** Thank you for the clarification. If you check Hansard, you will see that I began by saying that it was legal, lawful proper use. I am quoting Mr Campbell. I will move on.

As Jenny Palmer said, the party comes first, and you do as you are told. Those words are attributed to the Minister's special adviser, Mr Brimstone. Mr Campbell, as we hear — *[Interruption.]*

**Mr Speaker:** Order.

**Mr Nesbitt:** Mr Campbell made no mention of Mr Brimstone as he moved the DUP amendment, something referred to by Mr Attwood and Mr Hussey. The Minister, who did make reference to Mr Brimstone, said that it would have been wrong and remiss of him not to speak to Councillor Palmer to try to explain the situation, which, I believe, he summarised as a systemic problem in the Northern Ireland Housing Executive. In which case, I ask a very simple question of the Minister: why appeal to her party affiliation? Why not say simply, "Councillor, you sit on the board of NIHE. For the sake of the Housing Executive, for the sake of the executive, not of the Democratic Unionist Party, will you please consider your vote?". But no. According to Councillor Palmer, she was told by the special adviser, "The party comes first. You do as you are told".

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

**Mr Nesbitt:** Well, let me think about that.

**Mr Attwood:** Will the Member agree with me and go further? On the face of it, what Mr Wilson said in his concluding remarks about the motivation of the SpAd in speaking to Ms Palmer is inconsistent with what the Minister said. The Minister said that he had spoken to Ms Palmer in order to — I quote his words — explain the "broader context". Whereas Minister Wilson relied on something very different in order to defend his actions.

**Mr Nesbitt:** I thank the Minister for his intervention. That is all the more reason why we need a full inquiry into everything.

There are two more issues. Our motion calls for a full inquiry. It makes no reference to an inquiry by the Committee for Social Development.

I have two other points. The Minister will have heard Mr Copeland suggest that the jobs at Red Sky were not in danger because they would be TUPE'd. There was no response from the Minister on that point.

**Mr McCausland:** Does the Member want a response?

**Mr Nesbitt:** No, I said I would not take an intervention. You have had 20 minutes, and you have been caught on. *[Interruption.]*

**Mr Speaker:** Order. Once again, the Member must be heard. Order.

**Mr Nesbitt:** The Minister also failed to respond to Daithí McKay, who made the point that the Glass and Glazing Federation was unaware that it had met the Minister and that the Minister had misled the Committee and the House.

The lexicon of politics includes the so-called Nolan principles, which Mr Allister, among others, referred to. They are seven simple words but are, I imagine, quite a challenge to give true meaning to: selflessness, integrity, objectivity, accountability, openness, honesty and leadership.

Let us take just one: accountability. The principle states:

*"Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office."*

Our motion makes clear what is appropriate. In 2010, in fairness, the First Minister stood down. He said that he had done nothing unethical but was prepared to stand down for the sake of the institutions. Let us remember that his name was cleared. He stood down, and his name was cleared. In 2008, Ian Paisley Jnr resigned, saying:

*"The criticism has been a distraction and has got in the way of the activities of this government."*

I suggest that the same is now happening with the Social Development Minister. The criticism, by the way, that forced Mr Paisley out was of allegations regarding Seymour Sweeney, a property developer. Mr Paisley entered an expression into our political lexicon at that time: "I know of him", he said of the man who had taken him lobster fishing.

The DUP is the party that gave the lexicon of politics the £5 land deal. It is the party that recently added "nutters" to the political phrase book. It is the party that likes to sue or threaten to sue. Its amendment is interesting, proposing an investigation into remarks made:

*"by politicians and commentators ... during and since the broadcast".*

Where does that stop? Investigations into remarks since the programme was broadcast: does that mean that I am under investigation for standing here? Is Michael Copeland under investigation for saying that the jobs were safe under TUPE? Is Jenny Palmer under investigation for speaking to the 'Spotlight' programme? *[Interruption.]*

**Mr Speaker:** Order.

**Mr Nesbitt:** Is that why the DUP does not want to modernise the law of defamation in this part of the United Kingdom?

The way that some Members of the DUP greeted Ann Travers in the Great Hall on the night that the SpAd Bill was passed made me think that that was a great day for this institution. I reviewed recently how warmly she was embraced by junior Minister Bell, for example. Ann Travers said something recently that we should all reflect on today. She said that, when she first heard about a peace-building centre, she thought it was a great idea. Then, when she heard that it was going to be at the Maze, she thought it was a rubbish idea. *[Interruption.]* Mr Speaker, the point is this —

**Mr Speaker:** Order. Let us get back to the motion before the House. *[Interruption.]* Order.

**Mr Nesbitt:** The point, Mr Speaker, is this: I feel the same way about devolution. It is a great idea in principle, but we must be very careful how we apply it in practice.

I was with Minister McCausland in Cardiff a few weeks ago for two days. We all signed up to a statement that there are consequences for communities and individuals in breaking the law. The same applies to breaking the ministerial code. He should stand aside, and I ask the DUP this: what comes first —

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

**Mr Nesbitt:** — the integrity of politics at Stormont or the party?

**Mr Speaker:** Order, Members. Before we proceed to the Question on amendment No 1, I remind Members that, if it is made, I will not put the Question on amendment No 2, as amendment No 2 will be overtaken by the decision on amendment No 1.

*Question put, That amendment No 1 be made.*

*The Assembly divided:*

Ayes 34; Noes 55.

## AYES

Mr Anderson, Mr Bell, Ms Brown, Mr Buchanan, Mr Campbell, Mr Clarke, Mr Craig, Mr Douglas, Mr Dunne, Mr Easton, Mr Frew, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Irwin, Mr McCausland, Mr I McCrea, Mr D McIlveen, Miss M McIlveen, Mr McQuillan, Mr Moutray, Mr Newton, Mr Poots, Mr G Robinson, Mr P Robinson, Mr Ross, Mr Spratt, Mr Storey, Mr Weir, Mr Wells, Mr Wilson.

*Tellers for the Ayes: Mr McQuillan and Mr G Robinson.*

## NOES

Mr Agnew, Mr Allister, Mr Attwood, Mr Beggs, Mr Boylan, Ms Boyle, Mr D Bradley, Mr Brady, Mr Byrne, Mr Copeland, Mr Cree, Mr Dallat, Mr Dickson, Mr Durkan, Mr Elliott, Dr Farry, Mr Flanagan, Mr Ford, Mr Gardiner, Mr Hazzard, Mr Hussey, Mr G Kelly, Mr Kennedy, Mr Kinahan, Mr Lynch, Mr Lyttle, Mr McCallister, Ms J McCann, Mr McCarthy, Mr McCartney, Mr McClarty, Ms McCorley, Mr B McCrea, Mr McDevitt, Dr McDonnell, Ms McGahan, Mr McGimpsey, Mr McGlone, Mr M McGuinness, Mr McKay, Ms Maeve McLaughlin, Mr McMullan, Mr A Maginness, Mr Maskey, Mr Milne, Mr Nesbitt,

Ms Ni Chuilín, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Mrs Overend, Ms S Ramsey, Ms Ruane, Mr Sheehan, Mr Swann.

*Tellers for the Noes: Ms Ruane and Mr Swann.*

*Question accordingly negated.*

*Question, That amendment No 2 be made, put and negated.*

**Mr Speaker:** Once again I remind the House that cross-community support is required for the motion. I have been advised by the party Whips that, in accordance with Standing Order 27(1A)(b), there is agreement that we dispense with the three minutes and move straight to a Division.

*Main Question put.*

*The Assembly divided:*

Ayes 54; Noes 34.

## AYES

### Nationalist

Mr Attwood, Mr Boylan, Ms Boyle, Mr D Bradley, Mr Brady, Mr Byrne, Mr Durkan, Mr Flanagan, Mr Hazzard, Mr G Kelly, Mr Lynch, Ms J McCann, Mr McCartney, Ms McCorley, Mr McDevitt, Dr McDonnell, Ms McGahan, Mr McGlone, Mr M McGuinness, Mr McKay, Ms Maeve McLaughlin, Mr McMullan, Mr A Maginness, Mr Maskey, Mr Milne, Ms Ni Chuilín, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Ms S Ramsey, Ms Ruane, Mr Sheehan.

### Unionist

Mr Allister, Mr Beggs, Mr Copeland, Mr Cree, Mr Elliott, Mr Gardiner, Mr Hussey, Mr Kennedy, Mr Kinahan, Mr McCallister, Mr McClarty, Mr B McCrea, Mr McGimpsey, Mr Nesbitt, Mrs Overend, Mr Swann.

### Other

Mr Agnew, Mr Dickson, Dr Farry, Mr Ford, Mr Lyttle, Mr McCarthy.

*Tellers for the Ayes: Mr McGlone and Ms Ruane.*

## NOES

### Unionist

Mr Anderson, Mr Bell, Ms Brown, Mr Buchanan, Mr Campbell, Mr Clarke, Mr Craig, Mr Douglas, Mr Dunne, Mr Easton, Mr Frew, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Irwin, Mr McCausland, Mr I McCrea, Mr D McIlveen, Miss M McIlveen, Mr McQuillan, Mr Moutray, Mr Newton, Mr Poots, Mr G Robinson, Mr P Robinson, Mr Ross, Mr Spratt, Mr Storey, Mr Weir, Mr Wells, Mr Wilson.

*Tellers for the Noes: Mr McQuillan and Mr G Robinson.*

Total Votes	88	Total Ayes	54	[61.4%]
Nationalist Votes	32	Nationalist Ayes	32	[100.0%]
Unionist Votes	50	Unionist Ayes	16	[32.0%]
Other Votes	6	Other Ayes	6	[100.0%]

*Main Question accordingly negated (cross-community vote).*

**Mr P Robinson:** On a point of order, Mr Speaker. Can you confirm that the outcome of the vote and defeat of the original motion now leaves no limitations on the

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Social Development Committee in the carrying out of its investigation and that it has full powers to proceed with its investigation without any constraints?

**Mr Speaker:** I can confirm that the decision that the House has taken this afternoon certainly will not constrain the Social Development Committee in its inquiry, but I have no doubt that the Committee will want to take into account the debate in the House this afternoon as part of its inquiry.

**Mr McCartney:** Go raibh maith agat, a Cheann Comhairle. On a point of order, Mr Speaker. In light of today's debate and given the nature of the subject, it was suggested on a number of occasions that a Member of this Assembly is accused of being in breach of the code of ethics. I think that it is incumbent upon you to read the Hansard report and advise the House that if any Member has information to suggest that another Member is in breach of the code of ethics, they should bring it to the Assembly rather than wave it in people's faces.

**Mr Speaker:** I will read the Hansard report and come back to the Member directly.

**Mr Nesbitt:** On a point of order, Mr Speaker. Can you confirm that the motion put no constraint on the Social Development Committee?

**Mr Speaker:** Yes, that is what I said to the First Minister. The decision of the House puts no constraints on the Social Development Committee in carrying out its inquiry.

*Adjourned at 2.52 pm.*



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# Northern Ireland Assembly

Tuesday 16 July 2013

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

*Members observed two minutes' silence.*

## Assembly Business

**Mr P Ramsey:** On a point of order, Mr Speaker. It is very hot in the Chamber today, and I sense that it might get a little hotter. Is the Speaker minded to relax the rules on the wearing of jackets?

**Mr Speaker:** Yes. If Members wish to remove their jackets, of course they may.

## Private Members' Business

### **Parades Commission: Determination of 9 July 2013**

**Mr Speaker:** Order. Having been given notice by not fewer than 30 Members under Standing Order 11, I have summoned the Assembly to meet today for the purpose of debating the motion that appears on the Order Paper. The Business Committee has agreed to allow up to two hours for the debate. The proposer of the motion will have 10 minutes to propose the motion and ten minutes to make a winding-up speech. One amendment has been selected and published on the Marshalled List. The proposer will have 10 minutes to propose the amendment and five minutes to make a winding-up speech. All other Members who wish to speak will have five minutes.

Before we proceed, I remind Members of the need to moderate their remarks today, particularly in view of the heightened tension at this time. It is the responsibility of Members to set standards of mutual respect and understanding, and I remind you of the standard of debate that I expect in the Chamber. I understand that Members will wish to express their views forcefully and engage in robust debate: that is accepted in any elected institution.

Members will know that there are a number of investigations ongoing in relation to matters over the weekend. They should be careful not to say anything that might impact on any case that might come before the courts. If that is clear, let us move on.

**Mr Eastwood:** On a point of order, Mr Speaker. Will you make a ruling on whether members of the loyal orders will have to declare an interest in this debate? *[Interruption.]*

**Mr Speaker:** Order. It is a matter for Members to declare their interest. It is a matter for the whole House.

**Mr P Robinson:** I beg to move

*That this Assembly notes the lawful but illogical determination issued by the Parades Commission on 9 July 2013 in relation to the application by the three Ligoniel Orange lodges for a parade in Belfast on 12 July 2013; further notes the consequences of the determination and its outworking in that attempts to build a shared future have been harmed by the actions of those who oppose the concept of sharing space and respecting cultural identity; and calls not only for the rule of law to be upheld but also for respect and tolerance to be shown for everyone's cultural identity.*

Thank you, Mr Speaker, and I share your view that the debate should be carried out in a measured way, given the tenseness and volatility of the situation.

I have to say that the motion that we are debating was tabled a week ago. If we were to table a motion today, there would be some additional elements to it. However, I do not see the importance of the debate lying in the words of any motion or amendment. It is an opportunity for elected representatives to have their say, to try to bring calm to the situation, to express a condemnation of violence, to recognise that the law must be upheld and, I hope, to show a commitment to moving the situation beyond where it is at present and trying to resolve the issues. I hope, if I have time, to mention the all-party group that will be chaired by Richard Haass.

I start with the Parades Commission determination, and I suppose that there were many of us who couched our words in the run-up to the Twelfth between placing hope and concealing expectations of might happen, because we have had experience, such as in the previous year, of what could happen. In the previous year, there had been a strange — some would say “foolish” — determination by the Parades Commission that required the Orange lodges that would normally have taken that route to be there in a time which, I suspect, Mo Farah could not have matched on foot from the field. Yet, in spite of the determination that was made, the Orange Institution did try to resolve the difficulty that those lodges faced. It sent its officers by transport, they walked the route home, and they did so in a peaceful and dignified way, keeping the Parades Commission determination. What followed? A mob under the Greater Ardoyne Residents Collective (GARC) banner came up the road and rioted against the police. Then the weapons were brought out, and fire was upon the PSNI.

Given that set of circumstances, one might have assumed that, if the Parades Commission were to look at the parade itself, there could only be one outcome that it could reach: you should reward those who kept the determination, and you should punish those who did not. Yet what did the Parades Commission do on this occasion? Directly the opposite. It rewarded those who breached its determination — those who rioted and opened up gunfire on the police — and it punished those who kept the determination, although it had been a difficult determination to keep. In those circumstances, I do not believe that the Parades Commission could come out with any credit for the determination that it arrived at on this occasion.

So I set myself the task of finding out what were the rules of procedure that the Parades Commission would follow. One might assume, as with any quasi-judicial body, that the decision would have to be taken on the basis of the evidence surrounding the parade in question. It is clear that that is not what happened. The Parades Commission took its decision for political reasons, not party political reasons — I do not accuse it of that — but political reasons. It has an agenda, which is that, first, it wants the Orange Institution to engage with it — people will have a view on whether it should or should not — and, secondly, it wants the Orange Institution to engage with local residents. It will take its decisions on the basis of how it can further its agenda, as opposed to what is right and wrong in the particular circumstances of any parade.

I think that the Parades Commission got it completely wrong. I do not believe that it has the respect and credibility within the community to continue in being, but, then, I have believed that for many, many years. Indeed, I believed it so much that I expended political capital at the time of the policing and justice negotiations in negotiating an alternative to the Parades Commission. This morning, I heard Mervyn Gibson indicating that that alternative was turned down by the Orange Institution because of party political issues. It is not for me to go into that matter, but the clear evidence is that it was defeated in the Grand Lodge by a very small majority.

When something is defeated in the Grand Lodge, I expect that they might come back to us and say, “Look, we do not like this aspect of it. Here is a suggestion as to how it might be changed” or “Here is an alternative altogether”. I think that that is the space that we have to get into, and I was glad to hear the County Grand Officer this morning indicating that they are looking at alternatives.

I put it to the Orange Institution, as I do to every party in the House, that there is now an all-party group set up with the purpose of agreeing an alternative to the Parades Commission. Let us see whether we can get that alternative. Let everyone engage with Dr Richard Haass and the all-party group. Let those who are invited to take part in the all-party group do so, because we have indicated in the remit of the group that it can bring people from outside into its membership. I trust that there will be willingness on the part of all representatives of the community and the political parties to take part in the all-party group and to try to get a resolution.

I indicated that we would have added some elements to our motion had we been writing it today rather than a week ago. Quite clearly, those would be in relation to the violence that occurred. I honestly do not believe that anybody in this society can condone or be silent on violence in our community. It has dogged our community for generations, and it must come to an end. Therefore, it is very clear that the one message that the community will be waiting to hear from the Assembly is a clear condemnation of violence and a requirement for people to stand by the rule of law. I do not think that anybody who takes a ceremonial sword to the head of a police officer can honestly find anywhere more suitable to be than in prison. There is no excuse for anybody carrying out what was an attempt to murder or at least to seriously injure a police officer.

I also recognise that many other police officers and citizens were injured. Many people who were there for the spectacle of the parade and had no part in the violence were injured. Of course, I include my colleague Nigel Dodds, who was trying to calm the situation but ended up a victim of violence.

The one thing that I will say something about is the shared future. We have a very clear vision of the kind of future that we want to see for Northern Ireland, where the people of Northern Ireland can live, play and work together. That is the vision that, I think, any sensible person would have of how Northern Ireland should grow. However, a shared future must be shared with everyone. It is not a shared future without the Orange Institution. It is not a shared future without the loyalist bandsmen and bandswomen. It is not a shared future if you cannot share a road or a street. It is not a shared future if you have to share

somebody else's ideology before you can have that future. So let us be very clear that the shared future must be one that the whole community can feel part of and one in which they feel that there is some — yes, that word — equality in the sharing. I say this: we will look at the proposals that have been going out and about over the past number of months, indeed years, about a shared future to ensure that that sharing is for everybody in our society and not just some.

I will end, in the last one and a half minutes or less, on the basis of what we do going forward. The deputy First Minister and I brought in the leaders of the other parties. We agreed that the person most suitable to chair the all-party group dealing with parades, flags and the past was Dr Richard Haass. He was our first choice, and he has accepted.

A measure of his commitment is that the first thing that he said to us was, "Look, I'll do it, but I do not want any recompense." So he is committed to the task and is coming over this week to speak to people. It is vital that we all commit to making it work. We may not get overall agreement on all three matters, but we must make progress on all three. That also applies to those who might be regarded as the stakeholders as we move forward.

#### 12.15 pm

So let there be a commitment, and let us not hear, "Now it is up to the politicians". In 2010, the politicians brought forward a set of proposals. If somebody has proposals for how that might be changed, let us hear them. If they have a better alternative, let us hear it. Let us start our all-party group by trying to get a resolution to the problems that have dogged our society, that have been seen in the violence on our streets —

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

**Mr P Robinson:** Let us give a very clear message that we want calm in our community, condemnation of violence and everyone committed to the rule of law.

**Mr G Kelly:** I beg to move the following amendment:

*Leave out all after first "notes" and insert*

*"the determination issued by the Parades Commission on 9 July 2013 in relation to the application by the three Ligoniel Orange lodges for a parade in Belfast on 12 July 2013; supports the Parades Commission's efforts to bring about a resolution to contentious parades; condemns unreservedly the orchestrated attacks on the PSNI and the community in the past few days which arose as a direct consequence of the refusal by the Orange Order to respect the Parades Commission's determination; supports the PSNI in its task of bringing forward those responsible for prosecution; recognises that the building of a shared future requires mutual respect for the differing cultural identities; calls for respect and tolerance to be shown for everyone's cultural identity; and further calls for immediate dialogue between parade organisers and the local community in any area where there is a contentious parade with a view to securing a resolution to the issue."*

Go raibh maith agat, a Cheann Comhairle. I listened to the First Minister and found that, of course, there were things

that I disagree with him on, but he also said things that I agree with, and maybe we will touch on that.

Since the determination was made, there has been a lot of rhetoric and a lot said, much of it perhaps not helpful, on both sides. I heard terms such as "cultural apartheid", and I wonder about the people who used them, because I do not remember them ever arguing against apartheid in South Africa, and they knew what they were talking about at that time. There was talk about "cultural war", and we went back to the "no surrender" view. There was talk of punishing the Alliance Party because it was, supposedly, too big for its boots. There was talk of defeating republicanism and getting rid of the Parades Commission, although, as Peter Robinson pointed out, quite rightly, he has said that from the beginning, so that is not new either. Illegal flag protests and marches were thanked for waking up a section of our community.

A lot more has happened. Again, as Peter Robinson said, there were vicious and sustained attacks on the police — indeed, on people within the community, too — over a period. The Orange Order cannot dissociate itself from those attacks because it was quite obvious that Orange Order people were involved.

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

**Mr G Kelly:** I will not, at this time.

It was clearly planned. People talk about whether there was a plan or not. That was argued out, but bringing the type of crowd that was brought to Twaddell Avenue was clearly planned. There is also a notion that it was inevitable; I do not think that it was. Certainly, once those people were brought there, it was made inevitable.

There was also a pipe bomb attack from the republican/nationalist side. I absolutely and utterly condemn the cynical use of an explosive device to try, in the first instance, to attack, injure or kill police officers. Two young children were also very close to the seat of that explosion. It needs to be condemned absolutely and outright.

Likewise, there has been a series of blast bomb attacks and petrol bomb attacks, in north Belfast and in the Short Strand. I believe that they were thrown against police officers but into the Catholic Short Strand area.

**Mr Lyttle:** I thank the Member for giving way. Will the Member confirm that his condemnation extends to all violence, including attacks on parades and their supporters?

**Mr G Kelly:** Absolutely and without equivocation. In fairness to my colleague opposite, the DUP has an amendment in, whereas other amendments were refused. That is why I allowed the Alliance Party Member to intervene.

So let us not be equivocal about the condemnation of violence. However, I noticed, and I think that I am right in saying, that the DUP delegation that met the PSNI the other day was entirely made up of members of the Orange Order. Of course, the Orange Order has refused to talk to people, yet its members in here talk to us all the time. So the question is this: why will they not speak as Orange Order members outside the Assembly when, in fact, when they are acting as politicians, they will?

I do not want to get into a series of "whataboutery". Maybe there will be things said during the debate that need to be

said. In the DUP motion — Peter Robinson went at it fairly substantially at the end of his contribution — and in the media, there is talk about a shared future. I am absolutely up for it, and I agree with Peter Robinson that the Orange Order, the residents and everybody else in our society have to be part of that future. No one anywhere is arguing against that, but we have to define what that is, which also calls for talks. I argue that it has to be based on equality, which, again, was a term used by Peter Robinson, and parity of esteem, but we have to define that as well.

I have to say what I am not up for. I am not up for sectarianism or racism, no matter where it comes from, whether it is the nationalist side, the unionist side or anywhere else. I am not up for holy statues appearing on bonfires. I am not up for effigies of worker priests — people who are very well respected — being part of that, if that could be described at all as culture. I am not up for anti-Catholic songs outside Catholic chapels or, indeed, any anti-religious song outside any place of worship.

I want to deal with a couple of myths or perceptions, as opposed to reality. There is no republican war on the cultural identity of Britishness, loyalism or anything else. I think it is believed by a wide range of people because it is peddled by people in positions of leadership in unionism and the Orange Order who should know better. It is a fact that 95% — we go back to last December — of all emblems and regalia in the City Hall are pro-British, yet the city is almost at a 50:50 ratio between nationalist and unionist. We have to talk about not just Britishness but Irishness. Where is the respect for Irishness? Where is that equality and parity of esteem? We need to define it, and we need to do so better than we have up to now.

The Parades Commission was accused of sectarianism, which was another myth, and it was accused of succumbing to so-called dissident violence. Let us just deal with that for a minute. If it was succumbing to that, why did it not do so 15, 12, 10 or eight years ago? That accusation has been made year after year. Why, all of a sudden, has it succumbed to it, when, in fact, we know that, every single year, especially this year, loyalists were threatening mayhem? We got it from the unionist community, with threats of Armageddon, doomsday and all the rest, yet the Parades Commission did not succumb to those threats of violence.

When you say that community relations are damaged by not allowing the parade to pass, surely this should be said: do they not believe, or is there not some notion, that those parades and the actions that happen during them, which is perhaps more important, are doing damage to community relations with the nationalist areas and have been doing so for many, many years?

On 12 July alone, we had, I think, 550 Orange parades. Of those, there was a small handful that were contentious. Is it not sensible to say, "Let's sit down, talk this out and come to some sort of resolution on those issues."?

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

**Mr G Kelly:** No, I will not, because your party tabled the motion, so you will have plenty of time to talk.

The inevitability of violence is also a myth. What happened was that predictions of doomsday, Armageddon and loyalist threats were peddled, and people used language

that perhaps made it inevitable on the spot, but violence was certainly never inevitable for 12 July.

I do not know whether it is a myth — I would like to know — that the Orange Order suspended protests. I want to know whether that is a myth because, immediately after them being suspended, we had the Orange Order marching up into Twaddell Avenue instead of Woodvale.

In coming to a close, I ask: where to next? Mervyn Gibson, who is the chaplain of the Orange Order and has been very vociferous over the past few days, said, in the end, that he was ready for talks. He said that he is open to talks. I hope that that means that the Orange Order is open to talks. Peter Robinson talked about Richard Haass, and that is an opportunity for us to go ahead. I do agree with him about 2010: it was at the last minute. Let me say it: we were told that it was the Ulster Unionists who brought the thing to a close and would not allow it to go ahead. So let us have face-to-face talks. There are bigger issues —

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

**Mr G Kelly:** No, I will not.

Bigger issues are dealt with than the ones that we are dealing with here. Dialogue is that the core of that. To allow for that type of atmosphere, I argue that we should pull back the protests, at least from the immediate area around interfaces, because they are intimidatory and counterproductive. If possible, the protests should be removed for a period so that talks can take place.

**Mr A Maginness:** First, I concur with the First Minister and join him in condemning the violence that has taken place. I believe that it is right and proper that we do that. I question his questioning of the Parades Commission decision on Ardoyne. I think that it is unhelpful for the First Minister to be so blunt and so critical of its decision. *[Interruption.]*

**Mr Speaker:** Order.

**Mr A Maginness:** I think that the Parades Commission made a sensible decision in all the circumstances. It was —

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

**Mr A Maginness:** I will take your point in a minute.

The decision was, effectively, a compromise, and it was that the Orange could march down the Crumlin Road on the morning of the Twelfth but was not permitted to march up again. That, I believe, was, in essence, a good compromise to try to resolve the situation this year. It is wrong for us as politicians to undermine the Parades Commission by the sort of overt criticism made by the First Minister.

I will take your point.

**Mr Humphrey:** I am grateful to the Member for giving way. The Member represents the constituency of North Belfast, as I do. On 12 July last year, he will have witnessed republicans coming out on to the Ardoyne Road, attacking police and Twaddell Avenue, setting fire to a car and pushing it into police lines, and then firing automatic weapons at the police, trying to murder police officers. How does he possibly reach the conclusion that this was a compromise? This was the Parades Commission rewarding people who were involved in violence and evil.

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



**Mr A Maginness:** Thank you, Mr Speaker.

Let me say that this was not rewarding anybody; it was an approach by the commission based on an analysis of the situation and work done over the year. It was, effectively, a compromise to try to bring two sides of a divided community closer together. We know that there were discussions between the Orange and the community in Ardoyne, and that is to be welcomed. Those discussions should be renewed as soon as possible because we cannot continue to inflict self-harm on ourselves and the community in North Belfast ad infinitum. There comes a point when we need to grasp the problem and try to resolve it through local resolution.

The First Minister said, quite rightly, that the Richard Haass process will be helpful, but that alone will not solve the situation in Ardoyne, where a local resolution is required. I believe that that can be achieved, if only there were the political support, particularly on the unionist side, from which it has been faltering and not good over the past number of years. I believe, however, that if you put your support behind local resolution, it can take place.

The people of Ardoyne have suffered too much over too many years. They have suffered triumphalism, and they have suffered sectarian abuse. There is a whole history of the people of Ardoyne bearing the brunt of abuse. They deserve some consideration, and they deserve liberation from the tragic past. I believe that we, as politicians, have a duty to do that. The Chief Constable said, quite rightly, that there must be dialogue. The Chief Constable said, quite rightly, that the Orange acted recklessly. The Chief Constable, I believe, is urging us, as politicians in the Assembly, to get round the table and thrash out an issue that has blighted North Belfast for so long.

I believe that, if we resolve the issue of parading in Ardoyne, north Belfast will blossom. North Belfast has been blighted by sectarianism and hatred for too long. I think that there is an opportunity, despite all of the violence and all of the ill will and turmoil that we have experienced over the past number of days. I believe that there is still that opportunity, and I know that the talks between the Orange and the residents were carried out in a respectful manner. There was goodwill there, and there was even some good humour. That provides a basis for people coming together to try to resolve this problem. All of us in the Assembly should back that. It is necessary for us to do that. If we do not, then, next year, it will come back to haunt us, and, next year, there may well be further violence. If you were to go up the Crumlin Road every year —

**12.30 pm**

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

**Mr A Maginness:** — and cut an artery and do that on a constant basis year after year, do you not believe that you would, ultimately, destroy yourself and bleed to death?

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

**Mr A Maginness:** That is what has happened to our community, so let us together unite and try to resolve this situation.

**Mr Nesbitt:** I support the motion. It is a motion that ends with a call for:

*"respect and tolerance to be shown for everyone's cultural identity."*

I certainly support that, and I would go further in that I would love us to demonstrate a spirit of generosity from one side to the other. How can we have a shared future worth buying into if we do not demonstrate the spirit of generosity from one to the other?

I understand that, last week, a religious icon was stolen and placed on an eleventh night bonfire. I will make it clear that that was not done in my name. I deplore that act.

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

**Mr Nesbitt:** In a moment, Mr Humphrey.

I deplore that act, and I acknowledge the clear hurt that will have been caused in the Catholic community. I understand that there was some sort of gallows on a bonfire that has been taken as a reference to a well-liked and popular priest who took his own life recently. That was not done in my name, and I acknowledge the deep hurt in the Catholic community over that.

I deplore all sectarian acts, including the attacks by nationalists on Orange halls that have taken place recently and the burning of the Irish national flag. I am not the only Member of the House or the only Member from this side of the House who was in Dublin on Sunday and stood respectfully for the Irish national anthem at the national day of commemoration for the Irish men and women who lost their life in past wars or on service with the United Nations. I was in northern France, at Guillemont, on 1 July this year when the Orange Order laid a wreath for those who died in the 16th (Irish) Division and stood respectfully for the Irish national anthem. So, it can be done, it is done on occasion, and it should be done.

**Mr Humphrey:** I thank Mr Nesbitt for giving way. I will provide some clarification on the point that he made about the icon. Last night, I spoke to the gentleman who returned the icon to Father Gary Donegan at Holy Cross chapel. The icon was thrown into the bonfire at Lanark Way by people from Divis in the lower Falls, and the gentleman — *[Interruption.]* It is factual. I spoke to the gentleman who returned it, and he took it to Gary Donegan. That was the conversation. *[Interruption.]*

**Mr Speaker:** Order.

**Mr McDevitt:** On a point of order, Mr Speaker. We enjoy a certain degree of privilege in the House, but we do not enjoy the right to be so unfetteredly arrogant, abusive and insulting. *[Interruption.]*

**Mr Speaker:** Order.

**Mr McDevitt:** Nor do we enjoy the right, Mr Speaker — *[Interruption.]*

**Mr Speaker:** Order.

**Mr McDevitt:** — to go against what was published — *[Interruption.]*

**Mr Speaker:** Order.

**Mr McDevitt:** — on the front page of a local newspaper, which is a fact.

**Mr Speaker:** Order. The Member now has it on the record. Let us leave it and move on, but let us not abuse points of

order. I feel that that is exactly what may be happening. Let us move on. *[Interruption.]* Order.

**Mr G Kelly:** On that, I must clarify the situation. Mr Humphrey says that it was thrown on the bonfire: could he then explain how, in the photographs, the statue is sitting upright on a plinth? You are making this up as you go along. *[Interruption.]*

**Mr Speaker:** Order. Let us get back to the motion that is before the House. The Member has a minute added to his time.

**Mr Nesbitt:** Thank you, Mr Speaker. Even though it is not in the motion, I condemn all the violence and unlawful activity over the past number of days. I regret very deeply the attacks on the police from all quarters. I stood on the Woodvale Road on Friday night. It seemed to me that there was a lot of confusion. The police did not know what to expect from those who were coming up the road, and, among those who came up the road, there was confusion about what they were supposed to do, particularly the Orangemen who thought that they might be able to protest and then take off their collarettes and walk in single file up the pavement to return home. They had no idea how they were supposed to get home. My conclusion is that it could simply have been handled a lot better and that the violence was not inevitable.

The underlying anger and tension were inevitable because of the Parades Commission determination. This morning, it has been called a compromise. Well, what was it last year when it was a 4.00 pm determination for the return journey? Was that a bad compromise that needed a better compromise this year? It was a bad determination. "Determination" is a key word in the whole process, because there is a clear and deeply held perception in the community that, among those who signed up to the political settlement, a settlement that upholds your right to consider yourself Irish or British — it is your choice — but within the context that Northern Ireland is a part of the United Kingdom, there are forces that are determined to ensure that, even though Northern Ireland is a part of the United Kingdom, you will not know it, because every trace and vestige and symbol of Britishness will be removed bit by bit, slowly, as part of a long, cultural conflict. Mr Kelly says that that is not the case, but I remember the words of Gerry Adams, when he was talking about Drumcree all those years ago. These things do not happen overnight. Sinn Féin are long-term, strategic thinkers, and there is a perception that that is the strategy.

"Croppies" — *[Interruption.]* I am sorry if this is very amusing to members of the SDLP — *[Interruption.]*

**Mr Speaker:** Order. The Member must be heard. Order.

**Mr Nesbitt:** — or to Mr Dickson, who seems particularly amused. "Croppies lie down" was a very popular expression in these parts some time ago. It was wrong; it was a bad sentiment, and it did not work. "Proddies lie down" will not work either. We need mutual respect, and I commit our party to working in the talks that will be chaired by Richard Haass. What we need is an overarching policy, a framework within which parades can be agreed in future. We are now being accused by the First Minister of being responsible for 2010 falling down.

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

**Mr Nesbitt:** I say to him, "In 2011, you got the votes, you got the mandate, so, you govern and stop blaming the Ulster Unionist Party every time it goes wrong". *[Interruption.]*

**Mr Speaker:** Order. *[Interruption.]* Members must be heard. Order.

**Mr Ford:** I trust that I will get 10 seconds more, Mr Speaker.

Last Friday and since, we have witnessed some disgraceful scenes on the streets of north and east Belfast, and the first thing that I want to do is to express my thanks and those of my colleagues to the police officers who upheld the rule of law in the face of that, whether they were PSNI officers or mutual aid officers brought in to assist them. There is no doubt that they suffered attacks from both sections of the community at different times.

Today, my colleagues and I will support the Sinn Féin amendment, not because it says everything that we would wish it to have said — *[Interruption.]*

**Mr Speaker:** Order. Order.

**Mr Ford:** — but because it makes clear support for the Parades Commission as the lawfully constituted body to adjudicate on parades; it makes clear support for the PSNI in upholding the law; it calls for dialogue; and it calls for mutual respect.

Not all Members may be aware of the statement issued by the Chief Constable this morning in which he urged the Assembly to:

*"condemn all violence, unequivocally support the brave efforts of my colleagues and affirm that all protests must be both peaceful and lawful."*

I have no difficulty whatsoever in doing that. I certainly welcome the comments made by Peter Robinson as he spoke to the motion this morning because, sadly, too often in the past few days, we have seen unionist and Orange spokesmen who have been unable to condemn violence without adding a "but" somewhere. In fact, you get the impression that there are more buts in Orange statements than there are in the ashtray outside a pub. There really is a need to get away from language about war and cultural war and to recognise what needs to be done to build a shared future.

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

**Mr Ford:** I will.

**Mr Dickson:** Would the Member also add to those dangerous words the words that the leader of the Ulster Unionist Party used in the House? I understand that he also used them on Radio Ulster today.

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

**Mr Ford:** I am happy to agree with that point. In contrast to the remarks of Mr Robinson, Mr Nesbitt's suggestion that there is somehow an equivalence between what was perceived by one section of the community as significant discrimination on issues like jobs, houses and votes and the limited restrictions on parading by another section of the community does not seem to me to face up to the reality of what is happening. Over 90% of the parades last Friday proceeded with no determination whatsoever. The great majority of those for which a determination

was made did not require any significant policing effort. We are talking about a tiny number of restrictions, and to suggest that that is tantamount to restrictions on a culture is utter rubbish.

The example, I put to you, Mr Speaker, of your beaming face as you walked across Craigavon Bridge, recorded by television, in your lodge — the Londonderry City Grand Lodge — to parade within the walls of Derry is an example of what a shared future actually means. It is an example of negotiation, of understanding and of seeking to make accommodations. It has been proven that it can work in Derry, and there is absolutely no reason why it should not work in north and east Belfast as well if people were prepared to commit themselves to it. There is a place in a shared future for Orange culture, just the same as there is a place for green culture and gay culture and every other kind of culture that we might want to see, and it really is time that people got —

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

**Mr Ford:** Briefly.

**Mr Hussey:** You talk about culture, and you talk about giving way. A parade in Castlederg was banned by the Parades Commission, and it had to go to a judicial review. It was going to an area that was 95% Protestant, and that was blocked by the Parades Commission. There is no justification for something like that.

**Mr Ford:** Technically, Mr Speaker, no parade was banned by the Parades Commission; it does not have the capacity to do that. I am not saying that every decision made by the Parades Commission is right, but the Parades Commission is the lawful body with the duty to determine on parades, and it deserves the support of democratic politicians in carrying out its duty.

It really is time that we saw some other unionist and Orange leaders change their mindset and speak a bit more like Peter Robinson did in initiating the debate. It is time that we heard support for the police with no equivocation; it is time that we heard a commitment to dialogue and not triumphalism; it is time that we saw serious engagement with their neighbours in north Belfast as in other places, not just for a few days but sustained; and it is time that we saw a real commitment to the process that will be led by Richard Haass over the coming months, because that gives us a real opportunity to move away from a sense of “whataboutery” this week and into making a real difference.

A peaceful, prosperous and stable Northern Ireland is totally dependent on us addressing the issues and addressing them seriously this autumn. We cannot wait for a further problem in the parading season next year. Recriminations are easy. The challenge now is to tackle the hard issues that were not well dealt with in ‘Together: Building a United Community’; to deal with issues like flags, parades and the past; to recognise that they are joined together; and to recognise that there are issues that are not easily addressed in the heat of the moment.

**12.45 pm**

Those who demand rights also have to give respect to others. We need to look at how the parading and interface problems, flags, bonfires and the marking out of territory impact on each other. We need to address why

some parades are clearly seen as cultural and religious expressions conducted in good order, while others descend into sectarianism and bigotry. We need most of all to look at the issue of all the encompassing things that were dealt with by the Consultative Group on the Past and have not yet been addressed, and that is where we badly need an engagement with Dr Richard Haass and his process.

**Mr McCausland:** The first Orange lodge in Ballysillan was formed in 1865 and the first Orange hall was built at Ballysillan in 1868. For almost 150 years, Orange lodges have paraded on the Crumlin Road because it is the main road into the centre of Belfast. Now, after 150 years, the Parades Commission has de facto banned the Orange brethren from returning along the Crumlin Road as part of their annual Twelfth parade.

Throughout the years, that road was a shared road, and, even today, it has on that contended section a major health centre at Everton, a public library, shops, a car wash and an ambulance station; all of these. The shopkeepers are happy to take money from Protestants and Roman Catholics. Nobody asks when you go in to check in your book whether you are a Protestant or a Roman Catholic, but republicans and nationalists in Ardoyne have sought to sectarianise the road and to claim it as their preserve. Year after year, there has been republican violence emanating from Ardoyne, and in response to that, the Parades Commission has through the years placed more and more restrictions on the parades, especially the return parade. It has pandered to republican and nationalist bigotry, it has pandered to the intolerance of the republicans and the SDLP and, especially after last year, it has pandered to dissident republican violence.

Last year, dissident republicans rioted and burned vehicles, while a republican gunman attempted to murder police officers, and then this year, the return parade was banned. Once again, the Parades Commission sends out a very clear message: the Parades Commission rewards violence. That is irresponsible and immoral, and Peter Osborne, Brian Kennaway and the other members of the commission should hang their heads in shame. Previous commissions were bad, but this commission is the worst ever. This determination was not only an attack on the Orange Order, it was an attack on the entire Protestant community in Ballysillan. It has caused deep hurt, and it has damaged community relations.

Of course violence is wrong, and on Sunday afternoon, along with party colleagues, I visited the homes of local people, many of them elderly, who had been affected in various ways by the violence. Indeed, our party colleague Nigel Dodds suffered directly on Friday night, but it is hard to convince others to refrain from violence when they can say to you, “Violence pays”. Moreover, although republican violence and the Parades Commission stopped the parade, violence will not get it back. The way forward is by the removal of the Parades Commission. Northern Ireland needs a new start, a new structure and a new system for the issue of parades; that is a priority. The Parades Commission is not an impartial body, rather it has been thoroughly partisan and punitive. Republicans have opposed Orange parades, and they have been aided and abetted by the Parades Commission.

The commission was a product of direct rule from Westminster and was imposed in Northern Ireland at a

time when Sinn Féin was ramping up its campaign against the Orange Order, with parades being disrupted, the order being demonised and Orange halls being attacked. Today, the violence against the Orange Order and Orange parades in north Belfast comes from dissident republicans, but they learned their trade from Sinn Féin.

Forty years ago, on 2 March 1973, an Orangeman by the name of George Walmsley left Ligoniel Orange hall for the last time to go to his home in Glenbank Drive. George was a quiet man who had served in the merchant navy. He lived at home with his parents, his father had died just a week earlier, and he was going home earlier that night to make sure that his mother, an elderly woman, was in good form. He worked as a foreman for the Belfast Corporation and he lived at home with his parents. As he left the hall, Provisional IRA gunmen shot him dead and another Orangeman who was with him was shot nine times by the Provisional IRA but survived. It was a brutal murder, and a thoroughly decent man was murdered by sectarian killers.

**Mr Givan:** Does the Member agree that the IRA has inflicted more suffering on the people of Ardoyne than any organisation?

**Mr Speaker:** The Member has an added minute onto his time.

**Mr McCausland:** The murder of George Walmsley was a brutal murder, and a thoroughly decent man was murdered by sectarian killers. No one has ever been made accountable for the murder, nor have there been any inquiries. How did the Parades Commission mark the 40th anniversary of his murder? They banned the Ligoniel lodges from going home.

We hear much of the talk around a shared future, but it seems that republicans in Ardoyne cannot even share a road with us. We hear much talk from republicans of an island of equals but, as George Orwell put it, some are more equal than others. If we are looking at the issue of apartheid in South Africa and all the rest, I would suggest to some of those here who are republicans and nationalists that —

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

**Mr McCausland:** — if they are looking for issues of supremacy, they should look in the mirror.

**Mr M McGuinness:** Last weekend was a tale of two cities. In the city that I come from, we had a totally peaceful weekend. That came about as a result of a recognition many years ago by all the stakeholders in the city of Derry, including the loyal orders, of the importance of resolving the contention around parades. I want to pay tribute to the role that you played in that, Mr Speaker, alongside the Apprentice Boys.

As a result of that, for many years now the city has been trouble-free. Last Friday, as part of the City of Culture celebrations, we were very happy that thousands of Orangemen and Orangewomen could come to the city to enjoy their day and do so in a respectful way. I have to say that they could not have been more respectful, and I am sure that it was very enjoyable for those who participated in it and those who witnessed it.

One of the most powerful comments that was made over the weekend came from the City Grand Master of the Orange Order, James Hetherington, who talked about the

ability of the people of the city to sit down and talk and find solutions. We did not need Richard Haass to sort that out; we sorted it out ourselves. I am very proud of the roles that were played by our Speaker, my party and many others in the city.

Therein lies the solution, folks. As I have said many times in the past, Belfast can learn from Derry, and the failure to learn from Derry has resulted in the mess that we have seen over the past couple of days.

I agree with the First Minister that we should all be very careful about the language that we use because we will have to resolve that problem on the other side of this debate. I take encouragement from the fact that, prior to the Twelfth, people were prepared to sit down to have dialogue and discussions. I hope that that can be resumed, and I will certainly give it every encouragement.

Last Tuesday, the five —

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

**Mr M McGuinness:** Yes.

**Mr Moutray:** I thank the Member for giving way. He makes great play on the importance of dialogue. For many years now, the Portadown district officers have offered unconditional dialogue with the Garvaghy Road residents' coalition but to absolutely no avail; they have been ignored. Would the Member be prepared to intervene there and encourage dialogue with the Portadown district officers to resolve a situation that has lasted there for many years?

**Mr Speaker:** The Member has an added minute onto his time.

**Mr M McGuinness:** I understand what the Member is saying, and I understand that to be the case. Naturally, I would encourage everybody in contentious situations to sit down and have dialogue with one another and to show respect for each other.

Last Tuesday, the five main parties in this Assembly signed up to a statement, which made it clear that we expected people to abide by the determination of the Parades Commission. It also called on people to be totally and absolutely peaceful over the coming days. I was hugely disappointed the following day to see the DUP jump into bed with the Orange Order and to see an effort made by the Orange Order to confront the determination made by the Parades Commission. As a result of that confrontation, we have seen something like 70 police officers injured and others from every section of the community injured and their lives disrupted.

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

**Mr M McGuinness:** No, I will not.

So I pay tribute to the PSNI and the role that it played in keeping the peace and in policing the Parades Commission determination.

The Orange Order? I think that the Orange Order has been very badly damaged by the events of the past couple of days. I also think that it is very badly led.

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

**Mr Speaker:** Order. Is it a bogus point of order?  
[*Interruption.*] Order. I am not judging the Member, but



there are Members raising points of order to score political points. So let us hear the point of order.

**Mr Allister:** You asked no such questions last week when bogus points of order were raised.

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

**Mr Allister:** Yes. Is it in order to point out that while the deputy First Minister moralises and demonises the Orange Order, he was the godfather of an organisation that murdered 300 members of the Orange Order — *[Interruption.]* — and that he has never condemned those murders or sought to bring to justice one single person for them? *[Interruption.]*

**Mr Speaker:** Order, order. I ask the Member to take his seat. That is certainly not a point of order.

**Mr M McGuinness:** I can understand that sometimes people play to the gallery.

The big question for me is: who leads unionism? Is it the unionist political parties and unionist leaders or is it the Reverend Mervyn Gibson and those people around him? Anybody listening to his interviews over the past couple of days could not be anything but embarrassed by the contributions that he has made and the excuses that he has made for the despicable behaviour of the Orange Order.

The Parades Commission was responsible for the determination but it was not responsible for the violence. The people who participated in violence are the people who were responsible, and there is a duty and a responsibility on all of us to give our wholehearted support to the PSNI as it conducts the investigations into what has been a disgraceful era for the Orange Order over the past few days.

**Mr G Kelly:** On a point of order, Mr Speaker, is it acceptable to have people in the Public Gallery catcalling or applauding during this debate?

**Mr Speaker:** Order, order. People in the Public Gallery are very much welcome, but they also need to be very careful in what they say and do in the Public Gallery. They are certainly very welcome, but there are procedures in this House when it comes to the Public Gallery. Let us move on.

**Mr Humphrey:** I start by declaring an interest as a member of the Orange Institution, and I am proud to be a member.

Across this wee country of ours, and in north Belfast in particular, we have a very volatile situation. My contribution here is to appeal for calm and an end to street violence. The Orange Institution called for peaceful protests. *[Interruption.]* Anything other than peaceful protest damages our cause. Violence is wrong and it must stop. *[Interruption.]*

**Mr Speaker:** I apologise for interrupting the Member. I am suspending the sitting for a few moments. I ask Members to please leave the Chamber.

*The sitting was suspended at 12.59 pm.*

*The sitting resumed at 1.04 pm.*

**Mr Speaker:** I ask Members to take their seats. Order.

**Mr Humphrey:** As I said before, we have a very volatile situation in Northern Ireland, particularly in my constituency of North Belfast. I appeal for calm and an end to street violence because the Orange Institution called for protests but said that those should be peaceful protests. Any other protests, other than peaceful protests, damage our cause. Violence is wrong and must stop, and our community is being hurt and young people's lives are being destroyed.

There is real and palpable anger in my community at the decision of the Parades Commission with regard to the Ardoyne determination. As I said earlier in my intervention, last year, republicans breached the determination on the numbers of people that they brought on to the streets. They rioted, attacked Twaddell Avenue, set fire to cars and pushed them into police lines and fired automatic gunfire at the police. By contrast, the Orange Institution, as the First Minister has said, complied with the determination and returned by 4.00 pm. The order's reward for its return and its flexibility was violence and evil being rewarded by the Parades Commission and republicans getting their way.

The Parades Commission was never the solution, and it is most certainly now part of the problem. It is a relic of direct rule and, frankly, the Parades Commission must go. The unionist people of this city and across Northern Ireland are angry at what they see as the erosion of their British way of life and cultural traditions.

**Mr A Maginness:** Will the Member give way?

**Mr Humphrey:** Yes.

**Mr A Maginness:** I thank the Member for giving way. I suggest that a way of getting rid of the Parades Commission once and for all is local resolution of the problems in Ardoyne.

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

**Mr Humphrey:** The talks that happened before the Twelfth were not the first that the Orange Institution was involved in. It was involved in talks with the parades forum, and the Member knows it well.

Our people believe that the erosion of their British way of life and cultural traditions is very threatening. The premeditated decision by Sinn Féin, the SDLP and Alliance to remove our nation's flag from the City Hall has caused great offence —

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

**Mr Humphrey:** No.

It has caused great offence and anger —

**Mr Ford:** On a point of order, Mr Speaker. *[Interruption.]*

**Mr Speaker:** Order. Once again, I remind Members not to use points of order to score political points.

**Mr Ford:** Let me correct a point of accuracy. That was the premeditated decision of a committee that came from certain members, but not from my party, so it was not a premeditated Alliance Party position. *[Interruption.]*

**Mr Speaker:** Order. It is not a point of order, but the Member has it on the record. *[Interruption.]* Order, Members.

**Mr Humphrey:** I stand by what I have said. Community relations in this city have, as a consequence, been totally destroyed.

Of course, that is no surprise given the demonisation of parades, Ulster's unionist culture and the Orange tradition in this state. A strategy was set out by Gerry Adams in 1997 in Athboy. He said, and the language is his and not mine:

*"Ask any activist in the north, 'did Drumcree happen by accident?', and he will tell you, 'no'... Three years of work on the lower Ormeau Road, Portadown and parts of Fermanagh and Newry, Armagh and in Bellaghy and up in Derry"*

— that is how you know that these are his words and not mine —

*"Three years of work went into creating that situation and fair play to those people who put the work in. They are the type of scene changes that we have to focus on and develop and exploit."*

So this did not happen by accident. Sinn Féin put people into residents' groups in Portadown. It installed Breandán Mac Cionnaith there, Gerard Rice on the lower Ormeau Road and Mr Nelis in Londonderry. You might say that that was a long time ago and things have moved on, but, in fact, the number of areas where groups have sprung up to oppose Orange parades has grown. Hatred of the Orange culture has increased. The ultimate manifestation of that hatred is not just opposition to parades but the dramatic increase in attacks on Orange halls. Between 1998 and 2001, 24 Orange halls were attacked each year. After the peace process at St Andrews, between 2008 and 2011, the attacks increased to 61 per year: nearly a threefold increase. Recently, in my constituency, at Whiterock and Clifton Street, halls were attacked, and, over the weekend, Bellaghy and Stewartstown in mid Ulster.

Sinn Féin must bear a heavy burden of responsibility for this environment that has been created. In fact, Sinn Féin still runs the show — sadly, now joined by the SDLP in north Belfast. The new hot spot in Donegall Street is in the city centre, a shared space. In order to recover the ground lost in places such as Ardoyne, Sinn Féin has created this hot spot, a new flashpoint, with a new residents' group formed only just before the parades of this month.

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

**Mr Humphrey:** I will, surely.

**Mr Poots:** Does the Member agree that those who have created the flashpoint have been fully facilitated in that by the Parades Commission in this instance?

**Mr Humphrey:** I agree entirely, and it is sad to see that when these parades are being blocked and protests are taking place, our Culture Minister stands alongside.

Little progress can be made on parades while the hatred continues. Talk of a shared future and shared space is empty rhetoric. There can be no shared future and there can be no shared space if my culture is not respected, tolerated and accepted. With that in mind, I will be speaking to my colleagues the Chairs of the Culture and Justice Committees to discuss the establishment of an Assembly inquiry to examine the demonisation, intimidation, violence and destruction that has been

and continues to be directed at the Orange Institution in Northern Ireland against the backdrop of established international treaties and frameworks for the protection of our culture, heritage and identity.

Mr Speaker, I am confident unionist and a proud Orangeman. I love my country, I love my cause and I love my culture and its history. Talk of a shared future cannot and will not be realised —

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

**Mr Humphrey:** — until all that I cherish is given some respect and the tolerance that I give to others is shown to me and my traditions.

**Mr McKay:** Go raibh maith agat, a Cheann Comhairle. There are voices of reason in the Orange Order. Unfortunately, that was not one of them, to be frank. We have seen it in Derry, and we have seen it in many rural areas where there have been no problems whatsoever, and that demonstrates that talking to your neighbour works. People in many parts of the country see no issue —

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

**Mr McKay:** I will not at this point. *[Interruption.]* There are some parts of the country —

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

**Mr McKay:** In some parts of the country, members of the community do not talk to each other, and that is why we have some very difficult situations, but as the deputy First Minister said, we do have a tale of two cities. You have Derry on the one hand, where all sides are moving forward together on the basis of mutual respect, and you have Belfast, where we saw mass social and economic devastation over the weekend. It affects not only the community and the economy but the morale of the city to witness what has gone on over the past number of nights.

The Parades Commission has put a focus on dialogue, and it was right, because dialogue works. This institution is an example of how dialogue and face-to-face talks work in this society.

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

**Mr McKay:** I will not.

In his speech in Rasharkin over the weekend, Mervyn Gibson said that this was about defeating republicanism and about cultural war. What we need is not the language of war but the language of peace. For some reason, the Orange Order remains many steps behind the rest of society, which is intent on moving forward. By the Orange Order supporting the present situation, it is tolerating it. There has been no statement from the Grand Lodge about its members who attacked the PSNI and who rioted over the weekend wearing collarettes. If that had been any other organisation, there would have been a statement immediately to say that there would be disciplinary action against those members or that they would be — *[Interruption.]*

**Mr Speaker:** Order. Order.

**Mr McKay:** — removed from those organisations. The question that many in the community and many in Belfast have is this: what is the Orange Order going to do about those members who we saw over the weekend attacking

police officers with ceremonial swords and engaging in riotous behaviour?

I hope that something positive can come from this debate, and I welcome the majority of Members who have decided to approach the debate in that manner. The fact is that we have a small number of contentious parades; some are significant, but they are small in number. Talks must begin now to find resolutions, and it is not an impossible ask. There is no good reason why we cannot resolve these situations and remove the potential for them to cause social and economic damage, which is undoing a lot of the work that we have done and that the Executive have done to improve the economy, tourism and people's quality of life.

We need leadership. We need unionist leadership that has no tolerance for sectarianism and that actually criticises the Orange Order or flag protesters when they create the conditions for conflict on our streets. Equally, we need leadership to face down those within nationalism and within republican communities who want to use parades to undermine the peace process and to attack police officers, and also those who engage in the disgraceful acts that we saw in Derry with churches and Orange halls being attacked.

1.15 pm

**Mr Storey:** I thank the Member for giving way. Will he accept his responsibility in the agitation and sectarianism in Rasharkin, which is in my constituency? They have created a republican element that they cannot control. Remember that he and his colleagues in Rasharkin stirred up the nonsense against the Orange Institution and the Ballymacconnelly band. Will he say in the House today that that was wrong and should come to an end?

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

**Mr McKay:** Go raibh maith agat, a Cheann Comhairle. We need to talk. We should have talked many years ago — in Rasharkin, in Derry and in Belfast — and a lot of these issues would have been resolved. We cannot have a shared future if we cannot even share a conversation. That is the crux of this matter because, ultimately, somebody will lose their life if we do not act as politicians. It is not a matter of people rioting on the streets and politicians here saying that they have no control and cannot do anything — we are responsible. The Assembly has a collective responsibility to come away from the debate today and ensure that nobody loses their life.

I remember that in my constituency, during the Drumcree trouble, three young children lost their life in Ballymoney. In the wake of that, Reverend Bingham, who was a chaplain in the Orange Order, as is Mervyn Gibson, said:

*"no road is worth a life".*

We should remember that because, ultimately, if people do not act responsibly, and if they do not act maturely in these institutions, sooner or later, somebody will lose their life as a result of the parades situation.

**Mr McDevitt:** Mr Humphrey suggested that the Orange Order was the subject of a campaign of "demonisation", "violence" and "intimidation". I would like the House to ask where that campaign was in 1996, when the then SDLP Mayor of Derry, Martin Bradley, facilitated conversations that brought Derry to where it is today. As you well know,

Mr Speaker, and it has been said by others, it was another SDLP mayor, my friend and colleague Martin Reilly, who welcomed the Orangemen at the steps of the Guildhall on Friday afternoon — a nationalist mayor in a majority nationalist city welcoming the loyal institutions on their day out.

The Parades Commission cannot be blamed for that success. The Parades Commission cannot be blamed for the fact that Derry is a different place. The Parades Commission did not cause those talks to happen. They happened because people had courage, foresight and integrity and because they looked beyond their narrow, selfish political interest to the shared interest of their city, which is a place they love, a place they care deeply about and a place that I know they really feel proud of this year because it is a capital of culture in the deepest possible sense.

The First Minister, a man whose ministerial Pledge of Office binds him to act in the interests of everyone in this region — everyone, First Minister, not just those whom you want to speak for — suggested to the House that the Parades Commission was the problem and the reason for violence on our streets. That is as bizarre as someone standing up and saying that umbrellas cause rain. It is utterly illogical, it is bereft of integrity, and it is the sort of political position that leads to only one place — failure. The problem with this political position is that if he fails, we all fail. Such is the nature of the Good Friday Agreement and the institutions betokened to us by the people who voted for it in a referendum that we all need to work, and we need to be capable of enduring a collective endeavour.

The First Minister is right to say that we must find a shared future. He laid some rightful challenges at the doors of this side of the House about what needs to change for that shared future to be credible and become a reality, but I will lay some challenges back. In the shared future, there will be no effigies of dead priests on bonfires. In the shared future, there will be no sectarian or racist slogans on bonfires on the eleventh night. In the shared future, no flag of my nation or of the nations of those from the developing world whom we claim to welcome as our neighbours will be burned on bonfires on the eleventh night. In our shared future, there must be no death threats to Members of this Assembly left on a bonfire on an eleventh night. In a shared future, there must be no Virgin Marys propped up for the entertainment of some particularly sad people.

That is the challenge to which we must rise. To bring motions to this House about the Parades Commission is to utterly, absolutely and abjectly fail to understand the real challenge that is ahead of us. Derry can, and yet Belfast refuses to, but why? Is it because it is just more convenient to blame Sinn Féin or the SDLP or whatever, or is it because people do not want to? John Hume used to say that the real borders in this island were in people's minds and attitudes; they were not lines on the street that cannot be passed.

My appeal to the largest and second-largest unionist parties in this House is to reach beyond the borders in their own minds and to reach into the opportunity of dialogue; to respect the fact that Derry proves that an SDLP-led city will respect every single diversity in this jurisdiction; and to respect the fact that an SDLP-led city will deliver peace to this jurisdiction. *[Interruption.]*

**Mr Speaker:** Order.

**Mr McDevitt:** The question, Mr Speaker, is whether the DUP is a partner on a long journey to reconciliation —

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

**Mr McDevitt:** — or whether it is more comfortable pandering to the prejudices of our past.

**Mr Copeland:** Before anyone asks me, I have lived my entire life in the service of and with faith in the rule of law. That was evidenced by service in the Ulster Defence Regiment. Hundreds of my comrades were murdered, blown up or shot, and that was not done by Orangemen. My wife left school at 18, and one week after we were engaged, almost lost her life when a machine gun was fired at the back of the Land Rover in which she was travelling. That was not done by Orangemen.

Since I came here, I have treated those Members opposite and the mandate that they hold with respect. I do not believe that, on any occasion, I have said anything that was deliberately contrived to give offence. If you live in a democracy and you believe in freedom of speech, inculcated in that is the notion that, at some stage, you will hear something that you do not like. If you live in a democracy and believe in freedom of expression, inculcated in that is the notion that you will see something that you do not like. When you protest about it, protected by law, you enjoy the benefits of a democracy, but in so protesting, you endanger your own rights in that context.

The Parades Commission, whether it be so or not, is perceived as being one-sided and unevenly balanced. I have attended republican parades and the main difference that I noted was that the drums were behind the flutes instead of in front of them. However, the symbolism on the drums, were it on loyalist, unionist or Protestant drums, would be seen by any right-thinking person as unacceptable. There are no AK47s on the drums belonging to the bands that represent east Belfast.

Three and a half thousand people gave their lives for us to come here to ensure that it should never happen again. The responsibility for finding the way forward lies with us all, but that will not come today. The events on the streets of Belfast this evening will come today.

We have a Minister of Justice, and justice and law are two very different things. In the community that I represent and from which I come, the application of law appears to be being levied against them in a way that is different from the way in which it is levied in other places. That builds resentment, which, in turn, builds disenchantment. It did so in the nationalist and republican community for 50 years, but it is building in the unionist community and it needs an outlet. It needs tolerance and understanding.

The events on the Newtownards Road were different, and I will attempt to relate them to the best of my ability in the time available to me, which will not be enough. There are lessons that need to be learned down there before we take our people over the precipice. The truth is that being Orange is as Irish as a pint of Guinness. It is the Grand Orange Lodge of Ireland: you might not like it, but it is yours as much as it is ours.

What harm, given the scale of what has gone on, would there be in allowing people, not to "march", which is a term that I do not recognise, but to walk? I walked on the Twelfth

when I was able to walk, and I paraded on the Twelfth when I was able to parade. There was no militarism or triumphalism from me. What harm would there be in saying to those people, "We don't understand why you want to do it, but we recognise it's your right. You do not have a right to attack us in our homes, and you do not have a right to be drunk in the street, but you have a right to be who you are."? For as long as that community remains under pressure, it will react.

I think of a girl, Paige Barnes, who is 17 years of age and has special needs. She was arrested for the offence of throwing a plastic glass at the police and was remanded in custody on suicide watch. She has special needs. I know, as well as I know that Mr Ford is the Minister of Justice, that that girl did not commit that offence. Remanded in custody. Sir, we are in very dangerous times, and the responsibility lies with all of us before time runs out.

**Mr B McCrea:** I grew up in north Belfast and went to the same school, I think, as Mr McCausland. I have experienced being on the police lines during riots in Ardoyne, and when I saw the petrol bombs and the big fireworks coming in, my impression was of a police network that understood full well what was in front of it. The PSNI at that time was well informed, had good intelligence and knew what it was doing. Therefore, I reject anybody who criticises the PSNI for the way that it handles civil disturbance.

What was strange then is strange now: there were not too many other MLAs with me on the lines. That draws me to a question. The First Minister said:

*"Once again it is clear that any truly lasting solution to parades will involve the abolition of the Parades Commission."*

Does it? What are the alternatives? For Orangeism, getting up the road is absolutely necessary, and for republicanism, it is an anathema that it will not let happen. So how do we resolve the situation?

The problem is not the Parades Commission.

**Mr Poots:** Oh.

**Mr B McCrea:** The problem —

**Mr Poots:** Oh.

**Mr B McCrea:** The problem is the failure of political leadership.

**Mr Poots:** Aye, dead on.

**Mr B McCrea:** If the Minister of Health needs some water, I am happy to get him some. *[Laughter.]*

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

**Some Members:** Mini-me. *[Interruption.]*

**Mr Speaker:** Order, order.

**Mr McCallister:** Does the Member agree that it is incumbent on those who are in the Government, including the First Minister and the deputy First Minister, to remember that they were elected and are there to serve, lead and provide political leadership? If they have alternatives to the Parades Commission, let them bring legislation forward and move on those issues instead of sitting on their hands complaining.



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

**Mr B McCrea:** Thank you, Mr Speaker. For the record, when we were in the UUP, we did hear that it was Mr Elliott and Mr McNarry who said that they did not want to go with the last alternative — *[Interruption.]* — and I reject the words of the current leader — *[Interruption.]* — of the UUP, which were insensitive and inflammatory.

**Mr Speaker:** Order.

**Mr B McCrea:** I feel sorry for the ordinary Orangemen and Orangewomen who had a great day in Londonderry, Magherafelt and all sorts of other areas. It was in Belfast that we had the problem, and Belfast has to be sorted out. I have to say to the Orange Order, and I take no pleasure from saying this, that there has been a complete failure of leadership. You cannot use weasel words, where you say one thing and mean another, and not expect people to react.

**1.30 pm**

**Mr Agnew:** I thank the Member for giving way. Will he agree with me that, when people say that there has been a lack of leadership in unionism, they are wrong? There has been a failure of leadership and poor leadership that leads people out onto the streets and leaves them there only to call for them to be arrested later. When the trade unions call people out on a protest, they marshal it and take responsibility. The Orange Order's abdication of responsibility for these protests is damaging.

**Mr B McCrea:** I agree with those sentiments. I look at the Orange Order as good people badly led. It comes to something when the Chief Constable has to describe people as reckless. I think that he might have raised some other issues. I have to say to those listening that it was a complete and utter PR disaster for the Orange Order. Anybody looking at the images on the screens of people trying to kick the police and of people brandishing police batons will know that all those images are detrimental not only to the people of Northern Ireland and to tourism and all those other issues but to the Orange Order itself. I will just make sure that there is no misunderstanding: it was sickening, it was disgusting, and it was not in my name.

There is a real problem when we try to conflate Orangeism with Protestantism or Protestantism with unionism or unionism with being pro-union. When you bring all these people together, you come to the lowest common denominator, and, believe me, the lowest common denominator is not very attractive. When I stand here and criticise the Orange Order — I am criticising it — I do so with its interests at heart. It is to say to it, "Can you not please find a way to celebrate your culture, which you have an absolute right to do?". It was demonstrated how well that was done in Londonderry and in other places. I have with me a speech that was forwarded to me by Drew Nelson when he spoke to the Seanad in Dublin about the history and the culture and all those issues. Those things are all to be celebrated. However, if you are kicking and attacking the police, using inflammatory language and saying that the flags protesters were right when they were wrong, you are doing it out of selfish self-interest and not for the people of Northern Ireland.

We will support the amendment, because it is the right word to be put forward. I know where it is coming from, but, if you look at the words, you cannot disagree with it.

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

**Mr B McCrea:** Orangeism needs to find a better way forward, because this amount of talk in this language does no one any service. If you have an alternative to the Parades Commission, come forward, otherwise —

**Mr Speaker:** Order.

**Mr B McCrea:** — support the rule of law and order.

**Mr Newton:** I support the motion. Essentially, the title of the motion, "Determination of Parades Commission", encapsulates the problem. This is a time for cool heads, but it is also a time for determination to right an injustice against the Orange Order. Let me, first, place responsibility on the doormat of the Parades Commission for the situation as it is. Let me also condemn the violence against the police. It is wrong, but it is also wrong that there was violence against innocent men, women and children who lined the route of the Belfast procession and, at various points, were attacked by republicans. That attracted no media attention whatsoever, and that is wrong. The whole story needs to be told.

The Parades Commission has responsibilities, but how can an unelected, unaccountable body that is responsible to no one in Northern Ireland be allowed to make laws that persecute a section of the Orange Order as it seeks to parade, as it has done for generations, past the Ardoyne shopfronts and initially to tell those who support the bands and the Orange brethren that only 100 will be allowed to leave the area? Having agreed to leave the area, the lodges were denied the right to return home. That is totally bizarre. That decision came about even though the Orange Order met the determination of last year. This year, it was subjected to a bizarre decision that said that it was not getting back at all. The Twelfth of July is the most sensitive and emotive day in the Orange calendar. The Parades Commission chose, for the first time ever, to deny the north Belfast lodges the right to return home. It seemed evident to those sitting outside that confrontation is what was wanted and sought.

The Parades Commission has allowed the republican community to make a stretch of the road a couple of hundred yards long into a no-go area for Orange feet. There is much concern in the unionist community, and it will have been heightened today by the words of the deputy First Minister, who described the behaviour of the Orange Order as "despicable". On the one hand, we have a convicted bomber, out on licence —

**Mr A Maginness:** Will the Member give way?

**Mr Newton:** I am not giving way. That person obstructed the police in the conduct of their duty and is still walking the streets, while law-abiding people are denied the right to take a major route back to their own homes. Minister Ford has a responsibility in this area. Let me say this: to compare the explanations of the Orange Order to a fag end is insulting to members of the Orange Order, who will stand publicly and make their statement. Comparing their words to a fag end is insulting.

Let me move to east Belfast. Let us be clear: the Protestant community on the lower Newtownards Road was attacking no one. It was awaiting the return of the Orangemen and Orangewomen, and all they wanted to do was to see their friends and relatives safely home. We have heard the rubbish, the republican propaganda, that

those who attacked the parade from the Short Strand area were just defending St Matthew's chapel, but they just happened to have, at hand, stashes of bottles, stones and paint bombs. It resulted in a disabled youngster in a wheelchair having to be rushed to safety. My own son was attacked.

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

**Mr Newton:** I will.

**Mr Poots:** Has the Member any concern about the lack of media coverage of the people who were badly hurt and the bands that were badly attacked on that occasion?

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

**Mr Newton:** I agree with the Member. It looks as though there is a bias. My son was hit by a bottle coming from the Short Strand as he walked past it. Junior Orange children had to be quickly evacuated from the area.

Mr McDevitt majored on a shared future. It is hard to envisage a shared future when you get SDLP members refusing to condemn members of the SDLP who named a playground after a terrorist. Republicans refuse Protestants — *[Interruption.]*

**Mr McDevitt:** On a point of order, Mr Speaker. *[Interruption.]*

**Mr Speaker:** Order. A Member has raised a point of order, and I am listening carefully.

**Mr McDevitt:** Standing Orders require us to be accurate in the House. For the sake of accuracy, I remind the House that, when the SDLP makes a mistake, it has the courage to apologise. Has the DUP the courage to apologise today? *[Interruption.]*

**Mr Speaker:** Order. Let us move on.

**Mr Newton:** It seems obvious that the republican community is trying its best to create a major flashpoint on the lower Newtownards Road.

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

**Mr Newton:** It is evidenced by Gerry Adams's words of some time ago that flashpoints do not just appear, they are manufactured.

**Mrs Foster:** With reference to the Chief Constable's request this morning for condemnation of violence from all sources, of course I do that, and I do it wholeheartedly. I am very happy to comply with that request. I listened very carefully to the deputy First Minister talking about how it was 'A Tale of Two Cities'. Of course, it was not 'A Tale of Two Cities'; it was a tale of 16 demonstrations across Northern Ireland on Friday. All of those, apart from the Belfast incident, went off very, very well. I pay tribute to Orangeism right across the country for ensuring that, sometimes in difficult circumstances.

We have heard a lot about how the Ardoyne area has suffered over the years. Of course, as public representatives, we want to put on record what has happened to our areas over the years. In Fermanagh, we have suffered greatly as a result of ethnic cleansing in a campaign that took place there over many years. We have one flashpoint parade in Newtownbutler. Despite the fact that the Border Defenders have engaged in dialogue over many years, they still cannot have a parade in their home

village of Newtownbutler. People say that it is good to talk: they entered into that dialogue situation but still cannot have a parade in Newtownbutler.

I want to talk about the context of where this all came from. I think it was my colleague Nelson McCausland who mentioned the Athboy speech or maybe it was —

**Mr Elliott:** I thank the Member for giving way. Would she acknowledge that, in Newtownbutler in particular, they were talking to residents who lived on the route of the parade long before there was any indication that talking should take place at all?

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

**Mrs Foster:** That is right, and that is why it is so disappointing that the Parades Commission still determined that that parade could not take place. It blows out of the water all that we have heard about dialogue and engagement.

We go back to the Athboy speech, and we go back to the street disorder of the mid-1990s when a few members walking behind country bands in County Fermanagh — country accordion bands probably — were seen to be offensive, and we could not possibly have that. We move to the North report, which brought about the Parades Commission. That report talked about local accommodation. Back in 1996-97 — yes, I was involved in politics then — I said that it would bring about a euphemism for no-go and no-speak areas and that we would end up with sectarian ghettos. Then I hear Gerry Kelly talk on the radio about a Catholic road. That is not the type of Northern Ireland that I want to live in. We also heard Mr Kelly refer to South Africa. South Africa is often talked about in the House. I refer him to the Goldstone commission, which looked at public order problems in 1993. I will make a direct quotation:

*"the democratic process cannot countenance no-go or no-speak areas".*

Does Sinn Féin agree with that? If it does agree with it, that means that we can move forward into a shared future. However, Sinn Féin has to agree with it not only in words but in actions as well.

There has always been a fundamental flaw with the Parades Commission. It was set up as a body to educate, mediate and issue determinations. So, facilitation and judicial functions were together, and that is wrong; they need to be separate. Mr Hussey has referred to the Castlederg situation. I understand that his brother asked to have a meeting about Castlederg Young Loyalists, but it was ignored, and, in a High Court ruling last Thursday evening, Mr Justice Weir said that that was wrong. What did the Parades Commission say in response? It said that the judge was wrong and that it was right. That is the sort of arrogance that leads our people to think —

**Mr P Robinson:** Will my friend give way?

**Mrs Foster:** Yes, I will.

**Mr P Robinson:** Does she see something dramatically contradictory in an organisation that claims that its rulings are not respected not upholding the rulings of the court?

**Mrs Foster:** I heard Peter Osborne, formerly of the Alliance Party, of course, talking this morning with great arrogance about the role of the Parades Commission

over the past period of time. It is an arrogance that exists because it is unelected and unaccountable to the people of Northern Ireland. I listened as he referred to the impact of a parade on a local community, but nowhere was there an acknowledgement of the impact of a banned parade on the Orange family or the Orange community.

Indeed, what the Parades Commission failed to do was deal with the simple concept of tolerance. In 1981, the United Nations adopted a declaration on the elimination of intolerance or discrimination based on —

1.45 pm

**Mr A Maginness:** On a point of order, Mr Speaker. The Member spoke of Mr Peter Osborne, who is the chair of the Parades Commission. Is it in order for her to criticise him and attribute to him a party political affiliation? Surely that is not in order. *[Interruption.]*

**Mr Speaker:** Order. The Member is in order. It is the cut and thrust of debate in the Chamber. Let us move on.

**Mrs Foster:** The truth is an adequate defence.

In 1981, the United Nations adopted a declaration on the elimination of intolerance or discrimination based on religious belief. It says that all states shall take all appropriate measures:

*“to combat intolerance on the grounds of religion or other beliefs”.*

The intolerance of Irish militant republicanism and its inability to accept another cultural identity is the problem here in Northern Ireland.

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

**Mrs Foster:** We will not move forward until people recognise that there is a need for diversity in Northern Ireland, and that includes the Orange family.

**Mr Lyttle:** I am grateful for the opportunity to speak on this sensitive issue. We have had some positive contributions and some very difficult conversations. I, on behalf of my party, extend the appeal for calm and an end to violence before the loss of life on our streets in Belfast. I think that what matters most to the people of Northern Ireland now is not who threw the first stone but who will take the first steps towards finding peaceful resolutions to these issues. That said, we need to hold actions to account. Some of the language that we have heard from Executive Ministers and, indeed, Christian ministers over the past weekend and beyond was astoundingly dangerous.

The Orange Order must take responsibility for its actions. Calling people on to the streets and asking for peaceful protest without the means or plan to control that protest is extremely risky behaviour. Many people, including Northern Ireland Executive Ministers, have consistently intimated that the inevitable consequence of a Parades Commission decision that people disagree with is violence, and that is an extremely dangerous proposition. I understand that there is widespread frustration and anger in relation to the adage that violence pays. Let us knock this on the head straight away: violence has done absolutely nothing for this community. It is wrong, counterproductive and futile, and I condemn, unreservedly and without selection, all the violence that we have seen.

**Mr Agnew:** I thank the Member for giving way. Does he agree that saying, “They started it” is not acceptable in the playground, it is not acceptable on our streets and that it certainly should be beneath our politicians?

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

**Mr Lyttle:** I agree strongly. Over the weekend, we saw social media postings on Twitter from the First Minister and deputy First Minister that were not a stone's throw from the type of behaviour that the Member describes.

I pay tribute to the courage and restraint shown by the PSNI and the mutual aid officers in response to such mindless violence. I extend my sympathy to all who were injured as a result. Violence results only in more criminal records, injury and loss for all involved, but that does not apply to those who call people on to the streets and abdicate responsibility when the community and lives are torn apart. The only way to achieve anything is through peaceful, lawful and democratic action, and I am willing to represent the legitimate concerns of anyone in that context.

**Mr Bell:** The Member speaks of “peaceful, lawful and democratic action”. Will the Member for East Belfast comment on what happened to my lodge as it returned home along the Newtownards Road? The police have confirmed that we came under a sustained, premeditated attack from the Short Strand. While on a peaceful, legitimate parade, disabled children were hit with paint bombs, and I had to put junior Orangemen into a minibus, which was driven down a cul-de-sac, because they were coming under sustained attack from a barrage of missiles. The First Minister showed leadership and condemned all violence. Should the deputy First Minister not have condemned that republican violence, shown leadership from the republican community and called on it to hand over the names of the IRA members who murdered 300 of my Orange brethren?

**Mr Speaker:** Order.

**Mr Lyttle:** I thank the Member for his intervention. I have no hesitation whatsoever in condemning, without selection, any violence of that nature. I only wish that the Member would, perhaps, do the same in relation to all the violence that we saw this weekend.

The credibility of many people in institutions has been seriously damaged. The test of the sincerity of the call for peaceful protest will be how effectively they assist the PSNI with its investigations. Those who attacked loyal order parades must be dealt with in the same robust and legal manner. Indeed, this violence has done a massive disservice to the Orangemen and Orangewomen who uphold positive and dignified cultural celebration.

What is the way forward? My party and I believe wholeheartedly in a shared future. None of us is going anywhere. We can continue as we are, with all the human consequences and costs, or we can learn how to share this piece of land. Some people have gone on the offensive in relation to a shared future and said that what we see is more akin to a neutral or an anaemic future. I wholeheartedly disagree with that, and I absolutely support people being able to assemble, parade and protest. People should be able to belong, but with that comes responsibility — a responsibility not to denigrate other people's cultures, not to engage in sectarianism and not to demarcate territory in a long-term, intimidating manner.



That is not asking for neutrality; it is demanding decency and dignity from organisations to which both should be second nature.

**Dr Farry:** I thank the Member for giving way. Further to that, does he agree that all of Northern Ireland must be treated as shared space and that no labels should ever be placed on any street or park? Although there will be issues to be resolved in how we regulate that, we should understand that no one has a right to claim any territory with a flag or by blocking a parade.

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

**Mr Lyttle:** Yes. I absolutely agree, and I reiterate my call for a stop to the violence to allow the political process that we have through the inter-party working group to take its course and try to find solutions for everyone in Northern Ireland.

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

**Mr Clarke:** At the outset, for the benefit of the republican coffin-carrier, I declare an interest as a proud member of the loyal Orange Institution for quite a number of years. I am glad that that will be on the record for the coffin-carrier to read.

My colleague has shown me a tweet sent from here by a Sinn Féin Member. We have been listening here today to talk of entering dialogue and getting our parades to move forward. I will read into the record the words of Phil Flanagan:

*"DUP need to realise that just because in some places the Orange Order engage in dialogue, it doesn't mean they get their way."*

**Mr Bell:** There is your shared future. *[Interruption.]*

**Some Members:** The mask slips. *[Interruption.]*

**Mr Clarke:** Here, as my colleagues are suggesting from a sedentary position, we have an opportunity to see that the mask has slipped. Indeed, the mask has slipped, and none of us will be fooled by the rhetoric on parades that they have come out with in the press in the past few days. This is a token gesture, as if they are going to do us a favour in relation to walking on the Queen's highway.

I listened to Gerry Kelly at the outset of the debate talking about 465 parades and the fact that only a small number of those were the subject of determinations. As a member of the Orange Institution, I do not need to be reminded that their strategy over the past few years has been to work on one particular area and, once they get it parked, to move on to another area. That strategy, as my colleague said earlier, was played out at Drumcree.

Following on from my colleague, Arlene Foster, I condemn outright any violence. There is no need for violence on the streets, and the Orange Order has been fairly clear. Members on the opposite Benches do not want to listen to the message from the Orange Order on this matter, but it has been clear. The Orange Order may have called people to protest, but the Orange Order did not call for violence. It has condemned the violence, and I join it in that condemnation.

**Mr Humphrey:** I am grateful to the Member for giving way. He will be aware that I and my colleagues, including Nigel Dodds, tried to calm things down in north Belfast.

Let me read to the House a tweet from the former Sinn Féin Assembly candidate from north Belfast, J J Magee, who filmed the events in Clifton Street last year. At 10.01 on Friday night, he wrote:

*"Police have told the BBC that DUP Nigel Dodds has been knocked unconscious by a brick thrown by loyalists. He has been taken to hospital. Haha."*

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

**Mr Clarke:** I thank my colleague for that quote, which shows the rank hypocrisy of some Members on the opposite Benches. We have listened to them talk about a shared future but they have continued to oppose the culture of the Orange Order and the unionist community.

With respect to the recent events and the press, how the media have reported recent events should not go unnoticed. Although I can stand here and condemn the violence, it is interesting that the BBC and UTV have reported last weekend's events in a biased way. Eventually, we heard from the Chief Constable about the attacks on some of my colleagues in east Belfast, but we did not get that reported. We do not get fair and balanced reporting from either of the two media outlets, which is disappointing.

I would also like to refer to the language of the Chief Constable and Will Kerr and how they have denigrated the Orange Order over the past few days. The media do not have all the video footage; there is footage on Facebook and other social media outlets that members of the public have posted. I am a supporter of the police, but that footage shows innocent people being sprayed by the water cannon. Those people were protesting in a dignified manner. It will be interesting to see whether the Chief Constable will come out over the next few days and tell the community what action he will take in cases where his members were overzealous in how they used their power at those demonstrations in which people wanted to demonstrate in a peaceful manner their disappointment at the determination of the Parades Commission.

I join others in saying that the Parades Commission should have gone. I was pleased to hear Mervyn Gibson say this morning on a radio show that there was a solution in 2010 but that, unfortunately, politics were being played. The politics were not being played from these Benches. The politics that were being played from here were on finding a solution and an end to the Parades Commission, but unfortunately some Members from unionist Benches sought to oppose that solution. I was pleased to hear Mervyn Gibson say this morning that he supported the alternative to the Parades Commission. So, in 2010, we had a solution that would have ended the Parades Commission, but unfortunately some Members on the Benches beside us refused to support it. That has left us in a vacuum in which we are having to go back to the drawing board to see how we can get rid of this discredited, dysfunctional and useless Parades Commission.

If we look at what it did last year with the parade that we are debating today, it set conditions on the parade to make it as awkward as possible for the Belfast members. The Belfast members abided by the decision, and it is as though the Parades Commission set out this year by asking, "What can we do to go a step further?"

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

**Mr Clarke:** That is exactly what it has done. Since its establishment, it has done everything to oppose Orange culture in Northern Ireland.

**Mr Speaker:** I call Dr Alasdair McDonnell. As we are almost out of time, the Member has two minutes.

**Dr McDonnell:** Thank you very much, Mr Speaker. There is much that I would like to say. I thank those who have been restrained, and I express regret that some have not been as restrained as they should have been.

I want to reflect briefly on the comments of the First Minister that the Parades Commission has a political agenda. It is a view that some are entitled to, but the Parades Commission rulings are the law. The Parades Commission is appointed by Her Majesty's Government, and whether or not we like some of its decisions, those decisions are still the law.

Violence that we have seen here in the past few days cannot ever be justified: it cannot be fudged, it cannot be explained away and it must be condemned without reservation.

The First Minister again said that a shared future includes Orangemen. I fully and unconditionally endorse that view, and that has to be put on the record. If we are going to have a shared society here, it must be all-inclusive.

## 2.00 pm

Mr Speaker, I will digress for a moment. I want to pay tribute to you personally for the outstanding work that you have done in Derry. I was very proud to see you march on 12 July, and the Minister of Justice referred to that. You did it with dignity. The contention in your city has been sorted out, and that is what we want to see extended to Belfast. It is not a question of suppressing anybody or of being cruel or mean to anybody, but we must get a situation where we can live together.

Those who engaged in violence must be held responsible and held to account for their behaviour. As I said, all violence must be condemned. The Parades Commission must be respected —

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

**Dr McDonnell:** — and allowed to do its job. All of us must unconditionally support the police, even when they are wrong, and they occasionally get it wrong.

**Ms Ní Chuilín:** Go raibh maith agat, a Cheann Comhairle. This has been a fairly even-tempered debate, despite the intemperate tone of some of the language. I am very relieved that most, if not all, Members who spoke called for an end to the violence and for dialogue. They have spoken about mutual respect, collective leadership, shared futures and the potential for all the parties to get together. Indeed, Peter Robinson, the First Minister, mentioned the prospect this week of Richard Haass and what, hopefully, that will have to bear. He made comments about the Parades Commission that I will come back to later. He also spoke about equality, as did my colleague Gerry Kelly, and we need to define what equality and mutual respect and a shared future are. It does not mean that we share in sectarian behaviour, and it does not mean that we share in raising tempers and the potential for rioting or trouble. It means that collective leadership needs to happen.

Collective leadership, for many of us, means putting our head above the parapet.

**Mr Maskey:** I thank the Member for giving way. Will the Member confirm that, although the big demand from the Orange Order is, as a number of Members have repeated in the House today, the removal of the Parades Commission, that is not, in fact, the solution? We are talking about people who wish to march, particularly the Orange Order. The solution to the problem that has been identified is for the Orange Order to engage in direct and meaningful talks with residents of those communities on the basis of respect and seeking to get an accommodation. Removal of the Parades Commission will not solve the problem. The problem will not go away with the Parades Commission being removed.

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

**Ms Ní Chuilín:** I thank the Member for his intervention. I accept that, and that has been the tone of the debate today, regardless of what position you coming from on this, and there have been many views. The fact is that the Parades Commission is the only show in town, because there is no resolution between the loyal orders and some of the residents' groups. Until there are resolutions, the Parades Commission, regardless of whether it is in its current configuration or another, will prevail. When the Parades Commission makes determinations, there is happiness on one side and unhappiness on another.

I understand the point that Alban Maginness made, because I share it: I believe that the determination on north Belfast was a compromise. I spoke to some of the residents, as did my party colleague Gerry Kelly and others, around the Ardoyne, Mountainview and Dales areas who were not happy at all. The maturity and the leadership that they showed in their community, particularly the CARA residents' group and, indeed, GARC, who removed their protest and their parade was, I believe, a welcome move. It was not a popular move in their community. I can testify to that. I honestly believe that dialogue is the only way forward, and it is not us as elected representatives —

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

**Ms Ní Chuilín:** No. Thank you. I have already taken an intervention, and I have very little time left.

I do not believe —

**Mr McNarry:** You will get an extra minute.

**Ms Ní Chuilín:** I already have an extra minute.

I do not believe for one minute that, as elected representatives, we should be a substitute for dialogue with residents. We should facilitate and support it, but we are not the substitute.

I have also heard claims and accusations made about the cultural war. I have found some of the comments made to be very offensive. As William Humphrey mentioned, I am from the Carrick Hill area. I am there to support the residents. The calls that the residents of that area have made have been very reasonable. They are not looking to stop marches or parades; they want respect. How can that respect be demonstrated? It can be demonstrated through face-to-face dialogue. I also want to pay tribute to the Orange marshals outside St Patrick's Church.

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

**Ms Ní Chuilín:** No, thank you. *[Interruption.]*

**Mr Speaker:** Order, Members.

**Ms Ní Chuilín:** The marshals tried their very best to do a good job. I want that on the record, because I think that they did a good job in very challenging circumstances.

**A Member:** Frank Dempsey.

**Mr Speaker:** Order.

**Ms Ní Chuilín:** I said Orange marshals: Frank Dempsey is not in the Orange Order, as you well know. *[Interruption.]*

**Mr Speaker:** Allow the Member to continue.

**Ms Ní Chuilín:** Let me say this: I do not believe that it is a part of anybody's Britishness to dance outside a Catholic church playing 'The Sash' or to walk a few feet away and sing the famine song. I do not believe that it is a part of Orange or British culture to spit in a resident's face or put effigies of much-loved priests or religious statues on a bonfire. *[Interruption.]* I am sure that people in London, Aberdeen and Cardiff are scratching their head, wondering what part of Britishness that is. Are they meant to identify with that? *[Interruption.]*

**Mr Speaker:** Order.

**Ms Ní Chuilín:** The best and only way that we can resolve the issues is through dialogue. I know that Members in the House have competing interests.

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

**Ms Ní Chuilín:** However, we have a responsibility. It is a collective responsibility for us all to condemn violence, lead by example and not be the loudest voice at the back of the room or the back of the march. *[Interruption.]*

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

**Ms Ní Chuilín:** That is not the way forward. *[Interruption.]*

**Mr Speaker:** Order.

**Mr Wilson:** The context in which the Twelfth celebrations took place this year has, perhaps, not been emphasised here today. Hundreds of thousands of people enjoyed the sun, the spectacle and the occasion. Hundreds of parades went off without incident. It is a great pity that that aspect has not been identified as readily by the press, which has simply zoned in on the deplorable violence that happened as a result of the Parades Commission's determination in Belfast and the act of aggression — let us make this clear — at the bottom of the Newtownards Road by republicans who attacked a parade that had been given the right to march up that road because they decided that they did not want it.

A number of issues have been raised in the debate. The first is the Parades Commission. The usual people have trotted out their defence of the Parades Commission, though I have to say that they have very short memories. Mr Kelly tells us that we should accept the Parades Commission. I remember that, not so long ago, he supported residents who appealed for a judicial review of the decision of the Parades Commission. Mr Maginness told us the same: I have heard him criticise the Parades Commission. We are told by the Justice Minister that the commission is a legally constituted body and therefore

deserves support: can you not criticise the decision of a legally constituted body? People criticise his Department, my Department and all other kinds of Department. Just because you are legally constituted does not mean and should not mean that you are not open to criticism when you make a bad decision.

We now have NI21, the party of the 21st century, which sees the Parades Commission featuring as part of the 21st century. God help us if we are stuck with it for the whole of the 21st century. Our objective is to see that the Parades Commission goes. *[Interruption.]* Even though the shelf life of NI21 might be quite short, we hope that the shelf life of the Parades Commission will be even shorter — and that is saying something.

The criticism is not unfounded. The First Minister laid it out very clearly, and it is based on fact. The Parades Commission is meant to look at what happened in the past. Indeed, I heard Peter Osborne saying that this morning: "We look at what happened in the past. We look at what has been the position in previous years, and we then make a decision on that". As the First Minister pointed out, last year, the Orange Order was told that it could not march after 4.00 pm, so it broke from the main parade and it marched. That was the compromise, and it abided by it. The people who protested were the ones who, after the parade had gone, organised an attack on the police that included guns. Yet we are told that, on the basis of what happened in the past year the judgement for this year was made. I think that even the most ardent supporter of the Parades Commission could not defend a decision like that. It was illogical, it was irresponsible and the Parades Commission, in its arrogance —

**A Member:** Will the Member give way?

**Mr Wilson:** No, I will not give way. The Parades Commission — *[Interruption.]*

**Mr Speaker:** Order. The Member must be heard.

**Mr Wilson:** The Parades Commission ought to take responsibility for it. That is why we say that it must go. Of course, it is not the case that it must go and a vacuum should be left. This is not a new position that we have taken. As far back as 2010, we said that it should go and should be replaced. There was an alternative available, and this is where I have to be critical of the Orange Order: the Orange Order was prepared to take its leadership from a man who, quite frankly, after having destroyed his own party, decided that he would give the same inept leadership to the Orange Order. The guilty man is sitting in the back row there, and we know — *[Interruption.]*

**Mr Speaker:** Order. Let us have remarks through the Chair.

**Mr Wilson:** We know the reason for it, because a reason was given: it was a political decision. It was a party political decision: it emanates from the DUP, so it does not matter whether it solves a problem or not, reject it. I hope that, on reflection, the Orange Order will now look again at the proposal. Of course, it came jointly as a result of the negotiations that there were when policing and justice came about. They included the element of dialogue between parties.

The second thing that we have heard talked about today is the shared future, and, of course, it is part of our motion. I listened to some of the rhetoric about a shared future from the other side, and I think that Richard Haass is going

to have a difficult job. While Gerry Kelly talks about the shared future, Phil the Footer — he puts his foot in his mouth quite often in this place, and he does it outside — *[Interruption.]*

**Mr Speaker:** Order. Let us refer to Members by their proper name. Order. Let us move on.

**Mr Wilson:** He seemed to know who I was referring to anyway, Mr Speaker, so I do not think that I need to worry.

While Mr Kelly talks about a shared future and dialogue and the deputy First Minister is talking about it, he is making it clear that dialogue does not mean quite the same thing as far as he is concerned.

We had the reference to what the Provisional IRA did in the past in a very moving speech by Nelson McCausland. Forty years ago, the IRA was gunning down Orangemen — *[Interruption.]*

**Mr Speaker:** Order.

**Mr Wilson:** Now, it is simply trying to stop them marching. Whether that is by organising residents' committees, ignoring the attacks from republican areas on the parades or talking of a Catholic road, that is its concept of a shared future. Mr McCausland pointed out that you have all these public buildings, not a Catholic road. There was the triumphalism of Mr Kelly who, in one breath in this place, talks about a shared future and, on the news, gloats that Orangemen have marched up this road for the last time. It does not augur too well for discussions about a shared future if that is the mindset. I hope that the public rhetoric of Sinn Féin will change when it comes to getting down and talking about what a shared future means.

I was going to mention Mr McDevitt — *[Interruption.]* — and then I thought, "Do I give him any credibility?" When it comes to a Member of this Assembly who oozes cant and sanctimoniousness, Mr McDevitt takes first prize: a shared future does not mean, and it does not mean, and it does not mean. Of course we agree with all the things that he said, but what he failed to point out is that his party is as sectarian as some of those he has condemned. It does not mean, Mr McDevitt, that you name play parks after gunmen —

2.15 pm

**Mr Speaker:** Order, order. *[Interruption.]* Order.

**Mr Wilson:** It does not mean that you support the release of people — *[Interruption.]*

**Mr Speaker:** Order, order. *[Interruption.]* Order, order. Let us not have a debate across the Chamber.

**Mr Wilson:** I thought that is what the Chamber was for.

**Mr Speaker:** Order.

**Mr Wilson:** It does not mean that you prevent religious services being held in public parks either, as the SDLP has voted for. Let us not take any lectures from Mr McDevitt or the SDLP about what a shared future means.

The First Minister has laid it out very clearly here today. We are serious about changing Northern Ireland so that it is a place where we can attract investment and have a normal society. All that I would say to those opposite who have talked about a shared future is that when it comes to the discussions, let us see your words backed by some actions. That means that on the Twelfth of July, a road

that has been used by Orangemen for a long time, as Mr McCausland pointed out, should be open to them.

The last thing I want to mention is the violence. We have been quite clear on this: the violence is wrong, and a lawful determination is a lawful determination. We have appealed to those who have organised the protests and who, as a result of that, have brought people out on to the streets to think about it again. I said this at the flags protests and I say it unequivocally again today: if you believe that your protest is going to finish up in violence, forgo your right to protest because you only do your own cause a discredit if you bring that about.

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

**Mr Wilson:** Let us not do anything to encourage violence. Let us see what the Orange Order can do; it is not just about what politicians can do. Let us work with the opportunity that presents itself to us over the next number of weeks to see what we can do to solve these problems.

*Question put, That the amendment be made.*

*The Assembly divided:*

Ayes 41; Noes 44.

## AYES

Mr Attwood, Mr Boylan, Mr D Bradley, Mr Dallat, Mr Dickson, Mr Durkan, Mr Eastwood, Dr Farry, Ms Fearon, Mr Flanagan, Mr Ford, Mr Hazzard, Mr G Kelly, Ms Lo, Mr Lynch, Mr Lyttle, Mr McAleer, Mr McCallister, 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, Ms Maeve McLaughlin, Mr McMullan, Mr A Maginness, Mr Maskey, Ms Ní Chuilín, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Mr P Ramsey, Ms S Ramsey, Mr Rogers, Mr Sheehan.

*Tellers for the Ayes: Mr G Kelly and Mr McKay.*

## NOES

Mr Agnew, Mr Allister, Mr Beggs, Mr Bell, 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 Givan, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Hussey, Mr Irwin, Mr Kinahan, Mr McCausland, Mr I McCrea, Mr McGimpsey, Miss M McIlveen, Mr McNarry, Mr McQuillan, Lord Morrow, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mr Poots, Mr P Robinson, Mr Ross, Mr Storey, Mr Swann, Mr Weir, Mr Wells, Mr Wilson.

*Tellers for the Noes: Mr Clarke and Mr McQuillan*

*Question accordingly negated.*

*Main Question put.*

**Mr Speaker:** Order. I have been advised by party Whips in accordance with Standing Order 27(1A)(b) that there is agreement that we dispense with the three minutes and move straight to the Division.

*The Assembly divided:*

Ayes 43; Noes 42.



**AYES**

*Mr Allister, Mr Beggs, Mr Bell, 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 Givan, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Hussey, Mr Irwin, Mr Kinahan, Mr McCausland, Mr I McCrea, Mr McGimpsey, Miss M McIlveen, Mr McNarry, Mr McQuillan, Lord Morrow, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mr Poots, Mr P Robinson, Mr Ross, Mr Storey, Mr Swann, Mr Weir, Mr Wells, Mr Wilson.*

*Tellers for the Ayes: Mr Clarke and Mr McQuillan.*

**NOES**

*Mr Agnew, Mr Attwood, Mr Boylan, Mr D Bradley, Mr Dallat, Mr Dickson, Mr Durkan, Mr Eastwood, Dr Farry, Ms Fearon, Mr Flanagan, Mr Ford, Mr Hazzard, Mr G Kelly, Ms Lo, Mr Lynch, Mr Lyttle, Mr McAleer, Mr McCallister, 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, Ms Maeve McLaughlin, Mr McMullan, Mr A Maginness, Mr Maskey, Ms Ní Chuilín, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Mr P Ramsey, Ms S Ramsey, Mr Rogers, Mr Sheehan.*

*Tellers for the Noes: Mr G Kelly and Mr McKay.*

*Main Question accordingly agreed to.*

*Resolved:*

*That this Assembly notes the lawful but illogical determination issued by the Parades Commission on 9 July 2013 in relation to the application by the three Ligoniel Orange lodges for a parade in Belfast on 12 July 2013; further notes the consequences of the determination and its outworking in that attempts to build a shared future have been harmed by the actions of those who oppose the concept of sharing space and respecting cultural identity; and calls not only for the rule of law to be upheld but also for respect and tolerance to be shown for everyone's cultural identity.*

*Adjourned at 2.38 pm.*

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# Northern Ireland Assembly

Monday 9 September 2013

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

*Members observed two minutes' silence.*

## Assembly Business

**Mr Speaker:** Order. Before we proceed to today's business, I welcome all Members back after the summer recess. I also have some announcements that I want to make to the House.

### **Budget (No.2) Bill: Royal Assent**

### **Civil Service (Special Advisers) Bill: Royal Assent**

**Mr Speaker:** I wish to inform the House that two Bills have received Royal Assent. The Civil Service (Special Advisers) Act (Northern Ireland) 2013 became law on 8 July 2013, and the Budget (No. 2) Act (Northern Ireland) 2013 became law on 18 July 2013.

### **Ministerial Appointments**

**Mr Speaker:** Members will know that two new Ministers took up office during the recess. Following Mr Attwood's resignation, Dr Alasdair McDonnell nominated Mr Mark Durkan to hold the office of Minister of the Environment. Mr Durkan affirmed the terms of the Pledge of Office in the presence of myself and the Clerk to the Assembly on 16 July. I therefore confirm that Mr Durkan has taken up office as Minister of the Environment, and I wish him well.

Following Mr Wilson's resignation, the Rt Hon Peter Robinson nominated Mr Simon Hamilton to hold the office of Minister of Finance and Personnel. Mr Hamilton affirmed the terms of the Pledge of Office in the presence of myself and the Clerk to the Assembly on 29 July. I therefore confirm that Mr Hamilton has taken up office as Minister of Finance and Personnel, and I wish him well with his portfolio. I have notified the Chief Electoral Officer in accordance with section 35 of the Northern Ireland Act 1998.

### **Resignation: Mr Conall McDevitt**

**Mr Speaker:** I advise the House that Mr Conall McDevitt resigned as a Member of the Assembly on 4 September. I have notified the Chief Electoral Officer in accordance with section 35 of the Northern Ireland Act 1998.

## Matters of the Day

### **Seamus Heaney**

**Mr Speaker:** Mr Patsy McGlone has been given leave to make a statement in tribute to Seamus Heaney, which fulfils the criteria set out in Standing Order 24. As Members will be aware, the convention is that, if they wish to be called, they should rise in their place and continue to do so. All Members called will have up to three minutes to speak on the subject. Members will know that the convention is that I will take no points of order or any other issue until this matter is dealt with. If that is clear, let us move on.

**Mr McGlone:** Mo bhuíochas leat, a Cheann Comhairle. Thank you very much indeed, Mr Speaker, for allowing me the opportunity to pay this tribute. I stand here today in my own personal right but also on behalf of my party to pay the sincerest sympathy and to extend that to the Heaney and Devlin families from the original Anahorish, Bellaghy and Ardboe areas — areas that I know very well, as I am from there.

Seamus Heaney was a poet of huge renown but, importantly, a man of the people who drew inspiration from the people. His humility, connection with and respect for people saw many of his neighbours, friends and those who knew him through his poetry — his well of inspiration — turn out in huge numbers for his funeral service and burial at Bellaghy.

My early memories of Seamus Heaney are from when I, as a young lad at my late father's filling station in Ballyronan, recall him dropping in to get some petrol and have a chat on his way through, usually to Ardboe. He always had a word for me, just a young lad, asking about my father and my uncle, whom he attended school with. Subsequently, there was the introduction of a local poet's literature at Ballymaguigan primary school by my principal there, Felix Mackle. That connection with and respect for people was the same 40 years ago as it was just six years ago, when I sat beside him and chatted at a fundraising event for Anahorish Primary School — his, and our, place of clear water. Our sincerest sympathies go his family. He is now back to his place of clear water.

Ar láimh dheis Dé go raibh a anam séimh. May God rest his gentle soul. Go raibh maith agat.

**Miss M McIlveen:** Unlike the previous speaker, I did not have a personal connection with Seamus Heaney, but there are few of us who have attended school in Northern Ireland in the past 30 years who did not have the privilege of having read at least one of Seamus Heaney's poems. I had the pleasure of being introduced to 'Death of a

Naturalist' while at school, which led me to be able to appreciate his many other works.

The announcement of his death and the subsequent coverage of his mourning and funeral are testament to a man whose talent was recognised and celebrated in his lifetime: a Nobel laureate, a visiting professor at Harvard and a T S Eliot, Forward, David Cohen and Whitbread prize-winner. He received an Order of Merit from the French Government in recognition of his contributions to art and literature. He even managed to turn down the offer of becoming the Queen's Poet Laureate.

Despite moving to the Republic of Ireland, Seamus Heaney continued a long association with Queen's University in Belfast, where he studied English literature before graduating in 1961 with a first-class honours degree and where he returned to lecture in 1966. The university honoured him by opening the Seamus Heaney Centre for Poetry and bestowing on him an honorary doctorate. Seamus Heaney showed his great love for the university by writing 'For Alma Mater' and 'Centenary Stanza'. His passing will mean that we will no longer enjoy new works from him, but he has left us a veritable treasure trove in his published collections. He will be sadly missed as Northern Ireland's poet laureate.

W H Auden, writing after the death of W B Yeats, put it succinctly:

*"By mourning tongues*

*The death of the poet was kept from his poems."*

My sincerest sympathies and those of my party colleagues are extended to his wife Marie and their children, Christopher, Michael and Catherine Ann, who, while we mourn the loss of a literary giant, suffered the loss of a loving husband and father.

**Mr Ó hOisín:** Go raibh maith agat, a Cheann Comhairle. Ba mhaith liom mo chomhbhrón a thabhairt do Chlann Uí Éanna. I, too, add my sympathies to the Heaney family and to all who knew him. Seamus Heaney was a giant among figures, particularly on this island. He was a Derry man of honour, humour and humility. Anybody who knows County Derry knows that being called "a Derry man" is unique in that we have three distinct designations: south Derry, north Derry and Derry city. Seamus Heaney crossed all three. He was born in south Derry, where he said all our eyes were equal. He was educated in Derry city at St Columb's College, and, during that time, he met many day boarders, particularly from north Derry, including two of my former teachers: Dermot Beatty, who taught me in primary 6; and Francie Brolly, a former Member of the House, who taught me in primary 5 and introduced us to the works of Seamus Heaney.

I talked to Francie over the weekend that Seamus died and I asked him, "How much influence did Heaney have?". He said that there were people he had taught back in the early 1970s and introduced to Heaney who might never have read a poem before that and might never have read one since but could quote a line, a verse or, indeed, an entire poem. Late on the Monday evening, I met one of those people. I had never marked him down as a literary person, but he quoted verbatim, with great accuracy, 'Mid-term Break' up to the final punchline:

*"A four foot box, a foot for every year."*

He had tears in his eyes. That demonstrates the local importance of Seamus Heaney.

Of course, Heaney went on to stride the world stage in academia, with his various professorships and the Nobel prize. His funerals recognised the two Seamus Heaneys: his funeral in Donnybrook was attended by presidents, politicians, poets, professors and pop stars; by contrast, perhaps, his funeral and interment in Bellaghy attracted neighbours and friends of all religions and maybe the sons and grandsons of those with whom his grandfather cut turf in Toner's bog. The most poignant moment, which was not missed by many who were there, was when Liam O'Flynn, his old friend who played with him at the all-Ireland fleadh in Derry just a couple of weeks previously, struck up with the uilleann pipes and a single swallow flew out of the large ash tree that shades his grave. People looked at that as somewhat symbolic.

People have talked about various tributes to him, including naming bridges and whatnot. Perhaps the best one, which Seamus would have loved, would be a bursary, summer school or something of that nature. Seamus Heaney, giant that he was, will never be forgotten. Ar dheis Dé go raibh a anam uasal.

**Mr Speaker:** Members need to rise continually in their place if they want to be called.

**Mr McGimpsey:** On behalf of my party and myself, I share in the remarks that have been made. I begin by offering our sympathy to his wife and his family. He was, first and foremost, a husband and a father, and it is appropriate that we recognise that. It is also important to remember that very few people from Northern Ireland rise to such a stature, in whatever profession they pursue, that they walk the international stage. Heaney was one of those people, and, in poetry, which is, by definition in the modern age, a very difficult discipline, he had stature not just in Northern Ireland and the British Isles but throughout the world. The fact that he won a Nobel prize for literature speaks for itself. The Nobel committee talked about his:

*"works of lyrical beauty and ethical depth, which exalt everyday miracles and the living past."*

He was very much a man of the people and a man of his environment and birthplace, and he carried that through his poetry. His poetry had huge integrity, and he was a man of huge integrity and honesty. He said that poetry could:

*"fortify your inner life, your inwardness."*

That sums it up. His translation of 'Beowulf', the Anglo-Saxon epic poem, was in itself an academic achievement that would take him to the top rank. His professorships at Oxford and Harvard indicate the regard in which he was held throughout the world.

**12.15 pm**

The former Poet Laureate Andrew Motion talked about Heaney's exceptional grace and intelligence. Frank McGuinness talked about his being:

*"the greatest Irishman of my generation."*

His biographer, Blake Morrison, made the point that he was both highly regarded by academics and critics and popular with the common people. It is exceptional for a



poet to be known as widely by ordinary people. Ordinary folk, general humanity, know his name and works. It will be a long time before we see his like again — the greatest poet of his generation. He came from our small Province. All of us can take pride in that and take comfort from reading his works of literature, which are among the finest of this century and the last.

**Ms Lo:** I was saddened to hear of the sudden passing of Seamus Heaney. On behalf of the Alliance Party, I would like to pass on our condolences to his family and many close friends.

In the days since his passing, we have heard many times the quote that Heaney was the most important Irish poet since Yeats. We have heard of the many awards that he won for his work. One has only to look at the number of publications and the critical acclaim that they received to see the success that he achieved as a poet.

As a mature student in the 1980s, I undertook O and A levels in English literature, which were my introduction to the poetry of Seamus Heaney. I remember falling in love with his poetry immediately. I loved his style. From there, I went on to attend readings of his poetry, all of which were not only very enjoyable but inspiring. His warmth and down-to-earth manner came across so well that it seemed as though he had been a lifelong friend. I remember going up to talk to him on one occasion after his reading, and he was just so encouraging to me as a new reader of his poetry that I absolutely fell in love with him again immediately.

Seamus Heaney was a big icon in the field of poetry. He leaves a huge legacy in his contribution to literature worldwide. His words will stay with us for many generations to come.

**Mr B McCrea:** I offer our condolences to the family and friends of Seamus Heaney. Considering prose and poetry I have heard it said that prose is the language of managers while poetry is the language of leaders. Certainly, Seamus Heaney was a leader. Look at what was said by the Nobel committee when he was awarded the prize. It said that his work had:

*“a lyrical beauty and an ethical depth”.*

That is testament to what the man contributed to our lives.

Of course, the important thing about Seamus Heaney is that he was one of us. We were proud of him. We are proud of him. It is right and proper that we should say a few words in the Chamber about his passing. When all is said and done, however, I think that he will be remembered long after we have been forgotten.

**Mr McNarry:** Regrettably, I did not have the pleasure of knowing Seamus Heaney. I knew his work. Thankfully, it was close by me as I was growing up. That work is what he has left for future generations and for us, so that we do not forget either.

I listened to Michael Longley say that, a fortnight before he passed away, Seamus and he had had a few drams together. I think that I would like to have been at that little gathering and would have been the better for it. Heaney seemed to me to be the type of guy whose company I would have enjoyed.

After the little bit of discomfort that I had during the summer, I could not help but smile, as everybody did, when, at the funeral, another poet referred to Seamus Heaney's quote “Blessed are the pacemakers”. I thought to myself, “Well, blessed be all who put us together”. I thought that that was a nice way to sum it up that you can get fixed.

We will miss him, but, as I said, his works are there, and they will continue to be there for as long as we want to read them. New people have discovered him because of his sad demise, and they, too, will be better for it. It has been said that he was one of us. He really was one of the globe — one of global attraction and attention. That sums him up very well.

I thank you, Mr Speaker, and the proposer Patsy McGlone for giving the House the opportunity to make a fitting tribute to someone who has left these shores. It is only right that, as we conduct our business in this session, we might look at some of Heaney's verses to see whether we can calm down on some of the issues, but I am sure that we will get through them all. I thank the House for bringing this forward.

**Mr Campbell:** First of all, I join other Members in passing on our condolences to the wife and family of Seamus Heaney.

Seamus Heaney was a big man. I did not have the privilege of knowing him on a personal level, but he was a big man. He was a big man because of his outstanding literary achievements and because, even after those achievements had been recognised locally, nationally and internationally, he had a sense of humility. That is a particularly Ulster characteristic. While it may be shared by others across the globe, people in Northern Ireland who achieve greatness and remain humble are significant in their field and are recognised as such. That is what Seamus Heaney did. He was a County Londonderry man and an Ulsterman, and he regarded himself as an Irishman. We should recognise and acknowledge his standing in the wider world.

From time to time, public representatives meet in a particular hotel in Londonderry that has a room called the “writers room”. In the writers room — you will be aware of this, Mr Speaker — a number of famous writers from Northern Ireland are honoured, one of whom is Seamus Heaney. A few months ago when I was in that room, I was delighted to sit under his portrait. I said to one of my nationalist friends, “I am delighted to sit under Seamus Heaney's picture”. They asked, “Why is that?”, and I said, “Because he is a big enough man that, even in the middle of the flag protest, he said, ‘Let them fly the flag, because there is never going to be a united Ireland anyway’”. He was a big man; he was prepared to recognise where he came from and to state it as he found it.

We should pass on our condolences to his family, to his community and to all who recognised a great man from Northern Ireland.

**Mr Milne:** Go raibh maith agat, a Cheann Comhairle. As a Bellaghy man, I would just like to put on record the sense of local pride that Seamus Heaney brought not just to the people of Bellaghy but to the people of County Derry and Ireland. I extend my sincere condolences to the Devlin and Heaney families and say, “Thank you for your great work”.

**Mr D Bradley:** Go raibh míle maith agat, a Cheann Comhairle. Tá áthas ormsa — le fírinne, is onóir é — a bheith ábalta cúpla abairt a rá i gcuimhne duine de na filí a ba mhó a mhair sa tír seo, Seamus Heaney.

It is indeed a privilege to have the opportunity to say a few words in memory of the great poet Seamus Heaney. I am sure that many Members here will have read the obituaries in the newspapers, the appreciations and so on. Some of the things that stand out from them include the fact that many people noted, first of all, Seamus Heaney's human qualities. He had a warmth of personality that appealed to everyone. He had that human touch, and, no matter what a person's background was, Seamus Heaney made them feel comfortable when speaking to him. He lacked any form of intellectual snobbery, and that is, I suppose, unusual in this day and age in some literary circles. Despite what my colleague Mr Campbell says, Seamus Heaney steadfastly refused to be a mouthpiece for any group, even though pressure was put on him to act in such a role. He refused and remained independent.

I had the privilege of meeting Seamus on several occasions, and I was very impressed by his human presence, his warmth and his intellect. I recall from my own school days reading poems from his earliest collection, 'Death of a Naturalist', but, of course, he has written many collections, including 'Field Work', 'Station Island', 'The Spirit Level', 'District and Circle' and his latest collection 'Human Chain'. In all of those collections, he excels as a poet. The first poem by Seamus that I encountered was 'Digging', in which he declared that, unlike his father, who dug with a spade, he, in the future, would dig with his pen. He did that: he dug, probed, searched and delved, and he explored the human heart, human relationships and the human condition. His findings had application not just to Anahorish, County Derry or Ireland but to the whole world. He was a universal poet and is acknowledged as such. His passing leaves a huge gap on the island of Ireland and in the literary world. We can console ourselves that he has left us with a marvellous collection of poems and prose, and I join others in expressing my condolences to his family on his passing.

## HRH Prince George of Cambridge

**Mr Speaker:** Jim Allister has been given leave to make a statement on the birth of His Royal Highness Prince George that fulfils the criteria set out in Standing Order 24. Once again, the convention is clear: for Members to be called, they should rise in their place continually. All Members will have up to three minutes to speak on the subject matter. Once again, no points of order or any other issue will be taken from the Floor. If that is clear, I call Mr Allister.

**Mr Allister:** I join in the condolences to the Heaney family.

We move from marking the death of a leader in the arts to marking the birth of a future leader of the house of Windsor and a future monarch of this nation. The birth of any child is generally a most joyous occasion, and those of us who are parents and grandparents have personal experience of that. However, when the birth involves the coming into the world of one who is likely to be the future monarch of this nation and this Commonwealth, it is indeed a matter worthy of national celebration. Since the House was not sitting when the young prince was born, it is fitting that, as a devolved Assembly of this United Kingdom, we should mark that occasion at the first opportunity and send our good wishes, though somewhat belated, to the Duke and Duchess of Cambridge.

I trust and pray that the young prince will be blessed with good health.

I pray that he will mature into a notable and much-loved leader and head of state of the United Kingdom and the Commonwealth, something that is likely to happen well beyond the lifetime of most of us in the House. However, those of us who take an interest in the affairs of the House of Windsor are entitled to, and do, take an interest in the posterity of the monarchy, and so we rejoice in this birth and send our good wishes to the young prince and his proud parents.

### 12.30 pm

I have but one regret, and it is that, yet again, this Building distinguished itself adversely by failing to fly the flag on the occasion of the birth of the prince, whereas other civic buildings did. I trust that the Assembly Commission will get on with fixing that so that we will not be embarrassed again.

**Mrs Foster:** I thank the Member for bringing the matter to the House. As Mr Allister said, the birth of any child is a source of great joy for the parents and wider family, and the private moments that Their Royal Highnesses had with the prince before the world had a view of him were, I am sure, very important. Indeed, the manner in which his parents have dealt with the huge event has been most remarkable.

Of course, this is no ordinary child; this is a child who is third in line to the throne, behind his grandfather and father, and as I watched and waited for the doors of the hospital to open so that we could get a glimpse of Prince George, I felt that we could all appreciate the public and constitutional significance of the birth of this beautiful little baby. For me, it shows the continuity of our constitutional monarchy, a monarchy and a system that is coveted the world over. That is why there is such interest in what happens to our royal family, and the interest from around

the world really shows the tangible benefit of our monarchy and the way in which Her Majesty The Queen shows her duty towards the entire country.

On a side note, my son predicted that His Royal Highness would be called George. That was because he is called George, and he wanted the future king to bear his name. He got his wish, and I am very happy for that. As a royalist and a loyal subject, I rejoice in the continuation of the royal family, and long live Prince George.

**Some Members:** Hear, hear.

**Dr McDonnell:** I endorse some of the views held. It is no secret that the SDLP has a distinct limit to its enthusiasm for matters pertaining to the monarchy and the aristocracy, but we do recognise that a substantial number of people in Britain and in Northern Ireland have an enthusiasm for the monarchy and the associated arrangements.

We are not begrudging or mean in our outlook. Those of us who have met the Duke and Duchess of Cambridge on their visits here were taken by their sincerity and by their genuine interest in and engagement with all the people whom they met. They earned so much respect in their own right. Quietly setting political considerations aside, many with a republican and nationalist outlook were spectators at the wedding, albeit via a television screen. I warmly congratulate the Duke and Duchess of Cambridge on the birth of Prince George and wish all three of them every possible good wish in the years ahead. We hope that the media, the paparazzi and all those other disruptive influences give them the space and the peace to enjoy the pleasures of a family life together.

**Mr Nesbitt:** I welcome the opportunity to say a few words on the birth of George Alexander Louis, His Royal Highness Prince George of Cambridge. On behalf of the Ulster Unionist Party, I again send my congratulations to the parents. Not only has the royal family grown a little but the mother and father are enjoying the unique feeling of becoming parents for the first time.

At the time of the birth, my colleague Sam Gardiner MLA wrote that it demonstrated that the royal family were more than just an institution. He said that they were:

*“a real family, with real people in it sharing all the human emotions, feelings and concerns of family life that every family in the country shares.”*

He went on:

*“People and families adapt as life changes while institutions often do not.”*

I can do no better than pay tribute to Mr Gardiner for those words.

Whether or not you agree with a constitutional monarchy and welcome the existing royal family, we all like continuity, whether we are royalists or Irish republicans. It is a fact that the present royal family traces its origins all the way back to 1688. Now we have confidence that that continuity will continue through three more generations. Who knows, we may now know who will be king when the 21st century comes to its end.

The royal birth also demonstrates that it has been 11 years since the Flags (Northern Ireland) Order 2000 was last updated. With every birth, it is clear that we are becoming

more out of date and out of synch with the list regularly updated by the Department for Culture, Media and Sport in London. On two occasions, before the birth and immediately after, I asked the Secretary of State, Theresa Villiers, to add the birthday of Prince George to the list of designated days for the flying of the Union flag here at Parliament Buildings. I am sorry to say that, on both occasions, she declined for fear of the lack of cross-party support in the House. On that basis, I invite — I do not demand or call, I simply invite — the SDLP and Sinn Féin to consider, in the spirit of generosity, offering cross-party support for the flying of the flag to celebrate the birth of Prince George.

I wish William and Kate well, and, most importantly, I welcome the birth of Prince George, the future constitutional monarch of 16 Commonwealth realms and head of the 54-member Commonwealth of Nations — our future king.

**Mr Dickson:** Thank you for the opportunity to add congratulations on behalf of the Alliance Party and particularly on behalf of my constituents in East Antrim, not least those from the town of Carrickfergus, which is delighted that the parents of Prince George hold the titles Baron and Baroness Carrickfergus. We wait, not only for Kate and William to visit us in the town but to bring their infant son with them at some appropriate and suitable time. If the influence of the House can be brought to bear on that subject, we would be delighted to welcome them to our town and community. There is no doubt that the birth of a future king is a matter of great significance to many citizens of Northern Ireland. The Alliance Party wishes to join them in welcoming the birth and looks forward to the continuity of our monarchy.

It is also worth bearing in mind that Prince George was not the only baby born on that day and, indeed, since or before. We should add to the congratulations to the royal family our congratulations to every parent whose child was born on that day or subsequently. We should also praise the work of our hospitals and medical services, particularly the midwives. Day in and day out, they deliver children safely to loving parents in wonderful households across Northern Ireland. We pray that this child, the prince, will be loved by his parents as many parents across Northern Ireland love their children.

**Mr McCallister:** As a proud parent, like so many in the House, I am delighted to join colleagues in offering my congratulations. Many of us here know the joy that a baby brings to a home. It certainly changes life dramatically for any young couple, and it will be no different for Their Royal Highnesses the Duke and Duchess of Cambridge. Advice that I will impart to them, given my experience, is that they should keep a steady supply of Calpol or something in a cupboard nearby. Prince William may need to use a set of earplugs at times to make sure that he gets a good night's sleep. Apparently, men are much better at ignoring crying babies than mothers. So, there are things like that.

They will both so much enjoy the rich experience of parenthood. I, like other colleagues, wish them well. I wish Prince George well and wish him a long and happy life. We want to see our monarchy and all the good that its continuity represents across our nation continue for many years.

**Mr Bell:** It is a joyous occasion for the whole House: our United Kingdom has a new prince. I think that all of us should be mature enough to send our best wishes to the Duke and Duchess of Cambridge. We give our thanks to God for the healthy, safe birth of a young prince. The Democratic Unionist Party and I share the wish that the child be blessed with good health and the ability to undertake, as the potential future head of state of our United Kingdom, what is a very onerous range of functions. Long indeed may he reign over us.

We should have the maturity, as I said earlier in a point of order about the covenant parade, to fly the flag of the United Kingdom to welcome the birth of a prince of our United Kingdom. We have accepted the principle of consent. Everybody in the House knows in their heart of hearts that the overwhelming wish of the people of this Province is to remain in the United Kingdom. Her Majesty the Queen is the head of the United Kingdom. We saw the tremendous affection for her in the grounds of this Building and beyond that in Enniskillen, and we saw the generosity that was shown from right across our community. We also saw the tremendous welcome that Her Majesty the Queen received in the Republic of Ireland, which shows healthy, I think, community relations from the Republic of Ireland to the head of state of our United Kingdom.

Our prayers are with young Prince George, because he will be called upon to undertake duties and responsibilities to the highest level of integrity. He will be called to take positions of leadership and to give advice and good counsel. It is a huge task. I think that all of us in the House can send the royal couple our best wishes and our prayers for Prince George's future. God willing, we will live long enough to see him take the throne of our United Kingdom.

## Assembly Business

### Committee Membership

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

*Resolved:*

*That Mr Jim Allister replace Mr David McClarty as a member of the Committee for Social Development; and that Mr David McClarty replace Mr Jim Allister as a member of the Committee for Employment and Learning. — [Mr P Ramsey.]*



## Committee Business

### Plant Health and Tree Disease

**Mr Speaker:** Order. 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 the motion and 10 minutes to make a winding-up speech. All other Members who are called to speak will have five minutes.

**Mr Frew (The Chairperson of the Committee for Agriculture and Rural Development):** I beg to move

*That this Assembly notes the recent increase in instances of tree disease; and calls on the Minister of Agriculture and Rural Development to address the issues as detailed in the Committee for Agriculture and Rural Development position paper on Plant Health and Tree Disease.*

12.45 pm

It is a great pleasure and honour, of course, to be the first Committee Chairman in this new session to introduce a Committee motion, and I commend the work of the Committee Clerk and the staff for working on this matter, even over the summer. When we were out working hard on constituency issues, they were still working on this very important issue. I am glad that we were able to get it to the House today, because it is of utmost importance to us here in Northern Ireland.

I am sure that all Members are aware of the outbreak of a tree disease called *Chalara fraxinea*, more commonly known as ash dieback. That disease has been steadily making its way across Europe from east to west and, in autumn 2012, was found in Northern Ireland. It is called ash dieback as it causes the crown of the tree to start dying back, and it eventually causes the death of the tree.

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

Why should this concern us so much? The ash is one of the most common trees, if not the most common, in Northern Ireland. It is found in our hedgerows, forests and woodlands, in parks, in household gardens, at churches, in graveyards, and it is commonly used in landscaping around public buildings, hotels and in road schemes. So important is it to our landscape that, if removed, it would devastate our countryside, our environment and our wildlife.

The Committee for Agriculture and Rural Development, therefore, decided that it needed to take a closer look at the disease, at how it found its way into Northern Ireland and what was being done to tackle it. It also allowed the Committee to scrutinise how the Department of Agriculture and Rural Development (DARD) deals with plant health threats and issues in general. There are lots of diseases and pests out there that could cause serious damage to our potato crops, apple trees or the cereals we grow, and, in Northern Ireland, 17% of our farms produce an arable crop. So, threats from new pests and diseases are a serious fact of life for the arable, crop and horticulture sector in Northern Ireland.

The Committee took evidence from a wide range of organisations, held a well-attended stakeholder event and visited Belfast port to look at biosecurity aspects of plant and timber imports. It also visited Woodburn Forest

just outside Carrickfergus to see the impact of a recent outbreak of the disease *P. ramorum*. It then considered all of the information that it had gathered and created its position paper, which contains nine key issues. That position paper has been placed on our website, and all Members should have received a copy of it in preparation for the debate today. The paper has also been sent to the Minister with a request that she outlines how she intends to address the key issues identified both to the Assembly in the debate today and in a more detailed written response to the Committee. We are also encouraged to see that the Minister is also beginning to deal with some of the key issues in the position paper, particularly that of a reconstitution grant for land owners who have had to remove diseased ash trees.

Although not a formal part of the evidence presented in this position paper, Committee members who visited Brussels in April 2013 also drew upon the knowledge gleaned from meetings with EU Commission officials on the plant health regime and proposed changes. I would like to deal with that aspect in my speech today. So, I will start with how the disease came to be in Northern Ireland in the first place as this is a good example of the deficiencies of the current EU legislation. It emphasises how important it is that the Minister and DARD are fully engaged with Europe on this matter. After all, this is new legislation that will affect not only trees but the whole arable and crop sectors.

We are currently sitting with 85 ash dieback outbreaks in Northern Ireland, and most of them have come from infected saplings that were brought into Northern Ireland from a UK nursery, sold on and planted all over the country. That UK nursery did not grow the saplings from seed; it brought the saplings in from continental Europe. So, we imported this disease, and, in many ways, that might be a blessing in disguise. It has not come in on the wind, and, so far, it is not in the wider environment. If it were, the disease would be practically impossible to control, and we would be like England at present, fighting a rearguard action.

Instead, because it was introduced through imported plants, we have a one-off, time-limited opportunity to control and eradicate the disease. That is why it is so important that the Minister acts quickly and puts in place a control plan.

Plants and trees, timber and wood products have been traded for centuries. Particularly in the past 20 or 30 years, the trade in plants and plant materials has become a massive international system. One figure that was given to the Committee was that there has been a 77% increase in the trade of plants since 1999. Another figure was that, after food and oil, the third largest import into the UK is timber. That trade is a good thing — no one would argue otherwise — but it does create problems that the existing legislative regime cannot tackle because it was never designed to handle the current level of trade.

The increase in disease is not just down to an increase in trade. A change in climate also has a role to play, with pests that, 20 years ago, could not thrive in our environment now making themselves very happily at home here in Northern Ireland, the UK and the British Isles.

As the ash dieback experience has clearly shown, and as practically every witness who talked to the Committee indicated, the checks and balances at ports do very little to

prevent diseases and pests from getting into the country. Plants, timber, packaging materials and even the very pallets that goods are stored on come into the EU from all over the world. From outside the EU, they could come into a big port like Rotterdam. If that is the point of entry, it is up to that port to do the checking, but there is no standardised system for checking, and, indeed, not everything is checked. Sometimes only 2% of stuff is checked, so it is very easy for diseases and pests to enter the EU. From that point of entry, the plants or plant material can freely move anywhere within the EU. The material can be shipped and moved to various and many destinations, with no record of where it has been and no checking of what diseases or pests it might have brought in or picked up on that journey. The onus and responsibility is with the initial port, so we have to put our trust in other ports in other countries to defend our shores.

That also applies to plants and plant materials that come from the EU in the first place. Trees in particular are treated as a commodity, grown in mass numbers and shipped from one location to another to be grown. That is what happened with ash dieback. The imported saplings came from a UK nursery but had not been grown there; they had been grown somewhere else in Europe. The saplings had picked up the disease in European nurseries, were sold on to the UK nursery and then sold again to Northern Ireland stockists. We cannot under EU law examine trees or any other plants for diseases or pests if they originated in the EU.

In Committee, we examined that issue at the same time as the horse meat scandal, and the similarities in the trade system, its structure, and the lack of checks and balances were amazing.

The final point I want to make about the current regime is the ability to react to a new pest or disease. The system simply cannot react quickly enough. The legislative regime favours trade and the single market — no one will argue with that — but there appears to be a requirement for definite scientific evidence before the current legislative regime allows a reaction to a new pest or disease. That scientific evidence can be too late in coming. Although everyone was aware that a disease was attacking ash trees, it took until 2011 before the scientific evidence was available to allow it to be dealt with, so we had the stupid situation whereby certain countries in the EU knew that they were growing diseased trees, freely admitted that they would not plant any such trees on their own land, but continued to sell them to other countries. The science is moving too slowly and cannot keep up.

It is vital that new legislation from Europe takes account of the needs of Northern Ireland. The emphasis in Europe and here seems to be on tree diseases, particularly fruit trees, which will cost Europe billions of euros, but we must make sure that the legislation suits Northern Ireland.

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

**Mr Frew:** I ask the Minister and DARD to keep the pressure on the Department of Environment, Food and Rural Affairs (DEFRA) and on Europe so that it moulds legislation in the coming months and years that suits Northern Ireland.

**Mr McAleer:** Go raibh maith agat, a LeasCheann Comhairle. I would like to take this opportunity to speak on the motion relating to plant health and tree disease. In

line with the Committee's agreement to focus on one of the nine key issues, I want to look specifically at the topic of succession planning for plant health specialists.

In the review, the Committee learned through oral evidence from the Agri-Food and Biosciences Institute (AFBI) and DARD that there has been a loss of traditional botanists and plant pathologists. While we understand that the current level of expertise is reasonably OK, that may not be the case in future years. We understand that AFBI is aware of that and is trying to bring on new scientists by way of succession planning through its studentship programme. While the Committee is content that there is awareness of the need for succession planning for plant health specialists, we call on the Minister to ensure that that is included in the business planning for the Department. We also ask AFBI to include it in its business planning.

**Mrs Dobson:** I welcome the opportunity to speak on this report. I will keep my contribution mainly focused on point 8, which raises the disappointment that the Committee felt about the extent of engagement with stakeholders.

It has already been noted that the first outbreak of Chalara was officially recorded in the UK at the start of March 2012. The fact that it was not found in Northern Ireland until November of that year meant that, in theory, DARD and its agencies, such as the Forest Service, had a six-month period in which to prepare. They could have put in place all the right lines of communication for when the disease was unfortunately, but very likely, going to hit our shores. That clearly did not happen. It was disappointing to hear the stakeholders almost universally say that those communication channels were not established. While I accept that the responsibility of handling the outbreak ultimately fell to the Minister, I believe that the preparations and response could have been much improved had the stakeholders been involved.

I would have thought that the Department would have been falling over itself to pass over some of its monitoring and reporting responsibilities. We can see the responsibilities that other Departments, such as Education, are passing over to others, often unwillingly. What was different in this case was that DARD was wilfully turning down offers of support. In written evidence to the Committee from the National Trust, it was quite clear that a great burden of work could have been lifted off DARD and the Forest Service's shoulders had the National Trust been trusted to cover its own properties.

I agree that the decision could not have been taken lightly or granted without ensuring that the appropriate skills were in place, but when you consider the sheer number of sites owned by the National Trust, by using its staff and volunteers, DARD could surely have benefited. Of course, not only could DARD have availed itself a lot more of large organisations such as the National Trust or the Woodland Trust, the same applies to commercial wood producers. I would have thought that DARD realised that it was as much in the interests of commercial growers to make sure that they were Chalara-free as it was in its own.

The Committee heard the palpable sense of frustration from those professional growers. They gave examples of how they inspected their tree stock, but that was often followed shortly after by inspection by a DARD official, who probably had less experience of tree disease than



them and was under pressure to quickly inspect a large number of sites.

This position paper raised a number of important issues. I acknowledge that the response to the outbreak was swift; however, the preparation for it was not. Not only was there ineffective engagement with stakeholders, there was a raft of other problems, such as having no viable warning system in place.

Minister, to be honest, I do not credit Northern Ireland's response to the disease to you. I do not think that you acted quickly enough or have shown control throughout. Instead, it is only down to the tenacity of the Forest Service staff, DARD officials on the ground and the ordinary landowners and members of the public who have shown such vigilance that the disease has not yet got out of control.

Minister, I believe that your Department should learn a number of valuable lessons from the Chalara outbreak, not only to put right current instances of the disease but so that, when future outbreaks inevitably occur, better procedures are in place to deal with them.

**1.00 pm**

**Mr McCarthy:** Like the Chairman said, it is a pleasure to partake in the first debate in this new Assembly session.

I fully support the motion. As a member of the Agriculture Committee, I was privileged to partake in the preparation of the report on plant health and tree disease as it affects us in Northern Ireland. I put on record my thanks to our staff and officials for all their efforts in preparing what is a very important position paper on this topic. Like others, I fully appreciate the contributions from the various organisations that came to our Committee and gave evidence to assist us in our deliberations.

We are extremely fortunate to live in a beautiful part of the world, with a wonderful good, clean environment. It is unfortunate that, due perhaps to human nature, we may be inclined at times to take those things for granted. Yet, it is essential that someone keeps a close eye on the welfare of our trees and plants. The recent unfortunate catastrophe of ash dieback was a wake-up call for everyone, including the authorities. I am glad to see that the Minister is here to listen to the voice of the Committee and to ensure that the disease is prevented so that we can continue to enjoy the very best of our environment.

Other Committee members spoke on various aspects of plant health and tree disease. I wish to concentrate on what is referred to as horizon scanning and the inadequate planning, as it exists today, for tree disease and plant health. We advise the Agriculture and Rural Development Minister to create stronger links with DEFRA across the water, particularly around horizon scanning and early warning systems, to ensure that her officials can adequately plan for, and, more importantly, respond to, any future pests and diseases, not only in our trees but in plant health generally.

Like everything else, when any early signs of disease are visible, our Department must act at once. There can be no dilly-dallying. We have seen what the results of slowness to act can be. Our Committee expressed some concern that the response to the crisis by DARD and the Forest Service was too reactive. The disease was officially confirmed across the water in March 2012, yet

it was much later, in November that year, that action was taken here. Given the number of ash trees imported into Northern Ireland, it was inevitable but unfortunate that the disease would come here; yet DARD and the Forest Service appear to have done no horizon scanning or forward planning around preventing the disease reaching Northern Ireland.

At an oral presentation to the Committee by AFBI and DARD, it was stated that an advantage for Northern Ireland is the fact that we are on the edge of Europe and have England and Wales as our early warning system. If we had good contacts there, we could and should pick up on any disease early and have prevention methods in place so that we can prevent disease from coming further west and into Northern Ireland. Our Committee is disappointed that, given our western position, horizon scanning and planning for prevention seemed to be dilatory. AFBI officials indicated that work around the disease came as a surprise to them in November 2012, after the disease being formally identified in England in March that year, some eight months earlier.

In conclusion, lessons must be learned as a result of what has taken place. Prevention and early detection have to be the priority for our authorities. The Alliance Party fully endorses the report and supports the motion.

**Mr Irwin:** I, too, welcome the opportunity to comment in this debate on an issue of great importance to Great Britain and Northern Ireland. I want to direct my comments specifically to the issue of pre-notification regarding the importing of certain species of plants within Europe.

The House will be aware that DEFRA has already introduced legislation that requires the notification of certain types of plants such as ash, sweet chestnut, oak and plane trees. It uses that information to enable a clear picture of place of origin to be established quickly. DEFRA is on record as stating:

*"Without notification of intra-EU trade there is no means of monitoring reliably the import of such plants (irrespective of whether they are plant passported). The aims of statutory notification are to: (a) raise awareness about the threats to these species; (b) provide intelligence about the level of trade; (c) facilitate tracing in the event of problems; (d) allow targeted inspections to be carried out by Fera and the Forestry Commission; and (e) generate evidence in support of further measures, if needed. It will not be the intention to inspect every consignment notified, but the information will be helpful in making best use of surveillance resources, to focus on the highest risk plants (in terms of their source and intended destination etc). Also, to help target follow up inspections and/or submission of samples for laboratory analysis."*

The Committee, like many of the organisations consulted as part of our study, felt that the introduction of pre-notification was a very important element of our disease control mechanisms. Indeed, the National Trust, in its presentation to our Committee, expressed its extreme concern that such legislation has not yet been adopted by the Minister. Our Committee shares that level of concern.

The requirement to be able to track, carry out targeted inspections and have a comprehensive picture of the level

of trade in high-risk trees is vital for Northern Ireland's biosecurity. Our Committee considered that the pre-notification of EU imports was an issue of extremely high priority. DARD, in response to our concerns, agreed that it was important to have pre-notification legislation in place prior to the next planting season, which is now upon us. DARD agreed that the legislation would assist in providing what it termed as "good intelligence" on the movement of certain species to help to target follow-up inspections.

We must ask this important question: why has the Minister delayed bringing forward legislation, similar to that of DEFRA, around the pre-notification of intra-EU imports of certain species of plants? It is quite clear from our study that delaying this important legislation puts our woodland at great risk. In light of that fact, the Committee advises the Minister to bring forward pre-notification of intra-EU imports of certain species of plant as soon as possible. The House will be interested in the Minister's response and in hearing her reasoning for such a delay in the face of the risk to our woodland that the ash dieback disease presents.

I am also keen to enquire why, when the initial outbreak of the disease was discovered in mainland Britain and DEFRA moved swiftly to ban imports of ash, the Minister of Agriculture and Rural Development dragged her heels for much too long and indeed, in my opinion, put our woodlands at further extreme risk. It is the Committee's view that DARD's reaction to the dangers of this disease was much too slow. The delay in pre-notification and in the introduction of an outright ban in the first instance is a serious matter of concern for stakeholders in woodlands across Northern Ireland. I, and Committee members, look forward to the Minister's response on these issues.

**Mr Milne:** Go raibh maith agat, a LeasCheann Comhairle. As a member of the Committee for Agriculture and Rural Development, I support the motion. I would like to talk about two specific issues. First, as part of the review of tree disease, concern has been expressed, both in the Committee and at the stakeholders' event, about the fact that the Chalara action plan remains in draft form, in contrast with DEFRA, which published its action plan in December 2012. Representatives, in their contributions to the review, expressed their view that the contingency plan for serious pest and plant life, which was published in March 2012, while essential in itself is too general to deal with Chalara and that a more specific plan is therefore needed.

The disease affects one of our most common trees, and if not effectively dealt with, the consequences could have a huge impact on our landscape. It is the Committee's view, therefore, that although it may be subject to change as scientists gain a better understanding of the situation, the draft Chalara control plan should be finalised as soon as possible.

Secondly, the Minister's strategy, which is based on an all-Ireland approach to control, containment and eradication, is widely accepted as essential to maintaining our isolation from known sources of infection and for controlling the movement of plants into and around the island. The Minister and her Department, along with their counterparts in the Department of Agriculture, Food and the Marine (DAFM), are to be commended for their work to date. Through that approach, there is the potential to slow down, if not halt, the spread of Chalara. We are advised

that it is not yet in the natural environment, and inoculum levels are still considered to be low. Therefore, we must make the most of this opportunity, and I have no doubt that that is being done. Although it is accepted that every effort should be put into containing and eradicating the diseases, it is considered vital that thought be given at this stage to formulating a plan B so that an alternative strategy is prepared and ready to move, should the current approach not be effective, and the disease spreads into the wider environment.

The Committee asks the Minister to take those two points into consideration.

**Mr Buchanan:** As a member of the Agriculture Committee, and in light of the recent increase in tree diseases, I support the motion calling on the Minister to address the issues as detailed in the Committee's position paper. I will deal with item 9: investment, support and procurement.

The Committee has carried out extensive research into the approach and policies of DARD and the Forest Service on plant health and biosecurity, with specific reference to tree disease and, in particular, ash dieback. It is obvious that the Minister and the Department have not moved swiftly enough to introduce legislation to ban imports of ash trees. That should have been done as soon as the disease was confirmed in the UK in March 2012. Therefore, confidence is lacking that early-warning systems for tree disease are adequate and fit for purpose, and everyone in the House knows that the EU regulations are in a mess. The delay in bringing forward additional support to assist landowners with restocking — when a reconstruction scheme should have been brought in almost immediately — has not been helpful to stakeholders.

The Committee has also pressed DARD and the Forest Service on a number of occasions on how they are handling the resource implications of dealing with ash dieback, but it has yet to be convinced that the proper plans are in place to deal with the financial and human cost of the outbreak. The Woodland Trust checked the business planning documents of the Department and the Forest Service and found it difficult to unpick what money exists specifically for tackling plant and tree health.

In light of the growing problems with imported timber, I cannot emphasise enough to the House how important it is for the future of the industry to ensure that some capacity exists to grow trees locally from local seed and to develop local nursery capacity. That would allow the Woodland Trust and others to have confidence in the supply chain process. Despite over two million trees being sourced from local usage and fluctuations in demand, the lack of knowledge of what species of tree and of what age or maturity would be required, as well as issues of price and cost, has created a difficult market for many local nurseries. The cost of dealing with disease, as well as the uncertainty of dealing with future losses from known and unknown pests and diseases and the huge investment needed initially, has undermined confidence.

Surely, Minister, there is an opportunity to develop the local economy and local nurseries so that they can provide, and become self-sustainable, for the growing of broadleaved trees. One difficulty is that, if someone is trying to get a large number of trees and the nurseries are small, the procurement system does not allow for supply in

small batches. That really has an adverse effect on those who are seeking to get the trees.

At the minute, we import huge numbers of trees, the majority of which come from continental Europe. Contract growing or pre-contracts could be introduced as a means of assisting local growers. The horticulture industry here is fairly weak and could be built on. In the past, many buyers focused on price alone, and, for a variety of reasons, continental growers were the cheapest source of trees.

### 1.15 pm

The demand for trees fluctuates massively from year to year, as does the amount of seed collected. How, therefore, can local growers predict market requirements? If requirements were identified in advance, it might give local growers the opportunity to try to develop and then meet the demand. That could lead to a consortium of local growers who, together, could go some way to supplying the local need for timber.

As we know, timber is the third-largest import after oil and food, and it is worth many millions of pounds to the economy, but what has been found is a serious indictment of the ability of the Minister and her officials to be proactive in that matter.

Minister, you will have to consider ways in which short-term and long-term support and assistance can be given to the nursery trade to enable local tree stocks to be grown, including an investigation of how current procurement practices can be adjusted to assist local growers through, for example, the breaking of large contracts into lots or providing sufficient notice to allow suppliers to form consortia. In light of this serious issue, I ask you, as Minister, to take on board and begin to act on the issues as soon as possible.

**Mr Swann:** Reference was made to this being the first debate of the session. I am sure that observers of the House will query the topic, given that we are returning after what was probably one of the most difficult summers that Northern Ireland has seen. However, Mr Deputy Speaker, that does not mean that the topic is not worthy of debate. It contains a number of very important points. The Committee assigned recommendation 6 to me to focus on. I will, therefore, make a few brief comments on the current and future resource implications of tree disease for the statutory authorities.

An outbreak of a disease such as Chalara was, inevitably, going to have resource implications. The Committee heard statements from DARD, Forest Service and AFBI about how they were coping with the impact. Although some were more convincing than others, the overall picture was bleak. DARD may have available to it the manpower and resources to divert its attention to other things, but it is clear that the smaller bodies, such as Forest Service, do not.

Recently, I received a copy of the Forest Service's annual report for 2012-13. The first thing that should be said is that it was reassuring to read that even though the service faced new challenges, such as ash dieback, and continuing to tackle invasive species from previous years — a lesson that the Department had not learned from — it was, on the whole, still able to meet 13 of its 15 targets for the year. So I congratulate Malcolm Beatty and his team for that. Their commitment and contribution during the fodder crisis should also be noted because it was Forest

Service staff and its all-terrain vehicles that were used to deliver fodder across Northern Ireland, especially in areas of my constituency, North Antrim. Their contribution was greatly appreciated by many.

It was, however, concerning to read that the predetermined downsizing of the service's staffing complement had continued. The average number of full-time equivalent industrial and non-industrial staff fell by nearly 3.5% in the past 12 months. Last year's decline follows the long-term policy of previous Ministers to suspend recruitment to Forest Service. My party has raised that issue on several occasions because workers in the service continue to meet us and express their concerns, not only the increase in individual workloads but the refusal to recruit young, new staff to what is a heavy manual occupation. That is having a damaging impact on the service's overall work. Such a decline in staff does not bode well for our expectation that Forest Service will be able to react to a surge of infections. I ask the Minister to tell us today whether the service asked for additional resources in manpower or finance, or is she content that the current staffing levels are sufficient to allow the service to carry on with the planned programme of work, as well as dealing with the Chalara situation?

In an evidence session, the Committee was told by AFBI:

*"This disease more or less came out of left field in November."*

With respect, Mr Deputy Speaker, and with respect to AFBI, that is absolute nonsense. I do not in any way claim to be an expert on trees or the diseases that infect them, but even I would have assumed that, when the disease was officially confirmed in England on 7 March 2012, it was only a matter of time before it made its way across the Irish Sea. To say that the disease came out of left field was a total negation of responsibility. We are where we are, and now I trust that AFBI has also been given the required level of support from the Department.

We heard that, just like the Forest Service, AFBI too has had to reprioritise work. I would be concerned, however, that, given the vital work that AFBI does not only in research and testing for disease in vegetation but across our agriculture industry, other areas may lose out.

The Committee's investigation, in my opinion, revealed a number of damning findings, and I am glad that we have all-party support for the report. DARD and its agencies were clearly unprepared for this disease despite having, at the very least, a six-month warning. DARD's horizon scanning was and still is totally inadequate, and to date the Department has failed to clarify what level of support will be available for landowners who planted their land with grant aid but who have since seen it uprooted. I have written to the Minister on a number of occasions to clarify those points.

I also note that the Committee had advised the Minister to provide costings and details of any schemes for reconstitution of the trees that were removed because of Chalara. If she could provide those today it would be greatly appreciated. Her answers have been few and far between, and I hope that she will use her speech shortly to respond to every query that was raised in the report and in today's debate.

**Mrs O'Neill (The Minister of Agriculture and Rural Development):**

Go raibh maith agat, a LeasCheann Comhairle. I will start by welcoming the fact that the Committee for Agriculture and Rural Development has had its inquiry and that it has put together the position paper. In my opinion, its review is timely, and it reminds us of the threats that we face and the obligations on us all to control the risks of introducing new pests and diseases that will threaten crops, trees and the native environment. This is a growing risk that we need to deal with in the context of the island of Ireland and within a European framework.

I am grateful for the comments that the Committee Chairperson and Members made throughout the debate. I assure the Committee that I will provide a thorough response to the document in written form. I congratulate the Committee on the work that it has done to produce its paper. In my view, it has taken a reasonable position on many of the issues that it raised.

Members will appreciate that, as I said, I will respond in detail to the Committee, but today I will take the opportunity to pick up on some of the key issues that Members raised. Before I do that, I will state that my Department is committed to enhancing plant health on the island of Ireland by working with the Department of Agriculture, Food and the Marine to implement the all-island plant health and pesticides strategic work programme, including seeking to maintain protected zone status for the most damaging harmful organisms.

We will continue working with DAFM and counterparts in Britain to develop contingency plans for pests and diseases based on pest-risk analysis. We recognise that we have comparatively limited resources on which we can draw and that there is no sense in duplicating work on pest and disease threats that we share in common with others. In addition, we simply cannot focus simultaneously on every one of the more than 700 plant pests and diseases that DEFRA has identified. Consequently, we will work with DAFM and DEFRA to develop a risk register and on the proposed new EU plant health legislative regime. We will also continue to work cooperatively with DAFM in dealing with the current disease outbreaks and to share knowledge and experience with the authorities in Britain on plant health and tree-disease matters.

I will now pick up on some of the key issues that Members identified today, the first of which is horizon scanning and planning for tree disease and plant health threats. Everyone accepts that horizon scanning is clearly very important in helping us to plan for tree disease and plant threats. We believe that the best strategy is to maintain a high level of intelligence so that we are aware of emerging issues and to maintain trade controls and biosecurity measures that reduce the risk that infected material may spread to the North.

My Department has wide-ranging plant health control powers to inspect, detain and destroy infected plant material. DARD will continue to use those powers and to work closely with the industry so that our monitoring of trade in plants, wood and other plant products is as effective as it can be in detecting and preventing the introduction and spread of the most serious plant pests and diseases.

Our experience with ash dieback suggests that one of the main pathways by which disease can reach us is the

importation of infected trees. Although it is perfectly legal to move trees between countries in the EU without border checks, and we cannot restrict that trade, my Department has been considering whether additional controls would help us in monitoring any threat that importation creates. We have arrangements in place at the ports to help gather information about the movement of specific plant and tree species into the North and to help with the planning of follow-up inspections. They include the statutory pre-notification arrangements that are in place for seed potatoes, which help maintain our high plant health status.

I plan to strengthen our arrangements by introducing pre-notification legislation for intra-EU imports of four tree species that we know present a particular risk to these islands. These are: ash; oak; sweet chestnut; and plane trees. My Department plans to bring the draft legislation forward to the ARD Committee for scrutiny in the coming weeks.

At this point, I should perhaps make sure that we are all very realistic about what can be achieved through legislation and enforcement. The EU plant health regime is framed in the context of allowing the European single market to function effectively. The regime does not guarantee absolute freedom from the risks of trade, and, indeed, it is framed so that the major responsibility for ensuring good plant health in the Community lies with plant producers and exporting authorities. Therefore, we rely on the integrity of our suppliers to protect us. I also want to emphasise how crucial it is that importers give due consideration to the disease risks involved when purchasing plant material from outside Ireland. I also hope that when my officials exercise the enforcement powers that the Assembly has given them we will give them our full support to protect our crops, our trees and our environment.

During the discussions on ash dieback and ramorum disease, some wondered why we do not impose the sort of restrictions on trade that we see when we visit the USA or Australia. We need to work in partnership with other EU authorities to impose those sort of controls on materials entering Europe for the first time. However, in the case of diseases already circulating in Europe, the prospects of that approach being successful are very limited. We need to trade with our European partners and, although Ireland is an island, the sea is only a partially effective barrier to diseases carried on the wind. The EU allows member states to maintain controls against pests and diseases by establishing protected zones, provided that we carry out regular, systematic surveys that demonstrate continuing freedom from disease, coupled with eradication programmes when outbreaks are detected.

As far as paragraph 4 of the Committee's report is concerned, some Members picked up on engagement with Europe on the new plant health regime. We will, of course, continue to argue for the best protection that Europe can give us. My officials are actively seeking to represent our policy position throughout the EU process for developing the new EU plant health legislation so that our local needs and priorities are addressed. As well as close engagement with counterparts in Britain and Dublin, DARD also has direct links to Brussels, including with our MEPs, through the Office of the Executive and DARD staff in Brussels.

I want to turn now to the approach that we are taking with ash dieback specifically. On 9 July this year, I was



pleased to launch, jointly with the Minister of State, Tom Hayes TD, the all-Ireland Chalara control strategy. It is a comprehensive control strategy that covers joint approaches with the South on eradication, research into breeding for resistance, engaging with the public and other stakeholders and providing advice to woodland owners. The fact that Ireland is an island that is separated by water from sources of known infection in Britain and continental Europe means that there may be some scope to prevent the disease from becoming established here or to slow that process down. The strategy is adaptable to changing circumstances, and we will keep it under review based on ongoing surveillance and the development of scientific knowledge of this complex disease.

Our surveillance during spring and summer 2013, up to the end of August, found only eight new instances of the disease and no evidence that it is circulating in the wider environment. There is a need to continue surveillance, because current scientific understanding suggests that the conditions for spread in the wider environment probably exist on the island of Ireland. However, it is encouraging that evidence of wider spread has not been found.

Some Members picked up on the issue of engagement with stakeholders. DARD will continue to engage regularly with stakeholders who have been affected as a result of plant health issues, including the stakeholder group that inputted advice to the development of DARD's response to ash dieback. This includes representatives of farmers, landowners, the forestry and horticultural sectors, environmental organisations and local government. DARD also has a dedicated plant and tree health link on its website, a plant health helpline number and an email address to deal with specific enquiries. I also want to point out that we regularly engage with the National Trust. We are also providing it with GPS equipment to record suspect trees so that it can report those to DARD. That is also evidence of partnership working with stakeholders.

In tackling the recent tree disease incidences, DARD has availed itself of additional resources from the Forest Service. That has been very valuable, particularly because of the specialist skills and machinery available to the Forest Service. That has complemented the existing resources that are focused on plant health in DARD.

### 1.30 pm

The Department recognises that the threat of plant disease and pests appears to be increasing and intends to increase the scale of resources devoted to plant health. The permanent secretary has allocated responsibility for all plant health matters to the chief executive of the Forest Service. That will ensure that policy and implementation are led by a senior civil servant with an appropriate professional qualification. That initiative is still at the planning stage.

DARD will continue to review its emergency response capability needs annually. The Department's need for scientific expertise and testing are specified in the work programme assigned to AFBI, which has a statutory obligation to deliver that programme.

With regard to grant aid, on 26 June 2013, I announced grant support for woodland owners of recently planted ash trees affected by dieback to replant their woodland with alternative tree species. DARD's Forest Service is

also continuing to offer support to remove and dispose of ash from affected private woodland sites. I am very sympathetic to the argument that more trees and plants should be sourced locally, although procurement must be carried out in accordance with EU regulations. DARD provides training courses, technology transfer demonstrations and industry events at the College of Agriculture, Food and Rural Enterprise. Advice is available to growers from DARD's supply chain development branch, and we propose to continue support for rural businesses through the rural development programme 2014-2020.

In conclusion, I welcome the Committee's paper and the opportunity to apprise the House of the Department's response to this very important issue. As I said at the outset, I intend to write to the Committee in more detail on the issues that it has raised.

**Mr Byrne:** As Members have outlined, tree disease is a severe threat to our forests and woodlands. In Northern Ireland, we have the lowest levels of forested land in Europe so anything that threatens its existence needs to be taken seriously. The report reflects the concerns that the timber industry and the agrifood sector have on the issue. The experts need to be listened to, and engagement with stakeholders in the private and public sector is paramount. That has been mentioned by a number of Members.

During the Committee inquiry, all the evidence that was provided indicated that DARD and the Forest Service have done a reasonably competent job of handling the outbreak of ash dieback. However, during the inquiry, it became apparent that relationships and communications with stakeholders could have been significantly better. Furthermore, stakeholders indicated to the Committee that their expertise and vast knowledge had not been utilised by the Department. Some even felt that they were dismissed or not trusted by the Department, which raises a serious question about the competence and willingness of DARD's senior officials to recognise a serious problem when it arises.

The Woodland Trust, the National Trust and private timber forestry companies, which have a lot of practical experience, should have been included in the handling of the outbreak of the disease right from the start, particularly when we were forewarned about six months previously by the experience in GB. The professional bodies advised the Committee that they had been dealing with the outbreak of the disease for a number of months before it became an issue here. That re-emphasises this question: how quickly did DARD react to the warning signals that were coming from GB?

Stakeholders felt that they had the time and the expertise to cover many more tree inspections and report back to the Department. That facility was not used or welcomed by the Department. Stakeholders felt that their expertise was being shunned. All the evidence gathered by the Committee could be interpreted as showing a need for relationships between stakeholders and the Department to be improved and built on to the benefit of both parties.

In particular, the private sector timber companies felt that they were being regarded with suspicion, but they have a genuine interest in making sure that the timber and private forests that they are in charge of are healthy, and that should have been acknowledged. By using the expertise



of those outside bodies, the Department could alleviate some of the pressure caused by any future outbreaks of tree disease.

I welcome what the Minister said about the lessons to be learned, but I think that the Department will need to be more proactive and show more urgency and consistency in accepting the outcome of those lessons. Ongoing tree-disease surveillance in the coming months, and even years, could be greatly improved and become more efficient if those stakeholders were involved.

As Vice-Chair of the Committee, I want to refer to the contributions of Members. At the outset, the Chairman, Mr Frew, gave a detailed outline of how the Committee went about its work and the aspects that it addressed. He also spoke about how important it was to be engaged with Europe on this issue, and the Minister referred to that as well.

*(Mr Speaker in the Chair)*

Declan McAleer called on the Minister to include in the DARD business plan reassurances and plans to maintain an acceptable level of staff at plant-health-specialist grade. AFBI is an ideal body to make sure that we have the required botanists and other plant health experts in position so that they can deal with potential outbreaks.

Jo-Anne Dobson emphasised the lack of adequate engagement between stakeholders and DARD and the Forest Service. It is fair to say that the Forest Service has done a reasonably good job, and Robin Swann referred to that. However, there is serious concern about the downsizing of the Forest Service, particularly its practical staff, over the past 10 years. At the end of the day, those are the guys who can very often help to monitor potential disease.

Kieran McCarthy talked about the need to create stronger links with DEFRA. Given that we are part of an island off Europe, what happens in Europe and Great Britain is crucial, but, obviously, we have to make sure that we are connected to potential EU legislation. The Committee visited Europe in the springtime, and I think it is fair to say that we were concerned about how slow it was to agree proposed EU legislation at that time. DEFRA has, I think, been more reactive in recent times in trying to bring in legislation that may be more robust and effective. Ian Milne referred to a scientific plan to deal with plant health. He said that the current plan needed to be finalised and implemented to make sure that we have an effective approach.

Tom Buchanan talked about the need to support local industry, which was an issue that cropped up. The importation of saplings and the way in which public bodies purchase saplings are major concerns. Very often, it is only price that matters, and local suppliers of saplings are prevented from successfully competing for public service contracts. Our Department of Agriculture, in consultation with other Departments, should try to address that.

Other comments related to how lessons can be learned. The Minister has very much recognised that there is a degree of urgency. I encourage the Minister, as the policy implementer in the Department, to take this issue seriously. Anybody who watched the hurling final yesterday will know the importance of ash in this country for the making of hurley sticks. It is a native sport involving

a native product, and it is important that we protect our ash tree population. Ash is an acceptable hardwood that can grow quickly and provides an important industry on this island, North and South.

The report, and the review inherent in it, is a worthwhile document. Hopefully, DARD will accept its recommendations and implement a forward plan. It is crucial that lessons are learned for a better future and that, hopefully, other potential plant diseases will be tackled in a more proactive way. Forest Service needs to be congratulated for what it did with limited resources. However, the lessons have to be stronger investment in the Forest Service and a better forward planning approach to the development of forestry.

*Question put and agreed to.*

*Resolved:*

*That this Assembly notes the recent increase in instances of tree disease; and calls on the Minister of Agriculture and Rural Development to address the issues as detailed in the Committee for Agriculture and Rural Development position paper on Plant Health and Tree Disease.*

## Private Members' Business

### Ministerial Pledge of Office/Code of Conduct for Members

**Mr 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 10 minutes to make a winding-up speech. One amendment has been selected and published on the Marshalled List. The proposer will have 10 minutes to propose the amendment and five minutes to make a winding-up speech. All other Members who are called to speak will have five minutes.

**Mr Buchanan:** I beg to move

*That this Assembly confirms its continued support for the terms of the ministerial Pledge of Office, in particular, the commitment to non-violence and exclusively peaceful and democratic means; further confirms its commitment to the principles of personal conduct contained in the code of conduct for Members of the Northern Ireland Assembly, in particular, the requirement to promote good relations; rejects the comments of Gerry Kelly MLA at the Castlederg IRA memorial event that will give succour to dissident republican groups and help indoctrinate a new generation down the path of violence; and condemns the use of terrorist violence in the present day, and the past.*

I want to make it clear from the outset that we will not be accepting the amendment.

It is not only appropriate but necessary that this debate takes place in the House today. I was somewhat amazed when I listened to the Ulster Unionist Party leader on the radio this morning telling us that he did not believe that we should be raising this issue in the House today. It seems that Mr Nesbitt would prefer that it was not discussed in the House and that we should not state our view on the comments made by Gerry Kelly in Castlederg.

**Mr Nesbitt:** I very much thank the Member for giving way. As he clearly appears to have heard my comments on the radio, will he confirm that I talked about there being three debates today and tomorrow, which collectively could send out the wrong signal to those who are already disengaged from the processes of this House, that that was not a specific criticism of this debate and that I confirmed that the underlying principles of your motion were ones that we would support?

**Mr Buchanan:** The honourable Member did not suggest another more appropriate time for such a debate to take place, so we can only deduce that Mr Nesbitt would prefer that Mr Kelly's comments be simply swept under the carpet. As a party, we certainly do not share those views, and I hope that other Members from the Ulster Unionist Party use the opportunity today to state whether they believe that this debate should be taking place or whether it should be brushed over, as, it would seem, their leader would prefer.

Moving on to the substantive nature of the motion, it is incumbent on all elected Members to adhere to the ministerial Pledge of Office, to commit to non-violence and exclusively peaceful and democratic means and to commit

to the principles of personal conduct, as contained in the code of conduct for Members. Due to the actions of Sinn Féin Members over the summer months, it is necessary for this House, and especially Sinn Féin, to reaffirm their commitment to the Pledge of Office in this House today.

The motion has arisen because of the events in my constituency, in the town of Castlederg, on 11 August. That day, I stood with the innocent victims of terrorism as they watched republicans take part in an obnoxious parade to glorify two IRA terrorists who were killed by their own bomb. The decision to hold that parade in a town so deeply scarred by IRA terrorism and to march past the locations of two IRA shootings and bombings, where two members of the security forces were brutally murdered, not only had a very serious impact upon good relations in Castlederg but had an impact that has been felt across the length and breadth of Northern Ireland.

1.45 pm

The keynote speaker at that event was a Member for North Belfast Mr Kelly. His role as an Assembly Member was clearly promoted in the advertisements for the event. Therefore, his role as an Assembly Member was linked very directly to the event and to comments which he then proceeded to make at the unveiling of the illegal memorial that was placed in Castlederg. Despite, prior to the event, being challenged to give leadership and to step back from that obnoxious parade, which was the cause of much pain and hurt for the innocent victims and their families in Castlederg, where 29 innocent people were murdered and no one was brought to justice for that, Sinn Féin decided that it would push ahead with it irrespective of the pain, hurt or anguish that it would cause to the people of Castlederg.

Recently, Gerry Kelly told us on the radio that it was the actions of the IRA that gave Catholics and nationalists the vote. In Castlederg, he stretched the truth even further and claimed that he was there to honour:

*"comrades who gave their lives in the struggle for Irish freedom and equality."*

Mr Kelly went on to tell the crowd that:

*"they were leaders, people who led from the front."*

So, here were two individuals who were bringing a bomb into Castlederg, which exploded on the Donegal side of the border, killing them, and Mr Kelly stands up and says that they were leaders — people who led from the front. Those people were bringing a bomb to cause murder and mayhem in Castlederg. Had it come into Castlederg, it would have been unfortunate for anybody who was there on that particular occasion for they, too, would have lost their life. Yet, here were people who were supposed to be leaders — people who were out with one aim and object in view, which was to murder innocent people in Castlederg.

It is impossible to see how such comments can stand against a commitment in the Assembly Members' code of conduct to promote good relations. Indeed, it is as difficult to see how it even stands against the requirements for Assembly Members to uphold the law, given that the glorification of terrorism itself is a criminal offence. The Assembly Members' code of conduct tells us that:

*"Members should keep in mind that rude and offensive behaviour may lower the public's regard for, and confidence in, Members and the Assembly itself. Members should therefore show respect and consideration for others at all times."*

The people, families and innocent victims, whom I stood with on 11 August were shown no respect or consideration. Those innocent victims of terrorism were re-traumatised and insulted. They were pushed to a point far beyond breaking point. Today, I want to commend them for the dignified way in which they dealt with the pressure of the circumstances in which they found themselves.

Gerry Kelly told the crowd in Castlederg that Seamus Harvey and Gerard McGlynn:

*"gave their lives so that we could be free."*

It is, of course, open to question whether those men engaged in terrorism so that Gerry Kelly could be part of the administration of British rule in Northern Ireland from the Stormont Parliament. However, it is precisely because of that contradiction, perhaps, that Gerry Kelly and other Sinn Féin members make the kind of remarks that were heard in Castlederg. In covering up the absolute failure of the IRA's terrorist campaign to deliver the united Ireland that was its aim, they glorify terrorists all the more.

The remarks of Gerry Kelly, however, are not just about the past: they ring in the ears of those republicans who still believe that Ireland is not free and who believe that they are leading from the front when they go out in 2013 and use the same tactics as Seamus Harvey, Gerard McGlynn and countless other Provisional IRA terrorists did in the past. Mr Kelly's comments tell those republicans that if they believe that they have a vision of equality and freedom, and if they know the risks that they are taking:

*"they could not stand idly by or leave it to others."*

There are dissident republicans today who believe that they cannot leave it to the "others" of Sinn Féin to deliver their goals and are prepared to use the very same tactics as those of Harvey and McGlynn in an attempt to achieve that aim. That was promoted by Mr Kelly while he was in Castlederg, stirring up young nationalists to get them to do that very thing. That is why Mr Kelly's remarks are so dangerous and why the Assembly must take a united stand against them.

I make no apology for bringing the motion before the House today, despite what others might say, because it is right that we debate the issues. I hope that everyone will join us in supporting the motion.

**Mr Speaker:** Order, Members. The next item of business in the Order Paper is Question Time. I therefore propose, by leave of the Assembly, to suspend the sitting until 2.00 pm.

*The debate stood suspended.*

*The sitting was suspended at 1.51 pm.*

On resuming —

2.00 pm

## Oral Answers to Questions

### Regional Development

**Mr Speaker:** It is time for questions to the Minister for Regional Development, and, for the first time, we will have topical questions to Ministers. Those will last for up to 15 minutes, and we will then move on to deal with questions that appear on the questions for oral answer list.

I will call Members who were successful in the topical questions ballot in the order in which they have been listed. Only the Member listed will be allowed to ask a supplementary to his or her question. Other Members should not stand, as they will not be called.

I remind Members that the normal rules and conventions apply to topical questions, and I ask them to study the ruling that I issued last week. However, I would like to be able to chair the first few sessions with as light a hand as possible, until we get a feel for the new arrangements in the House. It is important that I say that. I therefore ask Members for their cooperation.

I hope that Members will make good use of topical questions and that they will bring some life to Question Time. Let me also say to the whole House that topical questions are another way of holding Ministers to account in their Departments.

**Some Members:** Hear, hear.

**Mr Speaker:** Before we move on, perhaps I should also wish the Minister for Regional Development well, as he is the first Minister up for topical questions.

I am sorry to say that the Member whose name came out first on the list has withdrawn his question. I hope that that will not set a pattern, and I ask Whips to ensure that it does not happen in future. Let me say this to the House: this is an issue for Whips, and if Members are going to put in questions, either in oral or topical form and then decide to withdraw their name, that does not bode well for the future. So, I remind Whips of their responsibility.

The first name that has been withdrawn, I am sad to say, is Chris Hazzard's. We shall move on, and I call William Irwin.

### A5 Road Project

**Mr Irwin:** The continued uncertainty over the A5 road project has created great concern, particularly among farmers, who stand to be affected negatively by the work carried out. Although the Department of Agriculture and Rural Development (DARD) and Roads Service recently asked farmers to update their agricultural impact assessments, many of those affected believe that the process does not afford them the open and transparent basis on which to thoroughly illustrate the overall impact of the proposed project on their business. Many farmers believe that their views are simply being ignored in the corridors of the Department for Regional Development (DRD).

To alleviate those concerns and to give a voice to farmers affected by the project, can the Minister indicate whether he will undertake a comprehensive review of the process used for conducting the A5 agricultural impact assessment? (AQT 2/11-15)

**Mr Speaker:** Before the Minister answers the question, I must say that topical questions or oral questions should not be statements. I say that — *[Interruption.]* Order. I say that very firmly. Moreover, there should be one enquiry to the Minister.

**Mr Kennedy (The Minister for Regional Development):** I really do feel the hand of history today, being the first recipient of topical questions. What will be more interesting is whether any topical answers will be given.

I was rather puzzled that Mr Hazzard withdrew his question. Hopefully it was withdrawn because of the Member's unavailability rather than his inability to come up with a topical question, but, apart from that, we will attempt to progress.

I know that the A5 issue is among the listed questions for later in Question Time, but I am happy to address the concerns that Mr Irwin raised. This is a red-letter day for the Newry and Armagh constituency: to have me answer the first topical question, which another Member from my constituency posed. The Member will know, of course, that the A5 scheme has not been abandoned; it is a delayed scheme. We continue to work through it, and important work has begun on the appropriate assessment process. That work will be subjected to public consultation and perhaps, at a later stage, to a public inquiry. I am aware of concerns, and I have had some contact with the Ulster Farmers' Union as well as receiving correspondence from a number of affected landowners. I am looking closely at that and have agreed with my officials to instigate a review of the current procedures. We will attempt to do that as quickly as possible in order to make progress on it.

**Mr Irwin:** What certainty can the Minister give to farmers that their views will be taken on board if the project goes ahead?

**Mr Kennedy:** The uncertainty around the project has been caused by legal challenges. I remind the Member that the scheme remains an Executive priority that is clearly supported by his party, unless it has done another U-turn. The important thing is that we will take on board meaningful points of concern held by individual farmers and landowners. That is what we are in the business of doing.

I regard myself as a listening Minister, and I will seek to proceed on that basis.

### Knockmore to Antrim Train Link

**Mr Craig:** Will the Minister confirm that the Knockmore to Antrim train link has been physically closed and that health and safety checks are carried out on a regular basis as was promised when that route was originally taken off the network? (AQT 3/11-15)

**Mr Kennedy:** The Member will know about, and may be referring to, the recent rail inquiry, which was necessary due to an incident on that line. I welcome the publication of the report. It contains five recommendations. I support them, and I wish to see them implemented as quickly

as possible. Safety remains the key priority on all our transport routes. Whether by train, bus, bicycle or any other mode of transport, the important thing is that safety is the critical issue.

As transport Minister, I am pleased with the record levels of people using rail in particular in Northern Ireland. The figure is at a record level since 1967. I had the privilege of being at the Titanic Slipways on Saturday night to hear Phil Coulter, Katherine Jenkins and others at a very impressive concert. Phil played 'Puppet on a String' for us, which was a hit in 1967. Of course, it immediately flicked into my mind the fact that we now have record levels of people using trains since 'Puppet on a String' was a hit. For all those reasons, I maintain that rail and road safety remains a priority for me and my Department.

**Mr Craig:** I do not know whether to thank the Minister for all that repetition. If he is not a puppet on a string, perhaps he will outline to the House whether the people who were on board that train had their health and safety put at risk through being diverted down that track? More importantly, can the Minister outline why they were sent there in the first place?

**Mr Kennedy:** The Member raises an important issue. I believe that the actions of the train driver on the day were very effective in ensuring that there were no injuries or injury-related consequences. However, I think that Northern Ireland Railways must, and will, learn lessons from that report. That is why I welcome its publication and agree with its five recommendations, and I want to see those implemented as a matter of urgency.

### Public Hire Bike Scheme

**Ms McCorley:** Go raibh maith agat, a Cheann Comhairle. Gabhaim buíochas leis an Aire as a fhreagraí go dtí seo. The Minister made a statement last week and referred to some up-and-coming projects, one of which was a public hire bike scheme for Belfast. Can he give us some more detail on that please? (AQT 4/11-15)

**Mr Kennedy:** I am grateful to the Member for her question. I am a very keen advocate of cycling. I have recently engaged in cycling after a period in which I had lapsed. I recommend it as a healthy pursuit, but also as a way to be environmentally friendly. My Department is pleased, in conjunction with Belfast City Council, that we are bringing forward a scheme for bike hire similar to that which operates in Dublin and other European cities. I am a keen advocate of that and I want to see cycling actively promoted. In fact, I have taken a decision to create a dedicated cycling unit that can coordinate all aspects of cycling within my Department and with other Departments. There are huge benefits for tourism in exploiting cycling. I am keenly aware of Giro d'Italia, which is coming to Northern Ireland next year. We are looking forward to that. I encourage Members to take an active part in cycling and to encourage their constituents, particularly young people, to do likewise because it is very much part of a healthy lifestyle. I think that all of us would do well to remember that and to encourage it.

**Ms McCorley:** Are there plans to extend the scheme beyond the city of Belfast to other parts of the North in future?



**Mr Kennedy:** I want to see such schemes extended to other areas but, of course, it comes down to available finance. We are fortunate that Belfast City Council is actively involved in the initiative. If other councils want to bring forward proposals, we will happily look at them and, hopefully, cooperate.

## Public Transport Passenger Numbers

**Mr Hussey:** I thank the Minister for his responses so far. I do not intend to cycle up here from west Tyrone.

Given the obvious success of the World Police and Fire Games, despite lower than expected participant numbers, and other events such as the UK City of Culture in Londonderry and Tennent's Vital, how have public transport passenger numbers fared over the summer months? (AQT 5/11-15)

**Mr Kennedy:** I am grateful to the Member for his question. I understand some of the reasons why he is not keen to cycle from west Tyrone.

As I have indicated, passenger numbers continue to experience unprecedented growth. From April to August, compared with the same period last year, there were 184,000 additional journeys on Metro, 198,000 additional journeys on Ulsterbus and a huge 597,000 additional journeys on the railways. All of that is very good news and represents considerable progress. Some people predicted that that perhaps would not happen. As transport Minister, I am delighted that we have seen those levels of growth and I am determined that we make further progress. I very much hope that Members of the House and the Executive will realise the potential for improving public transport and for the healthier lifestyles and environmental benefits that are evident in the use of public transport and, indeed, cycling.

**Mr Hussey:** I thank the Minister for his response. Does he think that there is sufficient recognition of the role that public transport plays in tourism?

**Mr Kennedy:** The Member raises a very good question. I hope very much that there is additional potential for increased use of public transport to attend events. We have had the undoubted success of the UK City of Culture in Londonderry this year. The Londonderry to Coleraine line is the one that I saved as Minister, despite the previous Minister having wanted to close it. I tactfully remind you of that. We have seen huge numbers of people using that line and flocking to the very interesting and varied events that were part of the UK City of Culture. Other events have also seen an uptake, and that is where exploitation can take place. Greater coordination between the organisers of tourism events and other events is to the benefit of public transport also.

2.15 pm

## Belfast to Derry Railway

**Mr Dallat:** Given that Mr Kennedy is the man who saved the Belfast to Derry railway, does he share my disappointment at the news last week that the second phase of the upgrade has been postponed? (AQT 6/11-15)

**Mr Kennedy:** I am grateful to the Member for his question, and I also recognise his long-standing interest in the stretch of line from Coleraine to Londonderry. He has

rejoiced sufficiently and has given me considerable credit as being the person to have saved that line, and I think that that is a very good thing. *[Laughter.]* On the point that he raised, yes, frankly, I am disappointed that that scheme is delayed. It is simply delayed, and it remains a priority for me, the Department for Regional Development and Translink.

**Mr Dallat:** I thank the Minister for his answer. In view of that, will the Minister agree that it might have been more appropriate if the announcement had been made to the Committee for Regional Development rather than to the press in the first place?

**Mr Kennedy:** I note the comment made. The Chair of the Regional Development Committee is not in his place. Obviously, there may be reflection on that. Of course, the announcement was primarily made by Translink, which is in charge of the upgrade. I want to stress the fact that although there is a temporary setback, it is, in my view, only a temporary setback. It must only be a temporary setback, and we must proceed as quickly as possible to have that project completed.

**Mr Speaker:** That ends the period for topical questions. We now move to the oral questions that have been listed for the Minister.

## Northern Ireland Water

1. **Mr G Kelly** asked the Minister for Regional Development to outline the best model for NI Water governance, including the time frame for its delivery. (AQO 4472/11-15)

**Mr Kennedy:** The best model for Northern Ireland Water (NIW) governance is one that supports and ensures the provision of high quality water services to the people of Northern Ireland. It should be sustainable, affordable and efficient. It should meet our EU obligations, support economic growth and protect the environment. To achieve this, I have initiated some work for the Executive Budget review group to consider in the autumn.

**Mr G Kelly:** Gabhaim buíochas leis an Aire as an fhreagra sin. I know that you said that it will start in the autumn, but part of the question was on when it will be delivered. Are you looking, or have you looked, at other examples of governance models in Wales and Scotland and the South of Ireland?

**Mr Kennedy:** I thank the Member for his supplementary question. Yes, indeed, in the Executive paper that I presented to colleagues, there is a subsequent referral to the Budget review group. That will look at all possible options. Obviously, this is an important decision, and it is right that it is not only undertaken by the Department for Regional Development but that, given the background to it, it should be an Executive decision. So, all the models and governance arrangements will be looked at in close detail, and, hopefully, there will be an emerging consensus.

**Mr McGlone:** Go raibh maith agat, a Cheann Comhairle. Gabhaim buíochas chomh maith leis an Aire as a fhreagra. Minister, given that NIW has been without a chief executive officer for quite a while, how effective can the delivery of a governance programme be in the absence of such a senior official?

**Mr Kennedy:** I am slightly surprised at the nature of the question. My view is that Trevor Haslett was a very



successful and competent chief executive of NI Water. Of course, he retired at the end of August and interim arrangements have been made. My understanding is that arrangements are being put in place for the early appointment of a successor. I say in the House and on the record that I think that Trevor Haslett's work stabilised Northern Ireland Water. I think he had the confidence of the workforce and, increasingly, the wider public and consumers. I think that NI Water is in a better position as a consequence of that than it had been previously.

**Mr Copeland:** The Minister's predecessor, Mr Conor Murphy, came to the House in October 2007 and made the case for additional water charging. In his words:

*"we must not and cannot duck" — [Official Report, Bound Volume 24, p417, col 2].*

Yet, at this year's Ard Fheis, he claimed that he stopped water charging. Will the Minister give us an opinion about whether there is any issue that Sinn Féin will not attempt to rewrite the history of?

**Mr Kennedy:** I want to make clear that I was not at the Ard Fheis to hear Conor say that — *[Interruption.]* If he was so worried about leaky pipes, why did he not do more to address the issue when he was in power? I think that his comments could be summarised as this: with a water tap in one hand and a sewage pipe in the other, they are going to take power in the land.

**Mrs Cochrane:** I thank the Minister for his answers thus far. What assessment has he made of the comments by the former Finance Minister that continually deferring water charges is not sustainable?

**Mr Kennedy:** I am grateful to the Member for her supplementary question. It may well be that she is trying to prise open some of the issues, perhaps of divisiveness, in another political party. I would not make an attempt to comment on that. If there are splits in the DUP over water charging, it is not for me to know about. All I can say is that it will be interesting to see who the winner of that is and whether it will impact in the future, particularly when there is so much speculation that we read about regarding the ambitions of people to perhaps lead the DUP after the present leader has indicated his preferences, but even that becomes uncertain because of things that we read of in today's 'Belfast Telegraph'. So, at the moment, for those who want to be successors, Peter is saying that there is no vacancy, but we will wait and see.

## A5 Road Scheme

2. **Lord Morrow** asked the Minister for Regional Development what steps he will take to remove the blight and uncertainty for landowners resulting from his decision not to proceed with the A5 scheme. (AQO 4473/11-15)

**Mr Kennedy:** No claims have been received from affected A5 landowners under blight legislation. In that context, therefore, I do not accept the premise of your question. Where landowners receive 90% advance payment, the Department has agreed to complete the sale if requested to do so by the landowner. Only one of the five landowners who received such a payment has returned the money. Negotiation with landowners and their agents are ongoing regarding the other four. Landowners who did not submit claims have been invited to do so if they believe and can

demonstrate that the vesting process has caused them hardship.

**Lord Morrow:** I thank the Minister for his answer. Earlier, he said that the scheme has not been abandoned, and therein lies the problem, because the Minister has yet to come to the House with a statement to clarify the position. He has taken a semi-detached approach to all of this. Will the Minister tell us, so that the farmers and landowners in that area are aware, whether that project is going ahead, or has he just got cold feet at this stage and will wait for his predecessor to push it on?

**Mr Kennedy:** I thank the Member. I think it would be difficult for a predecessor to push anything on. I bring the Member back to the point that I made earlier: the position is that it is a delayed scheme not an abandoned scheme. The scheme is a priority for the Executive. As part of that decision, the party that Lord Morrow is part of and represents clearly is supportive of the A5 scheme as an Executive priority. That might not be his personal position. *[Laughter.]* One of the issues about Lord Morrow is that he has danced a merry dance and he has done a minuet, and sometimes he has gone forward and said that this is a worthwhile scheme, and other times he has come back and said that he is not sure about it and there is opposition. So, Lord Morrow had better make up his mind at some point. Perhaps that would be insightful to his party colleagues, and then it could be reflected at Executive level as to whether or not it remains an Executive priority. As of today, unless we get another letter from America that says something different, the A5 remains an Executive priority.

**Mr McAleer:** Minister — *[Interruption.]*

**Mr Speaker:** Order.

**Mr McAleer:** Go raibh maith agat, a Cheann Comhairle. Minister, just for clarity, will you tell us whether you are now in a position to make, or have you made, an appropriate assessment in respect of your Department's measures to deal with the EU habitats directive?

**Mr Kennedy:** I thank the Member for his supplementary question. The work on the appropriate assessment is being done, and the public consultation is part of that. It may well be that, in the future, a public inquiry will be required as part of it. All those are factors that will impact on the potential progression of the scheme.

**Mr Eastwood:** The Minister said that the project has not been abandoned and that the Executive are still committed to it. Will the Minister give some indication to the long-suffering people of the north-west of when the project will ever begin?

**Mr Kennedy:** I accept the frustration behind the question and understand that. Indeed, over the summer, I had the opportunity to meet various interest groups, including local councils and other local representatives who have been actively campaigning for the scheme, among other schemes. I am in the business, as Regional Development Minister and as transport Minister, of utilising any available funds to improve the strategic road network. That includes schemes in all parts of Northern Ireland and schemes to all areas of Northern Ireland, including to the west and the north-west, but challenges have to be met and dealt with, and things have to be done by process. The Member will understand that. That is what we are working through. So,

it is not possible at this point to be absolutely precise. To do so would perhaps be a mistake, so I am not going to tempt fate by attempting to do that, except to say that I am in the business of building roads, and I want to see that happen as quickly as possible.

**Mr Elliott:** It is always good to get speaking for myself and asking my own question as opposed to other Members of this House having to do it. Given the mess that the Minister's predecessor, Conor Murphy, made of the consultation around the A5, will the current Minister find an appropriate time to bid to the Executive — as this is an Executive priority — for other Roads Service schemes that would benefit the infrastructure of the whole of Northern Ireland, as opposed to just that one area, including County Fermanagh?

**Mr Kennedy:** I am grateful to the Member for his supplementary question. That is something that I am genuinely interested in progressing. In the past, there has been a tendency to concentrate and to put all our eggs in the basket of big, grandiose schemes, whereas much potential benefit could be obtained by the Executive spending money on schemes that do not have the same expense as the larger ones but that give local benefit to road improvements by doing sections of roads. So, I am keen to meet the Finance Minister to discuss those plans. I think that there would potentially be great benefit, not least to the reputation of this Assembly and this Executive. Presumably, it would not do me any harm either.

On that basis, I think that there is some benefit in looking at what I would call a clutch of fairly small schemes that are relatively inexpensive in road-building terms but would improve the local infrastructure. That is what I would like to explore that actively not only with the Finance Minister but, potentially, with Executive colleagues.

2.30 pm

## Cycling Infrastructure

3. **Mrs McKevitt** asked the Minister for Regional Development, in light of the Westminster Government's plan to provide £94m to boost cycling infrastructure, what finance he will make available to ensure that the cycling infrastructure for commuters and leisure cyclists is improved. (AQO 4474/11-15)

**Mr Kennedy:** As I indicated during the earlier topical questions, I am very much committed to promoting and supporting safer cycling for cyclists of all ages. There have been significant developments in the provision of cycling facilities across Northern Ireland that have mainly been stimulated by the investment made, despite the pressures on public funding, by my Department. As I have indicated, I have directed the establishment of a cycle policy unit in my Department. It is tasked with coordinating all cycle issues better and working with other interested stakeholders to develop robust and sustainable strategies. During the incoming year, my Department is providing £4.3 million to fund active travel demonstration projects in Belfast, Londonderry, Craigavon and Strabane. More recently, I committed £50,000 from my Department to undertake a feasibility study of a cycle/pedestrian footbridge over the River Lagan close to the Gasworks site. Furthermore, my Department's Roads Service plans to implement around 4.5 kilometres of new cycle lanes. Another very recent

initiative is the active school travel programme, which will provide a programme of cycle and walking skills training to pupils in 60 schools across Northern Ireland over a three-year period. The objective of the programme is to encourage school pupils to adopt cycling and walking as their main mode of transport to and from school. We need to support that programme with investment in infrastructure to encourage participation. I aim to bid for £2 million in the October monitoring round to kick-start the programme, and I am keen to develop a long-term marketing campaign to develop behavioural change.

**Mrs McKevitt:** I thank the Minister for his reply. Is he satisfied that the investment in cycling infrastructure is sufficient to make a real impact on the healthy lifestyle and change to the environment that he called for in an earlier reply?

**Mr Kennedy:** I am grateful to the Member for her supplementary question and, indeed, her interest in the topic. I believe that we can make progress. With the will and intention to change behavioural standards, working in conjunction with agencies such as Sustrans, other cycling agencies and, perhaps, with schools and local councils, as we are seeking to do, we can promote and encourage cycling not only as a sustainable mode of travel but as something that genuinely improves people's lifestyles.

**Mr Weir:** I thank the Minister for his answers so far. I am sure that all of us would agree that the increase in cycling as a travel alternative is something that we welcome.

What examination has been or is intended to be done, either through the new unit or the Department, of cycling infrastructure models in other jurisdictions to see what lessons can be learned for Northern Ireland?

**Mr Kennedy:** I am grateful to the Member for his supplementary question. There are opportunities to look at good practice, particularly on the European scene; I am thinking of Nordic countries such as Denmark, Finland etc. I am very interested in what is happening even closer to home in London, where the Boris's bikes campaign has been such a success. If the opportunity is afforded me, I will and will certainly encourage officials to seek out opportunities and lessons that we can apply in Northern Ireland to see how we can bring forward the issue.

**Mr Agnew:** I thank the Minister for his answers so far. How much value does he believe there is in a cycle lane that has cars parked all the way along it? What, if anything, is his Department doing to address the issue of cars parking in cycle lanes?

**Mr Kennedy:** I am grateful to the Member. He adopted an almost accusing approach, and I felt that I had wrongly parked in a cycle lane. I assure him that it was not me.

We want to encourage people to be careful and give particular consideration to cyclists. There are, sometimes, behavioural patterns that are not acceptable. I accept that not every cycle lane is in prime condition, and we need to address that. One benefit of having a cycling unit is that it can coordinate information of that nature, begin to address some of the infrastructure issues, ensure that the infrastructure is of real benefit to cyclists and exploit better cycling opportunities.

**Mr Lyttle:** I thank the Minister for the work that he has undertaken on cycling and for the support that he has given to the recently established all-party group on cycling.

I am glad to be chair of that group, and I encourage all MLAs to work together on it to promote cycling here in Northern Ireland. What plans does the Department have to raise the annual spend on cycling infrastructure in Northern Ireland from approximately 58p per person each year to at least £10 per person each year, as suggested by the 'Get Britain Cycling' report that was roundly endorsed by the Westminster Parliament?

**Mr Kennedy:** I am grateful to the Member. I acknowledge his role as chairman of the new all-party group on cycling and look forward to working with that group. We are starting at a realistically low base, and we are in economically challenging times, but the very fact that we are creating a cycling unit is a clear indication of our intentions, which are that we want to make progress and exploit opportunities. If there are opportunities for further funding, whether through the Executive locally or through Europe, we will certainly try to explore those. I have no doubt that you and the all-party cycling group will want to encourage and support that.

## A26: Dualling

4. **Mr Swann** asked the Minister for Regional Development for an update on any discussions he has had with the Minister of Finance and Personnel in relation to securing funding for the A26. (AQO 4475/11-15)

**Mr Kennedy:** Given the delay in the A5 project and the funding that was subsequently made available, I wrote to the previous Finance Minister in May highlighting other schemes that could commence in 2014-15, including the A26 Glarryford to Drones Road scheme. In July, the Finance Minister announced funding for one of those schemes, the A31 Magherafelt bypass. I wrote to the new Finance Minister in August, within days of his appointment, requesting a meeting to discuss the merits and importance of the A26 project. I am happy to report that the Finance Minister, after initially declining to have a meeting, has now recognised the importance of an early discussion on the issue — the power of an Assembly question — and has agreed to a meeting. We are due to meet in the near future. I assure Members that, in parallel, I have promoted the scheme heavily in the 2014-15 capital budget exercise. I will continue to do so in the forthcoming October monitoring round with a view to securing the necessary funds to allow construction to commence in 2014-15.

**Mr Swann:** Once again, Minister, I find myself welcoming a DUP U-turn. I am pleased that the Finance Minister will now meet you to discuss the A26. I noted from the 'Coleraine Times' of 14 August that he had met Gregory Campbell, the MLA for the area, before even agreeing to meet you. If the Finance Minister gives you an early green light for funding, when could work on the scheme commence? May I be of any assistance in putting pressure on any other Ministers who are reluctant to meet you?

**Mr Kennedy:** That is a very kind offer from a very well intentioned colleague. What would you be like trying to get John O'Dowd to promote cycling in schools?

This is a serious issue, and a potential window of opportunity is coming towards us. It is important that I have an early opportunity to meet the Finance Minister. I know that there is widespread goodwill for the scheme to take place because of its importance to tourism in the north-west area, as it leads on to some of the major tourism

sites in Northern Ireland. I believe that, for reasons of road safety, this is an important project. So, I do not want the serious issue of progressing the scheme to get lost in the hurly-burly of politics. Therefore, I want very much to indicate that, if we got a clear signal on the finance of the project, we could make something of a start on it in the next financial year. That is how important this is. Therefore, I think that we want to try to exploit that potential opportunity.

**Mr Storey:** I notice that the Minister made repeated references today to coming to the House, U-turns, the Executive and his ministerial colleagues. When are we actually going to have this, Minister? I am glad that he has clarified today that he is the Minister for roads. Make a decision on the A26. *[Interruption.]* The Minister's colleague was complaining about the meeting with the MP for East Londonderry on the issue: will the Minister step back from the fact that he met the Ulster Unionist representatives and Mr Swann about the A26 without reference to other Members? When will we stop the politicking about the A26 and get the road delivered? *[Interruption.]* Stop passing the buck to the Executive and the Finance Minister and just deliver the project. *[Interruption.]*

**Mr Speaker:** Order.

**Mr Kennedy:** First day back, Mr Speaker. Let me say that I am slightly sorry at the tone that Mr Storey has adopted. *[Interruption.]*

**Mr Speaker:** Order. The Minister must be heard.

**Mr Kennedy:** Clearly, Mr Storey has yet to experience Executive life. He is a very effective Member of the Assembly and very good in the Education Committee, but he clearly knows nothing about the running of the Executive. *[Interruption.]*

**Mr Speaker:** Order.

**Mr Kennedy:** The system is that, for any major project to be given the green light, finance has to be made available. That, therefore, is the importance of the meeting that I will now happily have with the Finance Minister. We will hopefully make progress on that to the benefit of everyone. Let us not lose sight of the objective here. Never mind the politicking, the who-said-what and the beating of political chests. I am not interested in that. I remind Mr Storey and his colleagues on those Benches that I am not just the roads Minister: I am the transport Minister and the Minister for Regional Development. I am interested in seeing roads built and finance being made available to me. When the political crumbs come off the table, the important thing is this: let us get the schemes done.

**Mr Ó hOisín:** Gabhaim buíochas leis an Aire. I welcome the Minister's recommitment to strategic road projects. As well as securing the finance, does the Minister not agree that those projects must also be shovel-ready? I ask the Minister how many of those projects are shovel-ready or are in danger of becoming so any time soon?

**Mr Kennedy:** I am grateful to the Member. As he knows, the system is that it is a matter of making the projects procurement-ready first. The process of road building is lengthy and tortuous, and I do not need to be reminded of that. However, that is the process that we have. In many ways, it is a very democratic process, because it allows for various stages and for landowners and people

with interests to put forward their views and to have them dealt with. The important stage is to then move any scheme from procurement to being shovel-ready. The Executive's decision earlier this summer, which moved on the A31 — the Magherafelt bypass — is an example of that. The issue that the Member may be alluding to is the recommendations of the public inquiry, which are still awaited, about part of the A6 scheme and the Dungiven bypass.

They have not yet landed on my desk. When they do, I will give urgent and serious consideration to those issues.

**2.45 pm**

**Mr Allister:** Can the Minister confirm that, personally, he views this scheme as of strategic importance and, therefore, as a strategic priority? Can he tell the House whether he has been assisted in his efforts in that regard by the views of other Ministers? Given the number of deaths and serious injuries on that road, does he have any comment on the fact that on the reallocation of funding of the A5, the Health Minister took it upon himself to declare that the A26 was not a strategic priority? Did that help?

**Mr Kennedy:** I am grateful to the Member for his supplementary question. I am not going to speak for others; I am going to speak for myself. I do believe that the A26 is a strategic project. I do want to see it happen, and I want to see it happen as quickly as possible.

## Shackleton Barracks: Road and Water Infrastructure

5. **Mr G Robinson** asked the Minister for Regional Development what progress has been made on the adoption of the road and water infrastructure in the former Shackleton Army base in Ballykelly. (AQO 4476/11-15)

**Mr Kennedy:** In this case, as in similar cases, it is the responsibility of the management committee and/or the developer to bring the roads and sewers of the former army base up to a standard suitable to allow adoption by my Department. Thus, it is they who have let down the householders. As this is a wider social issue for the residents and householders, with whom I have a very strong measure of sympathy, I repeat my call for the First Minister and deputy First Minister to, perhaps, consider allocating funding to this issue from the Executive's social investment fund, for example.

## Social Development

**Mr Speaker:** We again move to topical questions. Pat Sheehan has withdrawn his name, which was listed at question number 7.

## Welfare Reform Bill

**Mr Lunn:** We are at the start of a new session, and I hope that the question of major legislation held over from the last session is sufficiently topical, so could I ask the Minister to give us whatever update he can on the Welfare Reform Bill? (AQT 11/11-15)

**Mr McCausland (The Minister for Social Development):** Yes, indeed I can. A lot of good work has been done on the Welfare Reform Bill to ensure that we get legislation that

is best suited to the needs of Northern Ireland. I think we are in a much better place in that regard as a result of the negotiations that my officials and I have had with officials in GB and with the relevant Ministers at Westminster.

There is a factor that needs to be kept in mind. There has been correspondence from the Treasury with regard to potential penalties. We are straying into an area that might suggest that having topical questions after the other questions might be a better arrangement. However, the potential penalties that might arise have certainly been made clear by the Treasury, and I hope that we will be in a position to get the legislation through and have Royal Assent by the end of this year. If we do that, I think that we will be in line with what is expected by Westminster.

**Mr Lunn:** I thank the Minister for his answer. I certainly was not going to raise the question of penalties because it is coming up very shortly. Can the Minister give us any detail around any concessions and differentiations that have been agreed or formalised between ourselves and the UK considering the different situation here in Northern Ireland?

**Mr McCausland:** On a number of occasions, I have identified three core issues that were raised right at the start by myself and officials. They were, of course, in regard to the split payments and the direct payments. We identified several issues at the start. The key thing was to go beyond that, because I think we have secured those. That was a major achievement; it is one that is envied by people in Great Britain. We have achieved those. We are just making sure that all of those things are fitted into the complexities of the much-debated computer system that is handling welfare reform, and which has been much in the news. We are confident about those. There are some additional matters. Until we have taken it through the Executive, I do not want to comment any further on the matter but there are certainly other issues that we are determined to take forward to get the best outcome for Northern Ireland.

## Special Adviser: Apology

**Mr Allister:** On 4 July, the Minister told the Social Development Committee that he had no criticism at all of what his special adviser did in regard to his infamous phone call to Councillor Palmer. Has his special adviser since apologised and, if so, does the Minister now accept that Councillor Palmer told the truth about that phone call? (AQT 12/11-15)

**Mr McCausland:** That is an interesting use of the word "infamous" by the Member, who seems to prejudge things before he has all the facts. I think it is always a good idea to wait until you get the facts before you make a determination on anything. I want to welcome the Member to the Committee for Social Development. I hope that his presence there will ensure that he is better informed on some of these matters. I am not party to any conversation that took place, nor am I aware of any apology being made.

**Mr Allister:** As Minister, I assume that you would expect to be aware of that, so we can assume that there was no apology. However, there is something that you might be aware of. Can you tell us whether any Minister was present when that phone call was made or when the decision to make it was made?



**Mr McCausland:** All these matters will be considered in due course by the Committee inquiry that is to take place. I am sure that they will all be dealt with. I am sure that the special adviser will appear and will answer those questions.

### Social Housing: Frederick Street, Belfast

**Mrs D Kelly:** Will the Minister explain his Department's removal of Frederick Street in north Belfast from the social housing development programme and can he assure the House that this does not demonstrate a lack of ambition in his Department to build social housing to meet needs not only in Belfast but across the North? (AQT 13/11-15)

**Mr McCausland:** The Member focused on a particular site that is adjacent to the University of Ulster campus, which of course is the biggest development that will take place in north Belfast — indeed, the whole of Belfast — over the coming period.

The particular piece of ground that the Member mentioned belongs to the Department for Regional Development's Roads Service. It is being used as a car park and there is no intention to use it as anything other than a car park. Therefore, I see little point in having something in a programme that could never be realised because the land is required for car parking. There will be substantial car parking demands there, of course, because of the University of Ulster campus and the thousands of students who will be coming to the site.

If the Member looks at the detailed social housing development record and the future programme for North Belfast, she will see that that constituency has received a very large share — indeed, the lion's share — of social housing investment over the past number of years.

**Mrs D Kelly:** Will the Minister confirm that there are at least three sites available for car parking to meet the needs of the University of Ulster campus? Will he not acknowledge the fact that given the Department's decision in recent months in relation to Girdwood and his refusal to build social housing where it is most needed on the basis of objective need, there is a perception in the community that the reasons for this decision are quite suspect indeed?

**Mr McCausland:** I encourage the Member to look a little more closely at housing delivery and housing demand in north Belfast. The more that that is carefully scrutinised, the more it will bring forward some truths that have, perhaps, been rather buried in the past. There has been an extensive programme of building and there will be significantly more building over the next number of years.

I am not responsible for the car parking arrangements for the university. All that is being taken forward by the university, which made the planning application for the car park.

### Social Housing: Additional Funding

**Mr McGlone:** Go raibh maith agat, a Cheann Comhairle. In light of the growing and pressurised demand for social housing, particularly in my area of Magherafelt and Cookstown, what are the Minister and his Department's plans to prioritise additional funding to get those houses built? (AQT 14/11-15)

**Mr McCausland:** I think that the priority is to make sure that the money that has already been allocated to the Housing Executive for newbuild social housing and the social housing development programme is spent. We do not want to get into a situation, as happened in the recent past, of the Housing Executive coming back late in the year and saying that it cannot spend all the money that it got. I want to ensure that every penny that has been devoted by my Department and me for social housing is spent.

That brings us to how the Housing Executive and the housing associations are performing. A lot more could be done. We should be much better at delivering social housing in Northern Ireland, but that is entirely dependent on effective, efficient working by the Housing Executive and the housing associations. As we move forward with housing and make some of the changes that I think are necessary in Northern Ireland, I hope that we will get a better delivery.

**Mr McGlone:** It goes back to the Department. What is the Department doing to make sure that we do not have embarrassing situations such as when £15 million was handed back? What is it doing to make sure that projects are spade-ready and that people have the potential to have a roof over their heads? The waiting list is substantially growing.

**Mr McCausland:** It is always important to examine waiting lists carefully, because you can be on a housing waiting list in Northern Ireland and be a homeowner. That is a slightly odd situation when you have a house. Anybody can put their name down, and there are no restrictions on that.

One of the things that I have done — it was the right thing to do — was to make sure that we meet regularly with the Housing Executive and housing associations to get them to step up to the mark. Indeed, some time ago, I spoke to the Northern Ireland Federation of Housing Associations and told it that it needed to be more ambitious. I was pleased to have the opportunity to see what can be done by housing associations in Great Britain when I visited them recently with the vice-chair of the Housing Executive. I encourage members of the Social Development Committee to do the same thing. Go and see what is happening there and how dynamic some of those associations are.

I am not sure of what the exact figure is, because it changes through amalgamations, etc, but we have just under 30 housing associations in Northern Ireland. Only about half a dozen of them are building, and the bulk of the building is being done by a handful of associations. That situation needs to change. We need a more dynamic sector.

### Facing the Future: Housing Strategy for Northern Ireland

**Mr Swann:** The 'Facing the Future: Housing Strategy for Northern Ireland' contains a proposal to pilot, in four areas, a housing-led approach to regenerate communities that have experienced blight, dereliction and decline. The Doury Road in my constituency of North Antrim is one of those areas. Will the Minister confirm that that project is going ahead and that it is not being delayed by the request by Sinn Féin to add a fifth area? (AQT 15/11-15)



**Mr McCausland:** Having brought forward the proposal for housing-led regeneration, which was an initiative by me and the Department, we went out and, in a sense, advertised, publicised and made known that new programme. Housing-led regeneration is good practice elsewhere in United Kingdom but, so far, it has never been implemented in Northern Ireland. Housing-led regeneration is simply good practice.

I took the opportunity to visit four areas where people have expressed an interest in this. The Doury Road was one of those areas, and I met with local representatives and local residents there. We are now assessing all the potential areas that we could look at on the basis of set criteria. Once those have been finalised, an announcement will be made fairly soon on the final set of areas that will be taken forward under the programme. The Doury Road certainly ticks all the boxes.

**Mr Swann:** Minister, the question that I actually asked was whether you would confirm that the process has been delayed by Sinn Féin's request to add a fifth area. If it has not, will you give us a timeline of when the Doury Road will actually attain the funds?

**Mr McCausland:** I said that we were applying the criteria. That is happening. I said that the announcement will be made in a few weeks. This has not been delayed; it is simply being done properly as you would expect it to be. We will announce the areas that are going to be taken forward in a few weeks.

When I was up at Doury Road, I told the folk there that the programme will be taken forward very quickly and within a matter of weeks. I think that they were quite pleased and satisfied with that. When you look at the criteria, the Doury Road certainly ticks the boxes.

3.00 pm

## Ardoyne

**Ms McCorley:** Go raibh maith agat, a Cheann Comhairle. Gabhaim buíochas leis an Aire as a fhreagraí go dtí seo. What effort is the Minister making to reduce sectarian tensions and to have the loyalist camp at Ardoyne removed? (AQT 16/11-15)

**Mr McCausland:** The situation at Ardoyne is certainly difficult. There is no doubt that a long-term piece of work is to be done with regard to building better relationships and reducing difficulties at that location. The presence of a loyalist/unionist camp at the site is not the only factor feeding into difficulties there. Over the past number of years — indeed, for many years — there has been difficulty at that site. It is not something new that has suddenly appeared out of space; it has been there for a very long time. If you go back to last year, you see that we had a dissident republican gunman trying to murder police officers at that point. So, there have been difficulties there for quite some time, and I want to see them resolved. We are doing various things, but I do not think that they will necessarily produce immediate results. This is a long-term thing; it has been there for a long time.

**Mr Speaker:** Order. That ends topical questions to the Minister. We move on to questions for oral answer to the Minister for Social Development.

## Fuel Poverty

1. **Mr Dallat** asked the Minister for Social Development to outline the action his Department is planning to take to ensure that vulnerable households have adequate heating and insulation for the winter months. (AQO 4487/11-15)

14. **Mr Easton** asked the Minister for Social Development what progress has been made on his pay as you go for oil system pilot. (AQO 4500/11-15)

**Mr McCausland:** With the Speaker's permission, I will answer questions 1 and 14 together as both relate to the wider issue of fuel poverty.

The fuel poverty strategy Warmer Healthier Homes was launched in April 2011 and sets out our vision for the future as a society in which people live in a warm comfortable home and do not need to worry about the effect of the cold on their health.

My Department delivers a number of schemes that can help householders heat their homes more efficiently, such as the warm homes scheme and the boiler replacement scheme. The warm homes scheme continues to be our primary tool for tackling fuel poverty with an annual target of installing energy efficiency improvements in 9,000 homes. We have been meeting the target consistently since 2009, providing a range of measures to make homes warmer, healthier and more energy efficient.

The boiler replacement scheme was launched in September 2012 and has been hugely successful. It offers an allowance towards the cost of replacing old, inefficient boilers to householders where the annual gross income is less than £40,000. The scheme aims to assist 16,000 households to replace their old, inefficient boiler over three years, with an average three-bedroom semi-detached house saving in excess of £2,700 over the 10-year period. That figure increases the older the boiler being replaced is.

There are two other elements for tackling fuel poverty. Last year, in response to high oil prices, we did some work around a pilot pay-as-you-go scheme, which was in place for three months and was then evaluated. There are, however, two crucial issues around the cost and delivery of introducing a pay-as-you-go system into the mainstream energy strategy. Those two issues are around the cost associated with production and administration. We have had meetings about this, and we are looking at paying as you go. We are waiting for plans for a new business case that will take into consideration the issues that were highlighted.

**Mr Dallat:** I thank the Minister for his answer. Given the high levels of fuel poverty that he has spoken about, which certainly have not reached this Building — not today anyway — will he assure us that live applications for replacement boilers will be processed before the onset of the winter?

**Mr McCausland:** The processing of applications is an ongoing process. Applications come in constantly and are approved and signed off. At any point in time, people are at different stages. Therefore, it is not a question that lends itself to a ready answer because of the nature of the process. However, if applications are coming in, they are being dealt with as quickly as the Housing Executive can possibly deal with them.

**Mr Easton:** I thank the Minister for his answers so far. With regard to the pay-as-you go scheme, what are the main cost issues?

**Mr McCausland:** The original costings proved to be too expensive, with estimation of the production and administration of the pay-as-you-go oil system in the range of £400 to £650 per unit. If the Department supported a scheme to bulk-buy around 900 litres for 10,000 households at a cost of £5 million from a single oil supplier, that may lead to accusations of market interference and distortion. However, local job creation will not be significant as the pay-as-you-go units are manufactured in China.

**Mr F McCann:** The Minister knows that quite a number of people live in relatively new houses that had insulation excluded during the building process. What is being done to help those people to rectify that problem?

**Mr McCausland:** I met the residents of an estate where that was a problem. There are limits to what can be done in the case of private ownership. There is an onus on private owners when they are buying a property to take due care. However, I can understand that it is virtually impossible for an individual to gain access to a wall cavity to find out the state of the insulation.

Lack of cavity wall insulation is not an issue for people in just the private sector. Thousands of people in social housing have no cavity wall insulation because their houses were built without it. That issue has been around for many years and was concealed and hidden, I suggest, because I know of one estate where the matter has been raised for 10 years. Nothing was done about it other than a little bit of patching here and there. We have now engaged fully with the Housing Executive. I went again to Liverpool to see how houses are being retrofitted to deal with that issue.

Some good work is ongoing with the Housing Executive as to how we will, over time, deal with the thousands of social houses across Northern Ireland that lack insulation. As a result, they are cold and hard to heat and people are suffering fuel poverty. Such properties are not only cold but, in many cases, can be damp as well. Sometimes people were being fobbed off and told that it was condensation. It was certainly not condensation in many cases.

I think that we are in a much better place. I recognised that there was a problem; I made it a priority; and we are taking that forward as quickly as we possibly can.

**Mr Copeland:** Is the Minister aware that many socially owned properties are, on paper, possessed of cavity wall insulation but of a fibre type fitted some time ago? Because of condensation, damp and moisture, it has now all sunk to the bottom and, effectively, the properties are sitting in a damp band about 3 feet high around the bottom. Is he taking any steps to remedy that?

**Mr McCausland:** The Housing Executive is doing a survey of all its properties to see what needs to be done in regard to energy efficiency. I focussed on those that did not have any cavity wall insulation in the first place. However, the Member is right to identify others where there has been a deterioration of the insulation that was installed quite a number of years ago.

The work being done by the Housing Executive in assessing its properties and getting that report finished will inform much better what can be done. There is work that certainly needs to be done with all of those. It is not

so much a housing association property issue because their properties tend to be much newer. However, there is certainly a need to get Housing Executive properties up to standard. I think that we have the resources to do that. It is a matter of making it happen. I can assure the Member that we are pressing on with that as quickly as possible. I had a meeting with the chair of the Housing Executive recently and got an update on where we are with that.

## Welfare Reform: Financial Penalty

**2. Mrs Overend** asked the Minister for Social Development whether any of his previous warnings have come to fruition regarding the likelihood of financial penalties if there was a delay in welfare reform. (AQO 4488/11-15)

**Mr McCausland:** I previously outlined to the Assembly how social security benefits in Northern Ireland are funded and the conditions that underpin that funding. In 2012-13, over £5 billion of funding was provided by Her Majesty's Treasury to cover the cost of social security spending in Northern Ireland. That funding is in addition to the Northern Ireland block grant and is provided on the basis that there is parity between the social security systems in Northern Ireland and the rest of the UK. That is also the practical outworking of the provisions in the Northern Ireland Act, which commit us to maintaining a single system of social security.

In making the funding available for social security spending, the Treasury is carrying all of the risk for any potential increases in social security spending. It is, therefore, concerned that Northern Ireland has not yet implemented welfare reform at a time when social security spending has been identified as one of the key levers on the coalition Government's approach to controlling UK public finances and the fiscal deficit.

I previously updated the Assembly on the Secretary of State for Work and Pensions' letter of May 2012, which outlined that any delay in passing the Welfare Reform Bill will increase the costs to the Treasury and that the UK Government are entitled to recover those costs through an adjustment to the Northern Ireland block grant.

On 1 July 2013, the Minister of Finance and Personnel advised the Assembly of recent correspondence from the Chief Secretary to the Treasury, which made it clear that if the Executive do not implement relevant welfare reforms by January 2014, the Northern Ireland block will be adjusted. The Minister made clear that the costs are potentially huge and unaffordable to the Northern Ireland block, with the Chief Secretary's estimated costs for the delays incurred this year as some £5 million per month and up to £200 million per year by 2017-18.

Officials continue to engage with the Treasury to ensure that we protect the interests of Northern Ireland and get the best deal for citizens. However, at the most recent meeting with the Treasury on 4 September, Treasury officials reiterated their position that failure to implement relevant welfare reforms by January 2014 will result in the Northern Ireland block being adjusted. It is, therefore, essential that we take all necessary steps to avoid incurring those penalties and progress the legislation as a key priority.

**Mrs Overend:** I thank the Minister for that detail. Last October, the Minister was scaremongering about time

running out. The current Finance Minister, in the same debate, said that time had already run out. Does the Minister now agree with me that his claims were ill-informed and that the reason why there has been no penalty is because the introduction of the reforms in England has been so chaotic rather than being due to his negotiation skills?

**Mr McCausland:** If the Member had listened to my answer — actually listened — and understood what I said, she would have heard me refer to correspondence on two occasions and clear requirements and warnings in writing. Her use of the word “scaremongering” is absolutely incredible.

**Mr Weir:** I thank the Minister for the answers that he has given so far. Has he had any warnings on this issue in the past?

**Mr McCausland:** The Secretary of State for Work and Pensions wrote to me in May 2012 indicating that the delay in passing the Northern Ireland legislation would incur costs to the Exchequer and that the UK Government are entitled to seek to recover those costs through an adjustment to the block grant. Fundamentally, the agreement that funds Northern Ireland social security spending directly from the Treasury on the basis of need conditions is that Northern Ireland spending will be met only if we maintain the same systems. That is outlined in the statement of funding policy.

More recently, in July 2013, the Chief Secretary to the Treasury wrote to the Finance Minister advising that it was imperative that welfare reform legislation be dealt with by January 2014. That was reiterated, as I said, on 4 September. The point has been made absolutely clear on three occasions about the difficulties that we will face if we do not take this forward. That is why I was so dismissive of any talk of scaremongering. Those are real concerns.

**Mr Brady:** Go raibh maith agat, a Cheann Comhairle. Is the Minister concerned that reports emanating from Britain indicate that, since the introduction of benefit cuts, there have been many major problems in communities there? A Government audit report published last week states that the introduction of universal credit may not be feasible, and £38 million in IT costs has already been written off.

**Mr McCausland:** I had the opportunity to go over some time ago to see some of the work being done on the design of the original system. It was quite an incredible operation. In view of what has emerged, it does not seem to have worked very effectively. I am glad to say that that is not an issue over which I have any responsibility. Whoever has responsibility for dealing with the development of the IT system has responsibility for what is probably the biggest IT operation anywhere in the world. People are bound to be concerned about that and what its impact will be.

### 3.15 pm

Information on the impact of the various changes that are being phased in gradually in GB is emerging as time goes on, and we will monitor that very closely. The key thing to remember is that what happens here will not be exactly the same as what happens or has happened across the water. We are tailoring it to ensure that we get the best outcome for Northern Ireland. I will work closely with the Executive subcommittee and the Committee for Social Development

in that regard. We want to ensure that we get a good outcome.

## Vacant Dwellings

3. **Mr Campbell** asked the Minister for Social Development to outline the number of vacant domestic dwellings in the social housing sector and his plans to replace or make these dwellings habitable. (AQO 4489/11-15)

**Mr McCausland:** The Housing Executive currently has 1,887 void properties across Northern Ireland: 197 properties that will be re-let imminently; 348 difficult-to-let properties, which the Housing Executive will continue to offer to applicants; 650 properties undergoing major repairs, which will be made available for letting when the works are complete; 117 properties for which sales are pending; 539 properties for which demolition is pending; and 39 properties that are classified as subject to the special purchase of evacuated dwellings (SPED) or are occupied by squatters.

Should the Member wish, I would be happy to provide him with a breakdown of vacant Housing Executive properties by region.

**Mr Campbell:** I thank the Minister for the work that he is doing on vacant properties, but he will be aware that, over a number of years, I have raised with him the number of properties in the Ballysally estate in Coleraine that have been derelict for quite some considerable time. I have met the housing association that hopes to renovate and refurbish them. Can he update the House on that refurbishment?

**Mr McCausland:** I share the Member's concern about Ballysally because the derelict properties were used so much by a documentary film-maker in a programme that focused very much on that aspect and missed all the good things that are happening in the estate. Nevertheless, it is clear when you go there that they are a blight on the area. I went up and saw the poor condition of the houses that were owned previously by the Students Housing Association Co-operative (SHAC). I heard at first hand about the effect on tenants. I instructed, therefore, that work be progressed as a matter of urgency to bring those properties back into use. Oaklee Housing Association, which now owns the properties, has advised that it intends to tender for work to refurbish the first 10 this week, with a view to commencing work on site by November. Subject to sufficient demand for housing, work on the next 10 properties will commence immediately afterwards.

**Mr Maskey:** Go raibh maith agat, a Cheann Comhairle. I thank the Minister for the work that is being done on the matter. As I understand it, there are, for example, a number of newly allocated homes for which necessary repairs are unable to be carried out because of recent problems associated with maintenance contracts. Can the Minister, first, confirm whether that is the case? If so, what is being done to ensure that people who have been allocated tenancies can take them up as quickly as possible?

**Mr McCausland:** Certainly, the difficulties with Housing Executive contractors have created problems there and a backlog of work in a number of areas. The demise of certain companies not only has an effect on employees but a major impact on tenants, in that they do not get the

standard of service that they should get. I understand that, on 28 August, the Housing Executive looked at some of the issues with contracts. Some of the work may become direct labour organisation work or whatever. As for the arrangements for those particular contracts, I have not had sight of the final outcome of who will do the work. However, the Housing Executive has been made well aware of our concerns and the need to clear the backlog so that people are not left in a difficult situation or are unable to move into a house that has been allocated to them, as the Member suggests is happening. There certainly is an issue there. It is being addressed, but it will take a while to deal with that backlog.

**Mr D Bradley:** Go raibh míle maith agat, a Cheann Comhairle. Will the Minister clarify the advice given by the Housing Executive to regional Housing Executive offices on housing transfers?

**Mr McCausland:** The position on that was, I understand, also dealt with at the executive's board meeting on 28 August. It is looking at a way to address the difficulty that was created by the judge's determination in the judicial review. Certainly, what happened in regard to St Matthew's Housing Association is a matter of public record and public concern, and that is being looked into. There was some hold on that during the judicial review, but the investigation is now continuing. I discussed the issue at a meeting with the Housing Executive this morning, and although it was not able to give me the details at the meeting, it indicated that the matter was dealt with on 28 August and that it has found a way forward that it thinks will address the issue. I am well aware, as I am sure the Member is in his own case, of people who were virtually ready to move in to a house, with a key for the door in their hand, only for the transfer to be halted. So, it has been a very unfortunate situation, but the Housing Executive feels that it can be redressed and resolved.

## Rural Fuel Poverty

4. **Mr Lynch** asked the Minister for Social Development for an update on his commitment to work collaboratively with the Department of Agriculture and Rural Development in addressing rural fuel poverty. (AQO 4490/11-15)

**Mr McCausland:** I am committed to working with a range of partners in and outside government to improve incomes and to alleviate poverty, including fuel poverty. Low income is, of course, one of the key factors associated with fuel poverty.

My Department's work on improving the uptake of benefits has produced £50 million in additional income for more than 15,000 people since 2005. In the past year, the results were extremely good, and the uptake trebled, with £13.1 million in new annual income being shared by 4,000 people mainly aged 60 and over.

On 3 July, I launched 'Maximising Incomes & Outcomes: A 3 Year Plan for Improving the Uptake of Benefits', which sets out six strategic priorities for action and a wide range of approaches. Over the next three years, my Department will work across government and with increasing numbers of third-sector partners to ensure that a minimum of £30 million in new and additional benefits is generated for at least 10,000 people.

I am glad that other Departments are following our lead, and I welcome the contribution that they are now making by working with my Department in addressing fuel poverty in rural areas.

My Department is also conducting an affordable warmth pilot, working with local councils, Housing Executive etc to find those homes that are suffering the worst effects of fuel poverty. The Department of Agriculture and Rural Development (DARD) has been involved in providing funding for hard-to-heat properties identified during the pilot.

My Department provides energy-efficiency assistance to vulnerable households through the warm homes scheme, which stipulates that 40% of measures delivered must be for homes in rural areas.

Since 2011, 12,500 rural homes have received heating and/or insulation through the programme. DARD contributes to the warm homes scheme with additional money to provide a top-up grant for hard-to-heat homes. In 2012-13, 430 rural homes benefited from that collaborative working.

Many people in rural homes apply for the boiler replacement grant, and they have the option of switching from oil to a renewable energy source. However, the scheme shows very low take-up of that option, with only two applications for that type of boiler out of a total of approximately 12,000 approvals for replacement boilers.

In addition, as a key element of 'Maximising Incomes & Outcomes: A 3 Year Plan for Improving the Uptake of Benefits', my Department also continues to work in partnership with the Department of Agriculture and Rural Development in addressing rural poverty through the maximising access in rural areas, or the MARA project as it is known. That will run to 2015.

Home visits are carried out by contracted local community-based facilitators to rural homes in areas deemed to be disadvantaged using a range of socio-economic indicators. Many people have had a full benefit check by the Make the Call benefit advice team. To date, 2,772 benefit entitlement checks have been carried out, with potential entitlement identified for 828, which is 30% of people who are living in rural areas and are at risk of poverty. So, more than 100 people to date have benefited from over £300,000 in new and additional annual income.

**Mr Speaker:** Order. I do not normally like to interject when Ministers are speaking, especially when they are in full flow, but I just want to remind the Minister of the two-minute rule.

**Mr Lynch:** Go raibh míle maith agat, a Cheann Comhairle. Gabhaim buíochas leis an Aire as a fhreagra. As you said, it was a fairly detailed answer, and I thank the Minister. As he is aware, the warm homes scheme is often very urban-focused. Does he have any plans to extend it to more rural areas?

**Mr McCausland:** I apologise first to the Speaker; we are doing so much in that area that it is very difficult to cram even part of it into two minutes.

**Mr Speaker:** I can understand that.

**Mr McCausland:** You understand that.

I assure the Member that the warm homes scheme stipulates that 40% of measures delivered must be in



homes in rural areas. There is a set focus on rural areas, and that will continue.

**Mr Craig:** Can the Minister outline what other avenues his Department is taking to tackle wider poverty issues in rural areas, and can he give a promise that some of that will be done in my Lagan Valley constituency, which has a huge rural area attached to it?

**Mr McCausland:** I thank the Member for his question, and I assure him that Lagan Valley will not be forgotten. My Department is also committed to improving benefit uptake approaches in the community and maximising incomes and outcomes. Community roadshow events will be delivered in every council area in Northern Ireland over the next three years, including in Lisburn and all the other council areas that make up Lagan Valley. It will certainly not be overlooked.

**Mr Elliott:** I thank the Minister for, in particular, his marathon first answer. The latest Home Energy Conservation Authority annual report indicated that the number of households in fuel poverty had only been reduced from 44% to 42%. Does the Minister believe that this is enough or is acceptable, and what other measures is he planning to take to reduce it further?

**Mr McCausland:** The level of fuel poverty in Northern Ireland — and, of course, we need to keep in mind that it is relative fuel poverty — reduced by 2%. There are factors that contribute to fuel poverty that come within the remit of my Department. So, increasing income through benefit uptake, the warm homes scheme, and so on, can reduce fuel poverty.

However, we are taking a new and more focused area approach to this. Professor Christine Liddell has been working with the Department intensively to bring in a sound evidence-based approach, and this says that we need to identify those in greatest levels of fuel poverty rather than simply try to cater for everything. That would be impossible with figures of over 40%. We have to deal with those who have the greatest problems, and her work is focused on that.

The warm homes and boiler replacement schemes have been very good and much appreciated. Hardly a week goes by in which I do not bump into people who say how much they value the boiler replacement scheme. However, more can be done. Other issues fall within the remit of other Ministers, and the announcement by your Fermanagh and West Tyrone colleague the Minister Arlene Foster about the extension of the gas network will make a difference. We are so heavily dependent on oil in Northern Ireland. That is not the best place to be, and I am sure that her work on that will be appreciated by all your constituents and those elsewhere.

## Laurencetown Community Play Area

5. **Mrs D Kelly** asked the Minister for Social Development whether his Department can take steps to speed up the process for a land transfer from the Housing Executive to Craigavon Borough Council for the development of a community play area in Laurencetown. (AQO 4491/11-15)

**Mrs D Kelly:** I trust that the Minister will have noted that it should have read "to Banbridge District Council".

**Mr McCausland:** That has taken the first bit out of my answer; I was going to point out that Mrs Kelly had got the wrong council area.

I understand that the Housing Executive advised Banbridge District Council on 6 August that it was willing to proceed with the freehold transfer of land at Laurencetown to facilitate a community play area. In accordance with the requirements of 'Managing Public Money Northern Ireland', the Housing Executive is required to complete an economic appraisal for the transfer of the site. An economic appraisal is being drafted and is expected to be considered for approval by the Housing Executive later this month. Subject to the necessary approvals, the executive could provide the council with a letter of comfort to commence construction of the play area followed shortly by formal transfer, subject to completion of legal formalities.

## 3.30 pm

**Mrs D Kelly:** I thank the Minister for those comments and for any intervention that he has made, because it is money that has to be spent by the end of March next year. I wonder whether he is aware that, as I understand it, the officer who was responsible works only two days. Is the Minister confident that any other land transfer issues are being dealt with as swiftly as they could otherwise be?

**Mr McCausland:** There are many different factors that impact on land transfers. I am not aware of the detailed staffing arrangements in any particular office, and I would not want in any way to suggest — I am sure that she does not either — that that is something that had an impact on this particular occasion. However, there are factors that do contribute, and those can be on the part of a range of stakeholders. Therefore, we will certainly do what we can when we are made aware of particular problems, and I can assure her of that.



## Private Members' Business

### Ministerial Pledge of Office/Code of Conduct for Members

*Debate resumed on motion:*

*That this Assembly confirms its continued support for the terms of the ministerial Pledge of Office, in particular, the commitment to non-violence and exclusively peaceful and democratic means; further confirms its commitment to the principles of personal conduct contained in the code of conduct for Members of the Northern Ireland Assembly, in particular, the requirement to promote good relations; rejects the comments of Gerry Kelly MLA at the Castlederg IRA memorial event that will give succour to dissident republican groups and help indoctrinate a new generation down the path of violence; and condemns the use of terrorist violence in the present day, and the past. — [Mr Buchanan.]*

**Mr G Kelly:** I beg to move the following amendment:

*Leave out all after the second "particular" and insert*

*"operating in a way conducive to good relations and promoting the principal tenets of the Good Friday Agreement of equality, mutual respect, parity of esteem and the right to live free from sectarian harassment."*

Go raibh maith agat, a Cheann Comhairle. To start off, I want to say that my support for the terms of the ministerial Pledge of Office and the code of conduct for Members is unquestionable. I am proposing the amendment, because the DUP motion mentions:

*"give succour to dissident republican groups".*

I dealt with that in the Castlederg speech, which might surprise the DUP. Although Tom Buchanan took selective quotations from it, I will quote from it at a bit more length. In fact, I think that the speech in itself, or an abridged version of it, tells the story. I am quoting myself as I spoke in Castlederg:

*"Let me state this clearly at the start: No Unionist MLA, Councillor, MP or Minister; no loyalist paramilitary or Loyal Order spokesperson — no matter how loud they shout — will prevent me or any other Republican honouring our comrades who gave their lives in the Struggle for Irish freedom and equality. The Republicans and Nationalists of Castlederg/Aghyaran and of Tyrone remember the oppression of house raids, harassment, internment, collusion, imprisonment and shoot to kill. They also remember when the RUC, UDR and British Army in their thousands tried to prevent the dignified burials of our comrades ...*

*There was a war ... Terrible things happened during that conflict. Terrible suffering was inflicted on all sides — by all sides. But let us not countenance a hierarchy of victims which would discriminate against Republicans and Nationalists not just in life, but in death also.*

*We are told by Unionists that Tyrone Republicans are insensitive to those who suffered at the hands of Republicans, in this area. Yet Castlederg is where*

*Republicans have been involved in dialogue with the Loyal Orders and others within the Unionist section of our community for over 5 years. Despite the difficulties and hurt felt, the majority Nationalist population in the area have tolerated Loyal Order marches through the town which amount to almost 20 in this year alone ... It was agreed in those talks that the centre of Castlederg should be a shared space. Yet when a single Republican commemoration parade is organised we are confronted with a deluge of orchestrated complaints. In effect we are being told that it is right for unionism to remember their British dead without interference but how dare Republicans remember their Irish dead in the same way. No discussion of the issue — just megaphone attack.*

*When the problem was identified publicly: as Republicans parading past the cenotaph, Castlederg Republicans took an initiative ... They said that, this year, they would not parade around the Diamond where the cenotaph and the Methodist Church were situated.*

*The Parades Commission ... restricted the parade further. Even those restrictions weren't enough for Unionists. They then demanded that honouring our dead should be banned altogether. They demanded that the British Secretary of State ban the commemoration parade and then that the PSNI ban it.*

*As people here know, that has been done before in our history and it did not work then and it certainly will not work now. You cannot, with any law or legislation banish the feeling of respect and pride in the hearts of Republicans for their comrades ...*

*So, having said all that, where does it bring us? Does it make me feel hopeless or helpless? No. Do I think dialogue should cease? No, I don't. It means, after today, we seek out those who we need to talk to in the Unionist part of our community and we find a way forward with them."*

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

*"We recognise that there are two narratives about our past. That is the reality. It does not mean that we will agree on the past. I do not expect Unionists to agree with or even accept a Republican or Nationalist view of the past. No more than Unionists can expect Republicans to agree with their account of our history. I may not like the part played by the Crown Forces during the conflict but I absolutely accept their right to commemorate their dead with dignity ...*

*If both sections of our community can come to terms with the fact of there being two narratives, at least two views of our past. That, I believe will help our whole society to move forward. We have, in fact, agreed on many things already — the Good Friday Agreement, St Andrews and Hillsborough agreements being prime examples. There are also things we don't agree on. But for the future, for a shared future"*

— much talked about —

*"there may have to be more compromises on all sides. If we can allow for the different narratives it may open up the space to do that.*

*Without dialogue, whether in Castlederg or Derry or Rasharkin or Belfast we cannot progress. So as Republicans we must stand by face to face dialogue as a method of resolution."*

Speaking of volunteer Seamus Harvey and volunteer Gerard McGlynn, I continued:

*"It is worth saying – and I hope Unionism is listening — that they were ordinary young men who loved their families and friends and were loved in return. They got great satisfaction from playing sport and reading history and going to dances or courting or playing with their children or going to college or university. They were ordinary young men in the extraordinary circumstances of the early 1970's who rose to the challenge of the time. They had a vision of Equality and Freedom and they knew the risks they were taking to achieve it but they could not stand idly by or leave it to others.*

*It is a harsh reality of Resistance that we lose some of our best activists and young people during armed conflict and Seamus and Gerard along with their other comrades whom we remember here today, paid with their lives. Forever young, they are remembered, loved and cherished by their families, friends and comrades and always will be ...*

*I don't know what our dead comrades might have said if they were here today on this platform, but what I do know is that they left a legacy behind them. Their courage and their sacrifice inspired others who took up their mantle and continued their struggle.*

*What I do know is that they played their part in our long struggle with dedication and commitment using the tools available to them in the 1970s. As our comrades in 1916, or in 1803, or in 1798 used the tools available to them in their eras and indeed in any of the many uprisings, large or small which has peppered our Island's history.*

*What I do know is that we, who continue that struggle for Irish Unity" —*

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

**Mr G Kelly:** No.

*"What I do know is that we who continue that struggle for Irish Unity and Independence, must use the tools of 2013. We should not and cannot act as if it is 1916 or 1969 or 1980 or 1996 or even 2006. We cannot live in our past but we must learn from our past to secure and improve our future. There are those on both sides, a minority, who yearn for past certainties, who want to return to the conflict years. They will use any issue in a forlorn attempt to undermine progress and to destabilise the peace. They will fail because they have no vision for the future of Ireland and therefore no strategy other than violence itself. The vast majority of people on the Island reject them ...*

*The united Ireland Sinn Féin seeks to build is inclusive, pluralist and where all the elements of the Irish nation are comfortable, secure and can find the fullest expression of their identity.*

*Sinn Féin ... are transforming a society moving out of conflict and into a new shared future. In the South we are providing the credible, radical republican opposition to ... a political establishment which has failed the Irish people.*

*This generation of republicans is laying the foundations for a New Republic — a 32-County Republic with social justice and equality at its core.*

*This generation has the greatest opportunity since Partition to finally achieve genuine national self-determination. We do not underestimate the challenges ahead. Indeed as Republicans we embrace challenge, we embrace activism and we embrace the responsibility that comes with activism.*

*Finally, and importantly we could not have got this far without the activism, dedication and self-sacrifice of the people we are here to honour today. Our best tribute to them, I would suggest is to rededicate ourselves to the achievement of the United Ireland for which they gave their lives."*

A LeasCheann Comhairle, that is an abridged version of my speech. As there is so much interest in it, which took me by surprise more than most, I will put a copy of it in the Library so that people might read it. I spoke to a number of unionists and loyalists about this speech and all except one had not read it. I doubt very much that Members who are going to speak about it today have even read the speech. That is why I quoted it today. If you are going to criticise someone, it is best to know what they said before you do so.

**Mr A Maginness:** The events in Castlederg in August were a disaster for local community relations and the body politic here in Northern Ireland. The opportunity was there for the republican movement in the form of Sinn Féin to show people that it did not need to commemorate by coat-trailing through that town and, in so doing, exacerbating community relations and poisoning the political atmosphere here in Northern Ireland at a time when the atmosphere was being poisoned enough by Orange parades up and down the country, particularly in Belfast. For Sinn Féin to have commenced a march in commemoration of two of its members was totally misconceived. It is delusional for Mr Kelly to say, "Well, do you know something? We had to commemorate these young men by marching through the town." The fact is that it did not have to do that. The magnanimous thing would have been to have said, "Yes, we want to commemorate these two young men. We will do it, but we will not do it by way of marching. We will hire a hall or a football pitch. We will do something to commemorate these young men and their sacrifice to the republican movement." Yet, that opportunity was wasted by the republican movement. Think of the impact that that alternative would have had on trying to ease the critical political situation that we have here in Northern Ireland. We should look very carefully at what we do and say.

I endorse what the Tánaiste said about Castlederg in Cambridge at the weekend. He said:

*"I acknowledge that republicans in Castlederg are entitled to remember those republicans who died during the troubles — but I disagree with the way they did so this year. Their entitlement is tempered by responsibility to respect and be sensitive to the suffering of victims of the Troubles. I saw little of that respect or sensitivity in Castlederg last month."*

What ordinary people in Belfast want regarding Orange marches, whether it be the Black institution or the Orange Order, is respect and sensitivity. Yet, when the republican movement and Sinn Féin have an opportunity to show respect and sensitivity, they fail to do so. That is why I say that it was a disaster.

The motion that has been put forward by the DUP is so selective. There is no attempt to look at all the other associated problems, which the DUP have contributed to. On 25 August last year, prior to that, we had a letter signed by the First Minister and other DUP members effectively saying that the Parades Commission had no right to be, in effect, regulating parades in Belfast, particularly in relation to the sensitive part of Belfast that is Carrick Hill and St Patrick's. That added a tremendous amount of disrespect to the Parades Commission.

3.45 pm

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

**Mr A Maginness:** I will finish now. It added succour to those who wished to defy and undermine the rule of law in relation to parades.

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

**Mr A Maginness:** I say this to the DUP: look at what you have done and what your leader has done and draw lessons from that.

**Mr Nesbitt:** In opening the debate, Mr Buchanan made some very selective remarks with regard to my appearance on BBC radio this morning. Let me be clear and repeat that there are significant sections of this community who will not welcome the fact that three of the four substantive debates on the first two days of this new session are related to the legacy of the past. Mr Buchanan may not be aware of that. It is perhaps no surprise because he and his colleagues were deeply unaware of the fact that there was no consensus for building and constructing a peace-building and conflict resolution centre at the Maze. It was us who had to point that out to them, so I will take no lessons from the DUP on standing up to Sinn Féin and doing what is right for Northern Ireland, unless the Members have changed their mind and now want to build it again. I do not know whether Mr Buchanan has ever debated with Gerry Kelly and Sinn Féin, but I have on many occasions and will continue to do so. I will challenge Mr Kelly.

Let me make this clear. I have said repeatedly and publicly that if you have lost a loved one, it is the human condition that the family and the friends and the community will want to remember them, and that includes people who blew themselves up transporting bombs to Castlederg. The question is of what is an appropriate way to do it. No one

needed to die to get to where we are today, and those who did die died because they made a choice. It is not right to say that violence was inevitable. I will accept that unionism left stones unturned in the 1950s and 1960s. Unionism did leave stones unturned, but the way to fix it was not through violence, and that was a choice — a bad choice — by republicans.

The motion calls for a commitment to exclusively peaceful means, and it would do no harm if we were all to recommit to what the Ulster Unionist Party secured in the Belfast Agreement and which was bought into by four of the parties in this Chamber today but not by the DUP, which was outside the gates crying foul at the time. The key phrase — *[Interruption.]* Would you like me to give way, or do you want to speak from a sedentary position? Mr Deputy Speaker, I leave it to you.

**Mr Deputy Speaker:** I ask all Members to make their remarks through the Chair.

**Mr Nesbitt:** Thank you, Mr Deputy Speaker. In this motion, we are called on to reject:

*"the comments of Gerry Kelly MLA at the Castlederg IRA memorial event that will give succour to dissident republican groups".*

I have read the speech. Of course, I have read it, and it does give succour. What gives succour to people who are currently engaged in violence is the ambivalence of Sinn Féin, the Provisional IRA and the republican movement to violence. We believe that terrorist violence is an absolute and that it is absolutely wrong. Move off that and say that there are conditions that justify it and you have the terrorist campaign of the Provisional IRA. So, you have people such as the Ulster Unionists saying that it is never right and that there are no conditions. You have Sinn Féin saying that there are conditions but that they no longer exist, and you have people who say that the conditions still exist. So, Mark Quinsey and Patrick Azimkar die. Stephen Carroll and Ronan Kerr die. David Black dies. That is because of the ambivalence and because you moved off the absolute that terrorism is absolutely wrong.

This motion also says that we should condemn the use of terrorist violence in the present day and in the past. I say to Mr Buchanan and his colleagues that if you have challenged Sinn Féin as I have, you will know that it does not believe that the Provisional IRA committed acts of violence. Mr Kelly says that shooting a prison warder in the head, as he did, is not an act of violence. If his invitation to me to come into some sort of new dispensation on this island includes accepting that shooting a prison warder in the head is not an act of terrorist violence, I say to Mr Kelly: I will not be there. However, I may be in Dublin in 2016, not to celebrate the Easter rising but to acknowledge that it happened. I am not one of those unionists who wants to airbrush the hunger strikes out of existence and rewrite history that way, but acknowledgement has to be done in a fair and truthful manner.

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

**Mr Nesbitt:** If it is appropriate, that will mean people such as me acknowledging, without condoning, what has happened in the past. That is the challenge and the hope that I offer to people if they are prepared to be honest.



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

**Mr Dickson:** I can address the vast majority of the motion swiftly by saying that the Alliance Party always has been and always will be committed to non-violence and exclusively peaceful and democratic means, to equality, to the promotion of good community relations and to a truly shared future for everyone in Northern Ireland. We condemn all violence, from the actions of those who murder and destroy with bombs and bullets, now and in the past, to those who attack our police officers with masonry, petrol bombs and ceremonial swords.

We have no problem with the wording of the amendment. However, we do not think that it is appropriate to remove condemnation of the remarks made at Castlederg, so we will support the original motion. Much could be said to highlight the hypocrisy in parts of the motion. After all, support for policing is a key part of the Pledge of Office and a requirement of every elected representative, yet while our police officers have been pelted and injured with bricks, bottles and other missiles, and confronted by people wielding hatchets and hammers, the focus of public comment from some members of the DUP was to criticise the police. The motion also refers to good community relations, yet elected representatives have said that they have no problem with flags being burned and offensive comments being made on social media.

I will turn to the thrust of the motion: Mr Kelly's comments at Castlederg. His description of past violence as a tool was particularly chilling, as was his apparent argument that republicans should refrain from the use of violence, not because it is wrong but because there is now a new vision to achieve their objectives. There was no absolute commitment to non-violence, just an appeal to political strategy.

His political labelling of Castlederg was also very concerning. No village, town or city in Northern Ireland is nationalist or unionist, and no group has any more or less ownership of an area because of its identity. The Alliance Party's vision of shared space recognises that if we are all to build a united community, shared space needs to go beyond town centres. We need shared neighbourhoods in the same way that we share our workplaces. Representatives need to stop labelling towns and areas like territory.

Mr Kelly will no doubt say that he talked a lot about equality at Castlederg, but, in reality, he reinforced a separate-but-equal, them-versus-us mentality. He showed little regard for the economic and social inequalities that are inevitable outcomes of continued division.

In all those instances over the summer, including the letter from America, pandering to the electorate trumped proper and effective leadership. If we are genuinely to move forward, to build what I want and my party passionately desires — a united community — elected representatives cannot continue to undermine support for the police, the rule of law and community relations. This summer was a disaster for Northern Ireland internally, bringing nothing but despair and frustration and increasing tensions, which make the already challenging Haass talks all the more difficult.

Internationally, the world turned its face against us. In the global media, we did not receive attention for the many positive events that took place here but for the tension, violence and disorder on our streets. Having

issued an invitation to Dr Haass in June, the DUP and Sinn Féin have deliberately persisted in bringing us to the edge of the abyss, which genuinely calls into question their leadership and commitment to those upcoming talks. Their conduct over the summer was completely at odds with the constructive behaviour needed to achieve agreement. Today, they need to demonstrate their genuine commitment to the talks, not only to the Assembly but, more importantly, to the public that expects it of them. However, we are, understandably, growing more cynical by the day.

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

**Mr Dickson:** We now need to move forward recognising the need for compromise and setting about building a united community for everyone.

**Mr McCausland:** On Sunday 11 August, the republican commemoration of two IRA terrorists Seamus Harvey and Gerard McGlynn took place in Castlederg. I read, and, in fact, have in front of me, all that Gerry Kelly said on the day because it is obviously on the internet, and I assure him that my colleague Tom Buchanan also read what he said in its entirety, and he has a copy with him. So it is not a case of speaking about something about which we know nothing because we have read it. It was clear, and he confirmed, that he was borrowing extensively from his speech on that day in what he said today.

It is clear that this was a eulogy, a praising of those who died when they set out to destroy or murder but ended up dying themselves. Mr Kelly used the words "respect" and "pride". In his speech, he spoke about young men who "rose to the challenge", who had left a great "legacy" and who had a "vision of equality and freedom". I find it impossible to reconcile those things with those who went out to murder, maim or destroy.

It was not the only occasion in those early days of the Troubles when members of the Provisional IRA died as a result of premature explosions. On this occasion, no one was killed other than the terrorists, but, on other occasions, others were killed by premature explosions. In Belfast and in other parts of the Province, those who were victims along with the perpetrators included some very small children who died as a result of those particular operations. He talked of respect and pride and of those who had left a legacy. What would that legacy have been if they had succeeded? What if, instead of dying in that instant themselves, they had reached their target and blown it up or murdered the people who were at the particular location? This was about eulogising those who were intent on murder and mayhem. Although, in the middle of the speech, part of a paragraph refers to dissident republicans today, the fact is that they will see this as validation and justification for the things that they are doing now.

This was a day when the political atmosphere in Northern Ireland was, as a previous Member said, poisoned. It was poisoned by what was said, poisoned by what was done by republicans and poisoned by the way in which they did it. They came to flaunt their terrorist past in the faces of innocent victims.

The issue of eulogising the past is not unique to Castlederg. Let us go back to Easter and the case of a republican demonstration in my constituency. There,

as part of the commemoration, small children were dressed up in what looked to me to be very much like paramilitary uniforms. I do not know what organisation they represented.

**4.00 pm**

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

**Mr McCausland:** No, I have very little time; sorry.

They were dressed up in paramilitary uniforms. It was not just the dissident republican parade in Ardoyne at Easter at which children were dressed up. There were parades in west Belfast at which children were dressed up. This is about eulogising the past and, in effect, passing it on to another generation.

Sinn Féin has changed. Today, it condemns those who do the things that the Provisional IRA did in the past. However, there is a huge inconsistency between condemning those who do it now but, at the same time, not those who did it then. That is because murder is murder. Whether it was murder in 1973, 1983, 1993 or 2003, it is still murder. Sinn Féin has still some way to go. It has to recognise that bombing and murder are wrong not only today but in the past.

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

**Mr McCausland:** I will indeed.

These are people who are bound to the past. They are prisoners of a violent republican tradition. Sadly, there is every danger of them passing that on to another generation.

**Ms Ruane:** Go raibh maith agat, a LeasCheann Comhairle. Táimid ar ais arís. We are back again. It is a pity that we are not here discussing job creation, educational excellence, youth unemployment or equality for all our young people, no matter where they live. That is what we should be discussing. What are we here discussing? The "no" antics. This could be pre-Good Friday Agreement or pre-power-sharing, North/South, British-Irish agreement. It is very disappointing, I have to say. It is the DUP playing to lowest common denominator politics, whipping up sectarianism. What we need in our society is parity of esteem and respect. That does not mean that we all have to agree with each other, but what we do need is respect.

Let us look at parades in the North of Ireland. There are roughly 3,000 parades; most are uncontentious. Of those, 5% are republican and 95% are loyalist, unionist parades. On the Shankill Road this weekend, 72 bands marched. Yet here we are talking about one republican parade. Let us look at the cost. We were at the Policing Board last Thursday, and we heard the costs. We heard the monetary cost, and we heard the human cost. Since December, the cost has been £28 million; that would build a hell of a lot of schools. The fiasco in Ardoyne cost £300,000 a week and countless attacks on police officers. And what have we? Deafening silence from the boys opposite.

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

**Ms Ruane:** No, I will not.

Deafening silence — *[Interruption.]* Deafening silence. If people want to talk about commemorations, if people want to talk about Castlederg, certainly we will talk about that. Republicans moved to address concerns. If there

are objections, we are open to listening to them, but do not try to use republican dead to deflect from the failure of leadership this summer. That is what we had: an absolute failure of political leadership, UUP and DUP. The pain of a republican family is the same as the pain of a British Army, RUC or loyalist family, or the family of someone who was not engaged in the conflict at all. Let us not pretend that the British state did not kill people. Let us not pretend that.

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

**Ms Ruane:** No, I will not give way. You had your opportunity to speak.

Let us not pretend that a mother's pain should not be acknowledged. There should be no hierarchy of victims. Equally, many people in this Chamber have eulogised people who have gone out and shot people in our society. If you are going to do that, at least do not be hypocritical about it. We had a bitter conflict, and I, for one, do not want to go back there. For us not to go back to conflict, we have to deal with inequalities and sectarianism, and we have to work together.

We have a leader in Florida writing letters back to the North of Ireland. We have schoolchildren being terrorised. We have communities hemmed in in so-called peace camps. We have scarce resources being squandered. I know what I want, and I know what Sinn Féin wants. We want functioning, stable political institutions, North and South, in Britain and in Ireland. We want peace on our streets. We want jobs for our young people. We want excellent education for our young people. We want good residential care for our elderly. Everyone needs to pull back from the brink. We need to engage in dialogue —

**Mr Deputy Speaker:** Will the Member bring her remarks to a close, please?

**Ms Ruane:** — and bring about the changes that we need on the basis of equality and respect.

**Mr Campbell:** I am afraid that the issues raised regarding the Castlederg parade demonstrate not just how far some people have yet to go but, in a strange way, how far they have already come.

I want to make my remarks relevant to the comments made by Mr Kelly at the event and draw a few analyses from those comments. It quickly became clear, as quoted on several occasions, that the parade arranged in Castlederg would be a eulogy to a number of members of the IRA and, in particular, Messrs Harvey and McGlynn, who, had they been successful, would have murdered innocent people in Castlederg rather than killed themselves. It ended up as a eulogy by Mr Kelly and others to the actions of those individuals.

Mr Kelly talked about their actions being a struggle for Irish freedom. He then exceeded that by saying that they gave their lives so that we could be free. That comment is not going to the bottom of the barrel; it is going through the base of the barrel and into the sewer.

Many years ago, I used to be exasperated when trying to understand the mindset of people in the nationalist and republican community who could tolerate, let alone accept and support, murder in their own community. I say I used to be exasperated, because I am no longer exasperated. I used to fail to understand how people in the republican community could give adulation to those who,



had they been successful in this instance, would have killed them. As we have heard many times from the bard of Carrickmore, who I see is not here today, Castlederg is a majority nationalist town. Therefore, if the two individuals had been successful in murdering people, the chances are that the majority of the people that they would have murdered would have been Roman Catholic.

As I say, I used to wonder about the mentality of people who could not only say that they do not mind about that but could give support to it. No longer; I am no longer exasperated. I have given up trying to understand the mental capacity of anybody who tries to justify that.

The one thing —

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

**Mr Campbell:** No; I am very short of time. There is one thing that we have to come to terms with — something that Sinn Féin will have to come to terms with — as a result of what they engaged in at Castlederg. It is this: every time, from 11 August 2013, when they talk about a shared future, every time that they talk about a shared space, every time that they talk about progress, every time that they talk about peace and every time that they refer to reconciliation, one word will stick in their craw every week of every month of every year. That word is “Castlederg”.

**Mr Attwood:** Before the recess, the running narrative of this Assembly was that it was detached from the life of the real world. If you were to draw conclusions from many of the contributions of Sinn Féin and the DUP this afternoon, that would be the narrative again. There are Members who are detached from people's sense of things outside this Chamber.

In all the contributions from the DUP Benches, there has not been one reference, word or indication about any adverse comment that came from the DUP or unionism over the summer months, given the issues that arose. Mr Buchanan, in his opening remarks, spent two minutes turning on the UUP and the next eight minutes making no reference whatsoever to anything other than what came from the mouths of Sinn Féin representatives. When Mr McCausland spoke, he talked of the poison in the early 1970s of republican terror without any reference whatsoever to the other sources of poison in this society that gave rise to tension, divisions and conflict.

On the other hand, when it came to Sinn Féin's contributions, although I understand why it wants to respect those whom it views as having struggled and died during the years of conflict, there was no reference whatsoever to the fact that the people of Ireland, repeatedly, year after year, decade after decade, election after election endorsed democratic struggle as the way to resolve our conflict. At no point did any person from the Sinn Féin Benches acknowledge that, during those years of conflict, nearly half of all those who died did so at the hands of republican organisations and that the vast majority of those who died were civilians.

**Mr D Bradley:** Will the Member give way?

**Mr Attwood:** Yes.

**Mr D Bradley:** The Member, like me, will probably have noticed that the constant refrain from Sinn Féin on dissident violence is that it is wrong because the dissidents have not outlined a strategy. Does the Member agree with

me that political violence is wrong, strategy or no strategy, and that it was wrong in the past when the Provos were involved?

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

**Mr Attwood:** Thank you, Mr Deputy Speaker. Not only was it wrong, it was anti-national, anti-democratic and it was visited primarily upon the civilian population at a time when there was an alternative, constitutional, democratic approach, even though that was difficult. Against all standards of morality, ethics and the democratic standards of the people of this island, there was offence inflicted by the IRA. So, the IRA, or the people who did the explaining for the IRA, over the summer, demonstrated that they continue to be detached from the true narrative of Irish politics over the past 30 or 40 years. In the same way, unionism, the DUP in particular, demonstrated that they were detached about the truth of what unionism did in this society for many years, and the truth about what unionist leaders failed to do over the summer months. In my view, that proves the folly of putting too many eggs in the DUP and Sinn Féin basket.

What conclusions do we draw from all that? There has been immense change. The new beginning to policing, devolution, a measure of stability and a united stand against terror are achievements that should not be discounted. However, two clear patterns in our politics have emerged. The first is that our politics are degrading before our very eyes, and we need to acknowledge that. Yes, acknowledge the achievements, but recognise that our politics are degrading before our very eyes. That is what disputes about the past, commemorations, flags and parades and the paralysis in government demonstrate. The second lesson that we have to learn is that there is no possibility that the short-term management of disputed issues, as we have seen over recent months, is a recipe for success in the future.

#### 4.15 pm

I have an extra minute, Mr Deputy Speaker. The lesson of the summer, the recent months or the past number of years is that if we are going to address these issues of flags, parades, commemorations and the past, then let us do so comprehensively and ethically and not on a selective basis. That is the conclusion that we have to draw from the summer months. If we do not apply our minds, wisdom and wit to that task, our politics will continue to degrade before our very eyes. That is the moment, the space and the opportunity created by the Haass process to deal comprehensively and ethically, for once and for all, for the unfinished business of agreement politics — the legacy of what was unfinished in 1998 and since.

If you draw conclusions from this debate, from the DUP and Sinn Féin and the actions of some of them over the summer months, you will conclude negatively.

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

**Mr Attwood:** That is not the lesson of the summer; that is not the message to send out on the opening day of this term.

**Mr Hussey:** On 11 August 2013, there were two events in my constituency of West Tyrone. There was a commemoration event in Castlederg, and there was a commemoration event in Omagh. The event in Omagh, of

course, commemorated 15 August 1998, when 29 people and two unborn babies were murdered. In Castlederg, the Derg Valley Victims Voice and the people of Castlederg wanted to bring to the attention of the republican movement the deaths of 29 people in Castlederg — 29 people who had been murdered by republicans; 29 people who had been murdered and had their deaths overlooked. There was an attitude of, "Let us just airbrush them from history."

Fifty bombs in a town the size of Castlederg. It could have been 51, because, on 11 August 1973, two men set off from County Donegal to bomb Castlederg. Thank God, they did not get across the border, because their own car bomb exploded and killed them both. What would have happened if they had got that car into Castlederg? We all know what would have happened. People would have been killed, so I thank God that those two people did not get their car into Castlederg.

I cannot understand why anybody would want to commemorate and glorify people who were prepared to do that, because, on 15 August 1998, Omagh showed us what a car bomb can do. Two men drove that car into Omagh in 1998. What is the difference between the two men who drove that bomb into Omagh in 1998 and the two who were killed in County Donegal? What is the difference? Nothing; they were terrorists, and they went out to terrorise.

So, we have Mr Kelly referring to Seamus Harvey and Gerard McGlynn as leaders who had "a vision of equality". What was the equality? What was the equality that those two men saw? Was it, "I know. We'll take a bomb into Castlederg, we'll blow the town to hell, we'll wreck everybody's business and we'll make everybody unemployed?" Was that the equality? That is a nonsense. That is an equality that nobody wants, Mr Kelly. A bomb does not bring equality. Twenty-nine deaths in Castlederg did not bring equality. Those people were murdered in cold blood.

We had situations in Castlederg in which people were murdered, and the IRA bombed their bodies. What equality does that represent?

It certainly does not represent equality in my eyes, and it is not an equality that I would want.

Mr Kelly went to say that their courage inspired others to continue the struggle — their courage encouraged others to continue the struggle. What was courageous about driving a car bomb? Are you going to stand there in 10 years' time and tell me that the people who drove the car into Omagh were courageous?

**Mr Deputy Speaker:** Could all remarks be made through the Chair, please?

**Mr Hussey:** They were cowards, Mr Deputy Speaker. Those who brought the car bomb from Donegal were cowards, and those who brought the car bomb into Omagh were cowards.

**Mr G Kelly:** Will the Member give way?

**Mr Hussey:** I will not give way. Terrorism is terrorism regardless of how you look at it.

You go on to say that they left a legacy behind them. You are damned right they left a legacy behind them. They left a legacy in Castlederg, for the Derg Valley Victims Voice, for example, with 29 unsolved deaths. They left a legacy of

mourning in houses because they took those bombs into various towns. I certainly would not want to commemorate it.

One of the points that was made — you said it, Mr Kelly, as did your leader — was that we should respect the dead with dignity. What about Enniskillen in 1987? That is the dignity that the IRA and republicans would show to our dead. The Enniskillen bomb was an indication of what republicanism thought of our right as British citizens to respect our dead. On the same day, they had a bomb in Tullyhommon which, thank the good Lord, did not go off.

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

**Mr Hussey:** So, I am sorry; I cannot see the vision of loveliness that others seem to see. The event in Castlederg was wrong, and it was shameful. I am glad that those two were killed by their own bomb because I would rather see them dead than innocent people in Castlederg.

**Mr B McCrea:** So, here we all are, back from our summer holidays. I have never listened to such a drab, dreary and depressing debate in my life. It is all about "whataboutery" and the past and not going forward. The challenges facing this society are youth unemployment, healthcare and trying to find some way through welfare reform. The people of Northern Ireland look to us to see whether we can find some solutions.

I listened to the leader of the UUP start off by saying that people here will be depressed about the fact that we are spending three of the four debates talking about the past, but then he got stuck in and wanted to pick a fight with the DUP and go on about all these things. You cannot speak from both sides of your mouth at the one time. Either you are the leader of the Protestant unionist loyalist (PUL) community, the leader that criticises the PSNI — *[Interruption.]*

**Mr Deputy Speaker:** Order.

**Mr B McCrea:** — and the person who brings forward a cultural war, or you are someone who is trying to build a better future. This shim-shamming around does no one any favours. If you are really serious about leading this country forward, you have to start showing some leadership.

The problem that I have with the motion, although there were very serious issues at Castlederg, is that it brings forward the politics of the street without resolving them. It drags us back to "whataboutery", blame and division without suggesting any way forward.

Have the Members opposite forgotten that they are actually in government with these people and are together with them? Would it not have been better for the Government to have joined together and produced a statement that, first of all, condemned all violence against the PSNI? There was a deafening silence on that. Would it not have been better to have produced a joint statement that could have provided some form of government and leadership, or are they suggesting that they are happy to go back to the 1970s?

Mr Attwood was right to say in his contribution that the way we are going here now will mean that this country will end up back in violence in three years' time if we carry on like this. There is a responsibility on the political leaders in the House to find a way forward and not to drag us back

to the past. I acknowledged Mr Attwood's contribution, but I would also point out to some other Members who are present that they too are in the Government and that they too are part of this collectivism. They should be able to make this intervention when they are around the Executive table. For that matter, I am surprised that Members from the Alliance Party are criticising certain elements of this when they are also part of the Government. You have to realise that you are all part of the Government, and the people are looking to the Government to provide some form of solution.

I will conclude on this matter by referring to Sinn Féin. The amendment that Sinn Féin has tabled is like motherhood and apple pie. How can you not agree with the statement that has been put down? Yet, it avoids dealing properly with the issue. I have to say to Members from that party that they too are in government. They should be able to get the First Minister and the deputy First Minister together and come up with a joint statement about how we deal with the problems that our people face. That is what genuine leadership is about, but perhaps this Chamber is not the place to do it.

So, when it comes to how we will vote on this motion and the amendment, I have to say this to you: a plague on all your houses. We will abstain, and we will tell you that this is not the right way to go forward. If you insist on tabling motions —

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

**Mr B McCrea:** I will give way.

**Mr Lyttle:** I thank the Member for his contributions, but it is clear that his general strategy is going to be a pretty repetitive style of attacking everybody and anything that comes forward in the House. Does NI21 have some sort of policy paper on dealing with the past that we, as the other parties, can engage with and see if you have any suggestions for working on the issue?

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

**Mr B McCrea:** I am sure that the Member intended that to be a witty, pithy interjection. The issue in this —

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

**Mr B McCrea:** No. I have given way once already; I will not do so a second time. The issue is this: you are all gearing up for these great Haass talks. I understand that there are new leaders of the SDLP delegation, that the Alliance Party is working at it and that the two parties over here will be discussing it. When will you have a sense of maturity and sort it out yourselves? When will you be able to sit around an Executive table — you are the Government — and say, "Let's thrash this out"? Why is it that, after 15 years, you still have to get somebody else to come and hold your hand?

On the interjection from my colleague from the Alliance Party, yes, we will make a contribution to the debate, but we will do so standing on our own two feet. We do not need some succour to come from across the Atlantic to say this is how we have to do.

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

**Mr B McCrea:** I appear to have stirred the leader of the UUP with only 30 seconds to go. I will not take his intervention this time, but I will engage in debate another

time. Real debate is required and not just meaningless sound bites. Real leadership is what is required and real forward thinking. Do you know what? I have looked at this —

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

**Mr B McCrea:** — pathetic debate, and I think, "Shame on all of you".

**Mr Attwood:** On a point of order, Mr Deputy Speaker. I think that it is inappropriate language if not unparliamentary language to refer to a person who is coming to enable and assist the progress of politics in Northern Ireland in the way that the Member has done. I ask him to revisit his remark.

**Mr Deputy Speaker:** I remind all Members that they should be careful with their language in the Chamber. I ask staff to review the transcript. I ask you to continue for a brief moment, Mr McCrea.

**Mr G Robinson:** I was in attendance at the highly provocative republican march in Castlederg and witnessed at first hand the devastation, hurt and trauma that that march caused to the innocent victims of IRA violence in Castlederg. Yet again, Members from Sinn Féin have proved that they do not respect the wishes or feelings of the people who have suffered from the violence that they have tried to justify. That march took place in a town that was devastated and scarred physically and mentally by the terror that the IRA wreaked on that community. Gerry Kelly should be ashamed of his comments, which, I believe, greatly exceeded the code of conduct that Members of the House sign up to. His words failed to meet the good relations criteria and could give succour to dissident republican groups to carry on the mayhem and death perpetrated by republicans.

#### 4.30 pm

It is my belief that Gerry Kelly has exposed himself and his party to justified criticism. Perhaps he can tell us all how forcing a march through Castlederg that, every other political party said, should not be permitted can be deemed as promoting good relations.

It is my pleasure to support my colleagues' motion today and to pledge myself to upholding the standards that are demanded in the code of conduct in the House.

**Mr Allister:** This debate — indeed the events of the summer, the motion and the amendment — are testament to the continuing abject failure of the Belfast Agreement. Here we are, 15 years after the new dawn of 1998 that we were all sought to be conned about, discovering that, right at the heart of government, are those who still cling to the justification — not just the justification, the eulogising — of evil, wicked terrorism. Of course, there are some in the House who should remember that they put them there. The DUP's contribution to the debate thus far, perhaps Mr Campbell excluded, has been somewhat lacklustre. Maybe Lord Morrow's conclusion will be different. However, it says to me that there is a realisation that what they have created is not working, and we saw that writ large in Castlederg.

Mr Kelly comes to the House and treats us to a rerun of his atrocious speech in Castlederg. He tells us that there was no option in the 1970s for young men but to be terrorists. Sorry, Mr Kelly, no one made you be a terrorist. You, Mr Kelly, and your ilk chose to be terrorists, you chose to pull the trigger, and you chose to plant the bomb in

circumstances in which you rejected the ballot in favour of the bullet.

In 1973 and for many years previously, Mr Gerry Kelly had the availability of the franchise: he could vote, he could stand himself for election, but he chose instead to be a terrorist. We had the 1949 Act, which delivered the guarantee that, if a majority in the House as it then was wanted a united Ireland, Northern Ireland would cease to be part of the United Kingdom. We had the 1973 Act, which gave that directly to the people of Northern Ireland in referendum. So do not come to the House and say that you had no choice. You had the choice of democracy or the choice of terrorism, and you chose the path of terrorism. You are no different from those who today still choose and tread that path.

Of course, Mr Kelly, Pontius Pilate-like, then tries to wash his hands of today's terrorism. In discussing Castlederg, he told 'The Nolan Show' that he stood over what he did as the only way to change the situation. Asked whether it was worth it, he said:

*"Would I make the same decision again? Yes."*

Gerry Kelly was saying to the listening public, "Would I kill again at the Old Bailey? Yes. Would I shoot an innocent prison officer in the head? Yes". He then expects young, easily influenced people who today have the same inclination to see some great distinction between the terror of Kelly and the terror of the so-called dissidents. There is no distinction. The godfathers of yesteryear are still responsible for breeding, sustaining, encouraging and inducing the terror of today.

Those who coat-tailed through Castlederg were showing just how committed they are to that terrorist path. The only good thing about Castlederg and the only one thing to celebrate is that, if anyone had to die that day, it was the victim-makers rather than innocent victims.

**Mr O'Dowd:** Go raibh maith agat, a LeasCheann Comhairle. I listened very carefully to the debate today and, indeed, to the debate over the summer months on Castlederg and other matters. At times, there is a responsibility on us all as political leaders to analyse what our political opponents, foes or opposition say to us, and I have been doing that quite carefully. However, when I was listening to the debate today, I was asking myself these questions: is the moral indignation that we are listening to genuine; are they seriously lecturing us from the opposite Benches on the use of violence for political purposes; and what is the purpose of today's motion on Castlederg?

So let us examine the summer months in which this society witnessed some of the worst street violence for many years. Hundreds of police officers were injured in scenes that we had hoped were consigned to the history books. On at least two occasions, senior police officers made it quite clear that the intention of those behind the street violence was to murder officers. Yet the debate today is about a parade that passed off peacefully; where those who wished to parade, paraded; where those who wished to protest, protested; and everyone — everyone — got home safely. However, the DUP has brought to the Chamber a debate about that peaceful parade. Why? It goes back to my earlier point: are they serious in thinking that we on these Benches believe their moral indignation about political violence? We do not.

We have to build a future with our partners in government, our partners who are not in government and the people, but let us examine a few things. This state was founded on the threat and use of violence. Mr Nesbitt, the current leader of the Ulster Unionist Party, said that he believes that his party left a few stones unturned in relation to the past and that it should have done things better. I suggest that you did not leave any stones unturned. The Ulster Unionist Party used every piece of repressive legislation that it could to ensure that a significant proportion of this population was treated as second-class citizens. Indeed, it led to the apartheid regime in South Africa commenting that it wished that it had that legislation.

Let us go forward a number of years and look at the moral indignation at commemorating those who lost their lives as a result of the conflict. They were combatants — they knew the risks that they faced. They volunteered to be members of the IRA, and they went out and faced those risks. You have to accept the risks if you volunteer for that. Is it moral indignation at republicans commemorating them? Over the weekend, 72 loyalist bands marched down the Shankill Road, as they have every year since UDA volunteer Brian Robinson was shot dead in an SAS ambush. Let us look at what Brian Robinson carried out. Brian Robinson drove up on to the road and shot dead the first Roman Catholic he spotted. When he went to make his escape, an SAS unit, which was clearly well briefed on what was going to happen, shot him dead. The Brian Robinson memorial flute band has paraded ever since. Who has paraded behind the Brian Robinson memorial flute band past the spot where Paddy McKenna was shot dead? Unionist politicians of every colour and creed have, since then, marched behind the Brian Robinson memorial flute band past that area. I have not heard any unionist politician comment on those bands marching down the Shankill Road. So are they opposed to commemorations? No. Indeed, we are told that, in Mr Campbell's constituency, four UVF car bombers who killed themselves are commemorated every year. So there is no moral indignation about violence.

**Mr Nesbitt:** I thank the Member for giving way. The Member may be unaware that I have called on the Secretary of State to outlaw any parade commemorating terrorism. If we can all agree on the principle of that, we can do our audit of current parades and decide which ones would fall outside the law in future. However, I have to put this challenge to Mr O'Dowd, given that Mr Kelly believes that shooting a prison warden in the head is not an act of terrorism: are we going to agree on what a definition of "terrorism" is?

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

**Mr O'Dowd:** We need to agree on the future because we are not going to agree on the past, for very valid reasons on each side. However, we have to agree on how we deal with the past and how we deal with the future.

I will quote our absent First Minister, who has been away for six weeks, which I think is also totally unacceptable:

*"If we want to fight the battles of the last 40 years for the next 40 years then the peace that has been won will never deliver the prosperity the Province needs."*

I get the sense that DUP Back-Benchers, and indeed a number of Front-Benchers, want to fight the battles of the past 40 years over and over and over again. I think that



that will be a huge mistake, because we will not be able to move forward if we continue to return to and debate in this Chamber or in the media over and over again the collective mistakes of the past. Our job is to build a political future for everyone in this society, and that task belongs to us all. Go raibh míle maith agaibh.

**Lord Morrow:** There has been much said in this debate. Some of it has been quite useful, but some of it has been to the contrary. It is interesting to listen to some of the speakers, in particular those on the Sinn Féin Benches, who seem to fail to understand. Indeed, Mr Kelly threw out a challenge, exhorting unionists on this side to read what he said. He concluded that unionists had not, in fact, read what he said. Many unionists have read what he said, but Mr Kelly should not be one bit surprised if unionists do not read what he says, because we came to the position a long time ago that actions speak louder than words. We hear honeyed words and nice speeches — not well meaning, but well concocted — that are put together in the hope that unionists will fall for them.

I listened intently to what John O'Dowd said. Maybe Mr O'Dowd has, at long last, come to the position that unionists came to quite some time ago. He said that we need to agree on the future as we cannot agree on the past. How right he is, because Sinn Féin has devoted all its time and energy to trying to rewrite the past. Maybe that has dawned on Mr O'Dowd, and maybe he should share that with his colleagues. We in the DUP are not going to allow Sinn Féin or anybody else to rewrite the past and history.

**Mr Campbell:** I thank the Member for giving way. He referred to what Mr O'Dowd just said. Mr O'Dowd also raised the issue of the Brian Robinson parade and the Freeman Memorial parade in Coleraine. Does the Member agree that the massive, Grand Canyon-like chasm of a difference between those two parades and the one in Castlederg is that the parade in Castlederg was organised, endorsed, validated, supported and eulogised by Sinn Féin and the others were not by any unionist party? That is the difference.

**Lord Morrow:** The point that my colleague Mr Campbell makes is very significant. On that point, I want to say something else, and again, I ask Sinn Féin, as well as the SDLP, to take note. As elections come up here in Northern Ireland, we know the type of person that Sinn Féin will put forward: it is the one with the military record and the one who has, as it were, done time. Most of them have a criminal record, and they get endorsed by the community, which in some way empowers them. Therefore, they are what you call well-trained activists, who have been skilled in the awful things that have happened over the past 35 years.

#### 4.45 pm

The SDLP also rounded on us. Let me say to the SDLP that we do not forget its actions. It will have to live with this one until it distances itself entirely from it. There is no unionist in this House who would ever stand up and say, "Let us have some of our play parks named after convicted terrorists." That will not happen. Sadly, it happened in the SDLP. This is one that it has to live with.

I was also interested in Mr Nesbitt. He is a sort of johnny-come-lately to politics. He has a lot of learning to do. He

then tries to lecture the DUP on the Maze. If I had my way, Mr Nesbitt, the Maze would still be full. We know who swung the doors open. We know who let them out.

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

**Lord Morrow:** Sit where you are. *[Laughter.]* We know who disbanded —

**Mr Deputy Speaker:** Order. I ask that all remarks be made through the Chair, please.

**Lord Morrow:** Let me say that Mr Nesbitt need not come in here, into this House, and start to lecture unionists who have been in public life for 30 or 40 years. We do not need any lectures from the likes of Mike Nesbitt, because some of us have forgotten more about politics than he has ever learnt.

Let me also say this: he did make a confession that during his party's term, it left some stones unturned. He did not name what those stones were. If he wants to name them, I am happy to give way and give him a bit of space to do that. However, he needs to start telling us what stones he is talking about that his party left unturned.

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

**Lord Morrow:** Will you talk about stones unturned?

**Mr Nesbitt:** I will certainly mention stones unturned.

**Lord Morrow:** Well, if he will talk about stones unturned, I will give way to him.

**Mr Nesbitt:** I thank the Member for giving way. I have mentioned stones unturned. I may be new to politics but I know enough about this to know that, in negotiation, when you have made the first step, you wait for somebody else to make the second step. So, I will not make a second step and start detailing the stones unturned. *[Laughter.]* I ask the Member whether he realises that the prison would now be empty had there been early release or not? I ask him whether he condemns Israel for the early release of prisoners in its peace process.

**Lord Morrow:** I will stick to our own situation here and will not travel to Israel. Perhaps, the Member, when he deals with that, could tell us whether the RUC would still be here or gone? No, Mr Nesbitt: it is gone, thanks to you and the likes of you.

Let us be very clear: in this country, we are either up for moving on or we are caught in a time trap like Sinn Féin Members opposite. They tell us that they want to move on, but that they want to stick with the past. It has been put very clearly to Mr Kelly today: does he see the dissidents as terrorists or just misguided republicans? His silence is deafening. By his actions in Castlederg and his words and deeds, he has done more to encourage the dissidents than any other individual in this country. Mr Kelly needs to make up his mind. He needs either to unshackle himself entirely from the past or to say that he needs his past because it keeps him very sweet with his community. Mr Kelly, there comes a time when people have to make decisions. You are at that stage in your life, if I might say so to you.

**Mr G Kelly:** Will the Member give way?

**Lord Morrow:** In just a moment. You must tell the community at large —



**Mr Deputy Speaker:** I ask again that all remarks be made through the Chair, please.

**Lord Morrow:** He must say, "Yes, we in Sinn Féin have an awful past". He must say very clearly that for Sinn Féin/IRA, which led that murderous campaign, that is in the past and it is moving on to a new future.

**Mr G Kelly:** Will the Member dissociate himself from the apartheid system, which unionists ran for generations in this area, or will he maintain that there was absolutely nothing wrong with the endemic discrimination and oppression of the Catholic and nationalist people over generations?

**Mr A Maginness:** How did that justify violence?

**Mr Deputy Speaker:** Order.

**Lord Morrow:** Mr Kelly is again trying in some way to justify the actions of the Provisional IRA over the past 40 years. I am sorry; that is not going to wash and it is not going to wear. He has to realise that he is either moving on or dragging the past with him. Come on. He cannot have it both ways — he just cannot. Today is an opportunity for Sinn Féin to declare that it is on the side of law and order for a change. It tells us that — *[Interruption.]* We heard your talk about equality. We know your definition of equality; we understand it all right. You fought —

**Mr O'Dowd:** What is your definition of law and order?

**Lord Morrow:** You had the —

**Mr O'Dowd:** What is your definition of law and order?

**Mr Deputy Speaker:** Order.

**Lord Morrow:** They had the IRA fighting for equality, allegedly, for 40 years. What were they doing? They were killing people. They were taking car bombs into towns to blow people to pieces. They were shooting people in the back. They were shooting children going to school. That is, of course, how they believed in equality. Have they or have they not moved on? Are they stuck in their time warp? We see them here today, and they come across as saying, "We are very constructive politicians, but we are going to have our past with us, and we are going to remember it." No, Mr Kelly, the position is very clearly this: there is a difference between the agents of law and order, and terrorists. You were on the side of the terrorists. You did not have to be; you chose to be.

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

**Lord Morrow:** We are going to stay on the side of law and order, and push for a society here that everybody can share in.

*Question put, That the amendment be made.*

*The Assembly divided:*

Ayes 36; Noes 52.

## AYES

Mr Attwood, Mr Boylan, Ms Boyle, Mr D Bradley, Mr Brady, Mr Byrne, Mr Dallat, Mr Durkan, Mr Eastwood, Ms Fearon, Mr Flanagan, Mrs D Kelly, Mr G Kelly, Mr Lynch, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCartney, Ms McCorley, Dr McDonnell, Mr McElduff, Ms McGahan, Mr McGlone, Mr McKay, Mrs McKevitt, Ms Maeve McLaughlin, Mr Mitchel McLaughlin, Mr A Maginness, Mr Maskey, Mr Milne,

Ms Ni Chuillín, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Mr P Ramsey, Ms Ruane.

*Tellers for the Ayes: Mr G Kelly and Ms Ruane.*

## NOES

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, Mr Dickson, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Easton, Mr Elliott, Dr Farry, Mrs Foster, Mr Frew, Mr Gardiner, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hussey, Mr Irwin, Mr Kennedy, Mr Kinahan, Ms Lo, Mr Lunn, Mr Lyttle, Mr McCarthy, Mr McCausland, Mr I McCrea, Mr McGimpsey, Mr D McIlveen, Miss M McIlveen, Mr McQuillan, Lord Morrow, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mr Poots, Mr G Robinson, Mr Ross, Mr Storey, Mr Swann, Mr Weir, Mr Wells.

*Tellers for the Noes: Mr Anderson and Mr G Robinson.*

*The following Members voted in both Lobbies and are therefore not counted in the result: Mr Agnew, Mr McCallister, Mr B McCrea*

*Question accordingly negated.*

*Main Question put.*

*The Assembly divided:*

Ayes 52; Noes 24.

## AYES

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, Mr Dickson, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Easton, Mr Elliott, Dr Farry, Mrs Foster, Mr Frew, Mr Gardiner, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hussey, Mr Irwin, Mr Kennedy, Mr Kinahan, Ms Lo, Mr Lunn, Mr Lyttle, Mr McCarthy, Mr McCausland, Mr I McCrea, Mr McGimpsey, Mr D McIlveen, Miss M McIlveen, Mr McQuillan, Lord Morrow, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mr Poots, Mr G Robinson, Mr Ross, Mr Storey, Mr Swann, Mr Weir, Mr Wells.

*Tellers for the Ayes: Mr Anderson and Mr G Robinson.*

## NOES

Mr Boylan, Ms Boyle, Mr Brady, Ms Fearon, Mr Flanagan, 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 Maskey, Mr Milne, Ms Ni Chuillín, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Ms Ruane.

*Tellers for the Noes: Mr G Kelly and Ms Ruane.*

*The following Members voted in both Lobbies and are therefore not counted in the result: Mr Agnew, Mr McCallister, Mr B McCrea*

*Main Question accordingly agreed to.*

*Resolved:*

*That this Assembly confirms its continued support for the terms of the ministerial Pledge of Office, in particular, the commitment to non-violence and exclusively peaceful and democratic means; further*

*confirms its commitment to the principles of personal conduct contained in the code of conduct for Members of the Northern Ireland Assembly, in particular, the requirement to promote good relations; rejects the comments of Gerry Kelly MLA at the Castlederg IRA memorial event that will give succour to dissident republican groups and help indoctrinate a new generation down the path of violence; and condemns the use of terrorist violence in the present day, and the past.*

*Adjourned at 5.21 pm.*

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# Northern Ireland Assembly

Tuesday 10 September 2013

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

*Members observed two minutes' silence.*

## Assembly Business

### Public Petition:

#### Pinewood Residential Care Home

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

**Mr Frew:** In delivering this petition to you this morning, I speak on behalf of the residents, their family members and the population of north Antrim. At the outset, I want to say that I am not here in this place to fight for buildings, institutions or establishments; I am here in this place to fight for the people of north Antrim and the services that this Assembly, this Executive and this Government provide to them. I am here today to hand in a petition on behalf, and in support, of Pinewood Residential Care Home, which provides an excellent service to the people of north Antrim and further afield. It provides residential care, rehabilitation and respite care to the most needy and vulnerable.

I have heard nothing throughout the debates over the past number of months to suggest that Pinewood Residential Care Home should close. It is inevitable that residential care homes will close as buildings grow tired and old, but Pinewood Residential Care Home in Ballymena is not one of those homes. The excellent facility that it is and the service that it provides to the people of the area mean that it should not be closed in the near or distant future.

People will play politics with this issue, but I am very clear that I am here for the people of north Antrim and Pinewood. I am here to do what they will and to fight for this home.

Consultations are ongoing. I am certainly not of the mind that Pinewood should close. Pinewood should be enhanced. Shame on the trust, because, for the past five years, it has wound the facility down. It has prevented people from moving into Pinewood. It has wound it down deliberately so that it would be easier to close at a future date; that is totally and utterly unacceptable. I call on the trust to reverse that trend and open the doors of Pinewood to let people in for residential care, rehabilitation and respite. Pinewood can be a real value to the community as it is, and it could be an even greater facility to the people of north Antrim.

*Mr Frew moved forward and laid the petition on the Table.*

**Mr Speaker:** I will forward the petition to the Minister of Health, Social Services and Public Safety and send a copy to the Chair of the Health Committee.

## Ministerial Statements

### North/South Ministerial Council: Tourism

**Mrs Foster (The Minister of Enterprise, Trade and Investment):** With your permission, Mr Speaker, I wish to make a statement in compliance with section 52 of the Northern Ireland Act 1998 regarding a meeting of the North/South Ministerial Council in tourism sectoral format. The meeting was held in Armagh on 26 June 2013. Minister John O'Dowd MLA and I represented the Northern Ireland Executive. The Irish Government were represented by Leo Varadkar, the Minister for Transport, Tourism and Sport, who chaired the meeting. This statement has been agreed with Minister O'Dowd, and I make it on behalf of both of us.

Tourism Ireland's chairperson, Mr Brian Ambrose, and its CEO, Mr Niall Gibbons, updated Ministers on the work of the Tourism Ireland board, including the implementation of the 2013 business plan and the development of the corporate plan 2014-16. Ministers noted the ongoing challenges and competitive environment for international tourism arising from global economic conditions. The CEO made a presentation to Ministers on market performance to date in 2013. The Council noted the marketing campaign highlights for 2013, in particular the worldwide campaigns for the UK City of Culture 2013, the Jump into Northern Ireland showcase at the European Parliament, and the global greening initiative around St Patrick's Day.

Tourism Ireland is developing its corporate plan for 2014-16. Themes identified to date include enhancing brand knowledge and relevance; driving consumer engagement; capitalising and building on Northern Ireland's strengths; building successful partnerships and alliances; focusing resources to compete and win; harnessing the power of digital marketing; and developing meaningful metrics to provide direction for investment. The Council noted Tourism Ireland's annual report and accounts for 2012 and approved the body's business plan and budget for 2013. Ministers also approved the Special EU Programmes Body's business plan for 2013.

**Mr McGlone (The Chairperson of the Committee for Enterprise, Trade and Investment):** Go raibh maith agat, a Cheann Comhairle. Gabhaim buíochas leis an Aire as a ráiteas. Thanks to the Minister for her statement. I want to ask her about the Tourism Ireland board and the development of its corporate plan. What targets are being put in place to measure the success of those corporate plan themes?

**Mrs Foster:** I thank the Chairman for his question. As he will know, the targets in the corporate plan reflect our Programme for Government tourism targets. I am pleased to say that we have met a number of those targets over the past year. We have exceeded the target for revenue spends. Take the GB market, for example. The 2012 visitor numbers target was 1.66 million, and we had 1.56 million, so that target was not achieved. However, the target for the amount of money spent by those visitors was achieved and, indeed, exceeded. That target was £390 million, and, in reality, £418 million was spent. In respect of the Republic of Ireland market, we had 0.43 million visitors against a target of 0.352 million and we had revenue well in excess of the target. The target was £44 million and the revenue was £70 million. So the Republic of Ireland market is a very good market for us at present.

What is pleasing about the GB market is that we have been able to grow our revenue. Though we would like to have seen more people visiting, I think that that is reflective of the GB market in general. Indeed, Visit Britain indicated that it had 1% downturn last year in respect of those visiting even within their own jurisdiction. So, the GB market has retracted significantly, and it will be a while before it comes up to where it was previously.

So, targets are being met, and we are pleased to see that, albeit that the GB market remains a challenge.

**Mr Newton:** I thank the Minister for her statement and, indeed, overall, the very good work that is being done in this area. I wonder whether the Minister could make some comment around:

*“harnessing the power of digital marketing”.*

Does she think that we are making as much use of that as we could? Are we realising the potential of that whole digital area?

**Mrs Foster:** I am very pleased to tell the House that that is very much so with respect to Tourism Ireland. Among tourist bodies across the world — that is not a small area — we are number two in digital penetration. That is across a number of platforms: Twitter, Facebook, and all the newer platforms with which, it has to be said, I am not completely au fait.

I was with our chief executive officer (CEO) last week in New York and Canada, and he was very clear that we have really harnessed digital media in a very meaningful way. That has helped with our penetration into some of those markets in which, ordinarily, we would not have had a great presence. So, I am very pleased to report that, yes, we are very much enhancing the use of social media in respect of Tourism Ireland.

**Ms Maeve McLaughlin:** I thank you, Minister, for the statement, particularly for the identification of the themes of the corporate plan. In relation to visitors from the Twenty-six Counties, which was clearly identified as a key growth area, may I ask what is being done to market it? Do we have an actual number for the visitors to the North as a result of the ni2012 campaign?

**Mrs Foster:** Of course, you are right to mention ni2012 because it was a huge success for us in Northern Ireland. With respect to Republic of Ireland visitors, that is not the responsibility of Tourism Ireland but of the Northern Ireland Tourist Board. Visitors from the Republic of Ireland market

in 2012 were up by 19 percentage points to 70,000. That is a very significant increase, and I think that it is down to the fact that we spent considerable time marketing the wide range of events that happened in 2012. We have seen the benefit of that, particularly in events such as the Irish Open and smaller events, perhaps, such as the Beckett Festival. As we all know, the Titanic centre has welcomed its millionth visitor. Of course, those visitors were not just from the Republic of Ireland, although there has been an increase in visitors from that area coming up to Belfast and indeed around. The Titanic visitor centre has had 145 countries represented in it over this past year. I think that that is a tremendous achievement for everybody down at Titanic Belfast, and we will of course work with them to grow that number in the future.

The Member herself, coming from the city of Londonderry, will know that events play a huge role in attracting people to particular parts of Northern Ireland. We have seen her city really rise to the challenge over this past year, with a number of events that have brought visitors to the city, including the fleadh and the Walled City Tattoo, and we look forward to the rest of the year, which includes hosting the Turner Prize and Lumiere. Those will be standout events for that city and region. We look forward to those as well.

**Mrs Overend:** I thank the Minister for her statement and the information that she has presented to us this morning in answer to the other questions. I note with interest that Tourism Ireland is developing its corporate plan for 2014-16. I wonder whether the Minister could outline when she expects to have her Department's tourism strategy and action plan finalised and published.

#### 10.45 am

**Mrs Foster:** As the Member knows, we have moved away from an actual tourism strategy and moved to priorities for action, and, indeed, she will know that that has been with the Executive for a considerable period. I very much look forward to receiving it out of the Executive. If she thinks that it is holding us back with regard to tourism, I can tell her that it is not. I said to her on many occasions that actions speak a lot louder than strategies, and I am very pleased that we have been able to roll out some significant events over the past couple of years, particularly this year. We look forward to huge events next year. The Giro d'Italia is going to be a marvellous spectacle of road racing in Belfast, Armagh and all around the country. I will be announcing the route for the Giro d'Italia in October. The Tall Ships race comes back to Belfast in 2015, and we look forward to that event as well.

**Mr Lunn:** I thank the Minister for her statement. It refers to the marketing campaign highlights, one of which was the Jump into Northern Ireland showcase. I hope that I am not the only one here who has no idea what that is. However, I particularly want to ask her about “The Gathering”, which is perhaps the biggest marketing campaign of the year on an all-Ireland basis. Have we had any discernible spin-off from that campaign in the North so far?

**Mrs Foster:** I am sorry that the Member is not aware of the Jump into Northern Ireland showcase; maybe that shows that there needs to be more communication. It was an event in Brussels that was hosted by Diane Dodds MEP. We were able to attract a huge number of people to have a look at and to experience what was happening in

Northern Ireland. I cannot recall the date of it. I think it was in February/March; it was certainly before the G8 summit. Yes, it was in February, before the G8 summit, because part of the whole plan at that time was to put Northern Ireland out there as the home of the G8 summit, and we did that very effectively. So, the Jump into Northern Ireland event was very good.

As I said many times in the House, "The Gathering" is an initiative by the Republic of Ireland's Government around not only tourism but economic development. We wait to see how that has gone for them. I also said on many occasions that, if we were to gain any benefit from that initiative, we would, of course, welcome it.

**Mr Dunne:** I thank the Minister for her statement. Can she advise on what has been done to improve the uptake of more airlines operating into Northern Ireland in our three airports: the international, Belfast city and, indeed, Londonderry airport?

**Mrs Foster:** I thank the Member for his question. I said many times in the House that our first priority must be to achieve a route back into Canada. We had two airlines into the Belfast International Airport until 2009 but, unfortunately, both pulled out. We really need to get that route back in place again. Perhaps we do not have the capacity to put it on every day of the week, but I think that there is certainly a very strong argument for putting it in place at least a couple of times a week. I had the opportunity to speak with a Canadian airline when I was in Canada on Friday. We will keep pushing at that particular door, because we believe that it is a very good prospect for us.

Of course, I was delighted yesterday to hear that easyJet has announced two new routes to Jersey and Bordeaux. We always welcome new connectivity, whether for tourism or for business links. We will keep working with all the airports to see whether there are any other opportunities for us, but, for me, the primary route at present is Canada. We would also very much like to see a route into Germany, and we are working on that.

**Mr A Maginness:** I thank the Minister for her statement. The statement is, of course, self-explanatory regarding Tourism Ireland, but could the Minister give her assessment of where we are with regard to developing tourism in Northern Ireland and throughout Ireland, because Ireland really is a single destination in the minds of many international tourists? What is her view of that for the future?

**Mrs Foster:** My view is predicated on the fact that, from a Northern Ireland perspective, we need more air access. There is no doubt about that, and that is why I have made it a priority in tourism policy. At present, we are trying to attract visitors either from the GB mainland, if they arrive as UK visitors, or those who arrive into Dublin so that we can attract them up to the wider Northern Ireland and make their visit very attractive.

The fact that some of the tour groups in the Republic of Ireland are putting Northern Ireland on the agenda has been of great benefit to us. We need to see more of that, and we need to see not just the Titanic centre being taken in by those tour operators but the wider Northern Ireland. That, of course, is a job of work for us to engage in.

The work that was mentioned in the economic pact about looking at a visa that works both ways — in other words, if people arrive into Ireland without a UK visa they can come into Northern Ireland — is an important piece of work. The Member will know that if you have a UK visa you can go into the Republic of Ireland, but it does not work in the other direction. We need to see that working its way through to make sure that as many visitors as possible come up here to Northern Ireland. We now have the product and the events in Northern Ireland. We have, as the Tourist Board's new strategy tells us, the experiences for people to come. Therefore, we really need to deal with that visa issue.

**Mr Dallat:** I welcome the statement and enthusiastically support the Minister in talking up our tourist industry. The corporate plan for 2014-16 makes interesting reading. I would like to ask the Minister in particular about:

*"developing meaningful metrics to provide direction for investment."*

Would she agree that, although we have had our short-term gains, such as the Titanic centre, the Irish Open, the City of Culture and so on, we need to focus now very carefully on our long-term investment and persuade those people who have still got money to invest it in tourism and the development of the River Bann and many other aspects of tourism that have enormous potential?

**Mrs Foster:** I would not say that the Titanic centre is a short-term investment. The fact that we had the Irish Open here at Royal Portrush last year said an awful lot about our capacity to hold such events. Indeed, I hope that the golfing world was watching very carefully because it was a very successful event. That was true not just in terms of the enjoyment of those people who came to watch it but of the logistics of the event, which were second to none. I believe that it sent out a very positive message.

With all events, it is about the legacy that they leave behind. We have seen that right across Northern Ireland. The Titanic centre will be here for a long time to come, but if the Member is suggesting that we need to work harder in providing more regional product I would fully support him in that.

I very much want the Titanic centre to act as a catalyst to bring people to Northern Ireland. The important thing is that we get people out across Northern Ireland because tourism is an industry that operates right across Northern Ireland, and we need to build it up in areas that, perhaps, do not have as strong an infrastructure as that of some of our cities.

**Mr Allister:** I note that one of the themes of the upcoming corporate plan is "enhancing brand knowledge and relevance". What assurance can the Minister give us that Northern Ireland will get a fairer crack of the whip when it comes to brand knowledge and relevance?

Very often — indeed, it was my experience this summer when visiting North America — I talk to people who say that they see lots of adverts about Connemara, Kinsale, Dublin and the west of Ireland but seldom see adverts about Northern Ireland. Are we going to continue to be sold short under the new branding in the new corporate plan?

**Mrs Foster:** I do not accept that we are being sold short. Indeed, part of the ni2012 campaign was to give us that



particular standout, not just in our closest markets but right across the world. I pushed that very hard with Tourism Ireland, and it has delivered the numbers.

The Jump into Northern Ireland campaign was previously known as Jump into Ireland. We now have a Jump into Northern Ireland brand.

I was very pleased to see that being used at a play in New York last Thursday. The Lyric Theatre was putting on 'Brendan at the Chelsea', and the Jump into Northern Ireland brand was on the front of the programme. So the answer is yes: Northern Ireland is a very strong brand. I will continue to push it and to ensure that Tourism Ireland pushes it as well.

## **North/South Ministerial Council: Trade and Business Development**

**Mrs Foster (The Minister of Enterprise, Trade and Investment):** With your permission, Mr Speaker, I wish to make a statement in compliance with section 52 of the Northern Ireland Act 1998 regarding a meeting of the North/South Ministerial Council in trade and business development sectoral format. The meeting was held at the offices of the North/South Ministerial Council in Armagh on Wednesday 26 June 2013.

The Executive were represented by me, in my capacity as Minister of Enterprise, Trade and Investment, and by John O'Dowd MLA, Minister of Education. The Irish Government were represented by Richard Bruton TD, Minister for Jobs, Enterprise and Innovation. This statement has been agreed with the Minister of Education, and I am making it on behalf of us both.

The Council received a presentation from Martin Cronin, the chairperson of InterTradelreland and Thomas Hunter McGowan, its chief executive officer (CEO), on InterTradelreland's performance and business activities, including information on performance against its 2012 business plan targets, highlights from its trade and innovation programmes and business and economic research activities in 2012 and to date in 2013. The Council noted that, during 2012, InterTradelreland had delivered a 13:1 return on investment; assisted 92 first-time innovators; assisted 67 first-time exporters; delivered 6% efficiency savings; and delivered a total business value of £92.1 million. The Council approved InterTradelreland's 2013 business plan and recommended that the 2013 budget provision for InterTradelreland be £9,507,000.

Ministers noted InterTradelreland's cross-border study 'Access to Finance for Growth in SMEs in Ireland and Northern Ireland' and the emerging findings arising from the report. Those findings included that the state of the wider business environment in Ireland and Northern Ireland is closely linked to the issue of finance for growth in SMEs; demand for credit has fallen substantially since 2008, although a majority, 61%, were successful in applying for new credit in the third quarter of 2012; the percentage of businesses that cite lack of finance as a constraint on growth continues to increase; and businesses with distressed property debt are three times more likely to request working capital finance than their counterparts.

The Council noted InterTradelreland's update paper on the FP7 and Horizon 2020 programmes. Ministers noted that the total drawdown from FP7 projects to participants from both jurisdictions is valued at €60.7 million, distributed among 69 projects. It also noted that four new successful projects had recently been announced. They welcomed the measures aimed at facilitating collaboration on FP7 and Horizon 2020 between researchers, companies and relevant organisations from Ireland and Northern Ireland.

Ministers noted a presentation by officials from the Department of Enterprise, Trade and Investment and the Department of Jobs, Enterprise and Innovation that reviewed the operation of the enterprise theme of the current INTERREG IVa programme. They welcomed the practical benefits and legacy of the programme and noted the likely shape of the successor to INTERREG IV, which is being developed. I commend the statement to the Assembly.

**Mr McGlone (The Chairperson of the Committee for Enterprise, Trade and Investment):** Go raibh maith agat, a Cheann Comhairle. Gabhaim buíochas leis an Aire chomh maith. The Minister will be aware that the Committee has taken a lot of interest in and placed a lot of emphasis on research, innovation and development. That is the case with FP7 but more so, potentially, with the Horizon 2020 project and the benefits that it could realise for innovation, research and development projects. As most people know, those projects, tailored with the proper skills, are the way forward for the development of new industry on the entire island of Ireland. Will the Minister give us some indication and maybe a wee bit of expansion as to what exactly are the measures that are “aimed at facilitating collaboration”? How will they lead to more outreach work with the SMEs, which are so crucial to the development of our local economy?

**Mrs Foster:** I thank the Member for his question. I assure him that the first meeting that I had with the new CEO of InterTradelreland, Thomas Hunter McGowan, was about just that: how we get more small and medium-sized enterprises across Northern Ireland involved in innovation and how we can facilitate them to do so, given the fact that they do not have the infrastructure of large firms to do any of that.

**11.00 am**

With regard to what InterTradelreland has been engaged in, it had a successful ‘Collaborate to Innovate’ conference on 16 May, and feedback from that has been very positive. My Assembly Private Secretary (APS), Alastair Ross MLA, attended for me as I was unable to attend.

There is more structure now as regards cooperation between the higher education institutions in the Republic of Ireland and those in Northern Ireland, particularly the institutes of technologies in the Republic, to identify and build collaborations between them with regard to Horizon 2020.

To go back to the use of digital technology, InterTradelreland is developing a Horizon 2020 app for mobile devices, and I look forward to seeing the finished product in the autumn, hopefully in October. That will try to increase awareness of Horizon 2020 and make it accessible for small firms so that it will give them all the information and have it readily available so that it can be accessed by small and medium-sized firms, rather than them having to go to look for the information.

We are taking very practical steps to try to work with small and medium-sized firms. We will, of course, look at holding events around Northern Ireland again as we have done in the past.

**Mr Newton:** I thank the Minister for her statement, and I note that in it she referred to the work being done on the growth of SMEs. She will be well aware of the fact that Northern Ireland’s economy is, essentially, an SME economy. Will the Minister expand a little bit on the work that InterTradelreland is doing in the SME market, particularly in Northern Ireland?

**Mrs Foster:** As I indicated, when I spoke to the new CEO, Thomas Hunter McGowan, that was one of the focuses of our meeting, because I feel that InterTradelreland can make a difference to small and medium-sized companies. However, we do not want to duplicate what Invest Northern

Ireland is doing, and duplication is always one of the things that we talk about with InterTradelreland. We need it to add value to what Invest Northern Ireland is engaged in. It provides help to small and medium-sized companies through a number of its programmes and initiatives.

Acumen, which is a trade programme designed to simulate cross-border businesses for SMEs, reported a total of 76 new projects. I do not have the target for how many it was to put in place, but the reported business value and jobs impact of that was 122 new jobs. Although InterTradelreland is not a job creation body — it is a trade organisation — we asked it some time ago to put in a matrix so that we could measure the number of jobs that it was creating as a consequence of helping businesses to trade in a more effective way. The jobs impact of that single project was 122.

Go-2-Tender, which is another very good programme — one of my favourite programmes from InterTradelreland — tries to help small companies to tender in the opposite jurisdiction and to get work from the public sector. Again, that was very successful and had a jobs impact of 63. Therefore, each of the programmes is having an impact in respect of jobs, and they are also having a good and positive impact on the small and medium-sized business sector.

**Mr Flanagan:** Go raibh maith agat, a Cheann Comhairle. Cuirim fáilte roimh ráiteas an Aire. I thank the Minister for her statement. The Minister referred to InterTradelreland’s cross-border study on access to finance for growth in SMEs and talked about some of the findings arising from the report. Can she give us any more information on the report and whether there are any recommendations in it that might be taken forward in conjunction with the recommendation in the economic advisory group’s recent report?

**Mrs Foster:** I thank the Member for his question. We had only the emerging findings at our meeting in June, and we are hoping to have the final report with us in the very near future. The pleasing aspect is the fact that the InterTradelreland report could use the data collected by the economic advisory group in relation to Northern Ireland and the access to finance study in relation to all of the island.

I thank InterTradelreland and the economic advisory group for their effective coordination. We look forward to receipt of the full report. I should say, however, that the business monitor from InterTradelreland tentatively signalled that, for quarter 2, things in the economy were getting a little better, and they stated that over 64% of businesses maintained or increased their sales over the past quarter. That ties in with what we have been hearing from other indicators for Northern Ireland, including the Ulster Bank just yesterday.

So, although I do not want to overstate issues by talking perhaps about a turn in economic growth, I think that all the indicators seem to be pointing in the right direction for the first time.

**Mrs Overend:** I thank the Minister for her second statement. I just want to probe a wee bit more about access to finance. The cross-border study states:

*“the state of the wider business environment in Ireland and Northern Ireland is closely linked to the issue of finance for growth for SMEs”.*

Does the Minister agree with that statement, and would she agree with me that many SMEs in Northern Ireland are still struggling to access finance?

**Mrs Foster:** I think that that is right. I also think that the telling part of the emerging findings was that those small and medium-sized businesses that had been exposed to property debt during the recession are those that are finding the greatest difficulty with working capital. I am sure that that is borne out by what Members are told by their constituents. I regularly come across people who purchased property for investment reasons and now find that it has become a real drag on the growth of their small business. They cannot get the working capital that they need from the banks because the security that they had has fallen away from them.

So, that continues to be an issue for us. The Finance Minister and I had a range of meetings with the banks, which we concluded during the summer months. I know that a ministerial advisory group has been set up in the economic pact to look at our national initiatives and at whether they are having an impact in Northern Ireland in the way that they are. The Finance Minister is having a meeting tomorrow with the Secretary of State and the British Bankers' Association to try to get the regional data so that we can really see what is happening here in Northern Ireland.

So, I welcome InterTradelreland's report and look forward to the final report. However, it is, of course, part of the wider issue of what is happening nationally with finance.

**Mr Lunn:** I thank the Minister for her statement. One of the success stories in Northern Ireland over the past few years has been the performance of the film industry. Perhaps the biggest success story in that sector has been 'Game of Thrones', which, according to the Northern Ireland Screen report, has produced a return of 7:1, which is regarded as brilliant. InterTradelreland, according to this report, has delivered a more stellar return of 13:1, which, as I understand it, is absolutely unheard of. I know that those are not the Minister's figures, so is she satisfied that they do not require a bit more investigation?

**Mrs Foster:** I am satisfied, because we probed that very issue of whether they were real and meaningful figures. However, if you look at the budget that InterTradelreland receives and then look at the return that has been delivered on that budget, you will see that it comes out at 13:1. I think that that is a very good investment. I have seen the investment through all its programmes and activities, and all that we can do is to encourage them to reach out and to try to get even more.

**Mr Dunne:** I thank the Minister for her statement. I think that we all welcome InterTradelreland's increase in public awareness initiatives. It has been meeting elected representatives, MLAs and councillors, and that is to be welcomed. Will the Minister advise us of the work of InterTradelreland's Fusion programme and how Northern Ireland businesses have benefited from it?

**Mrs Foster:** Fusion is another of InterTradelreland's programmes. I have talked about Acumen and Go-2-Tender. Fusion is a technology transfer programme that provides companies with new product or process-development needs. The good thing about that programme is that it employs graduates from the other jurisdiction. Over 80% of those graduates are then offered jobs, which

is a very good statistic. In 2012, companies reported a business development value of £31.2 million and a jobs impact, excluding graduate jobs, which is an important point, of 101 new jobs. So Fusion has worked very well. It is at the higher end of technology transfer, but I am very pleased that some of our companies are benefiting from the programme.

**Ms Maeve McLaughlin:** I thank the Minister for her statement. In the report over the summer on the social enterprises and third sector, one issue was that companies and social enterprises here were not trading in the Twenty-six Counties. What is being done to address that? Equally, there are 470-plus social enterprises in the North. Does she intend to increase investment, particularly in the social economy sector?

**Mrs Foster:** Of course, we were not aware of the value of the social economy sector to the Northern Ireland economy. So my colleague from the Department for Social Development, Nelson McCausland, and I started a mapping process, and we now have a social economy map. We know the value of the social economy to Northern Ireland, and I will happily pass that information on to InterTradelreland.

A lot of operators in the social economy are focused on the community that they work in, and there is nothing wrong with that, but if they want to grow, the natural progression is to our nearest neighbour, and I will certainly take on board what the Member has said about InterTradelreland's engagement with the social economy. The social economy stretches from Bryson House, which is a hugely sophisticated organisation, right down to very small social economy companies in local communities that may not want to grow. We will look at that, and we will work with the social economy sector.

Just yesterday, at a meeting of the economic subgroup of the Executive, the value of the social economy and how we could use it to try to deal with the economically inactive in Northern Ireland came up. We certainly value the social economy and will work with it in the future.

**Mr A Maginness:** I thank the Minister for her very thorough report and answers. I agree with the thrust of the report: an awful lot of work is being done by InterTradelreland. There is, however, one area in which InterTradelreland could involve itself, namely public procurement, to assist businesses, North and South, in accessing the various procurement capacities of both Governments, North and South. Is there any role, Minister, that InterTradelreland could be involved in to assist firms in that public procurement process?

**Mrs Foster:** I am very happy to tell the Member that InterTradelreland is involved in that process through its Go-2-Tender programme, which is specifically designed to assist small and medium-sized companies in accessing public procurement in the other jurisdiction. I thank CPD in our Administration and its equivalent in the Dublin Government for working with InterTradelreland and trying to make what is, let us face it, the maze of public procurement a little easier to understand.

In 2012, an independent evaluation of previous phases of Go-2-Tender reported a net business development value of £4.5 million and a job impact of 63. There have been eight workshops specifically on Go-2-Tender during this calendar year of 2013. So Go-2-Tender, as I said, is one

of my favourite InterTradelreland programmes because it really helps small and medium-sized companies get into the maze of public procurement, whether that is in Northern Ireland or the Republic of Ireland.

**Mr Dallat:** I also welcome the statement and treat it as a good-news story, which the Assembly badly needs. I am delighted that 61% of businesses that applied for credit in recent times were successful, but, without wishing to be pessimistic, that means that 39% were not successful. The cross-border study goes on to state that the percentage of businesses citing lack of finance as a constraint on growth continues to increase. I am sure that the Minister has been focusing on that. Will she expand on what is being done on both sides of the border to make the banks more accountable and useful to the people whom they are supposed to serve by making finance available?

11.15 am

**Mrs Foster:** I thank the Member for his observation and question. Part of our difficulty with the banks is that they tell us that they want to lend and have money, and that there is no problem with the supply that they can give us. They tell us that not enough people are applying for loans. However, when I come here and meet colleagues, they tell me that people are applying for money but cannot get any. So, there is a disparity between the two stories. My colleagues the current Finance Minister and, indeed, the former Finance Minister have been engaged with the British Bankers' Association to try to get data at a regional level — a Northern Ireland level — so that we can see the reality of bank lending in Northern Ireland. As I say, the Minister has a meeting with the British Bankers' Association in London tomorrow, and hopefully we will get some clarity on the issue.

**Mr Allister:** Time was spent at the meeting comparing the 2012 out-turn with the 2012 business plan targets. Unfortunately, we cannot read the business plan for 2012 on InterTradelreland's website because it is not there. However, we know from the 2011-13 corporate plan that there was a target to increase the number of businesses involved in cross-border trade and innovation by 10,000 over that three-year period. We read in this report that, in 2012, there was assistance for 92 first-time innovators and 67 first-time exporters. So, how is the 10,000 target going if those are the figures for 2012?

**Mrs Foster:** I am sorry: I cannot answer that. I do not know why that plan is not on the InterTradelreland website. I will certainly investigate the issue for the Member and come back to him. I will also get back to him in writing about the other target and will put a note in the Library. I just do not have that information to hand.

## Private Members' Business

### Mutual Respect and Reconciliation

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

**Mr G Kelly:** I beg to move

*That this Assembly notes with grave concern the violence and disorder over the summer months; deplores the activities of all those who engaged in acts of violence against local communities, elected representatives, and the PSNI; affirms the commitment of all elected representatives to promote a culture of tolerance and reconciliation and to act in a way which promotes mutual respect rather than division; and to work constructively to find long term and sustainable solutions to contentious political issues in the best interests of the communities we serve.*

Go raibh maith agat, a Cheann Comhairle. This morning, there was a hoax bomb in my constituency of North Belfast. I want to start by condemning that. In a situation that is already very tense, there was no other intention in putting such a hoax bomb there than to increase tension in the area. There was disruption to many residents. I think that they are back in their homes now. It should be condemned.

By any reading of the motion, its purpose is to attempt to make a positive move forward as we move into the Haass talks and to have a collective, all-party view of where we are going. Of course, it now sits in the context of yesterday's debate.

Let me say what surprised me about the amendment, which we will vote against. First of all, I think that anybody — I am maybe going to contradict this — could agree with the motion, but the DUP has decided to change what is a positive motion into a negative and divisive debate, à la yesterday. What surprises me a wee bit about it is not that they have done that, because they are obviously in that form and mode, but what they have taken out, because that must be what they disagree with. They have put it in straight after "PSNI". So — if you read it — they are saying that they disagree with the Assembly reaffirming:

*"the commitment of all elected representatives to promote a culture of tolerance and reconciliation and to act in a way which promotes mutual respect rather than division; and to work constructively to find long term and sustainable solutions to contentious political issues in the best interests of the communities we serve."*

Gregory Campbell was up yesterday saying that he cannot understand republicans and nationalists. What a revelation — what a revelation. Everybody will be surprised at that.

**Mr Allister:** On a point of order, Mr Speaker. Could you clarify if what Mr Kelly said is correct? Surely if the intent of



the amendment is to exclude the words that he claims are to be excluded, the reading of the amendment would be to:

*“Leave out all after ‘PSNI;’ and insert”.*

Whereas, if I read the amendment correctly, I see that it is an insertion only, not an exclusion. So, perhaps Mr Kelly could be corrected.

**Mr Speaker:** I think that that may be correct; it is to “insert” rather than to leave out. The motion and the amendment are before the House here today, and it is really up to the House to decide on both. I think that we should leave it there.

**Mr G Kelly:** In fairness to the point of order, from rereading the amendment, I accept and presume that that is the intent.

**Mr Clarke:** Further to that point of order by my colleague from North Antrim, Mr Speaker. Surely the proposer of the motion is actually misleading the House in terms of the definition and how he has laid out his case. I think that that is possibly the point, although the Member who made the point of order did not actually use the word “misleading”.

**Mr G Kelly:** On a point of order, Mr Speaker.

**Mr Speaker:** Order. Certainly, the Member has clarified his position, and I have hopefully clarified the position. Really, we should not turn this debate into being about whether the amendment or the motion is admissible. I think that we should try to move on. I will take Mr Kelly’s point of order.

**Mr G Kelly:** I think that you have dealt with it, Mr Speaker.

**Mr Speaker:** Let us move on.

**Mr G Kelly:** OK. The one thing that I will not change about what I said earlier is that the DUP has taken a very positive motion, which I think that everybody could agree with, and turned it into a negative. In fact, it wanted a divisive argument instead of a positive move towards the Haass talks.

We have gone through a summer in which hundreds of police officers have been injured, and we have heard excuses around that from the unionist side of the Chamber. We have had sectarianism at places of worship — Catholic churches and chapels — and anti-Catholic songs sung, and we have heard excuses around that.

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

Over the weekend, 72 bands celebrated and commemorated Brian Robinson — a person who was involved in the killing of Paddy McKenna. Not only have we had excuses around that, or perhaps more accurately, mostly silence and then excuses, but we have also had elected reps of the House marching behind that band — not just once but year on year — past the place where Brian Robinson killed Paddy McKenna and, indeed, where Paddy lived.

We had elected reps on flag protests, and, if we go back far enough, we had elected reps of the Chamber standing shoulder to shoulder with protesters against a Catholic girls’ primary school. When we had the recent threats to Holy Cross and other schools, believe me, I tried, as did many others, throughout the weekend to get some reaction and leadership from unionists, but it was not until the Monday that we got that. Just let me say that there is an exception to that in those connected to the Ulster Political

Research Group (UPRG) and, indeed, Lee Reynolds, who represents the area. So, I suppose the question is this: where were the MLA voices, because there are plenty of voices about?

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

**Mr G Kelly:** No.

**Mr Clarke:** Mutual respect.

**Mr G Kelly:** We do not want you to get up yet again and insult people.

Where were the voices to settle parents? Whatever people think about the threats and wherever they might have emanated from, I can tell you that parents — I and other elected representatives got calls — were very fearful, as were teachers, and there was a period during the weekend before the schools started on Monday morning when they could have been settled, more so by unionists than ourselves.

Yesterday, we had a debate on Castlederg, and there was a lot of talk — I understand it — about hurt to victims. I will make a point today that I wanted to make yesterday: the difficulty is not that people are hurt by the actions of others, what people say and parades that take place; it is that there is no recognition by the far side of the House that people can be hurt on the republican side and that relatives of volunteers in the IRA, who lost their loved ones, are also hurt by what people say here and other words.

When we talk about the hierarchy of victims and inequality, that is what we are talking about. Indeed, Alban Maginness’s solution was that the relatives of volunteers should hide in some hall and do their grieving and have their commemorations there. Ross Hussey quite proudly said that he was an ex-RUC reservist and that he was glad at the deaths — glad at the deaths —, yet the debate was about people’s sensitivity to victims. It is this idea that there can only be one type of victim that most annoys others.

**Mr Nesbitt:** I thank the Member for giving way. He referred Mr Hussey’s remarks from yesterday. For the official record, the context was that he was glad that, if anybody died that day, it was the people carrying the bomb, because the bomb was intended to kill others. So, if people were going to die, he would rather it was not the intended targets but the people carrying the bomb, who were the perpetrators.

**Mr G Kelly:** It was read into the record yesterday, Mr Nesbitt. You are an ex-victims’ commissioner. His comment was added to, and when he said it, there were cries of “hear, hear” from about the place. *[Interruption.]* So it is a “hear, hear” from you as well. You are an ex-victims’ commissioner, and you are nodding there. Let us put that on the record as well. Then, of course, it was added to by Jim Allister who was glad and thought that it was something that should be celebrated. In the middle of all this, when you are high on your pedestals and are so argumentative about people trying to remember their loved ones, remember that other people have suffered as well. That is the great difficulty with the type of debates that we are having.

Lord Morrow accused me of being ambivalent. I have been accused of many things, but I do not think that ambivalence is one of them. I was very straightforward. I



was a combatant in a conflict situation, and I believe that I was right.

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

**Mr G Kelly:** I did make a choice. People need to realise that, if we are going into the Haass talks, open-mindedness needs to be part of it. That means listening to other people and understanding that other people suffer as much —

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

**Mr G Kelly:** — no matter where they come from in the community.

**Mr Nesbitt:** On a point of order, Mr Principal Deputy Speaker. A lot of us are finding it very hard to hear. Yesterday and today, I have found it particularly hard to hear Mr Kelly's contributions.

**Mr Principal Deputy Speaker:** It is not a point of order, but we have informed the Assembly management, and it is checking the sound system.

I encourage Members to speak out and for them to give Members who are speaking some order so that we all have the opportunity to hear what is being said.

11.30 am

**Mr Newton:** You did call me there, Mr Principal Deputy Speaker?

**Mr Principal Deputy Speaker:** I am sorry; I did not hear what you said.

**Mr Newton:** I beg to move the following amendment: Insert after "PSNI;"

*"condemns those who damaged community relations by engaging in commemorations glorifying the acts of terrorists;"*

I assure you, Mr Principal Deputy Speaker, that I am going to speak out on this matter.

I am not surprised at all that Mr Kelly is not accepting the insertion into the motion. The Sinn Féin motion as it stands is carefully crafted, but it is a two-faced motion that ignores the central issues around the problems of violence across our community.

The motion is constructed to appear to be forward-looking, but in reality it is an avoidance of the problems caused by Sinn Féin's backward-looking attitude and history in its content and approach. It expertly avoids the solid and essential base on which equality and reconciliation is built. It is typical Connolly House propaganda, Connolly House misinformation, Connolly House half-truths, Connolly House cant and Connolly House hypocrisy. That is where it is coming from. As always, the Sinn Féin party line is there no matter whom it offends. It is typical Gerry Adams-speak.

The motion:

*"notes with grave concern ... over the summer".*

It:

*"deplores the activities of ... those ... engaged in acts of violence against local communities, elected representatives, and the PSNI".*

It seeks:

*"to promote a culture of tolerance and reconciliation"*

and to promote "mutual respect rather than division".

However, it falls short.

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

**Mr Newton:** Let me just make this point. The motion falls short. It does not condemn those who damage community relations by engaging in commemorations that glorify acts of terrorism or the heinous history of terrorists who have caused such grievous injury across Northern Ireland, such as the Castlederg two.

**Mr Campbell:** I do not want to interrupt the flow of the Member's argument, but does he agree that we have heard from Sinn Féin an attempt to indicate that there has not been condemnation of illegal activities over the summer, when, in fact, our amendment to the motion would condemn all those acts of violence and would add the condemnation of the glorification of terror, such as that which we saw in Castlederg? Therefore, the amendment does both, rather than what Mr Kelly implied it would do.

**Mr Newton:** The Member is quite right. The composite motion would be as he has outlined — right across the board. The Members' code of conduct —

**Mr Lyttle:** I thank the Member for giving way. Will he clarify and confirm that the condemnation extends to a commemoration of violence by all groups, whether republican, loyalist or other?

**Mr Newton:** The Member really ought to read the amendment before he gets to his feet to try to make such a petty political point.

The Members' code of conduct indicates that we have to:

*"Ensure public confidence and trust in the integrity of Members by establishing openness and accountability as the key elements of the Code".*

Sinn Féin has an opportunity today to openly and transparently be accountable and to condemn the cowards who murdered the workmen in the Teebane crossroads massacre; the sectarian murderers who in cold blood shot down workers in the Kingsmills massacre; the cowards who planted the bomb in the Enniskillen Remembrance Day massacre; the vile thugs who planned and planted the bombs in the La Mon House massacre; the evil gunmen who so callously carried out the Darkley gospel hall massacre; and the vicious brutes who bombed and murdered in Claudy.

Sinn Féin continues to eulogise those who, on a Saturday morning, carried out the Shankill Road bomb massacre.

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

**Mr Newton:** I will give way in just a moment. Sinn Féin displays double standards by attending services for the innocent victims of the Omagh bombing while giving high praise to the Provo terrorists who murdered other innocent victims. What duplicity. We also need to remember all those who were murdered and maimed by the Provisional IRA across the mainland. The IRA has created a wasteland of atrocities that Sinn Féin refuses to condemn. I give way to the Member.

**Mr Hussey:** Unfortunately, I was not here for the start of the debate, but I heard my name mentioned. The Member is quite correct: Sinn Féin will not condemn those attacks. In August 1973, two men set out from County Donegal with a car bomb. In August 1998, two men set out to Omagh with a car bomb. However, I have been criticised for saying that it was right that those who were in that car did not get their car bomb into Castlederg and died in the execution of that bomb attempt. I do not apologise for those remarks; I stand by them. I am sure that we would all rather see people alive than a fifty-first car bomb brought into Castlederg.

**Mr Newton:** I thank the Member for his intervention. Those who were involved in the list of horrific crimes that I have read out are heroes to Sinn Féin and are treated in the same manner in which they treated their Castlederg two. In the mindset of Sinn Féin, there is a need to continue their conflict by revelling and taking pleasure in celebrating terrorist atrocities through near-religious devout remembrance of those who murdered and maimed. Such activities do not rest within the honeyed words of the motion. Those who pay tribute to the terrorists cannot be seen as genuinely interested in or concerned about peace. Their words are false and phoney, and there is no truth in them. They are dishonest. They are words without any substance.

The Member who proposed the motion referred to the Richard Haass talks. The DUP is intent on entering into those talks in a positive manner. We are committed to finding a way forward on all the contentious issues, whether they be parades, flags or the past. Northern Ireland needs to move forward for the sake of our citizens, our children, the economy and the whole of our society. However, Sinn Féin needs to recognise that it cannot continue its campaign of paying tribute to those who butchered innocent men, women and children.

We are seeking a shared future. If that is to mean anything, it has to include shared space. If we have situations in Northern Ireland where there are no-go areas, where Orangemen and Orangewomen are not welcome, and where cultural apartheid is the order of the day, we are going nowhere. How can there be trust between communities when atrocities remain unsolved, when players in the Provisional IRA remain silent about their long list of atrocities and then there is the glorification of those atrocities?

Northern Ireland needs to move forward, but Sinn Féin needs to recognise that it cannot continue this campaign of creating saint-like heroes out of those who have murdered and maimed our citizens.

**Mr Attwood:** The SDLP will be supporting the motion and amendment. Yesterday, I commented that there was a sense of detachment about what people were saying in here from what people were experiencing outside of here. What I have heard this morning only corroborates that assessment of things. Indeed, what we heard from New York overnight corroborates the fact that there are people in America at the moment, just as there are people in the Chamber at the moment, who are detached from the loss of hope that people are experiencing about the frustration of the ambition of the Good Friday Agreement and the subsequent agreements and the values of agreement politics. If people do not recognise how detached they are becoming from the broader human and community

experience, the next three months will not fulfil the ambition that many of us hope for.

Mr Kelly's speech was like a postscript to yesterday's debate rather than actually addressing the content of the motion. From my perspective and the SDLP perspective, the loss to a family, a movement and a community of those who value those individuals, of an IRA volunteer is no less in human, family and community terms than the loss of any other person during the years of terror and state violence. But Mr Kelly repeatedly refuses to recognise that those who he represents do not recognise the hurt that was caused to democracy by the IRA campaign, when the sovereign will of the people of Ireland was repeatedly usurped by a small group of people. When he talks about taking a war, as he calls it, to the British, what actually happened was that terror was inflicted upon civilian people here, in Britain and in other places. Until and unless that is acknowledged by the republican movement, just as I acknowledge its sense of loss, things will not move forward.

The DUP commentary on yesterday was touched on by Robin Newton. He, again, had a list of atrocities that the IRA was responsible for. However, he was silent once again, as always, on state atrocity. Today in London, MPs, including Alasdair McDonnell, are sponsoring an event for the Ballymurphy massacre families. Until Mr Newton can stand on his feet in the Chamber and talk about that state atrocity, your words sound very hollow. Until you get to that place, the ambition of the Haass process will be frustrated.

The motion touches on:

*"long term and sustainable solutions to contentious political issues".*

I agree. However, unless we are to have sustainable solutions to contentious issues, we have to recognise, as I said yesterday, that politics is degrading before our very eyes, that the pattern in recent times of short-term fixes to long-term problems by Sinn Féin and the DUP will not work, and that the Haass process is about long-term and genuinely sustainable solutions. If we are to have that outcome, I will outline in broad terms what that might look like.

The solution to the issue of flags is not agreement on the flying or otherwise of any national flag; it is much broader than that. It is a comprehensive agreement that touches on flags, emblems, symbols and memorabilia. That is the ambition of the Haass process as we should see it, and that is what we should work for. In that space, the issue of flags will be resolved.

Secondly, when it comes to dealing with the past, until we acknowledge that what victims and survivors want is a truth and accountability process that touches on all the atrocities that remain unresolved, Mr Newton — not the ones that were the responsibility solely of the terror organisations, but also the state — and until we have that mechanism in place, truth and accountability and victims and survivors will be frustrated.

Finally, when it comes to parades, let us recognise that we need a parades commission and that it is better that that is outwith —

11.45 am

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

**Mr Attwood:** — the institutions of government than within.

**Mr Principal Deputy Speaker:** Before I call the next Member, I remind Members that all remarks should be made through the Chair. I know that, in any debate, there will be the need to cross-reference comments that Members who spoke previously made. However, all remarks should be addressed through the Chair.

**Mr Nesbitt:** We will support the amendment. When I first saw the motion, it seemed to me that, in trying to take a generic view of it, there was perhaps some fear from the proposers that there is some hint in the violence of some unravelling going on in our political process and that perhaps what was motivating some of those who were responsible for the violence of the summer was a political ambition to return to majority rule. Let me say to Sinn Féin that the Ulster Unionist Party is not proposing a return to majority rule. It is gone. Move on. We are moving on from that. We want consensual government. However, let me also make it clear that what happened last 3 December at Belfast City Hall was not consensual government. Once Sinn Féin saw a majority with the Alliance and the SDLP, it went for it. No unionist bought in. We will not go forward with mutual respect and tolerance and everything else that you want if you are going to behave in that manner. It has to be properly consensual if we are really to get anywhere.

Is the violence wrong? Yes, and I have been saying so for many, many months. The violence is wrong. It is wrong legally, it is wrong morally, and, in so far as it comes from people who consider themselves to be pro-union, it is also wrong politically and even tactically, because it takes a focus off where it is supposed to be. I am thinking of Castlederg, where unionism was getting up a good head of steam to complain about what was being proposed. Only one thing took a focus off that, and that was Ruth Patterson's very ill-judged remarks on social media. That is regrettable. Let us ask the unionist community to keep focused on what is important. Condemning violence is important. No matter where it comes from or who is responsible for it, it is wrong. That is a different analysis from that of Sinn Féin, which argued for many years that violence was justified because of the conditions. However, I will not rehearse what I said yesterday on that particular issue.

The motion asks us to note:

*"with grave concern the violence and disorder over the summer months".*

I do that, but I also note with grave concern that, underpinning that, is a perception by some that where we are going politically is a one-way street. There is a perception that republicans have lost the battle for a united Ireland. If you do not agree with me, look at the census, where you will see that only one in four people in this country said that they wanted to be called Irish. Republicans have lost the battle for a united Ireland and have conceded that Northern Ireland is part of the United Kingdom and will stay so for as long as the majority vote that way. There is every indication that we will all be long gone before there will be any likelihood of people voting for change. With all that done, republicans now want to say,

"OK, Northern Ireland may be part of the United Kingdom, but we wish to remove every single vestige that would say that Northern Ireland is British." That is a perception that is a challenge for the republican movement.

You ask for "tolerance and for reconciliation" in your motion. In principle, of course we stand for tolerance and reconciliation, but what do you want us to be tolerant of? Is it what happened in Castlederg? If it is, I cannot satisfy you. I can have a conversation with you. Your national chairperson, when he launched your so-called reconciliation drive, talked about having difficult conversations. We will have to have difficult conversations, and it will be difficult for you if you cannot understand that what happened in Castlederg is something that I cannot be tolerant of.

You ask for mutual respect, and, yes, I have mutual respect for your political aspiration for a united Ireland.

Fill your boots, peacefully and democratically, to try to persuade me that my future is in a united Ireland. However, to your saying that there is equivalence — that a man who chose to join an illegal organisation set up specifically to undermine and destroy the state with bombs and bullets is the same as somebody who joined the security forces to defend the state — I say no and, to coin a phrase, never. However, let us have those difficult conversations —

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

**Mr Nesbitt:** — whether it is with Haass, whether it is here or whether it is privately. Let us have those difficult conversations because we owe it to the next generations.

**Mr Lyttle:** The Alliance Party will support the motion and the amendment as, regrettably, violence and community relations remain issues that we have to work wholeheartedly to address, but I will challenge the commitment of the proposer of each in my response. In May this year, Members of the Assembly took part in talks in advance of a potentially very difficult summer that concluded with very clear commitments on behalf of their parties to support the rule of law and the PSNI obligation to uphold the rule of law. They also committed to using stabilising rather than inflammatory language at all times. That included DUP Ministers and senior Sinn Féin representatives as well as other party representatives.

So what actually happened? We saw the best and the worst of Northern Ireland all in one. On one hand, we had the success of the World Police and Fire Games, allowing us to showcase all that is good about our small part of the world. Some 6,700 athletes from 67 countries came to compete in what were branded the friendliest games ever. On the other hand, we had some elected representatives displaying a total lack of leadership when we needed it most, flouting the rule of law and making comments suggesting the inevitability of violence as the consequence of certain decisions. What message does that send out to people who have violence in mind as an appropriate response to certain decisions? It is not a very good one, and it does not show strong leadership.

Some elected representatives also demonstrated a lack of respect for victims in commemorative events, while other elected representatives selectively condemned such insensitive commemoration and, it seems, continue to turn a blind eye when it happens in other areas. That tit-for-tat

"whataboutery" has to stop. It is damaging the credibility of elected representatives, whether they recognise that or not, and the credibility of the Assembly. I agree with Alex Attwood that it makes the Assembly appear even more detached and disengaged from the reality on the ground.

The focus of political parties in Northern Ireland has to be to condemn all violence and damage to community relations, without selection or equivocation, and, most importantly, to work together for the common good of everyone in the community who is finding times very difficult across the board. The motion sets out some of the key aspects of the way forward — tolerance, mutual respect, reconciliation and a long-term sustainable solution to improve community relations — but why, in 2013, are we still grappling with those issues? The shared future strategy set out the key issues and an action plan to deal with them in 2005. Approximately 180 responses to the cohesion, sharing and integration strategy consultation told OFMDFM in 2010 that it needed to integrate education, share space and create frameworks for dealing with flags, parades and the past. Alliance worked to have those proposals put into action but withdrew from the talks that followed because the DUP and Sinn Féin refused to do the very thing that the motion calls for: to agree long-term solutions to the fundamental issues that we are dealing with.

The consequences of the failure of OFMDFM to face up to the issues have been stark and have been well rehearsed over the past two days in the Assembly. They have been felt by every member of the community, businesses and families alike. In response to that inadequate approach, Alliance proposed a more open and transparent talks process that, in addition to the work of political parties, would create an opportunity for the wider community to make its voice heard on the key issues under the stewardship of an independent chairperson. I welcome the fact that OFMDFM has invited Richard Haass to initiate this process. I encourage the silent majority in our society to respond to the call for submissions and make their views known. However, for the process to deliver long-term sustainable solutions, political parties must be willing to think outside their perceived communal identity, or we will rerun these contested issues, over and over, with increasingly serious human and financial consequences.

Alliance has a vision for this community of children being educated together, mixed neighbourhoods, support for the rule of law and the balanced and dignified expression of identity. I believe that that is the hope and aspiration of the vast majority of people in this community, and I believe that it is in our gift to achieve it. It will, however, require political parties to work together and to show the courage to lead change —

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

**Mr Lyttle:** — beyond their own interest and for the common good.

**Mr Humphrey:** I support the amendment.

Over the past number of years, we have heard much of the concept of shared space and a shared future. As a unionist who opposed the Belfast Agreement, I have to say that I am quite prepared to buy into the concept of a shared future and shared space, but only if that shared future and shared space includes my community and the

culture of that community, including that of the Orange Institution. The motion calls for the promotion of equality and reconciliation. Quite frankly, that is rich coming from the party from which the motion emanates. Sinn Féin's actions in removing the nation's flag from City Hall in December, supported, regrettably, by the SDLP and Alliance, created a huge fissure in community relations not just in the city but throughout Northern Ireland. What was the response to that by Sinn Féin, the party that is so interested in community relations and building a shared future? That night, Sinn Féin members had a party in their room in City Hall to celebrate this victory for the republican movement. No consensus at all. I see that they smile on their Benches. One has to conclude that they must have known the outcome of that vote in City Hall.

The Tour of the North sets the tone for the parading season in Northern Ireland. Look what happened that night. Mr Kelly impaled himself on a Land Rover at Carrick Hill, protesting that a young man who had been inciting hatred should be released. That night, Sinn Féin TV put it out that Catholic homes in Carrick Hill had been attacked. When my colleagues and I visited the police only days later we were told that that did not happen. That was propaganda and lies from Sinn Féin TV.

Decisions by Sinn Féin and, regrettably, the SDLP to name play parks after terrorists and to campaign for Marian Price and Gerry McGeough to be removed from jail are not understood by the unionist community. They simply do not understand them and see them as gross acts of provocation. Opposition to all Orange parades, including Orange church parades, is also not understood by the wider unionist community. Campaigning through residents' groups — indeed, Sinn Féin has been involved in setting up new residents' groups in north Belfast — completely flies in the face of the motion. Lobbying by Sinn Féin, the SDLP and, indeed, the Irish Government against Orange parades is simply seen as gross intolerance and anti-Orange by the community that I represent.

The Parades Commission's decision this year about Ardoyne has to be examined. The commission, which Mr Attwood wants to keep in place, rewarded violence. On 12 July last year, thousands of people came onto the streets, attacked the police, attacked Twaddell Avenue, set fire to a car and pushed it into police ranks and then used automatic gunfire from Brompton Park to try to murder police officers. Of course, the most recent commemoration with Sinn Féin involvement was in Omagh. That is another example of how it sees community relations in 2013. The commemoration and celebration of murder and violence and the oration by one of the leading members of Sinn Féin make a laughing stock of and completely undermines the motion. As a unionist and an Orangeman, I believe that the Parades Commission must now look at itself and its determination. The commission is not part of the solution but is increasingly part of the problem. The interference by the Irish Government in internal affairs by lobbying the Parades Commission must be examined and exposed by unionists.

Sinn Féin's street politics are because it has failed to deliver politically. Sinn Féin knows that a united Ireland is not going to happen. Adams promised a united, free, independent Ireland by 2016; it will not be realised, so the whole shift of emphasis has moved to the cultural war. Let me tell you this: if that is the road that you want to go



down, it is a road that you will perish upon. You cannot win the cultural war any more than you won the military war.

Northern Ireland needs to move forward. Northern Ireland needs peace, stability and real reconciliation —

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

**Mr Humphrey:** — and it cannot be delivered by the street politics of the absolute zero-sum cultural annihilation that Sinn Féin is involved in.

**12.00 noon**

**Ms Maeve McLaughlin:** Go raibh maith agat, a LeasCheann Comhairle. I speak in support of the motion and in opposition to the amendment. I listened carefully to the accusation from the DUP that, somehow, we stand to be blamed for giving the motion careful consideration. Then, we all stand accused of that because dealing with such a contentious issue requires that determination, consideration and focus, and I suggest that Members on the opposite Bench do likewise.

As the motion says, it is important that we act in a way which promotes mutual respect and that we work constructively to find a long-term solution to contentious political issues. It is important, too, that we reflect on the social and economic cost of the last number of months. Last week, we heard from the PSNI that a total of £28 million has been spent since December. Therefore, it is critical that, as the motion calls for, we send out a message to US envoy Richard Haass as he prepares to come here to chair all-party talks. We must create the best possible environment for those talks to take place. As the motion states, all the violence and disorder must be condemned by everyone, including the DUP. Political unionism needs to realise that nothing can be gained by continually feeding the insatiable appetite of those who see their life through a red, white and blue prism.

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

**Ms Maeve McLaughlin:** No, I will not. You had your say.

The reality is that the vast majority of unionists want to see the process succeed. They are embarrassed by the antics of the thugs who attacked the police in recent weeks and months while wrapped in a Union flag. So, let us not be equivocal about the condemnation of violence. Of course, the Orange Order has refused to talk to some, yet their members talk to us in here all the time.

In my constituency, we have very much the experience of 'A Tale of Two Cities'. Why is that? As someone who was directly involved in processes of dialogue —

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

**Ms Maeve McLaughlin:** No, I will not.

— around these issues, I know that this came about as a result of a recognition by many and by all the stakeholders in the city, including the loyal orders and political unionism, of the importance of resolving the contention around parades. I would like to acknowledge the role that the Speaker of the House played in that many years ago alongside the Apprentice Boys. The result of that has been a trouble-free city over many years. So, in Derry, we have an example of negotiation and leadership from all sections of the community, including political unionism.

Therefore, it can be and has been proven that it can work in Derry, so there is absolutely no reason why it should not work in north or east Belfast. The people of the North and across this island deserve that we address these issues. However, the majority of people want us to debate in the Chamber the economy, jobs, health, investment, infrastructure and education. Therein lies the answer. Belfast can learn from Derry.

Failure to learn and engage resulted in the mess that we saw over the summer months. The big question for unionism is this: who leads unionism? I am entirely comfortable with unionists seeking to express their British identity, provided that it is done in a sensible and non-threatening way. I expect unionism to acknowledge and recognise my Irishness in the same manner. I do not think that that is too much to expect.

**Mr Clarke:** I support the amendment in my colleagues' names. Having read the motion and listened to the Member who spoke previously, I am puzzled at how Sinn Féin even got the motion constructed. The tone of sectarianism of the previous Member to speak knows no bounds. She talked about the red, white and blue and about looking through a prism. Look at the violence that has been on our streets for many years. They have looked at people with green-tinted glasses and those who have been the leaders of violence for many years and said, "It has worked for them. Maybe it will work for us". Her remarks have added to the problems as opposed to helping.

The motion affirms:

*"the commitment of all elected representatives to promote a culture of tolerance and reconciliation".*

It goes on to talk about "mutual respect". There was an attack on the Orange culture. I am glad to read into the record that I am proud to be a member of the Orange, and I am proud of the tradition that it has led. I cannot see how anyone can take offence at a parade.

The Member who spoke previously drew a parallel with Londonderry. She talked about health, the economy and jobs. That is the only aspect of what she said that I agree with. However, listen to what the Belfast Chamber of Trade and Commerce said after the decision that her party made along with the SDLP and Alliance. The effect on the economy and jobs of the decision that they made in Belfast City Council brought Belfast to its knees at the busiest trading time of the year: the lead-up to Christmas. Those were hollow words again from the Member about what she wants to do for the economy, jobs and the other points that she made. If someone just turned this debate on and listened to her, they would think, "She has nailed it; she is right", but we have to remember what actions her party colleagues took.

**Mr McCartney:** Maybe she is right.

**Mr Clarke:** No, I do not think that she is right.

**Mr Principal Deputy Speaker:** The Member must be allowed to continue.

**Mr Humphrey:** I am grateful to the Member for giving way. The Member who spoke previously, who represents the city of Londonderry in this place, made reference to the fact that it is 'A Tale of Two Cities'. I have heard that from a number of people this year. However, does he agree that



absolutely no recognition is given to the fact that, over the last 30 to 40 years, the Protestant and unionist community has been systematically driven out of the city side of Londonderry and that is why there is 'A Tale of Two Cities'?

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

**Mr Clarke:** Thank you. I agree entirely with my colleague on that.

I want to look at something else that the Member who spoke previously said. I did not write down exactly how she framed it, but the point was that she would accept our culture, provided that we expressed it in such a way as it pleased her. That is basically what she said. It is a case of "You can have your culture and celebrate your culture, provided that you do it in the way that we want you do it".

**Ms Maeve McLaughlin:** Will the Member give way?

**Mr Clarke:** I will indeed.

**Ms Maeve McLaughlin:** For the record, what I said was that I am entirely comfortable with unionists seeking to assert their British identity, provided that it is done in a non-threatening and sensible way.

**Mr Clarke:** I am happy to give way again to the Member, but how do you define "non-threatening"? Members walk behind a band from one point to their place of worship. What is threatening about that? Music will be played, and, as it is normally on a Sunday, that music will be hymns. If you want to tell me how that is threatening to anyone from your community, I am happy to give way. I think that that silence answers it. We have hollow words from Sinn Féin again today. It says that it accepts that culture if it is expressed in a non-threatening way, and I have given the Member an opportunity to suggest how it is threatening for someone to express their culture and go to a place of worship.

I listened to a party colleague yesterday in a private meeting at which he talked about the parade in Dunloy, where members can only walk a distance the length of this Chamber and are then blocked from going to their place of worship on a Sunday. Can anyone in the Chamber explain — I am happy to give way — how it is threatening to anyone for a member of the Orange Order to walk to his place of worship and express himself in that religious ceremony?

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

**Mr Clarke:** I will.

**Mr Lyttle:** I take what the Member is saying. Does he accept that the conduct of everyone participating in such events is not always of the standard that those organisations expect?

**Mr Clarke:** Yes, I have absolutely no problem with that if we are talking about the wider context. However, I have a problem accepting that with respect to church parades, where people want to go to church and take part in a religious service. Unfortunately, I have to say — I am happy to read it into the record — that there are some people who would tag along with parades who can cause a problem. However, that problem has arisen through the interference of Sinn Féin in trying to block legitimate parades. We cannot talk about mutual respect and tolerance if we cannot tolerate one of the largest

organisations in this part of Ireland — if they want to call it Ireland. In this part of Ireland, which is Northern Ireland, we cannot prevent people expressing their culture.

We cannot say in one part of the motion that we want to work for mutual respect and yet not tolerate it unless it suits Sinn Féin. People should be allowed to go about their business and express their culture, and that goes for both sides of the community.

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

**Mr Clarke:** I will indeed.

**Mr Newton:** Will the Member agree that, following the same point, there was indeed a strategy —

**Mr Principal Deputy Speaker:** I am sorry. The Member's time is now exhausted.

**Mr Newton:** — developed by Sinn Féin to prevent Orange parades across Northern Ireland?

**Mr Principal Deputy Speaker:** Will the Member please resume his seat?

**Mr A Maginness:** The Assembly has had many successes, but, thus far, it has failed to address the central issue in our politics, and that is the disease of sectarianism, which has polluted and poisoned our politics for many generations, not just since partition but prior to it. In the middle of the 19th century, there were many periods of sectarian violence and unrest, particularly in the city of Belfast. If anyone reads Andy Boyd's book 'Holy War in Belfast', they can see there the corrosive and poisonous nature of sectarianism. Whether it be violent or non-violent, sectarianism eats into the very bones, health and welfare of all our citizens. We are not addressing sectarianism as an Assembly. This debate is symptomatic of that. Coat-trailing by republicans in Castlederg is as unacceptable as coat-trailing by the Orange and Black institutions on the Crumlin Road or Donegall Street in Belfast.

On 31 August this year, I witnessed a most offensive, insulting, insensitive and disrespectful display by the Black Institution and its bands, who were returning up Donegall Street outside St Patrick's Church while Mass was being celebrated. They knew that Mass was being celebrated, and, despite that, they played loud music and behaved, I believe, in a most offensive and insulting fashion. Anybody passing a church where a service is ongoing should respect those worshippers and that service. That was not done, and that is symptomatic of the indifference and insensitivity of the Orange Order and the loyal orders here in Northern Ireland, in Belfast in particular. Until they realise the offence that they give to ordinary people, there will be no solution.

## 12.15 pm

It is up to us, as leaders, to try to highlight those problems and to try to educate those who continue to carry out such sectarian behaviour. Sectarianism is not confined to the Orange Order, nor is it confined to unionism. Sectarianism eats into the body politic and into all our communities. It is up to us to address that. Disputes over flags, parading and other issues are symptomatic of the sectarian differences that exist in our community. We have to tackle those, and we are not tackling them. We have the means to tackle them: we have established a power-sharing Executive, and we have established this institution — the Assembly

— in which all people can participate and where all are represented in a proportionate fashion. It is up to us, now, to grasp that nettle. We have an opportunity in the Haass talks to do that, but we cannot deposit everything into Haass and hope that there will be some sort of solution to these issues.

I must say, leading into the Haass process, that the ill will and the lack of understanding expressed across the Chamber in the past two days does not augur well for the success of Haass. Dr Haass can come here and help us, but it is up to us, finally, to find our own solutions and to help ourselves. I do not think that we are doing that very well at the moment. I appeal to all Members to renew their efforts to create goodwill and to achieve an end to the sectarian politics that have continued to blight us.

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

**Mr A Maginness:** Yes, indeed.

**Mr Dallat:** Does the Member agree that the First Minister and deputy First Minister have a serious role to play in overcoming the problems that he has just outlined?

**Mr Principal Deputy Speaker:** The Member will be glad to hear that he has an extra minute.

**Mr A Maginness:** Thank you very much. I agree with what Mr Dallat has just said. It is very important that those who hold high office in the Assembly exercise leadership not only of their own party and what they perceive to be their own community but for everyone. That is the essence of real leadership. I believe that this community as a whole will respond if that leadership is, in fact, shown. Unfortunately, however, that leadership has been very much lacking to date. I hope that the First Minister and deputy First Minister can come to an agreement and an accommodation. We in the SDLP will be very supportive of that, but we will continue —

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

**Mr A Maginness:** — properly so — to criticise where it is necessary to criticise.

**Mr Principal Deputy Speaker:** The Member will resume his seat, please. I call Mr Tom Elliott.

**Mr A Maginness:** I believe that we will continue to show leadership as a political party. Thank you, Mr Principal Deputy Speaker.

**Mr Principal Deputy Speaker:** Well, thank you.

**Mr Elliott:** When I read the motion and particularly some aspects of it, I ask this: who in the Chamber could not deplore those engaged in acts of violence against local communities, local representatives and the PSNI? I do not think that anyone here could support violence against those people. However, I also ask whether those who tabled the motion deplore the violence against the RUC, the army and prison officers in this society? Therein lies a challenge. I hope that those people will make it clear at the end of the debate that they are willing to oppose the violence that went on for years against those groups of people and continues against some of them.

I would also like to accept some of Mr Attwood's arguments, indeed all or most of them. He said that we should look at all Troubles-related killings equally; that is right. However, when the starting point is that 90% of the

killings and murders in the Province were caused by the terrorist movements here and 60% by republican terrorists, then, yes, let us look at them with equal value. Let us ensure —

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

**Mr Elliott:** I will give way in a moment. Let us ensure that 90% of the Coroners' Court inquests are to do with people who were murdered by terrorists. Let us ensure that 90% of HET hearings, or whatever else it may be, are to do with people who were murdered by terrorists.

I will give way to Mr Humphrey.

**Mr Humphrey:** I thank the Member for giving way. I, too, agree with Mr Attwood's assertion about the investigations of murders, wherever they came from. The difficulty for my community and for the people whom we on these Benches represent is about your party's bona fides on this issue. When you campaign for some of the people who were perpetrators of some of those murders to be released from prison, we have great difficulty with that.

**Mr Principal Deputy Speaker:** The Member has an extra minute. I remind Members to speak through the Chair at all times.

**Mr Elliott:** OK, thank you very much, Mr Principal Deputy Speaker. I thank Mr Humphrey for that, but I will move on to the aspect of equality.

The fact is that we must recall where our starting point is. Whether you bought into any of the agreements — the Belfast Agreement, the St Andrews Agreement or the Hillsborough agreement — the starting point for all those is that Northern Ireland is an integral part of the United Kingdom. That is a fact that some people in this community and in this Chamber have trouble accepting.

I am willing to accept that people on the opposite Benches have different traditions from me — some different cultures and traditions. I am willing to accept that and their right to have them, but they do not appear to be willing to accept where our starting point is; that we are part of the United Kingdom and that the United Kingdom flag is the Union flag. Until we have that honesty and realisation from those on the opposite Benches, how are we going to progress? How are we going to accept each other's culture? I am telling you from here that I accept that those people have different cultures and traditions and that I am willing to accept their right to go out and practice them — not in my face, perhaps — but they have a right to do so. Sometimes it is in my face, but that is life.

When I witness that people in this Chamber will not even accept that the National Crime Agency should be part of Northern Ireland — something that should not have any political connotations at all, something that is for the best for everybody in this society — where is the equality and reconciliation in that?

Where is the equality and reconciliation when some people in this Chamber, giving a lead to those people who are their supporters, do not accept the armed services covenant in Northern Ireland? It represents people who have fought not only for my community but for us all; people who have given up their lives and their service to help this community in totality.

Why will those people not accept the rights of people in the military? Why will they not accept that the National

Crime Agency should be extended to Northern Ireland? Is it just because they are so blinkered in their opposition to Britishness and unionist culture? Is it, I ask? If not, then I am willing to listen to the argument that says it is not, but until they provide me with that evidence I do not see where their argument is coming from.

There is hypocrisy from the party that proposed the motion. Given that there are some among them sitting in this Chamber who created many victims in this society, it is rank hypocrisy.

**Mr McCallister:** Let us think of the different message that would have come from the Chamber had this been a Government motion that had been laid by one of either of our First Ministers and been responded to by one of either of the First Ministers. Let us think of the powerful message that that would have sent out to our communities. Let us think of this Chamber, this Government and this Assembly speaking as one collective voice, sending out a message that there is leadership, that the Government are going to do something here and that they are going to address some of the issues that we have struggled with all year, and how that would have set a better context for the start of the Haass talks.

When we look at the motion and at the amendment, we think, "That is all reasonable." However, the debate then descended into all the "whataboutery", with one side saying "Ballymurphy" and somebody else saying "La Mon", and we went through all the atrocities that the community has suffered.

I thought that it was interesting that the two Members who opened the debate both served as junior Ministers in the previous Government. Both served alongside each other. One proposed the motion and one proposed the amendment, but they came from different spectrums in the tone that was set for the debate.

This year has been a disaster for Northern Ireland. The summer saw violence and political dispute. We had Ministers and MLAs questioning the rule of law, criticising one side but not the other and condemning this but not that. You lose credibility when you do that, because you are not condemning violence across the board. Violence is violence, and it is wrong.

**Mr Newton:** I thank the Member for giving way. I listened intently to what he said for nearly two and a half minutes. Will he confirm whether he is going to support the motion or the amendment, or whether, as he did yesterday, he is going to opt out of making a decision?

**Mr McCallister:** Earlier, Mr Newton told Mr Lyttle to read, but he should listen more intently. At the outset, I said that the motion and the amendment were perfectly reasonable. The difficulty is the tone and nature of the debate. We have completely entered into the "whataboutery". As we head into the Haass talks, that background does not send any great signal that anything is going to change.

We have skyrocketing policing costs for dealing with this. What are the solutions? What is anybody finding? We are going to have the Haass talks. The parties of government are holding the Haass talks, but you keep distancing yourselves from your partners in government. You keep acting as though you are not responsible and are not part of the process. You are all in the Government together. Why are you not thrashing this out around the Executive

table? Why are the First Minister, the deputy First Minister or the junior Ministers not responding to the debate? Why have they not tabled this motion, given the message that that would have sent out? Instead, we have everyone just condemning the bits that suit them.

Mr Newton condemned the Castlederg parade, and rightly so, and Mr Kelly condemned the Brian Robinson parade last week, and rightly so. That condemning of one or the other is all that we have managed to achieve in, literally, two days of debate. It is a zero-sum game of politics, and it is not helpful to the situation that we face in Northern Ireland.

I agree with the other Members who said that what the people really want us to talk about are jobs, the economy, the state of our hospitals and our schools and all the investment that we should be putting into those areas. They also want us talk about all the things that our police force should be investigating and doing, whether that is urban crime, rural crime, traffic offences or whatever it happens to be. Instead, we are spending £28 million on literally holding and policing the divide in our society. Real politics would be our debating those other issues.

I want to turn to some of the points that came out during the debate. On the radio this morning, we had a Government Minister, in the form of Mrs Foster, who could not bring herself to condemn the parade last weekend. The flags debate was thrown into this debate again today, with the DUP and the UUP saying that the decision was wrong, even though UUP policy at the time was designated days. That was thrown in and has now changed. There was the leafleting carried out last autumn and during the early winter, but with no ability to say that maybe you were slightly responsible —

**12.30 pm**

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

**Mr McCallister:** — or that it maybe ratcheted up tensions. That was wrong.

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

**Mr McCallister:** You will need to be desperately quick because I am out of time.

**Mr Principal Deputy Speaker:** Your time has gone.

**Mr Humphrey:** It is just —

**Mr Principal Deputy Speaker:** The time has gone.

**Mr Allister:** Ms McLaughlin of Sinn Féin bemoaned the fact that we were not debating jobs, the economy and matters of more pertinence to the community, but whose motion is this? Why is it on the Order Paper? The motion is on the Order Paper because Sinn Féin chose it as its debate for this week. Sinn Féin could have told the Business Committee that it wanted to debate the economy. No, it wanted to debate the very issue that Ms McLaughlin then bemoans that we are debating at all. It is little wonder that Mr Newton talked about cant and hypocrisy. Indeed, there is much of that order in the wording of the motion. The message reads very well if you could just forget who the messenger is.

On the subject of cant and hypocrisy, I agreed with virtually everything that Mr Newton said. He berated Mr Kelly

for his many, many failings and for his past and present stance. However, as Mr McCallister pointed out, Mr Kelly is the very man whom Mr Newton sat as partner with when junior Minister, and Sinn Féin is the very party that the DUP sustains in the Government day and daily. Gerry Kelly has not changed. He is the same Gerry Kelly who bombed the Old Bailey and shot a prison officer in the head, and he was that same person when Mr Newton was his partner. He has not changed one iota in that regard. Therefore, it is no surprise to me that although Gerry Kelly tries to excuse the fact that he will not support the amendment by initially suggesting that it is because it will exclude other necessary words, when it is exposed that no other words are being excluded, he still opposes the amendment. Why? Sinn Féin wants a motion that condemns violence, but not the violence of the IRA. It wants a motion that condemns disorder and street rioting, but it does not want to touch at all by way of adverse comment anything that the IRA of Sinn Féin implemented and brought to the Province. Indeed, far from wanting to condemn it, Sinn Féin wants to glorify it. That is why it recoils from the idea that, hand in glove with condemning violence, we should equally condemn the glorification of violence. It is indisputable that, if you want to be credible and taken seriously in condemning violence, you have to condemn violence — period. You have to condemn the violence that includes the violence of terrorism. You have also to desist from glorifying — all of that — that same violence. Of course, it is because Sinn Féin is the willing prisoner of the IRA that it is unwilling to condemn the violence of the IRA. Rather, it rather wishes to glorify it in all its bloodiness and hideous components. We saw that in Castlederg, and we saw it in many other places.

So I identify with the cant and hypocrisy that lies within the motion and in the refusal to accept the amendment, but I am not blind to other cant and hypocrisy as well.

**Mr Principal Deputy Speaker:** 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 debate stood suspended.*

*The sitting was suspended at 12.35 pm.*

*On resuming (Mr Speaker in the Chair) —*

2.00 pm

## Oral Answers to Questions

### Agriculture and Rural Development

**Mr Speaker:** It is time for questions to the Minister of Agriculture and Rural Development. We will begin, as we did yesterday, with topical questions. Those will last for up to 15 minutes, and we will then move on to deal with questions that appear on the questions for oral answer list.

#### Horizon 2020

**Ms Boyle:** Go raibh maith agat, a Cheann Comhairle. What is the Minister's Department doing to try to increase drawdown of EU funds, particularly from the Horizon 2020 programme? (AQT 21/11-15)

**Mrs O'Neill (The Minister of Agriculture and Rural Development):** Go raibh maith agat, a Cheann Comhairle. Horizon 2020 will be a significant funding stream for R&D, with an estimated budget in excess of £70 billion. I am very keen that the agrifood sector maximises the drawdown and achieves the full benefit of that. That is in line with the aspirations that have been set out in the Going for Growth strategy.

The Department of Agriculture and Rural Development (DARD) has provided three years of funding for a contact point post, which will be based at the Agri-Food and Biosciences Institute (AFBI). The purpose of that post is to provide the agrifood sector with relevant information to allow it to maximise the drawdown that the North receives from the new Horizon 2020 research budget. That new appointee will take up their post at the end of this month.

In addition, my officials will work closely with officials in other Departments, as part of the Executive's cross-departmental subgroup of the Barroso task force working group. The IT subgroup has produced a communications strategy, which clearly sets out the structures in place to help sectors obtain the relevant information to ensure that we maximise the opportunities available under Horizon 2020. That will be of benefit to the agrifood sector.

**Ms Boyle:** Go raibh maith agat. In maximising the drawdown, what targets is the Department setting?

**Mrs O'Neill:** My target is to increase our drawdown of funding by at least 20%. We are about to put in place our AFBI contact point, which will play a significant role in enabling us to do that. Last year, AFBI drew down about £1.3 million in R&D funding, and we are working very closely with it to make sure that we increase that.

Just last week — last Wednesday and Thursday — I was in Brussels, and Martina Anderson MEP facilitated a number of meetings with the Commission, the Parliament and the Council. We met a range of people to promote the work that AFBI is involved in, particularly around research and development, and to make sure that AFBI is known in Brussels so that, whenever it comes to drawing down the Horizon 2020 funding, we are at the table, people know who we are and people know what we have to offer. AFBI



has done significant work on research and development, particularly by working in partnership with other research agencies.

We also had a key meeting last week with Commissioner Máire Geoghegan-Quinn, who will be responsible for rolling out Horizon 2020. Again, that was very fruitful. She gave us very useful information on looking towards the new programme and how we bid into it. That will be a major piece of work. Obviously, we have Executive targets and individual DARD targets to make sure that we draw down as much money as we possibly can for research and development funding.

## Rural Development Programme

**Mr Anderson:** With reference to the performance of the local action groups (LAGs) in the distribution of funding from the rural development programme, can you detail whether you feel that the delivery model has been a success and outline what performance indicators have been used to assess the LAGs? (AQT 22/11-15)

**Mrs O'Neill:** There are obviously lessons to be learned. We inherited this programme and the mechanism by which things were rolled out. We are now out to consultation, so we are going to gather up all the issues on the new rural development programme. We will be able to gather up all the issues that there are in looking to the new programme and at how we can do things better. There will always be ways to do things better. There are simple things that could be done better. For example, no matter if you want £1,000 or £100,000 of funding from the rural development programme, the application process is the same. So, there are a lot of quick and positive changes that we can make in the new programme.

We launched the consultation during the summer, and that will roll out for another wee while. There is a consultation event tonight, and I will be going to one on Thursday night. That is an opportunity to listen at first hand to those who have been involved in the LAGs and the joint council committees (JCCs) and have been delivering the programmes on the ground. That will make the programme successful in that there should be that bottom-up approach to delivering local projects in local areas and meeting the needs of those local areas. So, I very much want to listen to the views of stakeholders, and I will shape the new rural development programme based on the consultation exercise. I have no doubt that my door will be knocked constantly over the next wee while by people who have very strong views about how we deliver the new rural development programme.

**Mr Anderson:** I thank the Minister for that response. LAGs do have a role to play, but Minister, would you consider using DARD staff and services to deliver more rural development schemes under the new common agricultural policy compared with that current model? Would that not ensure that more money reaches the intended beneficiaries?

**Mrs O'Neill:** I think that the way that we do things with the bottom-up LEADER approach is very positive. It is how I envisage that we will continue to do things in the future. There are lessons to be learned. I do not think that we will necessarily need all the structures that we have at the moment, but there may be ways that we can improve things, particularly around the current structure of JCCs

and LAGs. Do we need that in the future? Again, that is all part of the ongoing consultation exercise. I hope to be able to announce a position on the way forward later in the year or, certainly, in the early part of next year.

## Oyster Farming

**Mr Rogers:** Bearing in mind, Minister, the recent meeting between DARD officials and oyster farmers, what steps are you taking to provide support for them at Carlingford lough and Lough Foyle after stocks were decimated by the recent virus in July? (AQT 23/11-15)

**Mrs O'Neill:** As Mr Rogers rightly points out, officials met the oyster farmers who are affected and local representatives on Monday 2 September. I am told that it was a very useful meeting. Officials assured the industry that I am committed to assisting it where possible.

I suppose that the position remains that there is no legislative provision to pay compensation for losses that were caused by fish disease, and the fact is that it was not an unusual event. Over the past number of years, we have seen it happen not only in Ireland, obviously, but in other areas. There have been reported mortalities in France going back as far as 2009, I think. So, it is not an unusual event, but, that having been said, it has obviously had a very negative impact on the people who have been affected. I am committed to working with the industry to see whether we can look at research possibilities because, obviously, we have to tackle that disease. We have to be able to find a way to help the industry because we do not want the situation to continue. This is something that could possibly happen to their crop, year on year.

We will work with Sea Fish, which is the industry representative body, and the cross-border Aquaculture Initiative team, because this is something that has impacted in Carlingford lough, Lough Foyle and some of the bays that come under the jurisdiction of the Twenty-six Counties. There are a number of key areas of work that we need to get involved with, particularly with regard to research and being able to tackle the disease.

**Mr Rogers:** Thank you, Minister. You mentioned that no legislation exists locally. Have you any plans to bring forward local legislation in order to provide a much-needed hardship package for those farmers?

**Mrs O'Neill:** As I said, I am very sympathetic to their plight, what has happened to them and the fact that they have had such major, substantial losses. It is not just down to legislation; it is the fact that it is not an unusual event that is the problem. Where I think I can assist those oyster farmers most effectively is in looking towards research, science and evidence and to why that problem is occurring and try to get to a stage where it is not a major factor. I am aware of substantial losses to some of those people and that it is a very distressing time. So, I want to make the commitment that we will work with them to provide advice and support and to look at how we eradicate that disease, which has obviously been a problem since 2009.

## Common Agricultural Policy

**Mrs Dobson:** Can the Minister give the House an update on the specific effort she is making to ensure that the allocation key that is used to calculate the regional CAP envelope remains the same, so that Northern



Ireland's allocation of the UK's envelope is not reduced? (AQT 24/11-15)

**Mrs O'Neill:** Yes, absolutely. Over the past number of years, we have had very hefty debate in Brussels and have argued for regional flexibility, which I am very glad that we have been able to achieve. Although we have had all those high-level discussions and we have the broad framework, decisions now have to be taken locally on how we best use the funds that are available to us and ensure that we design a programme that is fit for purpose and fit for the local industry.

As regards our allocation and share, we have seen Scotland coming out arguing for additional funding. Unfortunately, we are starting with a base of a reduced budget overall. I will certainly ensure that I engage with the Department for Environment, Food and Rural Affairs (DEFRA) — as I have to date and will continue to do — to ensure that we get our fair share and are not disadvantaged compared with other areas such as Scotland, Wales and England. I will continue to do that, and that discussion is ongoing.

**Mrs Dobson:** I thank the Minister for her answer. Will she inform us, in a bit more detail than she gave in her answer, what information she has received on the issue from the Secretary of State for Environment, Food and Rural Affairs and whether she has sought or, indeed, received an assurance from him that things will not change for us here in Northern Ireland?

**Mrs O'Neill:** We are in the middle of a negotiation and that will go on until we reach a final conclusion. I have engaged with DEFRA personally as have my officials, and that is ongoing. As I said, I will fight the corner for our local industry to make sure that we get a fair allocation. As I said, I am disappointed that we are starting off from a lower budget overall, but that is the case. I will continue to negotiate strongly, and I expect that that will intensify over the next wee while. I am happy to inform the House when we have a final settlement on the deal. I am not engaging in the negotiation to come out with a poor deal for the Six Counties.

### **Agrifood Sector: Farmer/Retailer Relationships**

**Mr Craig:** Minister, will you outline what your Department is doing to improve relations between the agrifood sector producers — the farmers — and the agrifood sector retailers? There are big issues between the two. (AQT 25/11-15)

**Mrs O'Neill:** Absolutely; I totally agree with you. I think that if you cast your mind back over the past year to 18 months, you will recall that we had the debate around farmgate prices and the campaign from the farming unions, highlighting the prices that farmers had been paid.

Obviously, one of the areas that we — me and Arlene Foster, the Minister of Enterprise, Trade and Investment — strongly work together on and are engaged with is the whole agrifood strategy. We now have that piece of work in place, and she and I are working our way through it in order to present an action plan to the Executive later in the year.

One of the key messages to come out of that is that there needs to be fairness in the supply chain and that they are

equal partners in the supply chain — the farmers should not be the ones who are continually squeezed — and that if we want to continue to grow our agrifood industry successfully, we need to work with all sectors and to make sure that the whole supply chain is appreciated and valued in equal measure. A key area of work for me is making sure that those two key players work together.

**Mr Craig:** I thank the Minister for her answer. She pointed out a big issue: how the profit margins of farmers are squeezed. A lot of farmers fall into the small or medium-sized enterprise category — in fact, some of them are very small — and they really struggle with very small profit levels. What can your Department do to aid small farmers on that issue?

**Mrs O'Neill:** Obviously, we have continual support in place by way of single farm payments for farmers. We also look to offer support through the rural development programme. Again, we will have a new opportunity to look at new ways of working and new opportunities for farmers. We have had some excellent successes through the current rural development programme in assisting farmers, particularly around diversification, food production and improvements to premises — all those positive areas of work — and I look forward to doing more of that in the new programme.

I am very keen to hear the views of stakeholders, including farmers, on how we shape the new rural development programme and on the types of support that they would like to see in place, because, obviously, we want them to remain competitive and sustainable into the future.

### **Rural Communities: Access to Facilities**

**Mr McElduff:** Go raibh maith agat, a Cheann Comhairle. What is the Minister's Department doing to improve access to high-quality facilities in rural communities? I ask that in light of some recent criticism, which I feel is unjustified, about the way in which rural development programme money is being spent. (AQT 26/11-15)

**Mrs O'Neill:** I agree that the criticism is unwarranted. I am thinking of some of the projects that I visited, particularly over the past couple of months. Over the summer recess, I took the opportunity to get out and about to see for myself how the rural development programme money is being spent in rural areas, and I saw some very worthy projects. We have to ensure that we support rural communities to be sustainable and to thrive into the future. For me, that is very much the focus of the rural development programme, particularly axis 3 and some of the projects that we have been involved with.

There have been a number of smaller projects on the ground, but some of the bigger strategic projects would really make a difference to rural people's lives. Quite often, people are isolated due to geography and where they live, so they have no access to services and have issues with transport — there is a whole gamut of issues. For me, the rural development programme has been very successful in making sure that we assist rural communities to thrive and to be sustainable.

There have also been a lot of positive measures to try to encourage young people to stay in rural communities. As the Member will be very aware, many young people are now travelling abroad for work, and unless we are creative

in working with communities to address what they need, I think that we will be failing those communities.

Those programmes are excellent and very worthy. I look forward to the new rural development programme and to making sure that we can have more of those in the future.

## 2.15 pm

**Mr Speaker:** That ends the period for topical questions. We now move to the oral questions on the Order Paper to the Minister of Agriculture and Rural Development.

## Strangford Lough

1. **Ms Lo** asked the Minister of Agriculture and Rural Development for her assessment of the progress of the Strangford Lough restoration plan. (AQO 4502/11-15)

**Mrs O'Neill:** Go raibh maith agat, a Cheann Comhairle. In October 2012, my Department and the Department of the Environment (DOE) agreed a revised restoration plan with the Ulster Wildlife Trust and forwarded it to the European Commission. The plan reflects the recommendations contained in the 2011 Queen's University report for, first, protection, through the introduction of a large non-disturbance zone; secondly, intervention, through the appointment of a postdoctoral research fellow, experimentation with translocation of horse mussels and the creation of artificial reefs; and, finally, the monitoring of horse mussels to indicate whether recovery is taking place.

The revised restoration plan has been with the Commission since October last year. Although the Commission has yet to formally comment on the proposals, we understand informally that it and the Ulster Wildlife Trust are broadly content with it. In the meantime, both Departments have pressed ahead with the establishment of the large non-disturbance zone that was identified in the plan. My Department has prohibited sea fishing in the area, and the Department of the Environment has introduced by-laws to restrict anchoring, mooring and diving in it. Enforcement has been strengthened with the deployment of a full-time fishery officer for Strangford lough, and there has been a similar commitment from the Department of the Environment through the introduction of a Strangford lough ranger.

All of those are critical actions to deliver the protection required by the revised plan. Furthermore, I understand that a postdoctoral research fellow has been appointed to undertake pilot studies on restoration prior to full-scale restoration in the medium to long term. My Department and AFBI carried out the first ever survey of the seabed, and that will result in a complete habitat map. Progress towards recovery will be monitored.

**Mr Speaker:** Question 10 has been withdrawn.

**Ms Lo:** I thank the Minister for a very comprehensive answer. I am delighted that there is now cooperation between the two Departments. Is the Minister confident that the whole plan will go ahead, will be adequate in addressing the restoration and that we will not face infraction fines?

**Mrs O'Neill:** It is fair to say that we have carried out some very positive partnership work with the Department of the Environment. As I said, we have not had formal confirmation from Europe, but it has indicated that it is

broadly content with the approach that we have taken. I think that the measures that we have set out are dealing with the issue, but we also want to create a sustainable fishery and must look towards the livelihood of the people who fish on the lough. We must get a balance between the environmental concerns and the needs of people who depend on the lough. I feel that the measures adequately address that. We will keep this under review, and I am happy to keep the Member up to date, in her position as Committee Chair, as we move forward.

**Mr McAleer:** Go raibh maith agat, a Cheann Comhairle. Are the mussel levels recovering?

**Mrs O'Neill:** It is early days, but there are indications that horse mussels survive and clump when they are provided with a suitable habitat and are protected. There is no indication at this stage of a significant increase in numbers, but it is early days. It will take a bit of time before we will see progress, given that mussels are a very slow-growing and long-lived species.

**Mrs Dobson:** Progress appears to have been made on this sorry tale at last, and we are no longer faced with the threat of another infraction fine. My colleague in the European Parliament Jim Nicholson received correspondence during the summer from Karl Falkenberg, director general of the environment for the Commission, in which he states that the file will be closed on the understanding that the actions that are proposed will be implemented. Can the Minister detail what lessons she has learned from the whole saga?

**Mrs O'Neill:** I assure the Member that I take my role very seriously, and I think that we have been very positively engaged with DOE. However, we must always get a balance between environmental concerns and people's livelihoods, because some people advocate that we should stop fishing completely, but where would that leave the people who depend on the lough?

I think that what we have here is a very balanced approach. We are very aware of the environmental concerns and are now very much engaged with the Ulster Wildlife Trust, and it is content with the approach that we have taken. In the round, it has been a very positive engagement. The Ulster Wildlife Trust had an issue, it raised it, and we addressed it. It is as simple as that.

## Fodder Crisis

2. **Mr D Bradley** asked the Minister of Agriculture and Rural Development to outline the steps her Department has taken to avert a situation similar to the fodder crisis during the winter of 2012-13. (AQO 4503/11-15)

**Mrs O'Neill:** I believe that a joint approach by both government and the agrifood industry is the most effective one to take to ensure that another fodder crisis is averted in the coming winter.

To that end, I established the Fodder Task Force, bringing together representatives of and stakeholders in the agrifood industry, along with DARD, to consider the issues facing the livestock industry in the ensuing year and to produce an action plan to mitigate the effects of any potential problems.

To date, the task force has met on four occasions, and in July it agreed the action plan, which is available

on the DARD website. I plan to meet the task force representatives in the near future for an update, and although they do not intend to meet as a group until midwinter, they will get together in the interim if a situation develops and new actions are required.

There is much that farmers can do to plan for the winter ahead, and DARD has been very active in providing advice and support to ensure that they are well prepared. The College of Agriculture, Food and Rural Enterprise (CAFRE) has embarked on a comprehensive programme of workshops, advisory events and publications, helping farmers to maximise fodder production, to stocktake their individual fodder supply and to manage their stock to make most efficient use of the available fodder.

The task force also brought together representatives of ancillary agrifood industries, with a focus on both the practical and emotional difficulties faced by the farming community. Feed suppliers, banks and food processors recognised that it is in the interests of the whole agrifood industry to work together to help farmers through the challenging winter months.

**Mr D Bradley:** Go raibh maith agat, a Cheann Comhairle. Gabhaim buíochas leis an Aire as ucht a cuid freagraí. Tá ceist agam uirthi i dtaobh lucht iompair fodair. Creidim nár díoladh cuid acu go fóill, agus ba mhaith liom fiafraí den Aire cén uair a thig leo bheith ag súil —

**Mr McNarry:** Come on, Dominic.

**Mr D Bradley:** — lena gcuid fócaíochtaí?

**Mr Speaker:** Order.

**Mr D Bradley:** Is it all right for me to continue, Mr Speaker?

**Mr Speaker:** Yes.

**Mr D Bradley:** Thank you, Mr Speaker, and thank you, Minister.

My question for the Minister concerns those who transport fodder. My understanding is that some of them have not yet been paid. When can they hope to receive their payment?

**Mrs O'Neill:** I will not get into individual situations, but the majority of transporters have been paid. There may be a few outstanding issues that the Department is working with, but I am assured that it is a minute number. If the Member wants to pick up on a particular company outside of Question Time, I am happy for him to call into the private office.

**Mr Swann:** Minister, you outlined the steps that your Department has taken to prepare farmers for the future. Can you outline what steps it has taken, and is taking, to support the mental well-being of those farmers and their families who were affected during the crisis and to make sure that there is ongoing support for them?

**Mrs O'Neill:** I absolutely agree with you. Given the difficult year that we have had in the farming industry — the prolonged winter last year; the snow; horse meat; all the issues that have been coming thick and fast at the industry; and, I suppose, the general economic climate — it has been a very difficult time for farmers.

I was delighted, therefore, that the task force took those issues on board, and it invited in people such as those

from Rural Connect and the rural support network, which provide fantastic services to the rural community. That work has continued. We have also continued to work through CAFRE with Rural Support, and we are making sure that we take forward a number of workshops for CAFRE advisers so that they are well equipped to deal with people, because, as you said, mental well-being is something about which we all should be concerned. Everybody's mental well-being is a key concern, and it has to be a factor in any situations that cause financial or general stress to anybody.

**Mr Milne:** Go raibh maith agat, a Cheann Comhairle. What is the current assessment of fodder stocks?

**Mrs O'Neill:** We have had a good summer, particularly the start of it, and the good weather has assisted growth recovery. The final yield will not be known until such times as the growing season ends, which is upcoming. I think that it is fair to say that the grass utilisation has been better than last year. I also think that we are in a more positive situation. However, as I said, the task force is happy to come back together and to keep the situation under review if we feel that, come the end of the growing season, there will be particular issues. So, at this stage, the weather has been kind to us, but I suppose that it will depend on how we end up at the end of the growing season.

## Metal Theft

3. **Mr Beggs** asked the Minister of Agriculture and Rural Development for her assessment of the problem of metal theft in rural areas. (AQO 4504/11-15)

**Mrs O'Neill:** Responsibility for tackling rural crime rests primarily with the PSNI and the Department of Justice (DOJ). Theft of any kind has an emotional and financial impact on the lives and fortunes of rural communities. I am very aware of the worry that the level of rural crime causes among the farming community, and I have met with the Chief Constable, and with Minister Ford, on a number of occasions to make him aware of my concerns.

One of the actions emanating from the rural White Paper action plan, which I launched in June 2012, was the Department of Justice's establishment of a rural crime unit. That unit was launched in May this year and will use all available data sources to help to identify trends and patterns that will assist with preventative action, help to improve community confidence and, ultimately, reduce rural crime.

Helping to build safer rural communities is also important for my Department. My Department's local CAFRE advisers are supporting the PSNI and farming organisations in raising awareness of measures that farmers can take to reduce incidences of crime on their farms. In particular, they are briefing farmers on local initiatives and distributing information. CAFRE, through its participation in the Farmwatch scheme at its Enniskillen, Loughry and Greenmount campuses, is encouraging local farmers to use this scheme as an important means to prevent rural crime. The scheme is designed to help to reduce rural crime, and it uses technological tools to provide vital evidence in criminal investigations.

So, I will continue to work closely with all relevant stakeholders to ensure that the specific needs of rural

dwellers are taken into account when developing community safety initiatives.

**Mr Beggs:** Stolen metal items can range from lead on roofs to redundant equipment, tractors or machinery that cost five- and six-figure sums. Have the Minister and her officials attempted to quantify that cost in terms of repairs, replacement, disruption to business and any additional cost to insurance premiums? That is a major cost to the industry in Northern Ireland, so has her Department attempted to quantify it?

**Mrs O'Neill:** It is not an area of work that we have been involved with. I have been vocal in my role in making sure that we have raised the issues with the DOJ and the PSNI. I welcome that the unit is now in place.

The responsibility for gathering statistics of rural crime rests solely with PSNI. In looking at some of the statistics that the PSNI has produced, I welcome that we have seen a slight reduction. There is a difference between rural crime and agricrime, which the Member will be aware of, and the statistics that the PSNI has produced have shown a fall in rural crime and agricrime of 11.2% and 1.9% respectively when compared with last year. Although that is positive, it is not enough. We still want to do everything that we can to try to eradicate it. Although those statistics are positive, I am aware of certain areas — Clogher Valley, for example — where there are particular problems with cattle theft.

So, we need to keep our finger on the pulse and to continue to work together. I am always willing to play my role in working with the PSNI and the Department of Justice when it comes to tackling and raising the profile of rural crime so that it is continually on their agenda.

## DARD Headquarters: Shackleton Barracks

4. **Mr G Robinson** asked the Minister of Agriculture and Rural Development for an update on the business case for the proposed move of her departmental headquarters to the site at Shackleton Barracks. (AQO 4505/11-15)

**Mrs O'Neill:** I directed my officials to carry out a business case addressing only the options for a new headquarters for my Department at Ballykelly. The work to identify, cost and analyse the options to accommodate our headquarters on the Ballykelly site is complete. It was informed by input from the accommodation options study produced by Central Procurement Directorate (CPD), the quality impact assessment and the staff surveys. So, I expect the process to be completed by the end of October.

**Mr G Robinson:** I thank the Minister for her answer. Is the Minister confident that any outstanding staff transfer issues will be resolved?

**Mrs O'Neill:** Apologies; I did not hear that.

**Mr Speaker:** Will the Member repeat his supplementary question?

**Mr G Robinson:** Is the Minister confident that any staff transfer issues will be resolved?

**Mrs O'Neill:** Absolutely. I have said from the start of this process that I am committed to making sure that nobody would be forced to move. Obviously, staff and staff satisfaction are key to that move. Anybody who has a current contract of employment with the Department

will have to have it honoured, so throughout the whole process, we have made sure that we have talked to staff representatives, and we have spoken to the trade unions to make sure that they were fully involved in the process. I have now been engaged in three staff surveys involving Dundonald House headquarters staff, the wider Department of Agriculture and Rural Development staff, and the wider Civil Service. I am content that, given the number of staff who have indicated that they want to move to the north-west, we will be in a great position to be able to move forward according to the plan that I have set out.

2.30 pm

**Mr Byrne:** Will the Minister confirm whether the business case is focusing on a newbuild of an office for 600 employees? What does that do for a comparative analysis with locations?

**Mrs O'Neill:** Although I directed the permanent secretary to take forward the business case looking at one site, we looked at a range of options. I will not go into the detail of the options, but there were three or four possible ways to take forward the project, and the business case examined all of those. The Committee will be furnished with that in due course.

**Mr McCarthy:** I welcome the Minister's guarantee for the staff already in Dundonald House. If some members wish to avail themselves of the transfer to Ballykelly, will any mileage allowance be given to assist them on that journey?

**Mrs O'Neill:** The Department of Finance and Personnel (DFP), through human resources, will manage the movement of staff right across the Civil Service. That will all be worked out and factored into the business case that will go forward. All those issues will have to be considered. We want to make sure that staff come forward. I am quite enthused by the number of staff who live in the north-west area and are very keen to get a place of employment that is closer to home instead of travelling every day to the greater Belfast area. I think that it is all manageable, and I am committed to working with staff to make sure that we look at their personal circumstances and that everybody is comfortable with the move.

**Mr Lynch:** Go raibh maith agat, a Cheann Comhairle. Gabhaim buíochas leis an Aire. I thank the Minister for her answer. Has she engaged with staff to address any concerns that they may have?

**Mrs O'Neill:** Yes. As I said, we have engaged with staff throughout the whole process. For me, making sure that people are content is key to the success of the process. One of the key issues when talking to staff was the three-stage survey that I outlined earlier. Initially, we talked to DARD headquarters staff in Dundonald House. Next, we talked to the rest of the just over 3,000 DARD staff, and then we talked to the rest of the Civil Service. I am quite pleased by the results. A majority of the people who work in Dundonald House were less keen to move because DARD has been there for 50 years, and the majority of the workforce is probably made up of people who live locally. However, quite a number — way over the number needed for the new headquarters — are very keen to move to the north-west. I want to continue to engage with staff because, as I said, they are key to a successful move.



## Ash Dieback

5. **Mr McQuillan** asked the Minister of Agriculture and Rural Development what action she is taking to support the landowners of recently planted ash trees affected by ash dieback. (AQO 4506/11-15)

**Mrs O'Neill:** In July this year, Minister Tom Hayes and I jointly launched the all-Ireland Chalara control strategy in Dublin. The strategy provides a framework for the implementation of our policy of identification, control and eradication of the causal agents of Chalara ash dieback in Ireland and sets out the actions that will be taken to implement it. One of the actions is to provide grant support for woodland owners of recently planted ash trees affected by Chalara ash dieback to replant their woodland with alternative tree species. Grant support is made within the scope of the existing rural development programme forestry grant scheme, which is operated by Forest Service and paid at 50% of the approved costs to support eligible operations. To build further resilience in woodland in response to the growing risk of tree disease, the scheme will require replanting to result in at least three species to form significant components of the woodland. I am particularly pleased that some suppliers of affected plants have acknowledged their commitment to their clients by reinstating affected plantations at their own expense.

To reduce the risk of the disease becoming established in our mature ash woodland and hedgerows, my Department will continue to require owners to destroy affected ash trees and associated debris. Forest Service will offer help to private woodland owners participating in a forestry grant scheme to carry out that work.

**Mr McQuillan:** I thank the Minister for her answer. I am sure that she will agree that this is a very worrying time for landowners of that type. Any help or reassurance that she can give will certainly help to ease the pressure.

**Mrs O'Neill:** I totally agree with you, and, in some ways, we can be comforted by the fact that at this stage we have not found the infection in the wider environment. In some senses, that is a positive. I introduced grant support to assist people to restock. If people depend on the income from harvesting the wood, they are concerned about what it means for their future.

**Mr Hazzard:** Go raibh maith agat, a Cheann Comhairle. Will the Minister outline what engagement her Department has had on ash dieback with industry stakeholders?

**Mrs O'Neill:** My officials have regular meetings and contact with stakeholders who are affected as a result of any plant health issues. The meetings include updates on pest and disease recognition to help professionals and other stakeholders to report suspected cases. My Department has established a group of stakeholders that has met on four occasions to date to give advice and, in conjunction with officials, to develop policy recommendations in response to Chalara ash dieback. In addition to the information that is available from a dedicated plant and tree health link on the DARD website, a plant health helpline number and an e-mail address are in place to deal with specific enquiries, and stakeholders are aware that the Department has a fast map system within its GIS technology in place to advise on the up-to-date position on the disease.

**Mr Kinahan:** I did not fully understand where landowners will stand in line with grants that they were to get or are yet to get for trees that have had to be uprooted and whether they will get further grants when they plant again. They will have more costs in putting plants in.

**Mrs O'Neill:** I will clarify: we have had only three applications for the grant so far. There is one grant per project, but, if you have more than one project, you can come forward for each project. If you have numerous plantings, you can come forward. I will certainly provide the Member with more details of the scheme, but, to date, only three people have come forward.

## Common Agricultural Policy

6. **Mrs Overend** asked the Minister of Agriculture and Rural Development for her assessment of the level of simplification achieved to date in the agreement on the reform of the common agricultural policy. (AQO 4507/11-15)

**Mrs O'Neill:** The starting point for CAP reform was the Commission's original proposals, which were widely regarded as being complex. In the negotiations to date, I have achieved a lot in simplifying the Commission's original proposals, particularly on greening and the mechanism to move to a flat rate. On greening, the exemption of predominantly grassland farms with small arable areas from crop diversification and ecological focus area requirements has been an important achievement. I also achieved flexibility to allow us to monitor permanent grassland at a regional level as opposed to an individual farm level. These are positive developments for our industry, which is predominantly grass-based agriculture.

It has to be acknowledged, however, that the political agreement reached between member states and representatives of the main political groups of the European Parliament in June this year will introduce a more complex direct payments system than the current regime. We will, for example, move from a single payment regime to a minimum of three separate payments with options for more. The agreement will place additional obligations on some farmers, particularly around greening. The agreement provides a considerable degree of regional flexibility, which will enable me to meet local needs better when taking key decisions. The need for simplification will certainly influence the decision-making process. I intend to consult on my proposals for CAP reform over the next month, and I look forward to constructive stakeholder engagement throughout that process.

**Mrs Overend:** I thank the Minister for her response. What engagement has her Department had or plans to have with member states or regions that have a track record for implementing a simplified CAP that is workable on the ground at farmer level and is cost-achievable to the administrator?

**Mrs O'Neill:** We will always look towards good practice. If there is a better way to do something, we will look to it and learn from it and improve what we do. We have a great opportunity now to shape the programme to make sure that it suits local needs, which is why I look forward to the engagement and consultation process that we will take forward over the autumn and winter. In some senses, when we agreed the framework in Europe, that was nearly the easy part. It will be difficult when we take local decisions



and deal with competing interests from different sectors in the agrifood industry, but we are open to engagement. We all have the same ambition in wanting a sustainable agriculture system and making sure that we continue to grow the agrifood industry under the agrifood strategy recommendations. We have a great opportunity in front of us now to shape the new rural development programme to suit the needs of our industry in the period ahead until 2020.

### DARD Headquarters: Rivers Agency

**7. Mr Craig** asked the Minister of Agriculture and Rural Development for an assurance that the headquarters of the Rivers Agency will not be included in the relocation programme for her Department's headquarters. (AQO 4508/11-15)

**Mrs O'Neill:** At this year's Balmoral show, I announced that Rivers Agency headquarters would relocate to the Loughry college site in Cookstown. At the same time, I announced that fisheries division would relocate to south Down, and I had previously announced that Forest Service would relocate to Fermanagh and the rest of the departmental headquarters to Ballykelly. I have now agreed with my officials that those four relocations should be taken forward as separate projects under the governance of the HQ relocation programme board. Each of the four projects will have its own specific project plan and time frame. However, there are many synergies between the projects, particularly in areas such as HR, finance, ICT and project management structures, so it is appropriate that such resources and knowledge are shared across the four projects where possible.

**Mr Craig:** What level of consultation will take place with regard to the employees there? Will the Minister also take into account the views of a lot of those employees, who do not wish to move anywhere else? Will you outline to the House what the rationale behind the movement of the Rivers Agency is, as it has a facility that is relatively new?

**Mrs O'Neill:** Rivers Agency was due to move, actually. Its headquarters are not in great condition. When we looked at a site for the Rivers Agency to move to — well, I will start at the start, actually: for me, it is about a fair distribution of public sector jobs. For me, that is the principal point of what we are trying to achieve, with fisheries going into County Down, the Rivers Agency going into Loughry and forestry going into Fermanagh. That is a fair distribution, which we have not seen to date in public sector jobs. For me, that is a major win. There are all the associated benefits that will come from those wins, including any construction costs, ongoing maintenance and footfall into those areas. So, for me, it is a major win for the Executive that we are leading the way in delivering public sector jobs on a fair basis.

In terms of the move itself, as I said from the start when I talked about the headquarters move, I am very keen to engage with staff. I have done so in respect of the Rivers Agency move. The Loughry site is a great site, particularly given the fact that Rivers Agency is an emergency responder that needs to get out quickly on to the main network. Cookstown is in a prime location to allow it to do that. It has a great central location; it has access to the road network; and we also have the Loughry site in DARD's own portfolio. So, for me, it is an excellent site

for it. I am always going to engage with staff as we move forward.

**Mr Hussey:** Can the Minister detail how many jobs are actually involved in the relocation of the Rivers Agency headquarters? Will the number in Cookstown be the same as the number of those currently employed in Belfast, or will there be a divergence?

**Mrs O'Neill:** It is intended that all of Rivers Agency, in the main, apart from those who are based in local offices, will move, so the headquarters staff will move to Cookstown. I do not have the exact figure, but I think that 50-odd staff will move. As I said from the start, I want to make sure that staff are happy with the move and that all staff are content that their circumstances are taken into account. That is all part of and inherent in the process that I am taking forward for all the moves.

### Bovine Tuberculosis

**8. Ms Brown** asked the Minister of Agriculture and Rural Development for an update on her Department's bovine tuberculosis control programme. (AQO 4509/11-15)

**Mrs O'Neill:** My Department has a robust EU Commission-approved TB eradication programme in place that is based on testing to detect infected cattle, removing infected animals and reducing the risk of disease spread through movement controls and other biosecurity measures. The same disease-control measures are applied to both beef and dairy herds. That rigorous TB eradication programme will continue to be a priority to ensure continued access to the export trade by our livestock and livestock products industry, which is worth over £1,000 million per year.

I am pleased to report that the rise in TB herd incidence that we witnessed last year, which peaked in October at 7.46%, has since reduced to 6.63% at the end of July. So far this year, there has been a 24% reduction in the number of animals removed as TB reactors and a 15% reduction in the number of new herd breakdowns when compared with the same period last year. However, I am not complacent about that. The aim is obviously to achieve a sustained and progressive reduction towards the ultimate eradication of TB here. Work is ongoing to reassess the current programme and identify any additional actions that would enhance our current approach to TB.

In the coming weeks, when this work is concluded, I will announce any proposed additional measures to further strengthen our robust programme. In addition to our EU-approved programme, I will continue to invest in TB research and learn from the outcome research undertaken by other Administrations to enable us to refine our approach to TB in light of new scientific developments.

2.45 pm

### Culture, Arts and Leisure

**Mr Speaker:** Again, we will start with topical questions.

#### Seamus Heaney

**Mr McGlone:** Go raibh maith agat, a Cheann Comhairle — [Interruption.]

**Mr Speaker:** Order.

**Mr McGlone:** Will the Minister advise whether her Department will honour, promote and recognise, in conjunction with other stakeholders, the great work of our Nobel laureate, the late Seamus Heaney, allowing sensitively, of course, for a respectful period of bereavement? (AQT 31/11-15)

**Ms Ní Chuilín (The Minister of Culture, Arts and Leisure):** I thank the Member for his question. I think that he put it in the proper context of what is the appropriate time for bringing anything forward. I am really keen to make sure that Seamus Heaney's legacy is marked, not just through the Department of Culture, Arts and Leisure (DCAL) but on behalf of the Executive and, indeed, the entire Assembly. He has left us a wonderful gift of literature that will pass and endure from one generation to another. I think it appropriate that we do something or some things to reflect the esteem in which he is held. So, I am keen to do something. If the Member has any suggestions on what that would look like, particularly given that he is from the parish and knew Seamus personally, I would be really keen to hear what they are. It will come as no surprise to hear that there are lots of things out there, but I want to do something that each Member of the Assembly would be proud to be associated with. The life of Seamus Heaney needs to be marked. It would be a sin for that not to happen.

**Mr McGlone:** Go raibh maith agat, a Aire, as an fhreagra sin. I appreciate what the Minister said. I would be more than happy to work with her, as time moves on, to achieve that aim.

### Field Marshal Montgomery Pipe Band

**Mr Storey:** Over the summer, when the House was in recess, the Field Marshal Montgomery Pipe Band won its ninth world championship in a row and, for the first time in over 60 years, secured a win in the drum corps, of which a member of my constituency Mr Aaron McLean is a very proud member. In light of that success, will the Minister confirm to the House what arrangements she has put in place to give a public reception and acknowledgement for what is an outstanding success for this band and our marching bands in Northern Ireland? (AQT 32/11-15)

**Ms Ní Chuilín:** I thank the Member for his question. I have a list of achievements that happened over the summer; the Member is right to say that there have been many. I think it totally appropriate that we have a public reception here as an expression of our gratitude and to congratulate the marvellous achievements that have been made so far; not just the achievements, but the skills and expertise that those role models can pass on to up-and-coming musicians. I am more than happy to support the pipe band. I am more than happy to have a public reception up here. The Member has attended receptions that I have hosted before. I think that every Member of the House would be more than happy to attend to show their appreciation and to give congratulations.

**Mr Storey:** I thank the Minister for her reply. We look forward to that event taking place. In light of that recognition, will the Minister assure the House that she and her Department will continue to support marching bands, as they play an integral part in the very rich tapestry of culture in Northern Ireland? Will her Department do everything it can to make sure that the

appropriate finances are made available to bands such as Field Marshal, and others, which, at their own expense, put a huge amount of money towards keeping bands on the road and going to competitions such as the world championships?

**Mr Speaker:** I know that we have only started topical questions, but they really need to be a question. I do not mind if Members want to develop their question, but certainly not to the point where it is almost a statement.

**Ms Ní Chuilín:** I will be briefer than the Member who questioned me. Yes, yes and yes.

### Windsor Park Redevelopment

**Mr Girvan:** Will the Minister give an update on the redevelopment of our national stadium at Windsor Park? (AQT 33/11-15)

**Ms Ní Chuilín:** I assume that the Member's question is around the latest row over governance and appointments. The Member will be aware, and I am sure that he will appreciate, that neither DCAL, nor I or anybody else should be involved in or be in the middle of any democratic election process. I am sure that he will accept that. This is where the "however" comes in: any organisation that is in receipt of funding from government, regardless of which Department that comes from, has an appropriate responsibility to ensure that governance is upheld. DCAL is working with the IFA to review the implications of the recent changes to its articles and associations, and I need to be assured that the appropriate governance and accountability structures have been maintained to fully meet the needs of DCAL. Until I receive that assurance, I will not sign off on any agreement regarding the redevelopment at Windsor Park.

**Mr Girvan:** In light of the answer that I have received, is it possible for an update on the state aid issue about the EU funding associated with the project?

**Ms Ní Chuilín:** The state aid issue is still not resolved. I am sure that the Member is aware that I am taking this issue to Europe, so there really is no update, except that it is business as usual. I am working away on the basis that Windsor Park needs to be redeveloped to a standard that is fit and that we are all proud to have. However, certain issues, particularly around governance, need to be satisfied. That is one aspect, but I am still working away on the state aid issue in the confidence that those issues will be resolved and we will move on.

### Ulster-Scots Funding

**Mrs Hale:** Will the Minister tell the Chamber what specific progress she is making to build on the work of her Culture, Arts and Leisure predecessors in ensuring that the Ulster-Scots cultural tradition is funded on the same basis as the Irish language? (AQT 34/11-15)

**Ms Ní Chuilín:** To be totally frank about it, there is a cigarette paper between what my predecessor was doing and what I am doing. The Ulster-Scots Agency, the academy, the network and the ministerial advisory group, through the academy, have continued to bring forward programmes and funding opportunities for groups, and I will continue to do that. So, I believe that good progress has been made, particularly in the past year. I had a meeting recently with the Ulster-Scots Agency,

and I am quite happy — in fact, I am more than happy — with progress to date, and I think that there are some very exciting plans to be unveiled by the Ulster-Scots community in the coming months.

**Mrs Hale:** I thank the Minister for her answer. She will be aware that a view has been held in the Ulster-Scots community that it has been disadvantaged over the years by direct rule. Can the Minister confirm to the House what she is doing to ensure that those years are consigned to history?

**Ms Ní Chuilín:** In fairness, I think that we all could make that claim. I think that we have all been disadvantaged as a result of direct rule. Since 2007, local Ministers, particularly around Ulster Scots and the Irish language, have made sure that any gaps in provision, which, in my view, were deliberate, have not only been filled but that we do better than that in respect of fulfilling our statutory obligation to languages, and I think that we are moving in the right direction.

### City of Culture: Legacy Plan

**Mr McCartney:** Go raibh maith agat, a Cheann Comhairle. The Minister will be aware of the ongoing success of Derry City of Culture, but will she outline who is responsible for the legacy plan for the future? (AQT 35/11-15)

**Ms Ní Chuilín:** DCAL committed £12.6 million to Derry city for the City of Culture, and it was quite happy to do so. The basis of that funding investment came with conditions, and the conditions for Derry City Council were that it had to produce a legacy plan because, as I have said consistently in this House and will say again, I do not want people to wake up in that city on 1 January 2014 with nothing. I think that we all owe the people in that city much more than that, and I am working with Derry City Council and others to produce a legacy plan that we are all happy to sign off on.

**Mr McCartney:** Go raibh maith agat, a Cheann Comhairle. Gabhaim buíochas leis an Aire. There is absolutely no doubt that the money that has come from the Department and, indeed, across the Executive has made a qualitative difference to the outcomes for the City of Culture. However, it is very important that we have a legacy plan. Can she outline the detail of how she thinks that should unfold?

**Ms Ní Chuilín:** I am sure that the Member will appreciate that certain things in the legacy plan have not even been signed off. However, we are looking at things that target poverty and that provide better opportunities for social inclusion across the city. It struck me in some of the work that was done in the Gasyard, Nelson Drive and other places, for example, that there are people, particularly older people, who worked together for years but who, because of geography and people moving, had not seen each other in years. It would be a real shame if we could not fund examples like that. However, we also need to look at infrastructure around sport, the creative industries and the arts. I cannot guarantee that, on 1 January 2014, I will provide another £12.6 million or that the overall package from the Executive, which is over £30 million, will be there. However, we need to step up to the plate on where we go with our investment for future years.

### Sports Grounds: DCAL Support

**Mr McQuillan:** What help and support will the Minister's Department give to new regional sports grounds like the one planned by Coleraine Borough Council at Rugby Avenue? (AQT 36/11-15)

**Ms Ní Chuilín:** I am sure that the Member will appreciate that I have not yet seen the Coleraine plan. However, I have met people from some borough councils, which, at times, forget that they have a statutory responsibility for leisure — we will put that to the side. I am happy to look at where we can bring provision together for better investment. If there is better investment from local councils and government, you get a better product and citizens get a better service. I am keen to look at it. If the Member wishes to bring a delegation on that particular plan to me, I will be happy to meet them to see what, if anything, I can do. However, I am not aware of that.

**Mr McQuillan:** Thank you for your answer, Minister. I understand that you are due to visit Coleraine very shortly to see the plan; I think that it is next week. If you want to make a cash investment, that would be welcome. Support in any shape, form or fashion is always welcome.

**Ms Ní Chuilín:** I am due to see Bann Rowing Club, which we have invested in, and some others. I hear lists of initiatives in geographical areas that are in the pipeline and being developed. I am sure that the Member has been approached by his constituents, the council and other groups that are bringing proposals forward. I am happy to go to Coleraine, and I am happy for a Coleraine delegation to come here. I am happy to talk to everybody.

### Hurling: BBC Coverage

**Mr Dallat:** The Minister will be aware that, for the first time in history, the Antrim under-21 hurling team is in an All-Ireland Final, where they will play Clare. What representation has the Minister made to the BBC to reverse its decision to not televise that game? (AQT 37/11-15)

**Ms Ní Chuilín:** In short, I have not made any representation to the BBC. This has been the subject of ongoing discussions and conversations with broadcasters around all-Ireland sports, because, basically, they are acting in a partitionist way in my view. I am delighted that it is my county, but I understand that, as a Derry man, you are happy to enjoy Antrim's success. We are being denied an opportunity to see wonderful skill and sportsmanship because the match is not being broadcast.

**Mr Dallat:** I am happy to declare that I was born in County Antrim. When the Minister makes representation to the BBC over the next day or two, will she remind them that they give a lot of coverage to schools' rugby and the Milk Cup, of which I am also an enthusiastic supporter? I hope that she is successful in persuading the BBC to reverse its decision, which I feel was unfair.

**Ms Ní Chuilín:** I am happy to do that. I also have ongoing discussions with, in particular, sportswomen, who are not covered either by the BBC or other networks and broadcasters. There is a disparity. It is good that the three big sports are covered; I am happy that they are covered. However, that coverage is disproportionate to the coverage received by other sports and other codes within sports.

## Boxing: Funding

**Mr Maskey:** Go raibh maith agat, a Cheann Comhairle. Will the Minister outline how funding for the sport of boxing will be brought forward? What are the plans for clubs that need to be either refurbished or rebuilt? (AQT 38/11-15)

**Ms Ní Chuilín:** I am happy to say that the Irish Amateur Boxing Association (IABA) signed off on a letter in August that meant that much-needed equipment started to go into clubs.

3.00 pm

I think that it is fair to say — as I have said to the IABA, Sport NI and others — that I am unhappy with the speed of that initiative. It was launched last year but has only started to get on the ground from last month. So, that is the equipment end, which involves small grants, as I am sure the Member appreciates. Capital needs are separate. Most of these boxing clubs are in a poor state, despite the excellence that they produce. Technical consultants are going out to do assessments. I believe that, so far, 66 clubs have expressed an interest in having either a new club or a refurbishment. As far as I am aware, that process should start in early to mid-October.

**Mr Speaker:** That ends the period for topical questions. We now move to oral questions.

## World Police and Fire Games 2013

1. **Mrs McKeivitt** asked the Minister of Culture, Arts and Leisure what she anticipates will be the legacy of the World Police and Fire Games 2013. (AQO 4517/11-15)

**Ms Ní Chuilín:** I thank the Member for her question and I am sure that she agrees that the World Police and Fire Games was a tremendous showcase of what we have to offer. I am committed to taking forward new initiatives inspired by the games to create a legacy that will have a positive impact on the lives of local people.

We have 3,500 volunteers who are keen to volunteer again and to share their stories and experiences. I want to help to train and develop more volunteers for the culture, arts and leisure sectors, give them accredited skills and new opportunities and help them to further their careers or return to work if that is what is needed.

I also want to use sport to inspire young people, particularly those who are disengaged. My officials are exploring ways to further develop the relationships that were built between schools, communities and the services during the games. I am keen to develop a new generation of sports ambassadors and sports champions. We have demonstrated that we have the ability to produce them. We have also demonstrated that we have the ability to host and produce huge world-class events in music and sports.

**Mr Speaker:** Questions 10 and 12 have been withdrawn and require a written response.

**Mrs McKeivitt:** I thank the Minister for her reply. I suppose that the volunteers, visitors and competitors got a taste of the friendliest games ever over the summer months, not least in my constituency of South Down, which hosted a number of the World Police and Fire Games events. Does the Minister's Department have any plans for legacy projects in my area?

**Ms Ní Chuilín:** Not specifically in Down. As the Member is aware, even though quite a lot went outside Belfast, it was Belfast that bid for and hosted the World Police and Fire Games. As a result, when we look at overall legacy plans, we will need to look at the areas in which the sports were held. I cannot give a definitive answer as to what we will be doing, when we will be doing it and where, perhaps, we will be doing it. At the moment, we are looking at schools being able to apply for equipment — for example, 45 defibrillators — that was donated. Other equipment used in the games has been donated to the governing bodies.

As a result of the World Police and Fire Games and the athletes using the excellent local facilities that we have, I have no doubt that that will help to sustain those facilities in the future. The facilities were able to demonstrate that they could host such a large event, and that will help them in their long-term sustainability with DCAL and Sport NI.

**Miss M McIlveen:** As a volunteer at the games, I am delighted that Minister recognises their volunteering legacy. What discussions have she and her officials had to prepare bids to host other major competitions such as, perhaps, the World Games?

**Ms Ní Chuilín:** I have had no discussions with officials about hosting the World Games so far, but I will certainly raise it as a result of this question. I am delighted that the Member was a volunteer. So, too, was a previous Member, Conall McDevitt. I just missed meeting him when I went into the Waterfront Hall. I am sure that the Member can testify that the experience of the World Police and Fire Games will stand us in good stead. We would be quite proud to apply to host future games, whether the World Games or any others. I will certainly make enquiries and write the Member with an update.

**Ms McCorley:** Go raibh maith agat, a Cheann Comhairle. Gabhaim buíochas leis an Aire as a freagraí go dtí seo. Will the Minister provide details of the number of people who observed events during the World Police and Fire Games?

**Ms Ní Chuilín:** I thank the Member for her question. At the minute, we are still trying to bring in all the figures. I know that the Odyssey was able to calculate attendance by looking at ticket sales and at the number of people who went through its doors. It estimated that something like 50,000 people attended the Odyssey to watch ice hockey. From getting around Belfast and going to places such as the Mary Peters Track for the track and field events, I could see that thousands of people were there. I know that we got great weather; the weather was very kind to us. There were thousands at the Dub, and the boxing finale at the Ulster Hall was absolutely huge. I think that it had full capacity. Anecdotally, I have heard across the board that the attendance at events, particularly in Belfast, which I saw, was in the thousands, and that is as well as the exact figure that the Odyssey has given. I think that that was really great to see.

**Mr Cree:** The Minister quite rightly referred to the 3,500 volunteers. Perhaps, Minister, you could develop a little more how you intend to build on that goodwill and, in fact, encourage volunteering in sports.

**Ms Ní Chuilín:** Last year, Volunteer Now did an excellent job in preparing volunteers for the Olympic and Paralympic Games. We were very lucky to have that experience and that pool of interested people for the World Police and



Fire Games. The Member may be aware of this, but if he is not, I am happy to say it again. Some 3,600 volunteers were needed for the World Police and Fire Games. We got well over 6,000 applications. We got applications from areas that, in the past, would not necessarily have enjoyed a great relationship with some of the services. I think that that was a success. So, we are really keen to go back to those people to try to develop opportunities for them to get involved not only in major sporting events but in some of the cultural and sporting infrastructure that we have.

### Rugby: Northern Ireland Team

**2. Mr Wells** asked the Minister of Culture, Arts and Leisure what steps she is taking to ensure that rugby players from Northern Ireland will be permitted to compete in the Commonwealth Games and Olympic Rugby Sevens tournaments. (AQO 4518/11-15)

**Ms Ní Chuilín:** Responsibility for nominating players from the North to participate in international, multisport competitions, including the Commonwealth Games, rests with the governing body of the sport concerned, which, in the case of rugby sevens, is the Irish Rugby Football Union (IRFU). Players are selected for such competitions in accordance with arrangements mutually agreed between the body and the council responsible for sending a local team to the competition. Rugby players can compete for selection for Team Ireland and play in the Olympic rugby sevens tournaments.

It is up to the local governing body of rugby sevens and its international federation to decide to give teams from the North of Ireland an opportunity to participate in the Commonwealth Games.

**Mr Wells:** Does the Minister accept that a Northern Ireland rugby team would be extremely strong and, indeed, could be a medal prospect in the Commonwealth Games? Will she join with me in condemning the anti-British and anti-Northern Ireland stance of the IRFU, which has consistently denied British citizens born in Northern Ireland the opportunity to compete for their country?

**Ms Ní Chuilín:** I will not agree with one word that the Member said.

**Mr D Bradley:** Go raibh míle maith agat, a Cheann Comhairle. Gabhaim buíochas leis an Aire as ucht a freagraí. An dtig liom an cheist seo a chur ar an Aire? Cad é mar a mheasann sí Béal Feirste mar ionad do na Cluichí Comhlathais san am atá romhainn? Can I ask the Minister what her assessment is of Belfast as a future venue for the Commonwealth Games?

**Ms Ní Chuilín:** As I said in my answer to his colleague Karen McKevitt's question, Belfast has demonstrated that it can host huge and major sporting events. It can certainly punch above its weight. I am hopeful that Belfast will be in a position to consider perhaps hosting the Commonwealth Games in the future. It certainly has the facilities, the infrastructure, the experience and the attitude to do it.

**Mr Ó hOisín:** Go raibh maith agat, a Cheann Comhairle, agus gabhaim buíochas leis an Aire. How many sports will be represented in the Commonwealth Games next year? Cá mhéad spórt a bheidh ag glacadh páirt sna cluichí sin? Would she care to estimate how many medals we might be in line for?

**Ms Ní Chuilín:** So far, the medal target is five, I think. That seems a bit low, but that is what it is; it is in the strategy. There are at least 13 sports so far, ranging from badminton, table tennis, swimming, netball, men and women's bowls, cycling, boxing and gymnastics, to name but a few. However, I imagine that that may change.

### Funding

**3. Ms McGahan** asked the Minister of Culture, Arts and Leisure to outline how she will promote better funding opportunities for groups outside the Belfast City Council and Derry City Council areas. (AQO 4519/11-15)

**Ms Ní Chuilín:** My Department's funding is channelled through its arm's-length bodies (ALBs), which put forward annual proposals for programme expenditure through their business plans. I will approve only those proposals that are in line with the Department's key priorities, in particular those that promote social and economic equality and tackle poverty and social exclusion.

In further considering business plans, DCAL will also determine whether any redefinition of funding would promote better opportunities to communities outside the cities of Belfast and Derry. Other possible actions would be for the Executive to give this matter consideration under Together: Building a United Community. Additional collaboration between Departments and sponsor bodies may also be helpful. Indeed, when the new councils are formed under RPA, there will be opportunities under community planning to further examine this issue.

I want to assure the Member that I will continue to monitor how our ALBs are seeking and considering innovative ways to ensure better promotion of funding opportunities for everybody across the North, regardless of where they live.

**Ms McGahan:** Go raibh maith agat. I thank the Minister for her response. How will she encourage more applications from areas outside Belfast and Derry?

**Ms Ní Chuilín:** Organisations that I think do that well are the Arts Council and NI Screen, as well as the Sports Council and libraries. It is important that people do not feel that they get those services by postcode. As part of the regular monitoring and evaluation of the business plans from the ALBs, I will seek to ensure that there is an attempt to provide services and facilities outside the cities. If the Member has any specific examples in her constituency that she would like to bring to my attention concerning any of the ALBs or services under DCAL, I would be happy to take a delegation.

**Mr Humphrey:** I hope that the Minister will agree that, at the same time, Belfast and Londonderry should not be disadvantaged when it comes to any such decisions. Equally, however, I agree 100% with the sentiments about equality, social deprivation and exclusion, and so on. Does she agree that local councils must step up to the plate, as Belfast and Londonderry clearly have?

**Ms Ní Chuilín:** I agree with the Member. Even in our city, there are geographical disparities: for example, the north and west do not fare as well as the east and south. That is a fact, it is on the record and it is not propaganda. However, we need to make sure that the cities are not disadvantaged and that the money that we are investing in the cities and towns and villages is distributed proportionately. At times, I can understand why colleagues



who come from rural communities look at the big cities and feel that they get a lot while their local communities do not get enough. There is an imbalance there, and we need to correct it.

**Mr Rogers:** I welcome the Minister's answer about monitoring how money is spent. Does she have any idea of the percentage of arts funding that is received by areas outside Belfast and Derry?

**Ms Ní Chuilín:** I have no idea of the percentage, but I am happy to write to the Member. I met some groups recently from outside Belfast and Derry who made complaints and raised concerns. They are doing wonderful work but feel that they are not getting enough support. As a result of those meetings, I have asked for an update on the situation, and I am happy to share that information with the Member.

**Ms Lo:** What is the Minister's assessment of the work of the intercultural arts programme, which is for ethnic minority artists?

**Ms Ní Chuilín:** Again, I am surprised that the Member did not say that the programme needs additional funding because that seems to be the nature of the lobbying going on. The programme does excellent work. The Belfast Mela is the most recent example of that, and the crowds that gathered in Botanic Gardens were unbelievable. That was not surprising. The Mela is an example of an arts and culture event where people from different walks of life and backgrounds sat very comfortably with one another and enjoyed the spectacle. I am very conscious that there are many other examples, even where there is the exclusion of minority ethnic communities, of where better investment in arts could help to end that exclusion. I will look at the percentage of funding for that programme in relation to the question asked by the previous Member, and I will write to the Member.

3.15 pm

## Commonwealth Games 2014

4. **Mr Storey** asked the Minister of Culture, Arts and Leisure what involvement her Department has had in preparation for the arrival of the Queen's baton as part of the Commonwealth Games in 2014. (AQO 4520/11-15)

**Ms Ní Chuilín:** Responsibility for preparations for the arrival of the baton as part of the Commonwealth Games rests with the Commonwealth Games Council, which, as the Member knows, is the lead body for Commonwealth sport here. DCAL, through Sport NI, continues to work closely with the council as it takes forward its preparations for the 2014 Glasgow games.

I refer the Member to my previous answer to the Assembly on 18 June, when I advised that the council, which has been engaging directly with the organising committee of the Glasgow 2014 Commonwealth Games, is considering events to be held between 20 and 23 May 2014, when the baton relay will visit here. I understand that this is still the case and that the Commonwealth Games Council will provide further details on events that are planned for the arrival of the baton in due course.

**Mr Storey:** I thank the Minister for her answer. Our difficulty is that there are very few specifics. I understand that there is a Northern Ireland committee, and the

Minister referred to previous answers that she has given to the House. Will she assure us that her Department will not simply give this to Sport NI to organise but will be proactive, as was the case when the Olympic torch came to Northern Ireland? Will she assure us that we will have a specific event that Northern Ireland can celebrate and be part of, given the importance of the Commonwealth Games?

**Ms Ní Chuilín:** The Member is right to make the comparison with the Olympic and Paralympic torches. Initially, the London Organising Committee for the Olympic Games (LOCOG) basically asked us to behave ourselves and to accept what we were given and be grateful for it. We did not do that. LOCOG came to appreciate our value for and commitment to major sporting events, and, as it turned out, we had a really good relationship. However, it was not easy at the start.

Sport NI is not directly responsible for this; it is the Commonwealth Games Council. Sport NI sits on the board, as does DCAL. I have the same energy and commitment to providing details and to making sure that there are events that people can attend as I have had with any previous sporting event that I have been involved with. I give the Member an assurance that, with this, I will not take a different course from last year.

**Mr Boylan:** Go raibh maith agat, a Cheann Comhairle. Gabhaim buíochas leis an Aire as ucht a freagraí. I thank the Minister for her answers. Will she provide an overview of other preparations and plans ahead of Glasgow 2014?

**Ms Ní Chuilín:** The Member will appreciate that, even in relation to the principal question, a few events will happen here as part of the Commonwealth Games. They have not yet been confirmed, and I am reluctant to get into specifics. The baton relay seems to be the one that is most talked about.

There are two groups: an operational group that is looking at day-to-day running; and a task and finish group that looks at events and athletes' performance. I am due to receive an update report at the end of this month or the beginning of October. I am happy to write to the Member and to Mervyn Storey to give them updates on events that will be held here as part of the games.

**Mr Allister:** Will the Minister give an assurance that, as has been the situation historically, Northern Ireland competitors will compete under the Northern Ireland flag, more properly known as the Ulster banner? Is she supportive of that?

**Ms Ní Chuilín:** The Northern Ireland Commonwealth Games Council, to give it its full title, is working with governing bodies and athletes. It does not want people, particularly politicians, who sit in the back and constantly point to the front and make silly remarks about very sensitive issues. The Member should support all the athletes, regardless of how they designate themselves, as I do in going forward. *[Interruption.]*

**Mr Speaker:** Order.

## World Police and Fire Games 2013

5. **Mr Ross** asked the Minister of Culture, Arts and Leisure for her assessment of the success of the World Police and Fire Games 2013. (AQO 4521/11-15)

7. **Mr Irwin** asked the Minister of Culture, Arts and Leisure for her assessment of the World Police and Fire Games 2013, including the number of competitors, countries represented, spectator numbers and the legacy of the Games. (AQO 4523/11-15)

14. **Mr Maskey** asked the Minister of Culture, Arts and Leisure for her assessment of the economic benefits provided to Belfast and further afield by the number of athletes and visitors to the World Police and Fire Games 2013. (AQO 4530/11-15)

**Ms Ní Chuilín:** With your permission, Mr Speaker, I will take questions 5, 7 and 14 together.

The World Police and Fire Games was the largest sporting event ever held here, and it is with great pride that we are able to look back on a wonderful fortnight of sport, colour and community involvement. I think that we can all agree that an excellent, professionally run international sports event was delivered.

A full games evaluation report will be produced by 2014. As an immediate snapshot, I can reveal that almost 7,000 athletes and technical support staff from 67 countries registered for the games. Athletes came from across the globe, with competitors from Canada, New Zealand, Peru, China and Nigeria, to name just a few. As I mentioned, in excess of 5,000 spectators attended the ice hockey events in the arena.

**Mr Ross:** With the success of the Irish Open last year and the World Police and Fire Games this year, we have shown that we can hold major events in Northern Ireland. I am sure that everyone in the House is looking forward to the Giro d'Italia next year and, hopefully, major golfing and rugby events in the not-too-distant future.

I listened with interest to the Minister's reply to Mr Bradley, who asked whether Northern Ireland or Belfast was capable of holding the Commonwealth Games at some stage in the future, and she said that we had the infrastructure. I do not think that she is entirely right, because surely for that to happen we would have to have a velodrome somewhere in Northern Ireland. On that basis, is the Minister intending to examine whether she could fund a velodrome in Northern Ireland so that we would have the full infrastructure that would allow us to bid for a Commonwealth Games in Northern Ireland?

**Ms Ní Chuilín:** With regard to a velodrome, I have asked for an update on need. There was a gap since the last report was done, and the business case did not stand up. I am sure that the Member is aware of that. However, I think that there is a need. The sport has become very popular. You are right: we would look really foolish bidding for sporting spectacles such as the Commonwealth Games when we fall far short with regard to a velodrome. I will look at that over the next couple of months, and the process will involve business cases along with everything else. If it stands up, I am happy to bid for the money.

**Mr Irwin:** It was anticipated that 15,000 visitors would accompany the athletes to Northern Ireland. Did the actual visitor numbers live up to the expectations?

**Ms Ní Chuilín:** I am not sure. I have heard a couple of different figures, but they have not been substantiated. Altogether, one of the consistent figures was at least 10,000 visitors. However, because I am answering questions, I want to make sure that there is a separation

between athletes and visitors — athletes and visitors who came solely for the World Police and Fire Games and were not already here and kind of joined in. There was a bit of that as well, although not much. When I receive the report, I will be happy to share that information with the Member.

**Mr Maskey:** Go raibh maith agat, a Cheann Comhairle. Will the Minister outline to the House how the cost of delivering the World Police and Fire Games here compares with the cost associated with London 2012 and the projections for the games in Glasgow 2014?

**Ms Ní Chuilín:** This is where the money starts to get a bit scary. Although I answered the question in sincerity to Dominic and Alastair Ross, the World Police and Fire Games cost less than £14 million. I know that it might not be the best comparison, but £9 billion was spent on the London Olympic and Paralympic Games, and the estimated cost of the games in Glasgow in 2014 is £523 million. That is big money. Maybe they have to start building pools, velodromes and other infrastructure that we have here already. However, DCAL and the Executive funded less than £7 million towards the World Police and Fire Games. The World Police and Fire Games company, along with sponsors, came up with the rest. The Member — all Members, I am sure — will agree that it was money well spent. I am sure that there will be a big return in terms of money spent in Belfast. However, the figures are fairly small in comparison with what was spent in London and what, it is estimated, will be spent in Glasgow next year.

**Mr Lyttle:** Has the Minister any plans to explore the possibility of bringing the international cycling conference, Velo-city, to Belfast?

**Ms Ní Chuilín:** I do not have any plans. Lots of competitions have been mentioned. Rather than saying, "Why?", I take the attitude of "Why not?". What happened during the summer around sport and cultural activity, particularly in Belfast, lifted people, despite what was going on in other parts of the city. It provides a good example and good role models for young people in particular to stay in sport and for people like myself, who are not so young, to re-engage in sport. Where we can hold and host competitions, we need to have a look at doing that.

## Lough Neagh: Net Fishing

6. **Mr Milne** asked the Minister of Culture, Arts and Leisure to outline what proposals are in place for issuing net licences for Lough Neagh in the next 12 months. (AQO 4522/11-15)

**Ms Ní Chuilín:** The licensing regime for the regulation of commercial fishing on Lough Neagh is established in the Fisheries Act (NI) 1966, as amended, and the Eel Fishing Regulations 2010. The fishing rights for Lough Neagh are controlled by the Lough Neagh Fishermen's Co-operative Society Limited. My Department issues licences annually in line with legislative requirements and subject to the applicant fulfilling any specific criteria attached to particular licences. The co-op issues licences permitting fishermen to fish for eels. The only proposed amendment to the licensing regime on Lough Neagh for 2014 is the prohibition of the taking of salmon by draft net. That is one of a suite of salmon conservation measures that I am proposing, and my Department is consulting on the draft legislation to be put before the House.

**Mr Milne:** Gabhaim buíochas leis an Aire as a freagraí go dtí seo. What is DCAL doing to establish a fishing management plan for Lough Neagh?

**Ms Ní Chuilín:** There is a need for a fishery management plan for Lough Neagh that will provide a strategic approach to inform decisions and future management and regulation, particularly when you look at events that have arisen around protection and, indeed, conservation on Lough Neagh. In my opinion, that plan requires baseline information and the current status of the fishery resource to inform management decisions. The Member may be aware that the Department has commissioned AFBI to undertake work along the Lough Neagh catchment area. When AFBI reports back to DCAL, only then will we be using scientific evidence and working with the co-operative to bring plans forward. I am committed to making sure that there is long-term sustainability around Lough Neagh.

**Mr Kinahan:** How is the Department offering support to the Lough Neagh eel fishery and when will that scientific evidence from AFBI be finalised and inform us on the way forward?

**Ms Ní Chuilín:** The Member will be aware that we are working closely on the lough, particularly around the eel management plan. The eel management plan on Lough Neagh is an exemplar in not just the North or this island but in Europe. It has been important for the co-op that its scientific investigations with AFBI were used to review the current eel management plan and to inform patterns of health and conservation across Europe.

I have no specific date for when the plan will be finished. The Member will be aware that amendments are going through Europe around eel management conservation and eel management plans. We have a deadline for those, and I expect that the scientific evidence will be completed well before those amendments are due to be heard in Europe.

## Sectarianism in Soccer

8. **Mr McElduff** asked the Minister of Culture, Arts and Leisure for an update on how the Irish Football Association is challenging sectarianism in soccer, including how she intends to support and enhance its work.  
(AQO 4524/11-15)

**Ms Ní Chuilín:** Ultimate responsibility for challenging sectarianism in soccer rests in the first instance with the IFA. Although the IFA continues to take forward measures in this area, such as its Football for All campaign, it is evident from recent sectarian abuse, particularly that suffered by Cliftonville players Liam Boyce and Conor Devlin, that more needs to be done.

On 15 April 2013, I advised the Assembly that I intended to commission research to establish what else could be done to help to address the issue and, indeed, to support the good work of the IFA. I am pleased to report that that research has been commissioned, and a survey exercise has commenced that aims to assess public awareness of and attitudes to sectarianism in football. Interviewees will be asked whether they have experienced sectarian behaviour at matches within the past five years. The research will seek to include experiences on and off the field. That has started, and I am sure that we all look forward to the results.

**Mr McElduff:** Go raibh maith agat. What programmes will the IFA deliver with additional moneys provided by DCAL? Does that funding include looking at how sectarianism is being challenged as well as promoting good relations?

**Ms Ní Chuilín:** It does, because it is focused on promoting equality and tackling poverty and social exclusion through sport. It is also used to monitor and target the impact of sectarianism within the sport, so that is conditional as part of the funding. The IFA has done some really good work. I am keen to build on that, but there is a certain ignorance and people are avoiding the issue of sectarianism when it occurs. Regardless of where it occurs, when it does occur we all need to say that it is not on. To use an old adage, we need to give sectarianism the boot in soccer.

3.30 pm

## Private Members' Business

### Mutual Respect and Reconciliation

*Debate resumed on amendment to motion:*

*That this Assembly notes with grave concern the violence and disorder over the summer months; deplores the activities of all those who engaged in acts of violence against local communities, elected representatives, and the PSNI; affirms the commitment of all elected representatives to promote a culture of tolerance and reconciliation and to act in a way which promotes mutual respect rather than division; and to work constructively to find long term and sustainable solutions to contentious political issues in the best interests of the communities we serve. — [Mr G Kelly.]*

*Which amendment was:*

*Insert after "PSNI;":*

*"condemns those who damaged community relations by engaging in commemorations glorifying the acts of terrorists;". — [Mr Newton.]*

**Mr Buchanan:** The motion before us looks good and sounds good. To the eyes of the world, as they look on at the debate in the House today, it looks good. It portrays Sinn Féin in a good light, when really we have wolves in sheep's clothing. We have a motion, as has been said by other Members, that is full of Sinn Féin rank hypocrisy. It is about the promotion of equality and reconciliation, when Sinn Féin and especially the proposer of the motion, Mr Kelly, have done all in their power over the past few months to damage community relations right across Northern Ireland. In fact, what have we seen Sinn Féin do in the last few months in Northern Ireland? I will tell you what it has done: it has waged a cultural war against the unionist people and their tradition in Northern Ireland. The motion speaks of tolerance and respect. I suggest that the Sinn Féin party does not know the meaning of those words.

**Mr Storey:** I thank the Member for giving way. If you want a prime recent example of that, just last weekend in the village of Dunloy in my constituency, the Orangemen were, for the thirteenth year, prevented from walking to their church to conduct a religious service with the Dunloy Accordion Band and about 20 members of the Orange Institution. There are no dissidents in the village of Dunloy, although you can never be sure. That was driven by Sinn Féin because of its intolerance for a different culture and tradition.

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

**Mr Buchanan:** Thank you, Mr Speaker. I thank the Member for his intervention. The House is yet to see respect and tolerance from Sinn Féin for unionist culture in Northern Ireland.

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

**Mr Buchanan:** No, sorry.

The evidence is simply not there. Of course, the old cliché always bears out to the end: actions speak louder than

words. We have heard a multitude of words but have seen very little action.

Sinn Féin says it is concerned about violence and disorder, which we all condemn, but I have yet to hear its condemnation of all the IRA atrocities, not only in my constituency of West Tyrone but right across Northern Ireland and further afield. Is it not of interest that, while the amendment seeks to add words of condemnation to the motion that were blatantly omitted by Sinn Féin, Sinn Féin still does not want them included? Sinn Féin does not want to have the words of condemnation included. As far as it is concerned, there is no condemnation of IRA terrorism. Instead, there is a glorification, relishing in the dastardly deeds it carried out in the past. An old proverb comes to mind: a leopard cannot change his spots. Well, let us make it clear from the House today that you cannot reach out the hand of reconciliation while waging a cultural war and showing neither tolerance nor respect for the community that we on this side of the House represent. It simply will not work.

I note that the motion states that we should:

*"act in a way which promotes mutual respect rather than division".*

It is a pity that Mr Kelly did not think of that before he came to Castlederg to glorify terrorists on a murder mission. The parade was condemned by all political parties and a large section of the Roman Catholic community, which stood alongside unionists in utter disgust at such an event in Castlederg. Indeed, that event was described in the House by Mr Alban Maginness, both in the debate yesterday and the debate today, as a "coat-trailing" exercise by republicans that was totally unacceptable. I ask Mr Kelly what that has done to community relations and reconciliation in Castlederg. Of course, he probably would not know. Well, let me spell it out for you. What the innocent victims of Castlederg have said is on public record. That march by a dissident republican rabble —

**Mr G Kelly:** Will the Member give way?

**Mr Buchanan:** No, I will not give way.

That march set community relations back by at least 20 years. Here we have a party tabling a motion that calls for reconciliation, good community relations and a strategy for the future of community relations. Yet, what has it done by its own actions in Castlederg? It has set community relations back by 20 years. Those are the words of victims in the Castlederg area. I would go further because I believe that, for some in the Castlederg area, the situation is beyond repair. That is simply because Sinn Féin would not listen and drove a coach and horses through the situation.

I will refer to the remarks of some Members during the debate. Mr Newton, when he proposed the amendment, said that Northern Ireland wanted to move forward into a shared space. How can we move forward when, as William Humphrey said, we have Sinn Féin naming play parks after terrorists?

**Mr Speaker:** The Member must draw his remarks to a close.

**Mr Buchanan:** It campaigns for the release of murderers, and its opposition to the Orange Order shows that it has no tolerance for the unionist community.



**Mr Speaker:** The Member must draw his remarks to a close.

**Mr Buchanan:** Again, I challenge Sinn Féin: is that its conception of reconciliation? If it is, it will not work.

**Mr Maskey:** Go raibh maith agat, a Cheann Comhairle. I want to say at the outset that I do not intend to take any interventions because it is the last contribution to the debate. Therefore, I just want to make my own concluding remarks.

I say to the House that we have certainly had a bad year. There is no question in my mind that, since the end of last year, throughout this year, to this very week, we have had difficulties surrounding what were described as flag protests but actually ended up degenerating very quickly into roadblocks, intimidation, riots and more difficult issues, such as attacks on people's homes at interface areas. We then moved into what used to be called "the silly season". Unfortunately, circumstances are such now that we should not call it that.

During the parading season, contrary to the argument that we have heard yet again in the past couple of minutes from a number of unionists about a so-called cultural war, there were over 3,000 parades, most of which are actually uncontested throughout the year. Most of those parades are by the loyal marching orders, as they are described. However, yet again, we have witnessed serious and routine breaches of Parades Commission determinations; sustained rioting; very many people, including many police officers, being injured; millions of pounds being squandered; and untold damage done to community relations. I am not in a position to say how many years we have been set back. However, certainly the community I represent look at unionism now almost with despair and dismissal in so far as they say that there is no unionist politician or leader who is capable of leading their community into a more positive future, particularly working with their nationalist and republican neighbours. As I said, that is what we are left with at the end of what is called the parading season. It has been a long and difficult year. We are now in a situation where community relations are, perhaps, at a very low point.

I do not really want to go into a rehearsal of what other Members have said. However, I want to draw attention, because I think that they are particularly illustrative, to remarks by the Member Mike Nesbitt when he lamented the events at Castlederg. He said that unionism had been getting up a "head of steam" until the remarks that were made by Ruth Patterson on social media. That illustrates a complete and utter disgraceful and cynical exploitation of victims who may live in and around the Castlederg area and probably further afield. Shame on Mr Nesbitt, particularly given his former representation as a victims' commissioner, for advising the House that he considered that unionists had been building up a head of steam. To me, that is equal to exploiting cynically victims' views and sensitivities.

Unfortunately, over the past two days in the Assembly, we have already had all the negativity that we need and, in fact, more than we can afford. It overshadows much of the good work that a number of Ministers and others have alluded to and have been involved in on behalf of all of us throughout the Assembly and in the Executive.

In the next three months, we will have a new opportunity through discussions chaired by Richard Haass. He, as we all know, is an eminent diplomat who brings his international imprimatur to the talks. Of course, the downside is that, if we fail to reach agreement on these key contentious issues, we will be ridiculed and lose the confidence of the international community. That would be very damaging for all of us. We all know that the international community has been very supportive of all of us over the past number of years. Failure to reach agreement on these issues will represent a serious setback in our international credibility that could lead to a potential loss of investment, tourism and so on. Richard Haass faces a serious uphill struggle, but, on behalf of Sinn Féin today, I wish him the greatest success in chairing the talks in the next number of months.

The motion is about the Assembly sending out a message with a united voice not only against all the difficulties that we have experienced throughout the past year, which many of us have highlighted, but, more importantly, about what we are about and how we are going to resolve to work together with integrity. In other words, we must resolve the issues, identify the problems, take the initiative, reach agreements and stick to those agreements with integrity. I remind Members that the motion not only commits us to expressing our concerns about what has happened throughout the year but determines that we should work together constructively to find long-term and sustainable solutions to our problems. The Sinn Féin motion does precisely that, by calling on us to work together and to move forward in a positive environment into the Haass talks, which, as I said, are coming up very soon. It is interesting and, indeed, illuminating that that is precisely the section of the motion that unionists have sought to remove, and other Members of the House and other parties appear willing to support that. So it is precisely the important aspect of the motion, which is about agreeing to work together to resolve the problems that we all face, that is actually being deleted. I think that that illustrates where people are at. They are quite prepared to come in here today with another rant, as they were yesterday, but not to say what they will do in the weeks and months ahead to resolve the problems.

Clearly, parties around the Chamber do not agree on the past. As far as I am concerned, there will never be a single narrative about our troubled history, and I would defy anyone to tell me that there can be a single narrative. Certainly, if you have listened to what has been said here in the past couple of days, you would know that we are nowhere near any agreement on our history. Facts are facts, and people will interpret them, as they have done. As far as Sinn Féin is concerned, although we do not agree on the past, we certainly can and must shape our future. That is very important.

We have had a bad year. If the public have been watching the Assembly for the past two days, they could be forgiven for saying, "They should just close the place down". If Members think that they are going to sit here for the rest of the term and hear themselves talk, maybe they need communal therapy on their inability to embrace change and forward and progressive thinking. If Members think that they can spend the rest of this term going backwards and trying to unpick a lot of the very good things that have happened in the past number of years — almost 20 years throughout the whole peace process — I have to say that I

would share the public's sentiment: close it down. If we are not here to solve problems and give hope to the people we collectively represent, we should not be here at all.

It was mentioned earlier that Sinn Féin and the DUP have a very important role in the upcoming talks, but I would add that so do all others. There is no hiding place for any party in the coming weeks and months. I have heard a lot of rhetoric, but, unfortunately, friends, rhetoric will not replace the need for substance in these discussions. I look forward to seeing what practical proposals people and other parties put forward during the Haass talks. As I said, it is all very well saying that Sinn Féin and the DUP have to solve all these problems, but we cannot solve them on our own. In fact, none of the parties here has been able to do that thus far. That is why we are have someone as eminent as Richard Haass coming to join us in the next number of weeks.

So, I say to all Members that we have a very important role.

### 3.45 pm

I do not want members of the public to be listening to the Assembly at the start of a new session and asking, "Is this what we are going to hear all over again?". We have come through a very difficult year, and millions of pounds of public money has been squandered. Where are all the arguments that we heard years ago that "That incident last night would have provided 20 new hips for people in hospital, or could have been used to employ 100 new nurses or so many teachers"? We need to and should deliver all those things for the people we collectively represent. People need to bear it in mind and remind themselves that, in my opinion, the mood in the previous election campaign was very simple and it was this: it was a very good job that we held the Assembly together and that was all very important and people were appreciative of that, but they were telling the parties very clearly to get in there this term and deliver for people. It is shameful that we have squandered millions of pounds, injured hundreds of people, including many police officers, and have seen the homes of many families in this city and beyond attacked over the past number of months, without a peep from some political representatives in some cases.

The Sinn Féin motion has been described as everything but a cunning plan, but it was a carefully considered motion. It was designed not to go over every incident and every comment from the past year but to say that we have all had to confront a problem in the past several months. More importantly, we have to commit ourselves now to working —

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

**Mr Maskey:** — constructively and positively in the weeks and months ahead to resolve the problems that all the people we represent suffer while we sometimes speak more hot air than light up here.

*Question put, That the amendment be made.*

*The Assembly divided:*

Ayes 65; Noes 25.

### AYES

*Mr Allister, Mr Anderson, Mr Attwood, Mr Beggs, Mr Bell, Mr D Bradley, Ms P Bradley, Ms Brown, Mr Buchanan,*

*Mr Byrne, Mr Clarke, Mrs Cochrane, Mr Craig, Mr Cree, Mr Dallat, Mr Dickson, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Durkan, Mr Easton, Mr Eastwood, Mr Elliott, Dr Farry, Mr Ford, Mrs Foster, Mr Frew, Mr Gardiner, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Humphrey, Mr Hussey, Mr Irwin, Mrs D Kelly, Mr Kennedy, Mr Kinahan, Ms Lo, Mr Lyttle, Mr McCallister, Mr McCarthy, Mr McCausland, Mr B McCrea, Mr I McCrea, Mr McGimpsey, Mr McGlone, Mr D McIlveen, Miss M McIlveen, Mrs McKeivitt, Mr McQuillan, Mr A Maginness, Lord Morrow, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mr Poots, Mr P Ramsey, Mr G Robinson, Mr Rogers, Mr Ross, Mr Storey, Mr Swann, Mr Weir.*

*Tellers for the Ayes: Mr Buchanan and Mr G Robinson.*

### NOES

*Mr Boylan, Ms Boyle, Mr Brady, Ms Fearon, Mr Flanagan, Mr Hazzard, Mr G Kelly, Mr Lynch, Mr McAleer, Mr F McCann, Mr McCartney, Ms McCorley, Mr McElduff, Ms McGahan, Mr McKay, Ms Maeve McLaughlin, Mr Mitchel McLaughlin, Mr Maskey, Mr Milne, Ms Ni Chuilín, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Ms Ruane, Mr Sheehan.*

*Tellers for the Noes: Mr G Kelly and Ms Ruane.*

*The following Member voted in both Lobbies and is therefore not counted in the result: Mr Agnew*

*Question accordingly agreed to.*

### 4.00 pm

*Main Question, as amended, put.*

**Mr Speaker:** I have been advised by the party Whips that, in accordance with Standing Order 27(1A), there is agreement to dispense with the three minutes and move straight to the Division.

*The Assembly divided:*

Ayes 65; Noes 25.

### AYES

*Mr Allister, Mr Anderson, Mr Attwood, Mr Beggs, Mr Bell, Mr D Bradley, Ms P Bradley, Ms Brown, Mr Buchanan, Mr Byrne, Mr Clarke, Mrs Cochrane, Mr Craig, Mr Cree, Mr Dallat, Mr Dickson, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Durkan, Mr Easton, Mr Eastwood, Mr Elliott, Dr Farry, Mr Ford, Mrs Foster, Mr Frew, Mr Gardiner, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Humphrey, Mr Hussey, Mr Irwin, Mrs D Kelly, Mr Kennedy, Mr Kinahan, Ms Lo, Mr Lyttle, Mr McCallister, Mr McCarthy, Mr McCausland, Mr B McCrea, Mr I McCrea, Mr McGimpsey, Mr McGlone, Mr D McIlveen, Miss M McIlveen, Mrs McKeivitt, Mr McQuillan, Mr A Maginness, Lord Morrow, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mr Poots, Mr P Ramsey, Mr G Robinson, Mr Rogers, Mr Ross, Mr Storey, Mr Swann, Mr Weir.*

*Tellers for the Ayes: Mr Buchanan and Mr G Robinson.*

### NOES

*Mr Boylan, Ms Boyle, Mr Brady, Ms Fearon, Mr Flanagan, Mr Hazzard, Mr G Kelly, Mr Lynch, Mr McAleer, Mr F McCann, Mr McCartney, Ms McCorley, Mr McElduff,*

Ms McGahan, Mr McKay, Ms Maeve McLaughlin, Mr Mitchel McLaughlin, Mr Maskey, Mr Milne, Ms Ní Chuillín, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Ms Ruane, Mr Sheehan.

Tellers for the Noes: Mr G Kelly and Ms Ruane.

The following Member voted in both Lobbies and is therefore not counted in the result: Mr Agnew

Main Question, as amended, accordingly agreed to.

Resolved:

*That this Assembly notes with grave concern the violence and disorder over the summer months; deplores the activities of all those who engaged in acts of violence against local communities, elected representatives, and the PSNI; condemns those who damaged community relations by engaging in commemorations glorifying the acts of terrorists; affirms the commitment of all elected representatives to promote a culture of tolerance and reconciliation and to act in a way which promotes mutual respect rather than division; and to work constructively to find long term and sustainable solutions to contentious political issues in the best interests of the communities we serve.*

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

## Private Members' Business

### Compensation Policy

**Mr Deputy Speaker:** The Business Committee has agreed to allow up to one hour and 30 minutes for the debate. Two amendments have been selected and published on the Marshalled List. Amendment No 1 has been tabled by the proposer of the motion. The motion and amendment No 1 will be proposed together and wound up together, with 10 minutes to propose and 10 minutes to make a winding-up speech. The proposer of amendment No 2 will have 10 minutes to propose and five minutes to make a winding-up speech. All other Members who wish to speak will have five minutes. So that Members are clear, there will not be an additional 15 minutes for the debate, as amendment No 1 will be moved and wound up at the same time as the motion.

**Mr Givan:** I beg to move

*That this Assembly rejects the shift in compensation policy that led to a substantial award following the death of a Real IRA member at the hands of the same organisation; recognises that the change in policy is a significant break from past practice and inconsistent with previous treatment of victims of terrorism and crime; and calls upon the Minister of Justice to intervene immediately to prevent this payment.*

I also beg to move amendment No 1:

*Leave out all after "Justice" and insert*

*"to launch a review of compensation policy and reverse this unnecessary, unwanted and offensive policy change."*

I thank the Business Office and the Minister for working with us to get the amendment in and helping to keep it technically correct. Let me put it on the record that we appreciate the help in doing so.

Members will be familiar with this case. During the summer it caused considerable controversy.

Obviously, it pertains to the position whereby relatives of a convicted criminal and member of a terrorist organisation received compensation for his death. It was a brutal death that he was subjected to by the paramilitary organisation of which he was a member. Let me put on record that I understand and appreciate that, for that particular family, the way in which Kieran Doherty lost his life was brutal and is to be condemned. I acknowledge the pain and hurt that they clearly will have felt. However, it is important that we look at the broader principle and the broader issues that society needs to consider when it comes to addressing issues around compensation payments to people.

#### 4.15 pm

It is widely recognised in the compensation schemes that exist that the compensation paid out will vary, depending on the circumstances of the individual affected and their history. Members will know that, initially, compensation was refused. It was the appeal stage at which an award was made. I would like some clarity on a number of points. Maybe the Minister will be able to shed some light on what information changed to warrant the appeal tribunal changing the original decision. Obviously, the police and

intelligence services provided information that warranted the initial refusal because of the particular circumstances pertaining to the individual. We would like to know whether that decision by the appeal body has been reviewed by the Department. Is there any mechanism whereby the Minister can challenge the decision that was taken to reverse the initial decision? Is it open to the Minister to take a judicial review of that particular decision? I am interested to hear whether that can happen.

It is worth noting that there was inaccurate reporting of the figure at the time. That was very unhelpful. Subsequently, it was revealed that the sum of money was not the £200,000 figure that was originally reported. That caused considerable hurt to people at that time. The media should take note of that and be careful about reporting things without knowing the accurate figures. Nevertheless, regardless of the quantum of compensation paid to the family of Kieran Doherty, it is the principle that is very important in all this and that gets us to the key issue — one of the key issues that the Haass talks need to deal with and one that repeats itself in the debates that we have been having. It is this: what is a victim? That goes to the kernel of the hurt and pain that was caused to innocent victims by the awarding of that money. It was particularly poignant to hear from the relatives of those who suffered in the Omagh bombing by the Real IRA, the organisation responsible for this death, when they spoke of the pain that they had suffered. That was encapsulated, I thought, by what Michael Gallagher said:

*"It's quite wrong to think that people engaged in terrorist activity, when they come to a sad end, are then viewed in the same light as a victim. I can never understand how the victimiser can be equated with the victim."*

That sums up the position of the Democratic Unionist Party when it comes to these issues. There can be no equality of victimhood. When people say that there should be no hierarchy of victims, we say, yes, there should be. Very clearly, there should be a hierarchy of victims. There are innocent victims and those who served in the security forces. When they lost their lives, they were innocent victims. That is not comparable to the two individuals who blew themselves up at Castlederg. They were not victims; they were victim-makers. We cannot afford to lose that distinction between innocent victims and victim-makers. That moves us to the rewriting of history that is being sought by the republican movement. They use language such as "combatant", "conflict", and "war". They say that we are all victims. They say that we are all guilty with respect to what happened during the period of the Troubles. Well, we are not all guilty. There were those who did not join paramilitary organisations; and there were those who did. There were those who supported the rule of law and the forces of law and order; and there were those who took up the gun to kill innocent people and challenge the authority of the day. There is a very clear distinction, but now we talk about equality, we talk about victims in the round and in general. As our party goes into the Haass talks, we will not be signing up to anything that includes that collective "everybody is a victim" because it is not the case. There is a clear distinction when we talk about it, but it is the propaganda war that Sinn Féin is pursuing about what is a victim.

The payment of compensation is meant to be for injury as a result of a violent crime. It has tended to be an

expression of public sympathy and support for innocent victims. That is what the basis of compensation payments is meant to be about; an expression of public sympathy and support for innocent victims. In no way can a compensation payment made to anyone who was in a terrorist organisation, of whatever description, be regarded as showing public sympathy or support. That is not the case, and it should not be the case.

In the past, payments made to innocent victims and security force personnel were derisory. They were not what they should have been, but it was about showing some element of public sympathy for what they had suffered. For many, the award made to someone who had served in a paramilitary organisation added insult to the injury of that derisory award that many of them received in years gone by. It is something that needs to be challenged, and I trust that the Minister will be able to assist us in how we go about challenging it.

The Victims and Survivors (Northern Ireland) Order 2006 defines a victim, and I suggest that that is probably where we have got a bit of the genesis of how this has been changing in the compensation system, because that order, which this party sought to change in this Assembly, defines a victim in that collective speak. Eames/Bradley made the same mistake and said that there needed to be a payment made regarding everybody who lost their lives during the Troubles, and it is that collective element that is a problem, and it has its genesis in the 2006 Order.

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

**Mr Givan:** I will give way.

**Mr Allister:** The Member may well be right about that being a contribution to the sentiment that now prevails in the current arrangement, but is it not the case that the Criminal Injuries Compensation (Northern Ireland) Order 2002 revoked the Criminal Injuries (Compensation) (Northern Ireland) Order 1988, and that it was the 1988 Order that ruled out compensation for anyone who was or had been a member of an unlawful association? Was the 2002 Order not a follow through to the iniquitous Belfast Agreement, which wanted to exculpate from exclusion those who had previously been involved in terrorism? Is that not the real genesis of the change that was made?

**Mr Givan:** That takes me to some latter points, but where I am coming from is that this was something that we sought to change in 2006. At that time, the SDLP thwarted the change that was being sought through the private Member's Bill that my predecessor, Jeffrey Donaldson, sought to bring through the Assembly. That is something that I hope that the SDLP will consider in the Haass talks. The party did the right thing when it came to the Member's private Member's Bill on special advisers. The SDLP changed its position on that, and I appeal to the party to change its position on this issue; but it does go back to 1998 and the Belfast Agreement and changes that were made then. It also goes back to the 2001 victims strategy, which the Ulster Unionist Party signed up to. It stated:

*"The surviving physically and psychologically injured of violent, conflict related incidents and those close relatives or partners who care for them, along with those close relatives or partners who mourn their dead."*

So, in 2001, we had a victims strategy that came out of the then OFMDFM. The 2006 Order reflected the sentiments



of what was in that initial victims strategy, which, of course, was born out of the 1998 Belfast Agreement.

I support the motion. I appeal to Members to support the motion as amended, and I look forward to hearing the Minister's contribution.

**Mr Elliott:** I beg to move amendment No 2: Insert after "crime;"

*"notes with regret the grave offence which has been caused to many, including and most notably those innocent victims of terrorism, by this award;"*

I am sure that, like other motions here today and yesterday, there will not be overall agreement in the House on this particular issue. The one aspect that annoys me most about this particular case is the inequality between the compensation paid to this particular person's family and that paid to other families whose members were killed by means of terrorism and as a result of the Troubles.

I have to say that I have the greatest sympathy for this person's family; that is without question. Most people in the community would have sympathy with that family and, in particular, with how Mr Doherty came to his death. However, I do not believe that that excuses the paying of substantial compensation. I am not sure what "substantial" means. As Mr Givan outlined, different figures have been put on that. Whether it is substantial or otherwise, I and the Ulster Unionist Party oppose the principle of paying compensation to the families of people who were members of terrorist organisations.

I fully appreciate the issue about the definition of a victim. The Ulster Unionist Party tabled amendments to the Victims and Survivors Bill in 2008 that were not accepted. That was very unfortunate. Those amendments would have assisted and made the significant change to the definition of a victim that was required.

However, we are now up against a new redefinition, namely the redefinition of a terrorist. In recent weeks, we have heard Mr Gerry Kelly indicate that he does not believe that he was a terrorist. Minister Ní Chuilín's response to a question from me made it quite clear that that party does not accept the definition of a terrorist. To me, anyone who blows up members of the public, murders members of the public without due cause, is a member of an illegal organisation or shoots a prison officer in the head is, by all definitions, a terrorist. I do not believe that that can be compromised to any degree or in any fashion whatsoever. I and my party will certainly be raising that issue in the Haass talks, because we do not want any further redefinition.

**Mr B McCrea:** I appreciate the Member's giving way. Mr Allister raised the point that it was the 1988 Order that had the result of saying that if you have a terrorist past, you get no compensation. Sir Kenneth Bloomfield's review in 1998 then led to the 2002 Order. A former leader of the UUP made the statement that just because you have a past, does not mean that you do not have a future. That is when the change came in. I wonder whether you will clarify the UUP's position on those documents.

**Mr Elliott:** I thank the Member for that. Of course, when the Member was in the Ulster Unionist Party, he also declared that just because you have a past does not mean that you cannot have a future. Obviously, Mr McCrea, you seem to bear that out. I actually believe that just

because you have a past does not mean that you cannot have a future. However, that means that there needs to be reconciliation and an acceptance from the people who have that past that they have clearly changed and that they want the process to change. They need to show remorse for the actions that they carried out. The problem is that we have people here who have not shown that remorse and who have not accepted their wrongdoings. I think that if there was that acceptance among all communities and people from every side, that would help us to move the process in Northern Ireland forward much more quickly and in a way that is much more conducive to the wider community's needs.

#### 4.30 pm

I will go back to the victims of terrorism over the past 30 to 40 years. I have personal experience of speaking to families and people whose husband, father, brother or sister was murdered in the Troubles. I think that the pittance that has been offered to some of those families is absolutely shameful. Indeed, I recall a personal friend who was murdered back in the 1970s. I remember his wife telling me that she was offered something like £750 in compensation for the murder of her husband, who was a police officer. In fact, even though she had three small children, she was told that she could go back to work and gain employment to help to keep her family. She was told that even though her husband had been murdered — blown up — and the family torn apart by the actions of terrorists who, I can tell you, had no love for Northern Ireland and none for their fellow Irish citizens, if that is what they want to call them. I would like to hear those people explain today why they felt the requirement to tear that family apart and whether they believe that that offer of compensation was wrong.

I support the motion and the amendments because I believe that we need a change that will ensure fairness in the system. I do not believe that there is fairness when the family of someone who was killed as a member of a terrorist organisation receives compensation. It is not fair; it is not equal. I heard Mr Givan say that he believes that there should be a hierarchy of victims. Unfortunately, at the moment, there is a hierarchy of victims. Those who were perpetrators and are classified as victims should not be classified as victims. That is why I believe that there is, at this stage, a hierarchy that should not exist. Those people do not have the right to be classified as victims, and I will always maintain that they should not be.

Let us hear those who committed dastardly deeds over the past 40 years come out and explain why. I beg of them not to try to change the definition of a terrorist. By all accounts, in Northern Ireland, they are terrorists. They will be recognised as such, and this is just a part of their attempt to rewrite history.

I hope that we do not have to go through this process again and that the families of the innocent victims who were murdered do not have to live through this again, a situation in which a family member is diminished by the giving of compensation to the families of terrorists.

**Mr McCartney:** Go raibh maith agat, a LeasCheann Comhairle. Beidh mé ag labhairt in éadan an rúin agus an dá leasú. Creideann Sinn Féin go bhfuil an dlí agus an reachtaíocht ceart agus cothrom mar atá siad.

I will speak against the motion and the two amendments. However, I acknowledge and appreciate the comments made by their proposers in recognition of the pain and suffering of the Doherty family. That will not go amiss in this debate, and it has to be appreciated. I do not want to say anything about a compensation claim that will add to the trauma of any family, but there are things that need to be said.

Sinn Féin contends that the legislation as currently framed and the regulations that flow from it are, in the main, equitable and fair. There are some issues on which we have reservations, but we feel that the process is fair and equitable. It gives due recognition to loss and allows the family to seek compensation.

In this particular case, I think it fair to say that the family followed due process as laid out by the law. They should expect no less, and, indeed, they were treated in the way that they should have been treated. There may be some issues that they will articulate from their point of view, but the process was there for them to follow, and they followed it. That is what we have to do here as legislators.

Let us come to the main motion. When I read this motion last week, I have to say that I found it a bit illogical and impractical. I thought that, perhaps, if I said that, I would be accused of being critical for the sake of it.

In my opinion, however, the fact that Members had to come today and amend their own motion speaks volumes for the way in which people have reacted to the incident. It was a knee-jerk reaction. What we have seen today is Members trying to get in first and, by doing so, not thinking the issue through. In essence, the motion, as it is laid before the Assembly, is calling on the Minister of Justice to do something that he does not have the power to do. The motion asks the Assembly to call on the Minister to interfere in due process and to do something that is ultra vires and beyond his power. An Executive Minister proposes that, in essence, the Minister of Justice break his code of ethics or code of conduct, which is why the motion is ill considered and illogical.

Amendment No 1 calls for a review of the compensation policy. That is fair enough, but we will not support that because, first, we think that the compensation regulations are fair and equitable, and, secondly, we think that the proposers of the motion and those who endorsed it today were caught out by their own illogical position. We will not support that.

Given the way in which the motion has been presented, it is as if there has been a recent shift. Two Members pointed out that this was changed in 2002. The first case to get compensation, in the circumstances of this case, is not the case that we are talking about today. There have been other cases. I do not like to do this because I know that families are grieving for their loss, but the people who have been compensated through the scheme in the past are people who were connected to loyalist organisations and were killed by loyalist organisations. I sought to look at the press releases and Assembly questions in the Research and Information Service's information pack. It includes all the questions that Members asked relating to the scheme. I do not see a single person, particularly not the proposers of the motion and the proposers of the amendments, asking one question about whether it was right or wrong, fair or unfair that a loyalist who was killed

by a loyalist organisation received compensation. I believe that the family were entitled to due process as laid down by law, and they got it. The reason for the knee-jerk reaction is that no one raised the issue then, when it was not a concern. We are, therefore, left to draw the conclusion that the only reason why people are objecting is, first, because of the internecine strife that is going on within unionism, and, secondly —

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

**Mr McCartney:** — the fact that there is almost a knee-jerk reaction when you hear the words “republican”, “nationalist” or “Catholic”. That is why we will reject the motion and amendments.

**Mr P Ramsey:** First, I want to come from the perspective of a constituent of mine who was brutally murdered but also to reflect on that constituent's family. The motion is very insensitive; it homes in on one family and identifies that family. I spoke to Kieran Doherty's mother this morning. That mother finds the motion hurtful and distressing, and it causes her further anguish. During the debate, I will go into the circumstances.

Are the Members opposite saying to me that Christine Doherty from Derry is a second- or third-class citizen? Are they saying to me that Christine Doherty is a second- or third-class victim in society? She is a mother who is grieving badly and has been traumatised badly by the brutal execution of her son Kieran. That is the point in question. We have to be in the real world. Are Members opposite saying that that mother was a terrorist? Is any Member telling me today that that mother committed a crime?

**Mr Elliott:** I thank the Member for giving way. He will appreciate that I said that I had the utmost concern for the family in their time of grieving, particularly considering how Mr Doherty was murdered. I never indicated that I believed that the mother or any family member were terrorists. However, it is quite clear and is accepted that the son who was murdered was a terrorist, and it was because of him that compensation was paid.

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

**Mr P Ramsey:** I want to pursue that further. Is the Member telling me that the tears on Christine Doherty's face and her broken heart are any greater or lesser than those of a mother whose son may have been in the Police Service?

**Mrs Foster:** Will the Member give way?

**Mr P Ramsey:** Yes.

**Mrs Foster:** No, that is not what we are saying at all. The Member needs to reflect on what he is saying, because money does not compensate for tears or for what has happened to her son and for the fact that he was so brutally murdered. We are not saying that at all, but there has to be a realisation that if people take up arms to terrorise other people then there has to be a consequence for that.

**Mr P Ramsey:** That is the last intervention that I will take. It is a very emotive and sensitive subject, and I appreciate the comments from some of the Members on the opposite Benches. However, they also have to appreciate that the aim of the compensation agency is to acknowledge the pain, suffering and turmoil of losing a loved one.

No one in this Chamber today is suggesting that the Doherty family are not grieving. If that is so, how do we as a society acknowledge that pain and suffering? Do we say, "I am sorry, but you are a second-class victim"? Do we suggest to them that, in fact, they are not even second-class victims but third-class victims because they should not get any money at all?

Members should refresh themselves; Raymond McCartney made a point about other relevant cases which should be very relevant to this discussion. We have all experienced pain and suffering, but I can tell you that Kieran Doherty was abducted close to his family home almost three years ago. He was taken and stripped, his arms and legs were bound, and he was executed in a Provo-style shooting in Derry near the Carmelite monastery in Termonbacca. Coincidentally, I happened to be in the monastery on the night that Kieran Doherty lost his life. I can tell you about the sheer shock and horror that was felt by everyone who was at the service that particular night and the continued pain.

We have an independent body that was set up to adjudicate, assess, determine and acknowledge the needs of people who have suffered as a result of the Troubles in Northern Ireland. In this case, it has got it right. I ask my colleagues to be more sympathetic. I think that there was a knee-jerk reaction and that the claims that massive compensation had been given to a mother in Derry were over-inflated and over-exaggerated. That was absolute nonsense. That mother got what the system permitted her to get.

I agree with Tom Elliott; if there is something unfair in the system, or if there is something that is not credible from victim to victim, it should be looked at. I would say to the Minister — I appreciate that he is here today — that it is his duty to ensure that there is fairness and equity in the system.

I have known the Doherty family for quite a long time. They have contributed considerably in trying to undermine dissident republicans in Derry by taking part in protests and rallies aimed at undermining what the dissident republicans have done in Derry. In good faith, I say to Members that the Doherty family is a decent family.

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

**Mr P Ramsey:** Today, we have with us Vincent Coyle, who is a family friend and an uncle of Kieran Doherty. The family want to acknowledge the contribution that he has made in elevating this case. The SDLP will vote against the motion and both amendments.

**Mr Dickson:** One can understand the sentiment behind the motion. It is, indeed, particularly regrettable that, in this case, sensationalism and inaccuracies in the media have caused the victims of terrorism distress and frustration.

Regrettably, the motion is similarly flawed for a number of reasons. The first inaccuracy is contained in the opening sentence of the motion, where it says that:

*"this Assembly rejects the shift in compensation policy"*

that led to this award. This implies a recent change in policy or procedure, when, in fact, as we know from the debate, the tariff scheme that allows for these payments was introduced in 2002. Indeed, in 2002, in the House of

Lords debate on the introduction of the legislation, Lord Laird and Lord Glentoran welcomed its introduction.

**4.45 pm**

**Mrs Foster:** Will the Member give way?

**Mr Dickson:** Yes.

**Mrs Foster:** I accept what the Member said about the 2002 legislation and, indeed, the 2006 legislation. I think that what we are focusing on is the fact that this was turned down by the Department, and the independent panel then decided to award this amount of money, albeit that it was a reduced amount. We take the view that there has been a shift in policy by the panel. We are not talking about the legislation per se, but the policy of the panel. I just wanted to clarify that.

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

**Mr Dickson:** However, I think that the underlying principle to all this is the legislation and the regulation that that brought in, which included the creation of such a panel.

The motion also invites us to note the inconsistencies with the previous treatment of victims of terrorism, when, again, the reality is that there has been no change in policy or procedure for 11 years. There is a further inaccuracy in that the motion is premised on the sensationalist reporting of the amount received by the family in this case. We all know that the sum was substantially lower than that that was originally reported.

Finally, although Alliance welcomes the call in amendment No 1 for a review of compensation policy, something that I know the Minister has had under way for several months and will no doubt report further to the House on in his comments today, it is regrettable that the amendment calls for the Assembly to endorse a specific outcome before the review has been completed. That would have the effect of wholly undermining any proper, fair and independent review. Alliance understands that the decision to award compensation in this case has deeply upset many victims of terrorism. Unfortunately, the motion and the amendments that are before the House are sadly unfit to properly address this issue for the flawed reasons that I outlined. Therefore, we are not in a position to support or to not support the motion, and we shall abstain.

**Mr Craig:** I must admit that it is with some sadness that I have to speak on this issue at all: on compensation and the fact that compensation was paid to the family. That is not a reflection on the family, and I have no doubt that there was emotional turmoil in that family at the brutal way that their son was dealt with by a terrorist organisation. Unfortunately, I also have bitter experience of that. I know what it is like to have a family member dealt with very brutally by a terrorist organisation, and I am not alone in the House in knowing what that is like.

Although I have sympathy with regard to the pain that is obviously there, what really alarmed me and caused me emotional stress was that this was an individual who, either by his own volition or by the courts, was designated as being a member of a terrorist organisation. Whatever happened in that terrorist organisation, and whether there was a falling out or whatever that led to this brutal murder, again, the individual was linked to that terrorist organisation. So, in a roundabout way, compensation was

paid to someone who was linked to a terrorist organisation. You must understand the hurt that that has caused me.

In my case, a family member was serving in the security forces, and, at that stage, was fighting what can only be described as a miserable, terrible war against a terrorist organisation that was determined to destroy not only Northern Ireland as a state but, quite literally, anyone who was prepared to stand up against it in any way, shape or form. The idea that we compensate those who were determined to destroy us is inconceivable. I just cannot conceive how we got to the situation where we, as a state, are actually doing that.

I have heard the legal experts give their opinion. In my mind, the changes that took place in 2002 were wrong. As a party, we were against it at the time, and we are still against it. We would like to see others come to the point where they recognise the massive mistake that was made.

There are victims, and there are those who victimise, and it goes back to very simple basic moral grounds that we were all taught in our youth and which we see worked out in society day after day. There are those who carried out atrocities against people, and they do not deserve to be compensated for what they did. As in many cases, I believe that the only compensation that I will get, as someone who has been a victim of that terrorism and whose family has suffered victimisation, will be from God himself. He will be the one who hands out the real compensation to those people, and they will not like what they get in the end.

The idea that we have legislation that pays out to members of terrorist organisations is wrong — it is fundamentally wrong. It is causing huge hurt to people like me who have seen family members murdered. We need to do something. I plead with the Minister to find some mechanism somewhere to stop this happening. If that means going back to the 1988 Order, let us do it. Why should we be paying out to proscribed organisations or to people who were members of those organisations? It is fundamentally wrong, and it should stop. I plead with the party over there to get off the fence, do the morally decent thing and support the amendments and the motion.

**Mr Lynch:** Go raibh maith agat, a LeasCheann Comhairle. I speak against the motion. I listened to the opposite Benches, and they reflected the understanding that there is a family involved. I appreciate the fact that they did that. However, the emotion of any family and the loss of a loved one is no different. I believe that all families should be treated with fairness and equality. In this case, the Doherty family are entitled to the compensation awarded for the loss of their son. In my opinion, bringing the motion to the House to try to deny that award is not only wrong but is against due process, which a number of people have mentioned. We have the legislation. It may not be ideal, but we believe, currently, that it is as fair as it can be.

Therefore, I am not going to repeat many of the things that my colleague Raymond McCartney said, only that I have asked that we vote against the motion.

**Mr D McIlveen:** I welcome the opportunity to speak on the motion, and I thank my colleagues for bringing it to the Floor of the Assembly. The announcement in August this year that the family of Kieran Doherty, a known dissident republican who was murdered by the very organisation that he was a member of, had received a substantial

sum of money caused many right-thinking people in our Province — many people who deplored terrorism, and many people who have stood faithfully through many years against terrorism — much concern. I want to make it clear that I deplore terrorism, and I condemn utterly the end that Mr Doherty received. As a party, we have always stood against violence of a terrorist nature, and I do so by repeating the fact that we are entirely opposed to terrorism. For a member of the real IRA to be killed in that manner, regardless of his background or who he was, is something that all right-thinking people would condemn.

However, a panel interpreted the criminal injuries compensation scheme in such a way that any right-thinking person would find it difficult to justify the decision that was made. Therefore, we urge the Justice Minister to take a serious look at that scheme and to make sure that it is being interpreted in the way that it was set up to be interpreted and not used to further rub salt into the wounds of innocent victims of terrorism, who have suffered greatly throughout our Province.

I am certainly not a legal expert —

**Mr Mitchel McLaughlin:** Will the Member give way?

**Mr D McIlveen:** Yes, I will.

**Mr Mitchel McLaughlin:** In this instance, although I do not intend to personalise it, we are talking about the mother of a man who was killed. There is a distinction between the family members. To describe people as innocent victims but ascribe a different categorisation to the mother of someone who was killed seems to me to be something that right-thinking people should struggle with.

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

**Mr D McIlveen:** Thank you, Mr Deputy Speaker. I will tell the Member what I struggle with. I struggle with the fact that the parents of children under the age of 18 who were murdered by heartless republicans in the Omagh bombing were awarded only £7,500 in compensation. That is a shame, and those who have manipulated this system should hang their heads in shame. There have been debates in the Chamber about the unequal distribution of who is a victim and who is not. However, I can assure everybody that I do not think that anybody who is right-thinking could look back at that scenario and say that there is not an injustice here. The family of someone who was murdered by the illegal organisation that he was a member of received substantial compensation. We are still waiting for the exact figures, but I think we can be pretty sure that it was more than £7,500, which was the figure paid to the families of under-18 victims of the Omagh bomb. I do not see —

**Mr P Ramsey:** Will the member give way?

**Mr D McIlveen:** Yes.

**Mr P Ramsey:** I thank the Member for giving way. I know how sincere he is. I believe him and concur with him entirely on the figures in respect of the Omagh victims. I ask the Member a direct question, Mr Deputy Speaker: is he saying that Mrs Doherty and her family were not entitled to any compensation?

**Mr D McIlveen:** Yes, I am.

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



**Mr D McIlveen:** Yes.

**Mr Givan:** I appreciate the Member giving way. Does the Member agree with me that if you apply the logic of the Member for South Antrim and the Member for Foyle that this is based solely on the fact that a mother lost a son, surely they would then be saying that it was wrong that the award was reduced by half because of Kieran Doherty's criminal convictions. I have not heard them say that. However, if you apply the logic of what they said, they would be saying that the award should not have been reduced by half. It is a matter of where you draw the line.

**Mr D McIlveen:** I thank the Minister — the Member — for his intervention. I am promoting him before his time. All in good time.

**Mrs Foster:** He is getting worried now. *[Laughter.]*

**Mr D McIlveen:** I take the Member's point and agree with it wholeheartedly. There is a mixed-up logic here, and that is where we have a problem. That is why we are urging the Minister to act. Paragraph 2 of the compensation scheme states clearly that the general workings of the scheme are able to be kept under review by the Minister of Justice. What we had here was a clear flaw and loophole that caused much hurt and suffering in this Province. Therefore, I ask the Minister of Justice to exercise the duties that he has to make sure that the scheme is reviewed and that this hurt is not caused to innocent victims again. Sinn Féin has a real opportunity —

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

**Mr D McIlveen:** We have an opportunity to show that Sinn Féin has really changed and will not continually try to justify terrorism in every shape or form. There is an opportunity today for Sinn Féin to really show —

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

**Mr D McIlveen:** — that it is committed to peace and democracy —

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

**Mr D McIlveen:** — and I hope that they will take that opportunity.

**Ms McCorley:** Go raibh maith agat, a LeasCheann Comhairle. Ba mhaith liom labhairt in éadan an rúin. I would like to speak against the motion. Tá mé ag labhairt in éadan an dá leasú chomh maith. I am speaking against the two amendments as well.

## 5.00 pm

At the heart of this debate is the issue of victims. As we all know, it is a hugely contested area around which there is no real agreement. In the absence of agreement on that, the Compensation Agency makes decisions on the eligibility of claimants based on specific criteria. In this case, which is the subject of today's debate, due process was followed and the outcome was that an award was made. Sa chás seo, ar ábhar dhíospóireacht an lae inniu é, leanadh leis an phróiseas cheart agus rinneadh damhachtain mar thoradh air sin.

The motion seeks to make a distinction between the suffering and pain of some who have lost loved ones in distressing circumstances and that of others who are

somehow deemed to be more worthy. I do not wish to add to the suffering of the family involved, but I must make it clear that there is no difference in the pain of Kieran Doherty's mother at the loss of her son and that of any other mother in similar circumstances. If there is an entitlement to compensation because of the circumstances of that death, there is no other question to be asked, except to decide the amount of the award. That is what happened in this case, and we should not seek to change any of that.

It was noteworthy to observe the overreaction to this award, which, at the end of the day, is a very modest sum. Anguish and pain have been added to this family through the way that newspapers have sensationalised the amount, plucking figures out of the air, including six-figure sums, which have no basis in reality.

I am not sure either how those who brought the motion to the House define the word, "substantial". To say that £5,500 is substantial is questionable. To me, it sounds like a very unsubstantial amount to compensate for the loss of a life. Therefore, I reject and oppose any attempt to prevent this payment, and I do so on the basis that all victims are entitled to be treated equally. I also reject any attempt to create a hierarchy of victims. Tá mé dubh in éadan iarracht ar bith ordlathas na n-íospartach a chruthú. Cuirim i gcoinne an rúin agus an dá leasú. I oppose the motion and the two amendments. Go raibh maith agat.

**Mr Eastwood:** At times, we can be guilty of forgetting what this is all about. I remember very clearly the night that Kieran Doherty was shot. I got a phone call, probably like other Members, and was told that there was a body on the Brae Head Road on the outskirts of Derry and that that person had been murdered. I remember very clearly sitting with the family — Kieran's mother, grandmother, sister, partner and wider family.

I have been in a lot of houses where people have died tragically, and they are all more or less the same. The hurt, the pain and the suffering that those families go through is the same. Kieran Doherty did not make an application for compensation; his family did. They are the ones left with the hurt, the pain and the burden that they have to carry for the rest of their lives. They are the people who this debate is about, and we could do a lot better in this House than drag them in here to deal with some of the issues that we have not resolved.

During a time when it was very difficult to stand up to dissident republicans in the city of Derry, Kieran Doherty's family stood up to them. They stood beside us. It is much easier for us in public life to stand against people like that, but they stood with us against the terror that dissident republicans were visiting on our city and on our people. They need to be commended for that. All of this needs to be remembered when we talk about Kieran Doherty and his family in this House today. Those kind of stands are not easy to take when your loved one has just been murdered by the very people you are standing against and when you do not have the cover of political or public office to protect you.

The sad part of this debate, and I am nearly sick of saying it, is that if we do not deal with the past and what was completely unfair and completely unjust in the past 40 years of our history — all of it — comprehensively and properly, we will be visiting this kind of debate and this kind of re-traumatisation on families for evermore, amen.

We have been away for two or three months and back for two days. In the past two days, the whole tenor of debates has concerned issues from the past that still dog us. That is because we have all collectively failed to deal with them. What is really unfair is that because we cannot deal with our own issues, we are dragging in here not just the Doherty family but every other family who is still waiting for a proper process to deal with the past. I hope that we will all be mindful of that fact when we approach the Haass talks. That is because one of the major, key parts of those talks — and I have hope for the Haass talks — is that we need to face up to dealing with the past and all the issues that surround it. We have heard from different sources from different parties in the House, particularly the DUP, some of whose Members have, basically, hinted that they do not have a lot of faith that the Haass process can deal with issues of the past. I hope that they are coming to that process with the same positivity that we hope to bring to it.

The DUP says that the past is too big, dark and difficult to deal with and that the best thing to do is to draw a line under it and move forward. However, nearly every week, we are in here dealing with another issue of the past. All the time, we are able to go home, forget about it, come back in the next day and do a day's work. Families have to watch, night after night on TV, their stories and loved ones being dragged into the political process again. My generation and those that are coming after mine are stuck dealing with an issue with which we have not dealt. All the issues that young people want to see us dealing with, such as health, education and the future of this society, are put to one side so that we can all deal with issues that we have not faced up to. It is just ridiculous that, in the name of victims — although I think that people do it for the right reasons — we re-traumatise them continually because we do not have the guts to face up to the issues that we need to face up to.

I am disappointed to hear that the Alliance Party today —

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

**Mr Eastwood:** I will.

I am disappointed to hear that the Alliance Party, which will not and does not agree with the motion or the amendments, will still not stand up with the rest of us and vote them down. That is inexplicable to me. I hope that those Members change their minds. I also hope that the Ulster Unionist Party —

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

**Mr Eastwood:** I do not know what that party's position is on victims at this point; it has changed again.

**Mr B McCrea:** It seems to me that the debate is more significant than was perhaps originally apparent when one looked at the Order Paper. It seems to me that, fundamental to what is being put forward, is a rowing back from the Belfast Agreement — the Good Friday Agreement. I have heard DUP Members say that that is exactly what they want and that they did not agree with the changes that were brought forward in the 2002, 2006 or 2009 orders. It is worth putting the question, through you, Mr Deputy Speaker, to my colleagues in the Ulster Unionist Party about their amendment, because the analysis of the timing of that change of legislation is quite significant. The 1988 Order placed a fairly blanket ban on anyone who

was, at any time whatsoever, a member of an unlawful association getting compensation. That was changed because of the review by Sir Kenneth Bloomfield, which was established in October 1998. I think that that date is significant: October 1998. He reported in July 1999. He mentioned a number of key issues that were subsequently enacted. He stated:

*"The new scheme seeks to recognise that individuals may reform over time and dissociate themselves from their previous way of life. Hence it will move towards the GB approach. This means that:*

*for criminal convictions, including terrorist convictions, the principles of the Rehabilitation of Offenders Order will apply".*

He went on to state:

*"the current outright ban on compensating those with terrorist links (but no convictions) will be replaced by a provision in the new legislation for dealing with factors relating to character"*

and a better way of life. I have to say that that is what I thought I heard Mr Elliott say he thought was the way forward.

That legislation was brought in at a particular time and was fundamental to the Belfast Agreement.

There is an issue here of whether you can ever repent of what you have done, and I have heard people speak with conviction on that. Can you ever say, "I am sorry. I apologise. I have moved on", and then be treated the same as every other citizen of the United Kingdom? If you cannot, you get yourself into a situation of how you move on. So this is a fundamental challenge.

It seems that the objectors to this compensation award, which was not massive, can have two main criticisms: they can claim that they have evidence that Mr Doherty had not adequately disassociated himself from his previous way of life; or they believe that, if you have ever been a member of a terrorist organisation, you and your family do not deserve a second chance and the same rights as any other citizen of this country, regardless of whether you have reformed. That seems to me to be quite a fundamental point. Some Members talked about morals in their speech, and this is a moral argument.

It is somewhat difficult when Members table a motion that they then have to amend. That suggests to me that they have not fully thought through what it is that they want to say. To me, it seems poor to call on the Minister to do something that he is not legally able to do. It also seems to present a difficulty if you call on somebody to carry out a review while dictating its outcome. I have to say that I am surprised that the Alliance Party has taken the decision to abstain. I would have thought that the Minister might be a little more robust. He is familiar with this, and it is important. Maybe he will answer those questions when he comes to address us, and maybe he will reflect on his position.

All I can say in conclusion is that these are sensitive matters that should be sorted out by the Executive or through party talks. It is disappointing that a Minister of the Executive feels that she had to table an amendment when she could talk directly to the Minister of Justice. That says to me that —

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

**Mr B McCrea:** — we have a failure of government. This is not the right way forward. People are looking for better.

**Mr Ford (The Minister of Justice):** I have been listening carefully to a variety of contributions from around the Chamber on the motion and on the subject of compensation policy generally. In my general response, I hope to deal with most of the points raised.

Given the media reporting, some of which was entirely inaccurate, I think it important that, first, I set out some details of the current legislative provisions for bereaved families and the level of award permitted by the legislation. I welcome the opportunity of this debate to set the record straight on that. I also welcome the opportunity to inform the House of the review that is already under way by the Department of Justice on compensation for victims of crime, and which was under way before the details of this case became public.

Before I go into the detail, I fully recognise that the decision to award compensation to family members of Kieran Doherty has upset many victims of terrorism. I also acknowledge the fact that many victims and their families feel aggrieved that someone who may have links to a terrorist organisation can also be regarded as a victim and that their family can receive compensation from the state. Indeed, Jonathan Craig eloquently made a personal point about how many victims feel. However, I must also recognise that whatever the nature of Kieran Doherty's life, there is no doubt that he was murdered in a brutal fashion. I recognise that there was very real pain felt by his family, too — a point that Pat Ramsey made on the basis of his direct contact with them.

Let me deal with the award made to Mr Doherty's mother and grandmother. It is important to say that the decision to treat him as a victim is entirely within the scope of the legislation for criminal injuries compensation. The suggestion that either Compensation Services in my Department or the Criminal Injuries Compensation Appeals Panel veered from policy, custom or practice in the case is wrong. I reassure Members that from the very beginning when these claims were submitted, they were dealt with by Compensation Services in exactly the same way as all similar cases, and that is also true of the way in which the Criminal Injuries Compensation Appeals Panel operates.

#### 5.15 pm

It is clear that some confusion has arisen around the law in that area and has led to misunderstandings and inaccurate reporting. The 2009 criminal injury tariff scheme provides for a bereavement award to be paid in fatal cases and makes provision for the payment of reasonable funeral expenses. The scheme sets a limit for bereavement awards. If there is one eligible claimant, the amount is £11,000 maximum, and for two or more eligible claimants, the maximum is £5,500 each, which is nowhere near the figure that was suggested in some media reporting. The reality is that if anyone, whether MLA or journalist, had approached Compensation Services or the Department of Justice press office, they would have had clarification and been given the figures specified in the maxima in the scheme. Some journalists did approach the

Department and reported the issue accurately, but others clearly did not.

Critically, like the 2002 scheme, the 2009 scheme does not debar automatically those who are members or supporters of, or have links to, terrorist organisations. However, it enables unspent criminal convictions and any other information that evidences conduct or character to be taken into account when considering claims for compensation. In cases of fatality, that provision applies to both the deceased victim and the applicant.

I stress again to Members that the current scheme does not debar claims from victims or their family members on the grounds of terrorist convictions or associations. As was noted during the debate, unlike its predecessor, the Criminal Injuries (Compensation)(Northern Ireland) Order 1988, the tariff scheme, which came into force in 2002 and was amended most recently in 2009, makes no reference to terrorist connections, past or present, as a reason for reducing or denying a claim. So, there has been no recent change in policy.

Mr Allister suggested that the 2002 scheme in Northern Ireland might somehow be a direct derivative of the Good Friday Agreement — I think that he called it the Belfast Agreement — but the reality is that the 2002 scheme for Northern Ireland is closely modelled on the 2001 scheme as introduced in England, Wales and Scotland. There was an attempt by the Government at that time to bring the two schemes broadly into line, although there are some differences, given the different circumstances in Northern Ireland.

However, a fundamental issue has to be addressed in the area of compensation for those with previous convictions, which was highlighted in Basil McCrea's contribution. That issue is whether people can be seen to move on and, if so, how that applies, and that is not the only decision that has to be taken by different elements of the Assembly and the Executive on when people have moved on and how things are changing. The distinction between the two bits of legislation — the 1988 provisions and those from 2002 onwards — seems to have led some people, including some Members, to make the erroneous assumption that the appeals panel applied a different policy or procedure. It did not: it followed the procedure in its role in reviewing, on appeal, the decision taken by Compensation Services.

Let me again stress again that the Doherty case was considered by the DOJ's Compensation Services —

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

**Mr Ford:** — in accordance with the normal policies and procedures that underpin the operation of the scheme. I will give way.

**Mr Allister:** Will the Minister accept that one of the matters of public unease that has arisen was fed by substantially false media reports about the amount and was only possible because of a fundamental change in the 2002 Order whereby criminal injuries were removed from the public courts where the press and public could attend, listen to the case and hear the amount awarded? Given the financially driven desire to remove it from the courts, it was given to a panel to which there is not that public access. That has fed into the public misinformation that has arisen and also, of course, removed the automatic right of appeal

to the High Court that there was in the previous criminal injuries scheme.

**Mr Ford:** I take Mr Allister's point that its not being handled in a public court may have made some difference to the perception, but there is no doubt that erroneous reporting and talking about vastly inflated sums compared with those that the scheme provides made the most significant difference.

As I said, when the scheme was considered, it was considered in line with normal policies. Compensation Services accepted the family members' eligibility but denied the claim for compensation on the grounds of the victim's unspent conviction and on intelligence provided by the police linking him to being a member of the Real IRA and suggesting that he was involved in the supply of controlled drugs.

Again, entirely in accordance with the scheme, Mr Doherty's mother and grandmother appealed the decision to the independent Criminal Injuries Compensation Appeals Panel. At the oral hearing on 15 August, the panel confirmed the eligibility of family members and reversed Compensation Services' decision. The panel awarded both claimants a bereavement award and made a funeral expenses award, and it reduced them all by 50% because of the unspent conviction.

In opening the debate, Mr Givan asked what information changed. The answer is that no information changed. The panel made its decision on the basis of the same information that was available to Compensation Services, but, as an independent panel, it was entitled to decide differently. He also asked about potential action that the Department could take against the appeals panel. As I understand it, the only possible action that could have been taken against the appeals panel was a judicial review, and a judicial review cannot be taken on the grounds that you do not like the decision. It has to be taken on the basis of irrationality or unlawful activity by the public body, and that was not the case. Therefore, there was nothing that could be done to take —

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

**Mr Ford:** Briefly.

**Mr Givan:** I appreciate the Minister giving way. Has any analysis been done by the Department of how the initial decision was refused and how the appeals body then took a contrary view? Did any analysis go into why a different decision, based on the same information, was taken?

**Mr Ford:** The only answer that I can give is this: because different people made the decision, and on the basis that there is latitude within the scheme, that is how it happened.

The outcome of the independent appeals panel is in accordance with its authority, and as I said on a number of occasions, I have no power to interfere with the panel. Indeed, the suggestion, as Mr McCartney highlighted earlier, was that I should have been doing something to interfere with the payment. The payment would have been, I believe, somewhat outside my responsibilities, and outside the code of conduct, and I am glad that the signatories to the motion are seeking to address that.

**Mr McCallister:** Will the Minister give way briefly?

**Mr Ford:** Yes.

**Mr McCallister:** Does the Minister not agree that that is exactly the reason that you build an appeals mechanism into virtually anything: so that someone can look at the process, review it and come to possibly the same decision or indeed change that decision? That is why in virtually every walk of life we have an appeals process.

**Mrs Foster:** If the Minister will allow me, if there is a change in the decision, one would have thought that reasons would be put forward as to why there was a change so that, to return to Mr Allister's point, there is at least some transparency in the reason for the change.

**Mr Ford:** I will let that particular debate between Members continue, because I want to look at developments —

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

**Mr Ford:** — with how the compensation scheme works. Ten seconds.

**Mr McCartney:** Can you offer to us the technical advice that you gave to the signatories to the motion so that they were able to table an amendment?

**Mr Ford:** The only point that I made to the signatories to the motion was that calling on me to reverse the decision of an appeals panel against my Department's decision was not exactly the normal operating practice of a Minister.

I do want to look at the wider issues of the review of the compensation scheme, because I think that that may address some of the points currently being made past me by Mr McCallister and Mrs Foster.

Since my appointment as Minister, a lot of effort has been put in on the part of the Department of Justice to dealing with the needs of victims and witnesses. Members will recall that in June, following work done by the Department in conjunction with the Committee, we launched a five-year strategy for victims and witnesses of crime. The strategy aims to improve the quality of services and to be responsive to the needs of victims and all those who engage with the justice system. The strategy includes a commitment to review the criminal injuries legislation underpinning the scheme.

As I said at the start, I am pleased to be able to advise Members that that review has already commenced in the Department. Key to its success will be getting the necessary evidence and engagement, in particular from victims. A meeting was held in July at which officials met Victim Support Northern Ireland, who brought together a number of victims' groups and various other representatives to look at the current provisions and at the scheme's strengths and the weaknesses, and that further work is continuing in a consultative forum this month to canvass the views of statutory organisations.

I intend to publish a consultation paper by next summer, and I will, of course, be engaging with all the members of the Justice Committee as we develop that paper. During the review, there will be opportunities for all who wish to inform and contribute to it to put their views and opinions forward in line with normal practice, and it is my intention to bring forward proposals following that public consultation. I agree that there are issues that need to be looked at around how the scheme operates, and it is up to individuals to bring forward those views. What I will not do is specify today what the outcome of that review will be.



All I will do is specify that there will be a review and that evidence will be taken.

I will relate briefly to the details of the motion and the amendments. I fully understand the sentiments that are being put forward, but I have outlined where there has been no shift in policy, although there has been a difference of opinion between the Department and the appeals panel. No substantial award was made to the family of Kieran Doherty. There is no variation with the previous treatment of victims, though there was a variation in 2002 in the way that victims who also happened to have terrorist convictions were dealt with. There was no possibility of the Minister intervening. I believe that the gravest offence that Members referred to came more from the media than from the decision, but I have outlined that I cannot now launch a review of compensation policy because that is under way. It will, however, be an open-ended review, and we shall wait and see what happens.

It also highlights the point, made so particularly by Colum Eastwood, that the justice system alone cannot deal with such issues. Issues of the past need a comprehensive process that meets the needs of society and individual victims of the past. We simply cannot rely solely on the agencies of the justice system, which is funded for the present and not for the past as well. I hope that all Members will bear those kinds of views in mind as we look at the work of the Richard Haass talks in the coming weeks — the points that were made by Paul Givan and Colum Eastwood.

Although I cannot accept the exact wording of the motion as would be amended or the other amendment, I certainly understand the sentiments behind them. I hope that my response assures Members that I take these matters very seriously. I am committed to ensuring that victims of violent crime are properly recognised by the state and, as a measure of that recognition, properly compensated.

**Mr Hussey:** I support my colleague and second the amendment proposed by Tom Elliott.

I listened intently to the debate, and I will begin by making reference to Mr Ramsey's mention of a mother's tears. None of us can be anything other than appalled that a mother has to lose a son or a daughter. I want to say quite clearly that I condemned the murder at the time, and I condemn it today. Those who carried out that murder are the lowest of the low. They were terrorists; they were the lowest of the low. Nobody deserved to die that way.

Mr Eastwood made reference to the fact that he was with the family at the time. In 1977, I joined the Royal Ulster Constabulary. In 1970, my father joined the Ulster Defence Regiment. I know what it is like to be in the homes of victims of terrorism. I know what it is like to see a mother sobbing her heart out because her son will not come home because he is lying in a box in pieces, or, in some cases, not lying in a box in pieces because the coffin was filled with sand because the terrorists who took that life did not think anything of him. That is a reality and I accept that. My deepest sympathy goes to Mrs Doherty and to the grandmother who lost a son and a grandson. None of us can do anything but pass on our sympathy.

Mr McCrea referred to legislation and to those who disassociate themselves from their past. There are very few republicans who we are aware of who disassociate themselves from their past; in fact, there are many in

this House who are very proud of their past. This young man did not disassociate himself from his past. It is sad that he died in such a fashion, but he belonged to a terrorist organisation and he, unfortunately, faced the consequences of belonging to that terrorist organisation.

We then heard about due process. Due process is a wonderful thing when you acknowledge that you have a British court. Republicanism does not and did not recognise the British state, therefore, why use British due process? There is a hypocrisy there that sticks in my throat.

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

5.30 pm

**Mr Hussey:** No.

Today's debate is an example of the piecemeal approach that we have adopted to dealing with the past. All too often, it comes at the expense of innocent victims. Until we find a more appropriate way forward, I am afraid that we will continue to have debates such as today's, which address the matter in an ad hoc manner. We have various mechanisms, such as the Historical Enquiries Team (HET), the Police Ombudsman's inquiries and coroners' inquests, that seek to investigate and establish the truth about past events. The uncertainty around the current leadership of the HET, following issues raised by Her Majesty's Inspectorate of Constabulary (HMIC), has yet to be addressed. The Police Ombudsman's recent difficulties were well broadcast, with the suspension of the historical investigation aspect for a time.

Extensive and lengthy inquiries cannot be the answer, and the Attorney General has admitted that coroners' inquests are not the appropriate way to deal with cases from the past, but both remain on the agenda. However, that is where we are. The result is that we are building up a one-sided approach to the past that does not do much to shine a light on those responsible for the vast majority of killings, namely the Provisional IRA. Those mechanisms do nothing for the thousands of people who were injured as a result of the Troubles. That is something that we should bear in mind when weighing up their adequacy. We also have a definition of a victim that is totally unacceptable to the vast majority of people in Northern Ireland. I accept that there is no consensus on how to move forward and find a more equitable definition. Therefore, we are forced to work with a definition that was passed during direct rule in the Victims and Survivors (Northern Ireland) Order 2006. I have worked and continue to work with groups, such as Derg Valley Victims Voice, so I know how offensive the current definition is.

Today, we are looking specifically at the award of compensation to victims. Reference has been made to Omagh; in some cases, £7,500 was the compensation. I know of RUC mothers who received nothing other than the funeral costs for their son. I know of UDR mothers who received nothing but the funeral costs of their son because it was seen by the court that there was no financial loss to the family.

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

**Mr Hussey:** I support the amendment put forward by my colleague Tom Elliott. I look forward to seeing it being progressed through the House.

**Mrs Foster:** This has been quite a considered debate. We have had universal sympathy for the Doherty family and for the way in which Mr Doherty met the end of his life in such a violent and futile manner. None of us wants to cause further distress to any victim. That is one of the reasons why we found what happened in Castlederg over the summer so offensive; it led to the re-traumatisation of victims in a very real way. Those of us who had the privilege of meeting those victims from the Derg Valley Victims Voice know the way in which they have been re-traumatised.

However, we want to talk about today's motion, which was introduced by my colleague Paul Givan. He talked about the context of the decision. He asked a number of questions of the Minister. We had some of those questions answered, but I want to revisit some of them now. Paul asked whether it had been reviewed and what information had changed. Mr Ford said that no information had changed since the compensation service made the initial decision. It was then passed to the tribunal, which made a different decision, and the answer that we got back for the change in the decision was that different people made the decision. That is no way to run a system; what happens cannot depend on who is there. You have to have certainty in the law. You have to know what is going to happen. There has been a shift in policy. It is disappointing that the Department has not received the reasons why the panel moved to that decision. There is a real need for transparency as to how you can move from a position at which the Department, looking at the information, decided that there was no award or that the award should be reduced to zero, and then it moves to a panel, which decides that the award should be reduced by only 50%.

There must be clarity, because how else can people apply to a system and know what they will receive at the end? There is a fundamental issue in the difference between Compensation Services and the panel that made the decision.

There was inaccurate reporting. People were saying that the award was £200,000, which was very hurtful to people who heard that. We heard from Mr Craig, who so eloquently talked about the hurt that was caused to him personally and, indeed, to victims right across Northern Ireland. I am sure that it also caused hurt to the Doherty family to see that figure being talked about in the media. The Minister made the point that if the media had asked, they would have been told what the remit was for such an award and, therefore, such inaccurate reporting would not have happened. There is a lesson for the media in all of this: they should very much take into account how they deal with victims across Northern Ireland and not be sensational in what they say. However, that might be a vain hope.

Michael Gallagher, who, of course, lost his son Aidan in the Omagh bombing, has said that the payment sent out the wrong message. I believe that it sent out the wrong message. Mr Ramsey was very eloquent and spoke from the heart about the Doherty family. Kieran had a choice, and he made that choice. Unfortunately, he made the choice to join an organisation that is not a historical organisation but one that is still involved in terrorism. Mr

McCrea's point that you can have a past but also have a future is right, but you need to acknowledge your past. This young gentleman did not recant what he had been involved in and, as I understand it, had a criminal conviction for armed robbery. We need this House to acknowledge that this decision has added insult to injury for innocent victims, and there is a need for a change in the definition of a victim. That has been talked about in the House. Indeed, Mr Elliott spoke about the fact that people cannot even accept the definition of a terrorist any more. Even though you are engaged in terrorist activities, it is denied that you are a terrorist. Sinn Féin and others need to reflect on that.

Raymond McCartney said that the family followed the legal process. That is correct, but bad law can be counterproductive. I believe that this is wrong, and, therefore, that it is counterproductive. Of course, he accused us of knee-jerk reactions and spent a long time talking about technicalities to avoid talking about the issue in front of us. On his point about other cases in which terrorists have received compensation, I want to be very clear: if there are other terrorists who have received compensation, two wrongs do not make a right.

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

**Mrs Foster:** Yes, I will give way.

**Mr McCartney:** The point that I am making is that you cannot stand here today and say that there are other cases, and that is why I made the point.

**Mrs Foster:** I will continue to give way, because I do not understand that.

**Mr McCartney:** There have been other cases. You have not raised them, nor have you brought them to public attention. Why, all of a sudden, do you have a conscience on this particular issue?

**Mrs Foster:** Because I was not aware of them. If I had been aware of them, two wrongs still do not make a right. *[Interruption.]*

**Mr Deputy Speaker:** Order. All remarks should be made through the Chair.

**Mrs Foster:** Indeed, Mr Deputy Speaker. Unlike others, I will make my remarks through the Chair. I think that Mr McCrea wanted in.

**Mr B McCrea:** I thank the Minister for letting me in. Would she prefer to go back to the 1988 Order, which states that no compensation shall be paid to a person if there is any engagement:

*"in the commission, preparation or instigation of acts of terrorism at any time whatsoever, or is so engaged"?*

Should that be the basis of the law that we bring forward? Would she advocate a change to go back to the 1988 Order?

**Mrs Foster:** At the time of the change of the 1998 Act, I was concerned that this sort of thing would occur. If you look at the 2002 and 2006 legislation, you can see that — and this is the issue — you are still allowed to reduce an award to zero if you receive information and you believe that it is not appropriate to give a full award in respect of the individual concerned. So, although we have heard that the total bar was removed in 1998 under the Trimble/Mallon era and in the 2002 Act, there is still room to deal

with the issue under the current legislation. I think that is a very important point.

Pat Ramsey, as I said, indicated, from his personal relationship with the Doherty family, that this was causing trauma. I have dealt with the issues in and around that. My colleague Mr Givan indicated that the award was reduced by 50%, and I think that that is significant. We believe that it should have been reduced to zero, because the Compensation Agency, as a public authority, cannot endorse terrorist activity. Much has been made of the fact that an independent tribunal looked at the issue. That is right; it was an independent tribunal, but an independent tribunal still has to abide by public policy. I hope that the review will look at the public policy in respect of those people engaged in activities of a terrorist nature. If we look at the Special Advisers Act, I think we have already accepted the principle that if people are convicted of a serious enough offence, it should have consequences into the future.

Stewart Dickson said that the change in policy from the tribunal panel had been made a long time ago. I think I have answered that issue in relation to the fact that the policy has obviously changed from the Department to the tribunal. We need to find the reasons why that is the case.

Sean Lynch made some comments. I personally find it very difficult to listen to Mr Lynch talk about due process, when he was engaged in activities in Fermanagh in the 1980s that were a million miles from due process, it has to be said. So I find it difficult to listen to lectures from that particular individual on due process.

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

**Mrs Foster:** Mr Eastwood said that some of us were being sceptical about the Haass talks. Let me be very clear: Mr Haass is a facilitator. Everyone in this Chamber has to step up to the mark. It is not about Richard Haass; it is about the rest of us. We had better move on and be positive about what is going to happen in the future.

**Mr Deputy Speaker:** Before I put the Question on amendment No 1, I advise Members that if the amendment is made, the Question on amendment No 2 can still be put.

*Question put, That amendment No 1 be made.*

*The Assembly divided:*

*Ayes 44; Noes 40.*

## 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 Givan, Mrs Hale, Mr Hamilton, Mr Humphrey, Mr Hussey, Mr Irwin, Mr Kennedy, Mr Kinahan, Mr I McCrea, Mr McGimpsey, Mr D McIlveen, Miss M McIlveen, Mr McQuillan, Lord Morrow, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mr Poots, Mr G Robinson, Mr Ross, Mr Storey, Mr Swann, Mr Weir, Mr Wells.*

*Tellers for the Ayes: Mr Craig and Mr D McIlveen.*

## NOES

*Mr Attwood, Mr Boylan, Ms Boyle, Mr D Bradley, Mr Brady, Mr Byrne, Mr Dallat, Mr Durkan, Mr Eastwood, Ms Fearon,*

*Mr Flanagan, Mr Hazzard, Mrs D Kelly, Mr G Kelly, Mr Lynch, Mr McAleer, Mr McCallister, Mr F McCann, Ms J McCann, Mr McCartney, Ms McCorley, Mr B McCrea, Mr McElduff, Ms McGahan, Mr McGlone, Mr McKay, Mrs McKeivitt, Ms Maeve McLaughlin, Mr Mitchel McLaughlin, Mr A Maginness, Mr Maskey, Mr Milne, Ms Ni Chuilín, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Mr P Ramsey, Mr Rogers, Ms Ruane, Mr Sheehan.*

*Tellers for the Noes: Mr Byrne and Ms Ruane.*

*The following Members voted in both Lobbies and are therefore not counted in the result: Mr Agnew, Mrs Cochrane, Mr Dickson*

*Question accordingly agreed to.*

*Question put, That amendment No 2 be made.*

**Mr Deputy Speaker:** I have been advised by the party Whips that, in accordance with Standing Order 27(1A)(b), there is agreement that we can dispense with the three-minute rule and move straight to the Division.

*The Assembly divided:*

*Ayes 45; Noes 40.*

## 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 Givan, Mrs Hale, Mr Hamilton, Mr Humphrey, Mr Hussey, Mr Irwin, Mr Kennedy, Mr Kinahan, Mr McCausland, Mr I McCrea, Mr McGimpsey, Mr D McIlveen, Miss M McIlveen, Mr McQuillan, Lord Morrow, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mr Poots, Mr G Robinson, Mr Ross, Mr Storey, Mr Swann, Mr Weir, Mr Wells.*

*Tellers for the Ayes: Mr Elliott and Mr Hussey.*

## NOES

*Mr Attwood, Mr Boylan, Ms Boyle, Mr D Bradley, Mr Brady, Mr Byrne, Mr Dallat, Mr Durkan, Mr Eastwood, Ms Fearon, Mr Flanagan, Mr Hazzard, Mrs D Kelly, Mr G Kelly, Mr Lynch, Mr McAleer, Mr McCallister, Mr F McCann, Ms J McCann, Mr McCartney, Ms McCorley, Mr B McCrea, Mr McElduff, Ms McGahan, Mr McGlone, Mr McKay, Mrs McKeivitt, Ms Maeve McLaughlin, Mr Mitchel McLaughlin, Mr A Maginness, Mr Maskey, Mr Milne, Ms Ni Chuilín, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Mr P Ramsey, Mr Rogers, Ms Ruane, Mr Sheehan.*

*Tellers for the Noes: Mr Byrne and Ms Ruane.*

*The following Members voted in both Lobbies and are therefore not counted in the result: Mr Agnew, Mrs Cochrane, Mr Dickson*

*Question accordingly agreed to.*

*Main Question, as amended, put.*

*The Assembly divided:*

*Ayes 44; Noes 39.*

## 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 Givan, Mrs Hale, Mr Humphrey, Mr Hussey, Mr Irwin, Mr Kennedy, Mr Kinahan, Mr McCausland, Mr I McCrea, Mr McGimpsey, Mr D McIlveen, Miss M McIlveen, Mr McQuillan, Lord Morrow, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mr Poots, Mr G Robinson, Mr Ross, Mr Storey, Mr Swann, Mr Weir, Mr Wells.

Tellers for the Ayes: Mr Craig and Mr D McIlveen.

#### NOES

Mr Attwood, Mr Boylan, Ms Boyle, Mr D Bradley, Mr Brady, Mr Byrne, Mr Dallat, Mr Durkan, Mr Eastwood, Ms Fearon, Mr Flanagan, Mr Hazzard, Mrs D Kelly, Mr G Kelly, Mr Lynch, Mr McAleer, Mr McCallister, Mr F McCann, Ms J McCann, Mr McCartney, Ms McCorley, Mr B McCrea, Mr McElduff, Ms McGahan, Mr McGlone, Mrs McKevitt, Ms Maeve McLaughlin, Mr Mitchel McLaughlin, Mr A Maginness, Mr Maskey, Mr Milne, Ms Ní Chuilín, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Mr P Ramsey, Mr Rogers, Ms Ruane, Mr Sheehan.

Tellers for the Noes: Mr Byrne and Ms Ruane.

The following Members voted in both Lobbies and are therefore not counted in the result: Mr Agnew, Mrs Cochrane, Mr Dickson

Main Question, as amended, accordingly agreed to.

Resolved:

*That this Assembly rejects the shift in compensation policy that led to a substantial award following the death of a Real IRA member at the hands of the same organisation; recognises that the change in policy is a significant break from past practice and inconsistent with previous treatment of victims of terrorism and crime; notes with regret the grave offence which has been caused to many, including and most notably those innocent victims of terrorism, by this award; and calls upon the Minister of Justice to launch a review of compensation policy and reverse this unnecessary, unwanted and offensive policy change.*

**Mr Deputy Speaker:** I ask Members to take their ease for a few moments while we make a change at the Table.

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

Motion made:

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

## Adjournment

### Road Infrastructure: Beechfield and Ashfield Estates, Donaghadee

**Mr Deputy Speaker:** The proposer of the topic for debate will have 15 minutes in which to speak, the Minister will have 10 minutes to respond, and all other Members who are called to speak will have approximately five minutes.

**Mr Easton:** I am sure that the Minister is surprised that we are having this debate this evening. However, I am also sure that he will understand that I believe in doing my best in pushing as hard as I can for my constituents so that they can get the best possible services in their community.

As the Minister will remember, he came to visit Beechfield at my request, met the Beechfield Residents Association and listened to their concerns about the state of the roads and paths in the area. As a follow-up to that meeting, the Minister was good enough to write a letter to me to outline what was going to happen. I quote from that letter:

*"In relation to Beechfield in Donaghadee, staff will be assessing the various roads raised for potential inclusion in a future resurfacing programme, however again this will be subject to funding allocations and other competing priorities. In addition consideration has also been given to replacing the concrete flagged paths with bitmap whilst addressing ponding issues."*

The Minister knows that I really appreciated the visit and the follow-up. However, there is no definite agreement on the way forward for Beechfield Drive and Ashfield Drive. That is an area that I am looking for clarification on today. As the Minister is aware, Beechfield is designated as an area at risk by the Department for Social Development (DSD), and there has been a lot of effort by DSD to put double glazing and new heating systems into Housing Executive properties and to improve the lives of the residents of Beechfield. The one thing left to do is to fix the road infrastructure.

I remind the Minister that, in the past three years alone, there have been 105 potholes. That clearly demonstrates the mess of the road infrastructure in Beechfield and Ashfield. I note that work has started on Northfield Road and Cannyreagh Road, which is very much welcomed. However, there is no clear direction as yet whether Beechfield Drive and Ashfield Drive will be included in the scheme. Today, I am hoping that the Minister will agree that it is time to do something with the area to help the residents and bring Beechfield up to the best possible standard that we can, because I do not want the Beechfield residents to have to go through another winter with the roads in the state that they are in. As the Minister knows, I will not be going away until we get it sorted out, as I am quite a stubborn character when it comes to this sort of thing.

Minister, I appreciate your efforts so far. I am looking for clarification on the roads for Beechfield Drive and Ashfield



Drive, and the footpaths running between Ashfield and Beechfield.

**Mr Cree:** I welcome the opportunity to speak here this evening about an issue in my constituency, that is the road structure in Beechfield and Ashfield estates. I make it clear at the outset, Mr Deputy Speaker, that I am not here to defend the Department for Regional Development (DRD) nor, indeed, the Minister. There are weaknesses with DRD, certainly in the north Down area. However, I was somewhat surprised to find this matter reaching a debate in the House today, as I have followed with great interest since last January what appears to be almost a weekly communication between the Minister and Mr Easton on the subject of various aspects of Beechfield and Ashfield.

Mr Easton's first communication on 11 January asked the Minister:

*"whether there are plans to complete the removal of paving slabs on footpaths that have yet to be resurfaced in the Beechfield Estate, Bangor."*

I found the answer rather amusing. The Member for North Down was informed that:

*"Roads Service considers the footways within the Beechfield Estate, Bangor to be in a satisfactory condition. I understand that none of the footways within the Beechfield Development, which was built within the last 20 years, were constructed with paving slabs. Roads Service will continue to inspect the roads and footways in the Beechfield Estate, Bangor on a cyclical basis and when defects are identified that warrant intervention, appropriate remedial work will be undertaken in accordance with the timescales established in Roads Service's maintenance standards."*

Less than one month later, on 1 February, the Minister was again asked via a question for written answer:

*"how he plans to address the crumbling road infrastructure in Beechfield and Ashfield estates".*

Mr Easton was reminded by the Minister, and I am sure that he remembers this very well, that:

*"footways in the Beechfield estate were replaced some years ago and are in a satisfactory condition, while the entire footway network in the Ashfield estate was replaced last year at a cost of £120k."*

The Member was assured at this time that Roads Service:

*"will, however, continue to keep the Beechfield and Ashfield estates, Donaghadee under consideration for potential inclusion in a future resurfacing programme."*

Just over one month later, on 6 March, Mr Easton again asked the Minister for Regional Development:

*"how many potholes have been reported in Beechfield Estate, North Down in the last three years."*

In reply, he was advised that:

*"Roads Service has received only one report relating to potholes in the Beechfield Estate in Donaghadee during the last three years."*

However, "

— and this may be propaganda —

*"through Roads Service's routine cyclic inspection regime, 105 potholes have been noted and repaired during the same period."*

There is very little that I can add to what has already been addressed by the process of questions for written answer that I have outlined. However, I must ask why there is a necessity for a further debate on issues that have already been addressed and resolved over a period of time.

Finally, I ask that the Minister continues to uphold his undertaking of 1 February to consider Beechfield and Ashfield estates for potential inclusion in any future resurfacing programme. That will go some way to assure constituents in North Down of his good intentions.

**Mr Dunne:** I welcome the debate, which has been brought this afternoon by my colleague Alex Easton, who is a very active MLA in the area. I think that it is most important that Roads Service gives North Down equality in funding for road maintenance. I must also recognise the ongoing work at Northfield Road and Cannyreagh Road. That is to be welcomed, and we recognise the investment in the area.

I expect that work to be carried out to a satisfactory standard, which is generally the case. In all honesty, I will say that the work that Roads Service is completing is to a high quality and of a good standard. That is to the credit of the Department and the Minister.

Investment in Donaghadee is important, as it benefits lives and the social structure of areas such as Beechfield. The Department for Social Development identified that area as suffering from social deprivation and as an area of risk. DSD has given £70,000 towards projects and improvements. So, government recognise the need for regeneration and investment in the area.

Beechfield estate is an area of social housing. The road structure is in much need of resurfacing. The roadways throughout the estate, which, I understand, Minister, you visited, are in a very poor standard of repair. They have been patched and repaired over many years, resulting in what is effectively a patchwork of tarmac on the main roadways.

There is clear evidence of utility companies having obviously opened the road to install gas, electricity and water services. Poor reinstatement has resulted. They backfilled openings, and, as a result, there has been shrinkage and the road surface is poor throughout the estate. There is a risk to the health and safety of the public: pedestrians, children and cyclists. The Minister is keen to promote cycling, but I think that, due to the poor road surface, there is a clear risk to cyclists, as well as a risk of vehicle damage.

I visited the area last night and took a number of photographs, and there is clear evidence that the road is substandard and needs to be resurfaced. As a result, an estate such as that has a poor environment, resulting in a negative impact on the local community. Poor infrastructure creates a poor environment. As a result, you get a lack of interest and cohesion in our community and a breakdown in the whole structure. Roads serve the community and they are very much part of the environment, and I think that it is important that they are maintained to a proper standard.

I join my colleagues in urging the Minister to continue the good work that is going on on Northfield Road and Cannyreagh Road, to take that through the estate and to resurface the roads in the Beechfield and Ashfield area. Make it a priority that that is done in this financial year, or at least in the next financial year. It would be a good investment and money well spent, and it is urgently needed in the North Down area. We recognise the Minister's efforts. We have had him in North Down a number of times, and we appreciate the work that he has done.

There is more money to be spent, and we are looking forward to the improvements over the Craigtantlet route. I understand that the Minister has that on his desk and is looking into it. I hope that he does not look into it for much longer, that we see an amended scheme coming forward and that it becomes a priority. That is because North Down needs and deserves a fair investment in roads from DRD. We have a high population density and probably a small roads structure, but we need investment. They are roads that are heavily used by cars and other vehicles, including some bicycles. We probably need more bicycles, but, in the meantime, we need proper road surfaces. I very much support the motion.

### 6.30 pm

**Mr Weir:** I welcome this Adjournment debate, which my colleague secured. It would be churlish not to welcome the personal commitment and intervention from the Minister — a desperate attempt to butter him up before he responds.

At times, Donaghadee, and I suspect that we all have such villages or towns in our constituency, can feel a little neglected and a bit like the poor relation. In many ways, because of Donaghadee's position and its proximity to Bangor and Newtownards, it can feel like the poor relation of its bigger brother and sister. Consequently, it is important that all parts of our constituencies, particularly Donaghadee, are given a fair shake.

The concept, particularly from a transport point of view, of a concern to ensure that Donaghadee is looked after, goes beyond road issues. There is an ongoing issue, which I appreciate is with an arm's-length body, with the turning circle at the closed bus station in Donaghadee. There are ongoing discussions between Translink and Ards Borough Council on that, and hopefully there will be a satisfactory resolution.

As I mentioned, Donaghadee can, rightly or wrongly, feel a little isolated because of its location. That is particularly true of Beechfield and Ashfield because of their location in the town, which the Minister has visited. The fact that they are effectively self-contained estates — you do not travel through Beechfield or Ashfield to get to somewhere else — can reinforce a feeling of isolation and neglect.

There has been ongoing correspondence on this issue. It was mentioned that although only one pothole has been officially reported, even Roads Service — I hope that the Minister's interest goes beyond the answers that come from Roads Service — has identified 105 over the past few years. Although there is a considerable amount of work to be done sporadically to mend potholes, their number indicates that this is an area ripe for much more substantial resurfacing.

We welcome the commitment mentioned to the ongoing work in Cannyreagh and Northfield. Part of the purpose

of the debate is to try to reassure residents and to seek clarification on where in the programme Beechfield and Ashfield are. There is a strong case for resurfacing in those areas. From that point of view, we hope that we can have a win-win situation in which the Minister is able to give reassurance and provide good news. In that way, the residents of Beechfield and Ashfield could join in and benefit from the ongoing good work on road resurfacing in Donaghadee, and an estate in what, at times, is felt to be a neglected town would not become neglected. We want that proper level of commitment.

Therefore, I look with anticipation and hope to the Minister and what he can say today. I hope that he can extend the good work being done and ensure that the citizens of Beechfield and Ashfield are catered for in the roll-out of the programme.

**Mr Agnew:** I thank the Minister for his attendance and, as already stated, his visit to Beechfield.

I will follow on from where Mr Weir left off. He made a point about the isolation and, to some extent, neglect sometimes felt in Donaghadee, being a small town between two larger towns. I think that the feeling is exacerbated in the Ashfield and Beechfield estates, given the ongoing work on the adjacent Northfield and Cannyreagh roads.

Pride in your environment — in fact, pride in your home; the environment is simply where we live — is key to our lives, and we certainly do not want to send a message to those people that their environment and their homes are not valued by leaving them off the list. I appreciate that Roads Service has priorities and has to allocate its resources accordingly.

In a response to Mr Easton, the Minister highlighted the fact that the road was built in the mid-1960s, with an estimated lifespan of 25 years. We are well beyond that. Mr Weir's point that 105 potholes have been identified in recent years shows that the repair of wear and tear is becoming a problem financially and is a significant inconvenience to residents. Albeit that they are not all at the one location, I am sure that 105 potholes could do considerable damage to vehicles. It is clear that roads in the two estates are at the end of their lives and need to be resurfaced.

The question was raised as to why we are having an Assembly debate on the topic. Certainly, as a political representative, one gets frustrated with Roads Service. Perhaps we do not get sufficient information on how priorities are set. We are simply told that it is not a priority in this financial year or that resources are stretched. As public representatives, we need more information from Roads Service as to how those priorities are assessed and resources allocated. If we are not informed, we cannot inform our constituents. In the past, I have been given some extra information through questions for written answer. However, it would be easier if that information were provided to elected representatives as a matter of course when they make enquiries. Today, we are focused on two specific roads in Donaghadee. We get significant queries. Along with the issue of dog waste, certainly one of the highest number of queries that we get in our constituency offices is on road maintenance and repairs. Better communication from Roads Service would be helpful.

Like Mr Dunne, I credit Mr Easton for securing the debate because it made me visit the area to see the state of

the roads for myself. Resurfacing is certainly needed. I appreciate that it is probably a question of when rather than if. I put it to the Minister that, as it is over 40 years since the roads were built with a 25-year lifespan, it should be sooner rather than later. I thank the Minister for his interest in the matter.

**Mr Kennedy (The Minister for Regional Development):**

I have asked officials to take note of the Hansard report of the debate, so that if I do not pick up on Members' points, I can write to them.

I want to express my pleasure at being part of the debate. I note and welcome the comments and concerns that have been expressed by Members. I welcome the opportunity to debate the roads infrastructure at the Beechfield and Ashfield estates in Donaghadee. Mr Easton, who secured the Adjournment debate, will recall that on 22 May 2013, I met him and residents of the Beechfield and Ashfield estates. I received a very warm welcome to the estates and enjoyed my visit. It is important for Ministers to get out on the ground, particularly those who have responsibilities for transport, roads and infrastructural issues, to see concerns at first hand and to meet residents to discuss them. Of course, during that meeting, the condition of roads in the Beechfield and Ashfield estates and, indeed, the Northfield Road and Cannyreagh Road, which lead to the estates, was discussed. It was explained to those present that funding for structural maintenance was limited. As such, Roads Service has to prioritise all schemes that are identified as being priorities in its proposed work programme.

I can assure Mr Agnew that a very fair and comprehensive assessment throughout all our areas is carried out in a very professional manner by roads engineers who understand the pressure on them not only from public representatives but, indeed, from the residents of estates and areas. I want to pay tribute to my Roads Service officials who, in section offices in all our Roads Service divisions throughout Northern Ireland, carry out that work, because hard choices have to be made. There are not unlimited sums of money available to us; therefore, prioritisation methodology has to be applied.

Although it was acknowledged that the road surfaces in the Beechfield and Ashfield estates were showing signs of general wear and tear and that there was evidence of patching from pothole repairs, their condition remains serviceable. The footways in the Beechfield estate had been resurfaced some years ago and are generally in a satisfactory condition. The entire footway network in the Ashfield estate was replaced in 2012, which, at the time, was a significant financial investment for a single area, amounting to something like £172,000. So, I can say with some confidence that Beechfield and Ashfield have not been ignored or neglected, and that is as it should be.

During the meeting of 22 May, a Roads Service official asked the residents present whether they would prefer to see work carried out on the roads in the estates or on the roads leading to the estates — Northfield and Cannyreagh roads — and which should be addressed first should funding become available. Both those roads were falling into disrepair with many potholes, and we heard the number of potholes — 105. The feedback from the residents indicated their preference for Northfield and Cannyreagh roads to be addressed first. Obviously, they would prefer that everything was addressed, as Members

have outlined today. However, I think that the preference highlighted by the residents at that meeting has been taken into consideration in the selection of the roads to be targeted.

I am pleased to report that work has recently commenced on Northfield and Cannyreagh roads, as Members have welcomed and indicated. Carriageway resurfacing and footway reconstruction is substantially completed on Northfield, and preparatory works at Cannyreagh Road are ongoing ahead of resurfacing. All the works are scheduled to be completed later this month. The estimated costs for the ongoing works on Northfield and Cannyreagh roads are in the order of £200,000, which again is a considerable investment, and I think that Members will acknowledge that.

Although I would like to be able to advise Members that Roads Service has proposals to carry out resurfacing of the roads in the Beechfield and Ashfield estates, there are very many similar demands for works on other roads, some busier, which are all in competition for limited funding. Given the substantial investment in the schemes already under way in the area, and recognising the limited funding available to Roads Service for such works, I am not in a position today to provide a time commitment to carry out the requested works in the Beechfield and Ashfield estates at this time.

With regard to the issue of funding, I advise Members that initial structural maintenance funding for 2013-14 covering these types of schemes was around £62 million against a required funding need of £129 million Province-wide at 2013 prices. So, budgets are under pressure. Roads Service received £25 million of capital funding in the June monitoring round, but again there is still a shortfall. We will continue to bid. It is my intention to continue to put bids in the monitoring rounds that remain. Should my Department be successful in receiving further funding, then, of course, there is a much greater likelihood that this work could be completed.

However, as Members are aware, the later in the year that further funding becomes available, the greater the difficulty is in deploying additional resources in the most targeted and efficient manner. I would far rather a situation evolved where there is greater clarity and certainty with the structural maintenance budget and it could be carefully and sensibly planned over the entire year, and I will continue to pursue that with the new Minister in the Department of Finance and Personnel, Simon Hamilton. This is slightly a political point, but I will continue to lobby on behalf of my Department for additional resources for DRD and Roads Service so that projects of this nature can be brought forward and completed. Mr Easton may want to join me in common cause and ask his colleague, the Finance Minister, to do the same.

**6.45 pm**

In short, we are all on the same side, and my commitment to the Donaghadee area, the north Down area and to roads all over Northern Ireland cannot be questioned fairly. I am in the business of seeing improvements to as many roads as possible and the development of new roads and the strategic network. There are challenges for us, but there are strong arguments that the Executive should make additional resources available to the Department for Regional Development as it seeks to improve the overall infrastructure.

*Adjourned at 6.47 pm.*





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# Northern Ireland Assembly

**Monday 16 September 2013**

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

*Members observed two minutes' silence.*

## Assembly Business

### **New Assembly Member: Mr Fearghal McKinney**

**Mr Speaker:** There are a couple of announcements that I wish to make to the House this morning. I have been informed by the Chief Electoral Officer that Mr Fearghal McKinney has been returned as a Member for the South Belfast constituency to fill the vacancy resulting from the resignation of Mr McDevitt. This morning, Mr McKinney signed the Roll of Membership in my presence and that of the Director of Clerking and Reporting, Dr Gareth McGrath, and entered his designation. Mr McKinney has now taken his seat. I offer him my congratulations and wish him well.

### **Committee for the Environment**

**Mr Speaker:** I wish to inform the House that I have received the resignation of Mr Simon Hamilton — *[Laughter.]* — as Deputy Chairperson of the Committee for the Environment. The nominating officer of the Democratic Unionist Party, the Rt Hon Peter Robinson, has nominated Ms Pam Brown to fill the vacancy with effect from 10 September 2013. Ms Brown has accepted the nomination. I am satisfied that the requirements of Standing Orders have been met and I confirm that Ms Pam Brown took up the office of Deputy Chairperson of the Committee for the Environment with effect from 10 September 2013.

### **Public Petition: Hazelwood Integrated College**

**Mr Speaker:** Mr Alban Maginness has sought leave to present a public petition in accordance with Standing Order 22. However, matters relating to Hazelwood Integrated College are currently before the courts. Standing Order 73 does not allow matters in respect of which legal proceedings are active to be referred to in any proceedings of the Assembly. I know that Mr Maginness is a learned barrister and that he will understand what I am saying. I do not consider that there is any extent to which I can allow the normal opportunity to speak about the petition under the discretion allowed to me under Standing Order 73(1). I therefore call Mr Alban Maginness to bring the petition forward to the Table.

**Mr A Maginness:** Thank you very much, Mr Speaker.

*Mr A Maginness moved forward and laid the petition on the Table.*

**Mr Speaker:** I will forward the petition to the Minister of Education and, of course, I will also send a copy to the Chair of the Committee.

## Committee Membership

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

**Resolved:**

*That Miss Michelle McLveen replace Mr Trevor Clarke as a member of the Committee for Agriculture and Rural Development; that Mr Stephen Moutray and Mr Robin Newton replace Mrs Brenda Hale and Miss Michelle McLveen as members of the Committee for Education; that Mr Sydney Anderson and Mr Sammy Douglas replace Mr Stephen Moutray and Mr Robin Newton as members of the Committee for Enterprise, Trade and Investment; that Mr Ian McCrea replace Mr Sydney Anderson as a member of the Committee for the Environment; that Mr Ian McCrea replace Mr David McLveen as a member of the Committee for Finance and Personnel; that Mr David McLveen replace Ms Paula Bradley as a member of the Committee for Health, Social Services and Public Safety; that Mr Sydney Anderson replace Mr Alex Easton as a member of the Committee for Justice; that Mrs Brenda Hale replace Mr Ian McCrea as a member of the Committee for Regional Development; that Mr Trevor Clarke and Mr Sammy Wilson replace Ms Pam Brown and Mr Sammy Douglas as members of the Committee for Social Development; that Ms Paula Bradley replace Mr Mervyn Storey as a member of the Committee on Procedures; that Mr Alex Easton replace Mr David McLveen as a member of the Public Accounts Committee; that Mr Mervyn Storey replace Mr Sydney Anderson as a member of the Committee for Standards and Privileges. — [Mr Weir.]*

## Ministerial Statement

### North/South Ministerial Council: Agriculture

**Mrs O'Neill (The Minister of Agriculture and Rural Development):** Go raibh maith agat, a Cheann Comhairle. With your permission, I wish to make a statement in compliance with section 52 of the 1998 Act regarding the twentieth meeting of the North/South Ministerial Council (NSMC) in the agriculture sector, which was held in Armagh on Wednesday 10 July. The Executive were represented by me and junior Minister Jonathan Bell. The Dublin Government were represented by Simon Coveney TD, Minister for Agriculture, Food and the Marine; and Fergus O'Dowd TD, Minister of State at the Department of the Environment, Community and Local Government. Minister Coveney chaired the meeting. This statement has been agreed with junior Minister Bell, and I am making the statement on behalf of us both.

Ministers discussed recent developments in international trade, including trade with China. We discussed the most recent developments with regard to negotiations on CAP reform, including political agreement between the European Council and the European Parliament on the multi-annual financial framework and political agreement between the EU Council of Ministers and the European Parliament on CAP reform. We also noted the continued close contact between officials on CAP issues.

Ministers welcomed an update on the delivery of the all-island animal health and welfare strategy action plan, and agreed that officials investigate the possibility of an all-island approach to the issue of wild animals in travelling circuses, with the findings to be reported at a future NSMC agriculture meeting. We noted the progress report provided by the plant health and pesticides steering group on the implementation of the work programme. The Council also welcomed the significant and continued ongoing cross-border cooperation in dealing with the ash dieback outbreak, and noted the all-Ireland Chalara control strategy and the updated pest risk analysis for Chalara across England, Scotland, Wales, here and also in the Twenty-Six Counties. The Council also discussed horse registration and noted that officials will meet to explore the possibility of having an all-island horse passport centralised database and to enhance the security of the equine identification system.

With regard to cross-border rural development, Ministers welcomed the progress of the INTERREG IVa funding for strategic projects, and noted the completion of the PEACE III-funded rural enablers project, which met all its targets in addressing issues of division in rural communities. Ministers also acknowledged the progress made by Departments and their respective rural networks in organising a conference in October 2013 to specifically encourage and promote the benefits of active local action groups' member participation. Ministers noted the intention to create a distinct theme to support all-island cooperation in each jurisdiction's new rural development programmes. Ministers considered a paper on environmental protection and agreed the terms of reference for an all-island study to examine the issue of airborne pollution from residential smoky coal combustion and the economic and social implications of potential policy options.

The meeting concluded with Ministers noting that the date of the next meeting will be in November 2013.

**Mr Frew (The Chairperson of the Committee for Agriculture and Rural Development):** I thank the Minister for her statement. Given the discussions with the Irish Minister Coveney around CAP and given the revelations at the weekend regarding advance payments, will the Minister now admit that Sinn Féin, since May 2007, when it took that post, has failed the people of Northern Ireland, has failed the agriculture and agrifood industries, and has been found sleeping at the wheel and found wanting? Will she tell us how she will recover this position so that Northern Ireland farmers will be able to receive advance payments, as the rest of Europe does?

**Mrs O'Neill:** Go raibh maith agat, a Cheann Comhairle. I assure the Member that no one is sleeping behind the wheel on this side of the House. We all recognise that we want to be in a position at which we can offer part payments, and we are actively working towards that. The Member is aware that we have had a problem with our maps. The European Commission was not satisfied with the maps that we were using, so we embarked on a massive process to get those corrected. We have made a lot of progress, which has been ongoing for quite some time. My focus this year will be to make as many single farm payments as early as possible, when the payment window opens on 1 December. I intend to publish the timetable that I will be working towards in November. I most certainly know that faster payments will be welcomed by the farming community, which, for various reasons, is often under a lot of pressure, particularly given the weather and all the other negative experiences that it has had over the past number of years.

Since I came into the Department, the focus has very much been on how we get to a position at which we are able to have part payments in place. As I said, I am actively working towards that. That involves making sure that our maps are up to standard and that we are making better use of online technologies. Key to the success of being able to roll out part payments is making sure that we take forward more remote sensing inspections because you cannot make a payment until you have started all the inspections. We have made significant improvements on that. We have more than doubled the numbers that will be taken forward by remote sensing. A lot of positive work has been done. As soon as I can get to a position of being able to make part payments, I will be happy to stand on the Floor and announce that. I hope that that will be the case with our new system from 2015.

**Mr McAleer:** Go raibh maith agat, a Cheann Comhairle. The Minister will be aware that there is an ongoing issue with unwanted horses. Has she had any correspondence or conversation with her counterpart, Minister Coveney, on how to deal with that issue?

**Mrs O'Neill:** It is a growing area of concern, particularly on the back of the recent horse meat scandal. Minister Coveney and I intend to introduce a collection-and-disposal scheme for unwanted horses because, in a difficult economic climate, people sometimes cannot afford to feed their horses. As we move into the winter, there will be a growing issue around horse welfare. We are very keen to move forward on an all-island basis. In fact, we had a discussion on Friday, and we want to be able to introduce a scheme to deal with unwanted horses,

given the economic climate that we are in. We need to get involved purely from a welfare point of view. We hope to be in a position to make an announcement over the next number of weeks.

**Mr Byrne:** I thank the Minister for her statement. Will she state whether she is happy with the way in which the Department of Agriculture and Rural Development (DARD) is performing on the administration of the CAP negotiations here? The disappointment of farmers is unbelievable. What reassurance can she give to the farming community here that it will not be deprived of a cash flow cheque in October?

**Mrs O'Neill:** I did not quite pick up the very end of the question, but I am very pleased with the way in which officials have worked with me on the negotiations in Brussels. In the past two years, we have put in a lot of hard work to make sure that we have made our voice heard and that Brussels was listening to us at every opportunity. We did that individually when we secured meetings with Council officials in Brussels and also through the Department of Environment, Food and Rural Affairs (DEFRA) and when working with MEPs on a team Ireland approach. We now have broad agreement, and, as I said, that is the easy part, in a sense. We will now have the difficult decisions.

Over the autumn and winter, I will consult on how we shape our new programme, which is when the difficult decisions will have to be taken. Obviously, there will be competing interests and views on how we should best spend the money in pillar 2 on the way forward. I am open to listening to people's views. A number of roadshows are ongoing, and people have been invited to make written submissions. So there is a lot of hard work in the time ahead in making sure that we have a new programme that is fit for purpose, suits the needs of our industry and looks towards the work that we have done on Going for Growth, looking at the agrifood industry as a whole and how we can help it to grow. Now we have a real opportunity, with the CAP reform and the new rural development programme, to target moneys towards areas where we feel that support is needed and growth can be achieved.

12.15 pm

**Mr Elliott:** I thank the Minister for what was a fairly brief statement. I refer to the all-island study on pollution from residential smoky coal. I look forward to seeing the terms of reference for that. Can the Minister give me a definition and explanation of what smoky coal is because I cannot find that information in any government policy document?

**Mrs O'Neill:** I am glad that the Member wants a lot more North/South cooperation. It is very positive that he wants me to come to the House more often to talk about the North/South Ministerial Council and the work that is ongoing. I am very happy to do that.

That was a Department of the Environment (DOE) paper that went forward. For timing reasons, it needed to come before our North/South Ministerial Council meeting for clearance. I am happy to pass on to the Minister of the Environment the fact that the Member has some enquiries, and, hopefully, he will pick those up.

**Mr McCarthy:** The Minister said that she and her counterpart:

*"noted the intention to create a distinct theme to support all-island cooperation in each jurisdiction".*

Will the Minister elaborate on what the distinct theme might look like? How soon will the "intention" turn into positive action?

**Mrs O'Neill:** We are looking at cross-border cooperation, and there have been some very successful projects in the current programme, but I think that we need to build on them. There is a lot more potential and a lot more scope there. Our discussion was about how, while we are both engaged in shaping our new rural development programme, we can look towards our respective programmes and put in place cooperation working. The new rural development programme is out to consultation, and all-island cooperation is being discussed as part of that. The distinct area is that we separate out a pot of money across the island that can be used for really good cooperation projects. As I said, there have been quite a number of those in the current programme, and we want to build on those in the time ahead.

**Mr Irwin:** On all-island animal health and welfare, given that our neighbours in the Irish Republic have a reduced incidence of TB, has the Minister discussed that with her counterpart in the Irish Republic? What lessons can she and her Department learn from the Irish Republic?

**Mrs O'Neill:** Yes, we have an ongoing discussion on that. The purpose of working in cooperation across the island on animal health is that we have a similar disease status right across the island. That will improve the trade and movement of animals, so it is to everybody's advantage that we come to that position. TB, as the Member is aware, is a very complex disease, and there is no simple solution or quick fix. The Twenty-six Counties are in a better position with incidence. I am pleased that, over the past couple of months, our levels have come down. That is positive, although we cannot be complacent. We need to do a lot more and continue to drive forward with the eradication plan that we have in place.

The Member will also be aware of the test, vaccinate or remove (TVR) approach, which I announced to the House previously. We are looking at the study and gathering evidence. All that work is ongoing. It is encouraging, although I totally accept that it is a very complex disease and there is no simple solution. However, the Member can rest assured that, if there are lessons to be learned from anywhere on how to do something, and, if we can improve the incidence and bring our disease levels down, I will not be shy of looking towards them.

**Mr Milne:** Go raibh maith agat, a Cheann Comhairle, Ba mhaith liom mo bhuíochas a thabhairt don Aire go dtí seo. Minister, you referred to discussions on banning wild animals in travelling circuses. Will you elaborate on that?

**Mrs O'Neill:** Absolutely. I raised the issue of a possible ban with Minister Coveney. We agreed that our officials would investigate the possibility of an all-island approach to the issue and come back to us at a future NSMC meeting. That work is being undertaken by officials in both Departments. They had a meeting quite recently, at the start of September, to discuss that. I know that it was discussed at length and that a number of key issues were identified for investigation. So, I look forward to that report coming back. We do not actually have any circuses registered in the North, but a number are registered in the Twenty-six Counties. Therefore, any approach that we take to bringing in a possible ban has to be taken forward on an

all-island basis. That is because it is obviously logical, and it makes sense that we would do so on that basis.

**Mr Buchanan:** I am going to be somewhat critical of the statement. What we have is a statement with 12 points that tell us absolutely nothing. It says we "noted" this, "welcomed" that and "agreed" something else, but it tells the House absolutely nothing at all.

Turning to that statement, the Minister will know that, in recent times, the horse meat scandal highlighted just how inadequate the current regime is. Will she, therefore, expand on that problem, giving an indication of the scope of the work that is likely and the timescale and cost that are associated with bringing forward a centralised database for horses?

**Mrs O'Neill:** I am very happy to update the Member on what has happened on the back of the horse meat scandal and on our work towards improving horse passports. Again, I welcome that you want to see more North/South cooperation. That is music to my ears. I am very happy to talk to the House any time that the Member wishes to discuss more North/South cooperation.

We discussed horse passports in some detail. I think that it is important for me to point out from the start that we are disappointed, to say the least, that there have been no prosecutions on the back of the horse meat scandal. So, I think that it is incumbent upon us as Ministers to make sure that we can stand over the systems that we have in place. One area that we need to look at seriously is improving the horse passport scheme. Given that they are mandatory, horse passports should be in place. It is a legal requirement for all horses and ponies across the EU to have a horse passport in place. That passport will record the horse's identity and veterinary history and is intended to ensure that, if horses have been injected with certain medicines that could be harmful to human health, they do not enter the food chain. A horse must be accompanied by its passport when it is moved out of the North or to a new keeper's premises.

So, those are all areas that we are looking at. The Department enforces the regulations at point of slaughter and at import and export at ports across the North. For me, it is about making sure that all those systems and practices are adequate and in place and that we really enforce the passport issue. We are working with colleagues in DEFRA on how we can work together and with colleagues in the Department of Agriculture, Food and the Marine (DAFM) in the South to see how we can work closely in line with the work that the Equine Council is doing on how to improve the passport system. You will be very aware that there are maybe up to seven passport issuers in the North, which is a concern. We want to be able to get a system where one legitimate passport is issued that is traceable and can be easily verified. That is all part of the work that we are taking forward.

**Mr Flanagan:** Go raibh maith agat, a Cheann Comhairle. Gabhaim buíochas leis an Aire as ucht a ráitis. I thank the Minister for her statement.

Further to advance payments, which the Chair of the Committee raised, I know that very many farmers look enviously across the border at that. Will the Minister elaborate on what further improvements are required in the current system before advance payments can be made



and provide us with an outline of the planned timetable for this matter?

**Mrs O'Neill:** As I said in an earlier answer, we are working towards improving our map system and the online technology, and we are encouraging more people to come forward with online applications so that they can be easily verified and checked. As I said, to me the key is making sure that we get to a stage where we can carry out as many inspections as possible by remote sensing. This year, we have more than doubled the numbers taken forward that way compared with last year. That is my focus. We need a system where we get those things up to speed, which will then allow us to be in a position to bring forward part payments.

It is my intention to bring forward part payments as soon as possible. Certainly, over the past two years, the focus has been on making sure that we improve the maps and that they are up to standard. We will then be in a position in the near future to be able to bring forward part payments. In the meantime, I will announce a payment timetable in November. That will outline very clearly for farmers when they are going to receive their payment and what our targets are. As I said, it is my intention to ensure that we pay as many people as possible as early as possible.

**Mr Rogers:** Thanks to the Minister for her statement. The statement deals with CAP reform and the EU budget. Considering how much our fishing industry contributes to our economy, were there any discussions on a common fishing policy?

**Mrs O'Neill:** The discussions that we had at the NSMC meeting were on the back of the financial agreement that we had, which was the broad framework. Then we discussed some areas where we may work together. The common fisheries policy was not on that agenda, but we have made progress there as well, particularly in respect of the fact that one of the key asks that we had was around regional flexibility, and we have now secured that. To me, that is a win in moving forward, and we will continue to consult with the fishing industry around what we need to suit the needs of the local fishing industry.

**Mrs Overend:** I thank the Minister for her statement. I suggest to the Minister that the current horse passport system is not fit for purpose, as was demonstrated during the consultation for my private Member's Bill and as became blatantly apparent during the recent horse meat scandal. Setting aside the Minister's notion for an all-Ireland database, which the DUP also seems to be supporting this morning, can she detail whether she believes that she would be better off dedicating her time and efforts to seeking a root-and-branch review at the European Commission instead of spending her time on a database that is only looking inwards?

**Mrs O'Neill:** There are lessons to be learned across the EU in respect of how everything panned out with the horse meat scandal. It is an issue that we raise when we go to Brussels, and I raise it individually and through DEFRA. There is an ongoing review by Professor Chris Elliott from Queen's University, which is looking at the systems that are in place and where lessons can be learned. We are engaged with that, and I look forward to seeing the outcome of that review towards the end of this year.

I am aware of the Member's private Member's Bill, which she was going to bring forward, particularly around

designating the horse as an agricultural animal, and you will be aware of stakeholder views on that. There are very mixed views on that. This is not about looking inwards; it is about a common-sense approach, and it makes a lot of sense to cooperate across this island when it comes to passports. However, as I said earlier, I am working with DEFRA in England and DAFM in the South to see how we can all work together to coordinate it, because the movement of horses right across Europe is an issue. One central passport database would make sense and would lead to improvements so that we will not find ourselves in the same situation that we were in with the recent horse meat scandal.

**Mr Dallat:** The Minister has heard widespread criticism this morning about the lack of content in this statement. Can the Minister give this House an assurance that, following the next meeting in November, she will come back with a statement that has content and recommendations that are meaningful to farmers on both sides of the border rather than a statement about retrospective wisdom, which really has no content?

**Mrs O'Neill:** I do not agree with the Member's assumption that that is all that is in the statement. I am standing here before you, and I am happy to take questions on any area that I have outlined in the statement. We had some very useful discussions around animals in circuses and CAP reform. These are very real issues for the farming community, especially the CAP reform. These are the things that concern the farming community, so these are the things that we shall be discussing. Horses across the island is another key issue that we need to have addressed. So, I do not agree that there is nothing in the statement. I think that there are some very positive areas of work, particularly around animal and plant health. Instead of just standing up on your feet and making a complaint, it would have been better if you had asked a question, and I could have given you more detail.

**Mr Allister:** The Minister likes to boast from time to time about how focused she and her Department are on EU negotiations and advancements and all of that. To return to Mr Frew's point, why is it that the farmers in Northern Ireland appear to be the only farmers in the EU, quite possibly, who will be unable to avail themselves of the October drawdown of advances in respect of single farm payments. Has her Department not lamentably failed the farming community in Northern Ireland in that regard, because the deficiencies in her system, on her watch, have produced that unacceptable situation?

**12.30 pm**

**Mrs O'Neill:** I answered the question earlier. I have spoken about what we are doing to try to get to a position where we have part payments; that is something that I am committed to. The areas of work that I outlined previously are very clear around ramping up the number of remote sensing inspections and online registration and application. It is about making sure that we get all those things up to speed so that we are in a position to make part payments. I do not agree that we are the only area across Europe that does not make part payments. However, I can assure the House that I want to be in a position where we can make part payments. I am working towards that, and I hope to be in a position to do it in the short term.

## Executive Committee Business

### Health and Social Care (Amendment) Bill: First Stage

**Mr Poots (The Minister of Health, Social Services and Public Safety):** I beg to introduce the Health and Social Care (Amendment) Bill [NIA 27/11-15], which is a Bill to amend the Health and Social Care (Reform) Act (Northern Ireland) 2009 and to make amendments consequential on that Act.

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

## Committee Business

### Standing Order 30

**Mr G Kelly (The Chairperson of the Committee on Procedures):** Go raibh maith agat, a Cheann Comhairle. I beg to move

*In Standing Order 30, after paragraph (6), insert –*

*“(7) Subject to paragraph 8, a Bill which is in the same or similar terms to a Bill which has fallen or been rejected by the Assembly –*

*(a) must not be introduced in the Assembly within a period of 6 months from the date of that fall or rejection; but*

*(b) may be introduced at any time following the dissolution of the Assembly in which the fallen or rejected Bill was introduced.*

*(8) In exceptional circumstances, the Assembly may, on a motion by the appropriate person, allow the introduction of a Bill to which paragraph 7 applies. The ‘appropriate person’ is –*

*(a) where the Bill is proposed to be introduced by a Minister, that Minister;*

*(b) where the Bill is proposed to be introduced by a member of the Assembly, that member.”*

On behalf of the Committee on Procedures, I am pleased to bring this motion to amend Standing Orders to the House today. It is common practice in other legislatures for Standing Orders to specify a time frame prohibiting the reintroduction of a Bill that has fallen or been rejected by the Parliament or Assembly. While there is a long-standing convention that a motion that is substantially the same as one that has already been decided by the House may not be considered again within six months, our Standing Orders are silent on this issue. This motion aims to rectify that and will bring clarity to the procedures. The motion will add two paragraphs at the end of Standing Order 30. I wish to comment briefly on those.

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

Paragraph (7) will prohibit a Bill that is in the same or similar terms to a Bill that has fallen or been rejected by the Assembly from being reintroduced within a period of six months from the date that it fell or was rejected. Paragraph (7) does, however, permit a Bill to be introduced at any time following the dissolution of the Assembly in which the fallen or rejected Bill was introduced.

The Committee has been mindful of the fact that there could be an occasion when the Minister or Member in charge of a Bill believes that, due to exceptional circumstances, the six-month exclusion period should not apply to a particular Bill that he or she wishes to reintroduce. Paragraph (8), therefore, includes a provision whereby, in exceptional circumstances, the Minister or Member in charge of the Bill may submit a motion proposing that the six-month exclusion period should not apply to a particular Bill. The motion would set out what the Minister or Member believes are the exceptional circumstances, and the Assembly would then vote on the motion.

Today's motion will bring clarity to the procedures in this area. I commend it to the House.

Question put and agreed to.

Resolved (with cross-community support):

*In Standing Order 30, after paragraph (6), insert –*

*“(7) Subject to paragraph 8, a Bill which is in the same or similar terms to a Bill which has fallen or been rejected by the Assembly –*

*(a) must not be introduced in the Assembly within a period of 6 months from the date of that fall or rejection; but*

*(b) may be introduced at any time following the dissolution of the Assembly in which the fallen or rejected Bill was introduced.*

*(8) In exceptional circumstances, the Assembly may, on a motion by the appropriate person, allow the introduction of a Bill to which paragraph 7 applies. The ‘appropriate person’ is –*

*(a) where the Bill is proposed to be introduced by a Minister, that Minister;*

*(b) where the Bill is proposed to be introduced by a member of the Assembly, that member.”*

## Northern Ireland Public Services Ombudsman Bill

**Mr Principal Deputy Speaker:** The Business Committee has agreed to allow up to one hour and 30 minutes for this debate. The proposer will have 15 minutes to propose the motion and 15 minutes to wind. All other Members who wish to speak will have five minutes.

**Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister):** I beg to move

*That this Assembly approves the report of the Committee for the Office of the First Minister and deputy First Minister on its proposals for a Northern Ireland public services ombudsman Bill.*

The Committee for the Office of the First Minister and deputy First Minister sought today's debate to highlight to the Assembly the Committee's proposals for a Northern Ireland public services ombudsman Bill and to seek the Assembly's support for our proposals. We also stand ready to consider Members' comments and suggestions for improvement.

The Committee's proposals are set out in some detail in our report and, with only a couple of exceptions, they have secured consensus across the five parties represented on the Committee. In essence, the Committee proposes that the current offices of the Assembly Ombudsman for Northern Ireland and the Northern Ireland Commissioner for Complaints be merged into a single new office to be known as the Northern Ireland public services ombudsman (NIPSO), subject to a number of changes that I shall come to shortly. Our aim, in brief, is to allow the public access to one of Europe's most up-to-date and effective ombudsman regimes.

The Committee's report sets out the history of the policy development, beginning with a report from Deloitte in 2004, which was commissioned by the Office of the First Minister and deputy First Minister (OFMDFM); our engagement with the current ombudsman, Dr Tom Frawley; the Committee's public consultation in 2010; and the key stakeholder consultation in July 2012. All of that contributed to the Committee's policy proposals as set out in our report.

The Committee accepted Deloitte's recommendation for a combined office to address confusion about the remits of the two different offices, their respective status and powers. At the outset, OFMDFM indicated its support for the Committee taking this initiative and promised its cooperation. OFMDFM was unable to progress this work itself due to competing priorities and resource limitations. The Committee appreciates OFMDFM's cooperation and the substantive consultation responses that OFMDFM and others have provided. I thank all concerned, in particular Dr Frawley and his colleagues.

Time does not permit me to describe our proposals in great detail, but I shall try to cover the key points. The Committee proposes to enhance the NIPSO's relationship with the Assembly, reinforcing the independence of the ombudsman while providing accountability through the Assembly and its Committees. The Assembly Commission, rather than OFMDFM, would organise the recruitment and selection process to identify the best candidate, as well as determining the NIPSO's salary.

The Assembly would nominate a candidate for formal appointment as NIPSO by Her Majesty, as the Assembly currently does in the case of the Comptroller and Auditor General. That change, and a few others, would require legislation at Westminster to provide competence for the Assembly to legislate. Where the current legislation refers to approval from or accountability to OFMDFM, that would be replaced by reference to the Assembly. The NIPSO would be accountable to an Assembly Committee for his or her budget, as is the Comptroller and Auditor General, and existing reporting arrangements could be enhanced by Standing Orders.

The Committee proposes that the NIPSO be appointed for a fixed term of seven years. The Committee noted that the Scottish and Welsh legislation contained provisions to address the potential for conflicts of interest, and we propose that similar provisions should apply here. The Committee is proposing an extension to the range of bodies that come within the remit of the NIPSO in order to widen access to administrative justice. The Committee proposes that schools, institutes of further and higher education, the Northern Ireland Assembly Commission, and the Comptroller and Auditor General should come within the NIPSO's remit. The Committee noted the proposal of the Minister for Employment and Learning to standardise complaints procedures in higher education before bringing them within remit of the NIPSO. However, the Committee does not agree that that should preclude them from coming within the NIPSO's remit.

I turn to categories of complaint. All complaints about public procurement would be dealt with by the NIPSO on the same basis on which the Commissioner for Complaints deals with them at present. In other words, the NIPSO will be able to consider the procedure up to and including the decision to award the contract. The Assembly Ombudsman's remit is currently limited to the process up to the award stage. The Department of Finance and Personnel (DFP) objected to that change on a number of grounds, but the Committee noted that DFP did not mention any problem with the commissioner's current remit or handling of complaints. The Committee for Finance and Personnel supported the Commissioner for Complaints approach, and that remains the Committee for the Office of the First Minister and deputy First Minister's proposal.

The Committee proposes that public sector employment complaints would no longer be within the NIPSO remit. The Committee considered that the alternative employee protections and enforcement mechanisms now available were sufficient.

The Committee proposes that in dealing with complaints about social care, the NIPSO would be able to consider issues of professional judgement without any need to make a finding of maladministration first. That is the commissioner's current approach in dealing with healthcare complaints involving clinical judgement. The NIPSO would form a view, with the assistance of relevant expert opinion, in social care and healthcare cases.

Arrangements for lodging a complaint with the NIPSO will be made more accessible, with provision for oral complaints and the removal of the requirement for MLA sponsorship. MLAs and other representatives will be able to assist complainants.

The time limit for the submission of complaints would be six months from the conclusion of the public body's own complaints procedure, and there would be a new signposting duty on public bodies to direct complainants towards the NIPSO.

The Committee proposes that the NIPSO would have a power to take action to resolve a complaint, short of carrying out a full investigation. The evidence to the Committee suggested that that power enabled the Welsh ombudsman to resolve a significant number of complaints at an early stage.

The NIPSO would also have a power to undertake own-initiative investigations when there is evidence of systemic maladministration. The Committee also proposes enhanced information sharing and cooperation arrangements with bodies, such as the Information Commissioner, to avoid duplication and overlap.

The NIPSO would have discretion to accept a complaint referred by a public body when it had been unsuccessful in resolving the matter. The Committee also proposes that the NIPSO would have a power to publish a report on an investigation when it is in the public interest to do so.

With regard to enforcement, the ombudsman's recommendations for apologies and payments are normally complied with by public bodies, without any issues. However, the NIPSO would retain the current ombudsman's power to make a special report to the Assembly on a case in which injustice arising from maladministration is not remedied. The NIPSO would also have Commissioner for Complaints power to request the Attorney General for Northern Ireland to seek a High Court order when a body persists in maladministration. Complainants could also apply to the County Court for an order requiring a public body to pay damages on foot of a finding by the NIPSO.

The Commissioner for Complaints (Northern Ireland) Order 1996 also includes some rights for public bodies within the commissioner's remit, which, subject to further advice, the Committee does not propose to replicate. Currently, a public body facing an adverse finding by the NIPSO must be offered the opportunity of a formal hearing with legal representation and cross-examination of witnesses. Public bodies can also rely on legal privilege in not disclosing to the commissioner legal advice that they have received. Public bodies within the Assembly Ombudsman's remit cannot rely on that privilege. The Committee's preference is that the NIPSO would have as much information as possible and that public bodies would disclose their legal advice to the NIPSO.

The Committee will keep its approach to enforcement mechanisms and public bodies' rights under review, in light of drafting options, such as a right to make written representations instead of a formal hearing, and further advice on compliance with article 6 of the European Convention on Human Rights.

The Committee also proposes to retain the current wide powers to require the production by public bodies of relevant information and documents and to retain the provision disapplying obligations of secrecy or confidentiality on public sector employees. Re-enacting those provisions may require legislation at Westminster or the consent of the Secretary of State. The current legislation allows the Secretary of State or the head



of a Northern Ireland Department to serve a notice on the ombudsman effectively prohibiting the disclosure of information where that would be prejudicial to public safety or otherwise contrary to the public interest, so the information is available to the ombudsman in reaching a decision but cannot be disclosed. Although some Committee members were opposed to that type of power in principle, the Committee agreed that retaining such a power — exercisable by the Secretary of State and Executive Ministers — is not unreasonable.

#### 12.45 pm

I also wish to highlight proposals from Ministers that affect the current and proposed legislation. The Committee has been approached by the Department of Justice about the office of the Northern Ireland Judicial Appointments Ombudsman (NIJAO) being held by the person appointed as the NIPSO. That would be a part of the Department of Justice's review of arm's-length bodies. Given that there has been only one complaint a year on average to the NIJAO, the Committee could see merit in that proposal subject to the necessary resources being transferred from the Department of Justice to the NIPSO, but we have still to finalise a view.

As part of the reform of local government, the Minister of the Environment proposes that the Commissioner for Complaints (Northern Ireland) Order 1996 be amended so that the commissioner will investigate and adjudicate on complaints about breaches of the local government code of conduct. Evidence from Dr Frawley indicated that the proposal would cost considerably less than other options. The Committee will keep the proposal under review and liaise with the Committee for the Environment when more detail is available.

The Committee's report sets out its consideration of possible equality implications. The Committee does not foresee any negative equality impacts and considers that access should be improved. We will, of course, keep that under review.

The Committee has commissioned a preliminary assessment from the Assembly's Research and Information Service, working with Dr Frawley's office, of the financial implications of our proposals. Although that work is ongoing, the major area of savings identified was the removal of the public sector employment remit. Where the remit is extended to include schools and further education and higher education institutions, this will result in additional complaints and investigations. Own-initiative investigations will require resources, but, if they are effective in addressing systemic maladministration, they may reduce the number of individual complaints. As Members would expect, the Bill would make any necessary provision for the transition between the two legislative regimes, whether that relates to staffing or to ongoing investigations.

I commend the Committee's report to the House and seek Members' support for our proposals, as well as their comments and suggestions. The Committee will carefully consider contributions to the debate.

**Mr Moutray:** As someone whose appointment to the Committee for the Office of the First Minister and deputy First Minister is relatively recent, I know that some of the report predates my attendance. However, I know that

much work and time have been dedicated to progressing this matter, and I commend all those involved in compiling the report.

The report, as the Chairperson of the Committee outlined, provides an in-depth look at the current situation and the possibilities and advantages of combining the offices of the Assembly Ombudsman for Northern Ireland and the Northern Ireland Commissioner for Complaints. The Bill for such an amalgamation would, if progressed, reform the current jurisdiction and powers. It would also provide for the appointment of the Northern Ireland public services ombudsman by Her Majesty on the nomination of the Assembly and for the NIPSO to report to the Assembly and its Committees on a basis to be laid down in Standing Orders.

I am sure that we all, throughout our political career, have referred constituents to the ombudsman's service. I am complimentary about the current services and the excellent way in which they have assisted me in constituency issues. In today's society, an ombudsman is of the utmost importance in dealing with maladministration and complaints, particularly against public authorities. Although I would love to say that there is no need for such an office, we all know that that is not the case. Indeed, that would do a disservice to our constituents who, in some instances, depend on this independent voice.

The Committee has worked hard to bring forward a report that seeks to streamline and combine the services that already exist. I welcome the introduction of such a new service. Much time and effort have been put into consulting with the current services and other interested bodies, and there has been much consideration of the issues. The development of such a role enjoys cross-community support.

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

**Mr Moutray:** I will; yes.

**Mr Wilson:** I note the Member's point about the existing ombudsman service. Does he not agree that, in many instances, even when the ombudsman finds in favour of a complainant, the remedies that are undertaken and recommended very often seem to be very weak in relation to the complaint and sometimes in relation to the findings of the ombudsman? What does he see in this report that would strengthen the ombudsman's role in remedying a situation in which it is deemed that there has been maladministration?

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

**Mr Moutray:** I thank you for that, and I thank my colleague for the question. As we go ahead and look at this in depth in the days ahead, there will be an opportunity to see whether we can prompt stronger measures that would help those who complain.

If implemented, the new office would possess the independence that the current offices enjoy. In addition to the bodies that are currently within the remits of the Assembly Ombudsman and the Commissioner for Complaints, its remit would extend to schools, the Northern Ireland Audit Office and higher and further education institutions. I also welcome the suggestion that complaints could by extension be made directly by an aggrieved person, their MLAs or representatives. I believe

that that will help to ensure that the service is more easily accessible.

The development of the new office would, I believe, be of great benefit to society in that it will ensure that there is an easily accessible independent service that is under one title and that has a remit that can investigate maladministration and complaints. I commend the report to the House and trust that the Bill's proceedings will commence in the near future.

**Ms McGahan:** Go raibh maith agat. I support the motion to approve the report of the Committee for the Office of the First Minister and deputy First Minister on its proposals for a public services ombudsman Bill.

Currently, there are two statutory offices: the Assembly Ombudsman and the Commissioner for Complaints. The proposal is to merge the two offices into a single office that will be called the public services ombudsman. The Deloitte review recommended the merger of the two statutory offices. Such a model currently exists in Scotland. The proposals also involved merging the Office of the Judicial Appointments Ombudsman with the new Office of the public services ombudsman. That work is ongoing.

The Committee's work began during the previous two mandates, when the current ombudsman, Dr Tom Frawley, asked the Committee to consider taking forward the recommendations of a 2004 Deloitte review on the role of the two offices, which the Office of the First Minister and deputy First Minister commissioned. The Committee considered the Deloitte review and its recommendations and carried out a public consultation in September 2010 on a number of policy proposals. In this mandate, the Committee took further evidence and carried out a further consultation with key stakeholders in July 2012. It then finalised its proposals during a series of meetings this year.

In the Committee, Sinn Féin opposed the option of having the British Queen appointing an ombudsman to a vacancy and removing them from the office after nomination by the Assembly. As a party, we argued for option three, whereby the appointment of the ombudsman would be by the Assembly only. However, we did not get agreement on that.

The salary of any new appointee will be determined by the Assembly Commission. The Committee also agreed that the relationship between NIPSO and the Assembly would be on the same basis as it is between the Assembly and the Comptroller and Auditor General. The remit of NIPSO will be extended to include schools, universities and colleges of further education. Appeals against decisions made by boards of governors of schools will be examined only if the ombudsman finds substantial evidence of maladministration in decision-making processes.

The Committee agreed that the Bill should provide for the investigation of public procurement maladministration complaints against all bodies, including the North of Ireland's Departments. That would include decisions to award contracts to tender. Officials from the Department of Finance and Personnel expressed concerns, saying that public procurement is already highly regulated by EU direction. However, the Committee felt that, due to the high legal costs involved, small and medium-sized businesses would not have the finances to deal with public procurement complaints against Departments. The Committee also agreed to remove the public sector employment remit from NIPSO, given the remedies already

available to deal with public sector employment issues: for example, the industrial and fair employment tribunals and the Equality Commission already exist. NIPSO's remit will also include the exercise of professional judgement in the field of social care, and the Equality Commission's view is that that will have a positive equality impact for vulnerable citizens who are more likely to use social care services.

There is also the proposal that complaints can be made to NIPSO, either directly by the aggrieved individual or an MLA, or a person who appears to the ombudsman to be suitable. The Committee was also content to agree the removal of the residency requirement. That means that safeguards are in place for someone visiting the country and, hopefully, gives more confidence to visitors.

The time limit for making a complaint will be reduced from 12 months to six months. However, discretion will be exercised by NIPSO where a complaint falls outside the six-month timescale, and that will mitigate any risk of vulnerable people in our society being disadvantaged.

Retaining the County Court enforcement mechanism and removing the right to a formal hearing with legal representation is still to be explored with the drafters of the Bill. There are other policies such as notices prohibiting the disclosure of information. Again, Sinn Féin opposed that policy at the Committee. In light of the Minister of Culture, Arts and Leisure's decision on the disclosure of files, it may be worth exploring whether there are any similarities in those two policies.

Finally, the proposal is about safeguarding the public from maladministration from public sector services. There has been a lot of debate and discussion on this over the past couple of years, and I welcome the modernisation of the office.

**Mr Eastwood:** I do not intend to speak too extensively on this. The Chair and other Members have already outlined, in quite a bit of detail, where we have got to. It is good to note that the Committee is doing this work. It is important for Committees to play an active role not only in the scrutiny of legislation but, in this case, in the development of legislation, and that is a good development.

I pay tribute to all the Committee staff and to the previous clerk, Mr Alyn Hicks, who is still working on this legislation. The Committee has been going through this for quite a while, although this is the first time that it has been to the Floor of the Assembly. No doubt, there is much more discussion to be had. Mr Frawley has also been very supportive of the Committee's work and gave us an insight that only he could provide, and that helped us to develop some of the ideas.

I listened to Mr Wilson, and it is good to hear that perspective, because there are things that we need to continue to discuss, such as the County Court judgements issue and how we hold all the bodies to account and make sure that, if a complaint against them is upheld, changes will be made as a result of that piece of work. It is something that we all need to be mindful of.

I have had very good experiences with the office to date; I know that other Members have, and Mr Moutray said that. This is about increasing the public's access to the new ombudsman. It is also about ensuring that more public bodies feel that they will be held to account for maladministration, and that can only be a good thing for

our democracy and for the public who will have access to the system.

The legislation will update what we already have and ensure closer cooperation with and accountability to the Assembly. This will be a very good piece of legislation. I hope that all Members will engage with the Committee as we move forward and draw up the legislation as we go. With that, Mr Deputy Speaker, I will sit down. Thank you.

**Mr G Robinson:** I support the motion. I believe that this will be an independent body that will hold public services to account, and I hope that it will have the teeth required to do the job properly. I commend all the Committee staff who worked so diligently in helping to craft the Bill and, of course, the present ombudsman, Mr Frawley, and his staff for the input and help that they have given.

### 1.00 pm

Although I can already hear complaints about the cost of the ombudsman, I speak from experience when I say that public services are occasionally difficult to tie down or to hold to account. The ombudsman would provide the mechanism to ensure that that would not happen. The cost of the office would be accountable to the Assembly, meaning that full scrutiny and value for money could be established.

I welcome the inclusion of a provision for an ombudsman's discretionary release of any report into the public arena, provided that there is sufficient proof of public interest. I further welcome the requirement for anybody who is under investigation to make full disclosure to the ombudsman of any advice received so that the context of a decision can be examined. That provides greater insight into any decision. The recommendation for cooperation with other ombudsmen to avoid overlaps or duplication makes great sense to avoid wasting the precious resources that this Assembly has. For those reasons, I support the motion.

**Mr Maskey:** Go raibh maith agat, a Príomh-LeasCheann Comhairle. I want to add a couple of points on behalf of my party. I also add my appreciation for the work of the Chairperson over quite a period of months, as well as all the officials, who were very supportive of the Committee's deliberations. It was a lengthy enough process, as other Members mentioned, and the Chair steered the discussion quite well and positively throughout.

My colleague Bronwyn McGahan indicated a number of positive aspects of the proposed legislation as well as some of the objections that our party raised during the deliberations. We very much welcome this development and look forward to the legislation. In the proposed merger of the offices, the Committee sought to make sure that we maximised the best and most effective aspects of both. In other words, we did not agree to any dumbing down of the best provisions that both posts had to offer because, as has been stated, this is all about giving maximum confidence to members of the public who are dealing with the agencies against which they may have a complaint. Some of those complaints might not be legitimate, but that will have to be measured in each case.

We think that the new post will be effective, modernised and provide best use for the public of the provisions of both the current posts. In fact, there are more than two now.

**Mr Wilson:** I thank the Member for giving way. There is no point in having a public body such as this without it being effective. Does the Member share my surprise that there has not been, at least so far in the discussion, any indication of what examination there has been of how costs could be cut if two offices are merged, whether by better sifting of cases, quicker decisions on whether a case should be progressed or economies of scale? It just seems to be accepted that this will cost us more.

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

**Mr Maskey:** I thank the Member for that intervention. Those are important questions. I do not have all the answers at my fingertips but I remember in the discussions that the current post-holder, Tom Frawley, was clear that the costs associated with this merger were not major. We do not have any evidence at all that this will be very costly. In fact, the number of complaints is quite small, so we hope that it will not be costly. Obviously, that will be monitored continually. One of the most pertinent aspects of this, because it will come within the bailiwick of the Assembly, is that the Assembly will now be well placed to monitor the office and hold it to account precisely on administration and costs.

That brings me to one of the reasons why we were against the notion of having the appointment made on the recommendation of the Assembly of one person, and that appointment being made by what was described as "Her Majesty". We feel that that is unnecessary and archaic because it is up to this Assembly to stand on its own two feet to take decisions and hold office-holders to account. As the Member pointed out, it is important that we do not let these things run away with themselves. We want them to be effective, efficient and timely in any remedies that are due to a complainant. We do not want them to be unnecessarily bureaucratic or cumbersome, and I am confident that the Assembly will continue to keep a close eye on that.

We propose to reduce the time period after which a person will have exhausted the process for making complaints against a public body from 12 months to six months. As my colleague pointed out, the Committee agreed that on the proviso that the ombudsman's office would still have the discretion to allow a complaint outside that time period if it felt that there was a particular reason why a complainant was not able to bring it forward. Importantly, it is recommended that a statutory obligation be placed on a public body that has been dealing with a complaint, or is subject to a complaint, to advise complainants that, at the end of the process, they will have no more than six months to go to the ombudsman. So, there is a statutory obligation on those bodies to advise the complainant.

The Committee took a belt-and-braces approach to that. We recommend reducing the time period from 12 months to six months, but there will be a statutory obligation on the public body in question, and the ombudsman will ultimately have the discretion to extend the period beyond six months.

Sinn Féin disagreed with other Committee members on disclosure. That is an important element, because at no time was anyone able to give us an example of when that had been used in previous complaints to an ombudsman's post. In principle, we do not believe that it is appropriate

for that provision to be there. We were not even given an example of when it had been used, so we were opposed to it. As a party, we have the right, as does anyone else, to table amendments to any aspect of the legislation when it comes to fruition.

Our party welcomes this development and looks forward to the legislation being introduced and there being a better service for the public whom we represent.

**Mr Lyttle (The Deputy Chairperson of the Committee for the Office of the First Minister and deputy First Minister):** I thank all those who contributed to the debate. The Committee has worked long and hard on the issue, and we welcome today's comments, which will help us to conclude these proposals and to bring forward a draft Bill that will hopefully be introduced in the House next year.

There is wide agreement that we must have the highest standard of public services possible for the public in Northern Ireland. That can be achieved through a coordinated, easy-to-access and independent office that can hold public administration to account successfully.

The proposals are to bring together the ombudsman and the Commissioner for Complaints. I also put on record my thanks for the evidence and support from the ombudsman's office on this work and for the excellent work that that office has done to help members of the public to get access to the accountability that they deserve.

Given Members' comments, the Committee will take on board Mr Wilson's comments on the need for the most robust remedies possible on the issues of conclusions to cases, costs and the time taken for cases to improve the service that the public receive. I also welcome the comments that the Committee is not only scrutinising legislation but proactively working with bodies to bring forward legislation.

We will take the comments away and consider them closely to ensure that we can bring forward the best legislation possible for ombudsman reform.

*Question put and agreed to.*

*Resolved:*

*That this Assembly approves the report of the Committee for the Office of the First Minister and deputy First Minister on its proposals for a Northern Ireland public services ombudsman Bill.*

## Private Members' Business

### Free School Meals Entitlement

**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 in which to make a winding-up speech. One amendment has been selected and published on the Marshalled List. The proposer will have 10 minutes in which to propose the amendment and five minutes in which to make a winding-up speech. All other Members who wish to speak will have five minutes.

**Mr Hazzard:** I beg to move

*That this Assembly recognises the importance of free school meals entitlement; welcomes the increase in children who are accessing free school meals; and calls on the Minister of Education to explore ways in which the uptake of free school meals can be improved.*

Go raibh maith agat, a Phríomh-LeasCheann Comhairle. I thank the Business Office for including the motion on today's Order Paper. The motion calls on the Assembly to recognise the importance of free school meals entitlement; welcomes the fact that the current Minister of Education has, again, extended eligibility for free school meals, and, perhaps most importantly, calls on the Minister to explore ways in which the uptake of free school meals can be improved. I am pleased to support the amendment that appears on the Marshalled List. Like many, I support the principle of universality and believe that, as an Assembly, we should join today to ask the Minister to engage with his Executive colleagues on the benefits of universal free school meals in the years ahead.

It is fair to state that most of us in the Chamber this afternoon would accept that the catalyst for improving educational outcomes is the high-quality teaching and learning in schools. However, increasingly, there is a realisation that improved outcomes, especially for children from socio-disadvantaged backgrounds, are largely dependent on a range of socio-economic factors. Indeed, when we bear in mind that as little as 9% of learning between the ages of four and 18 takes place inside the classroom, the strategic importance of tackling socio-economic disadvantage in tandem with wider societal anti-poverty schemes becomes all the more apparent. It is, therefore, hugely significant that educational programmes are central to the Executive's recently announced Delivering Social Change framework. Indeed, given the social importance of education, it is impossible to separate educational opportunity from the wider need for social justice, including the urgent need to address the legacy and enduring nature of poverty in our society. In a world where the socio-economic context too often determines the educational outcomes of pupils, there can be no doubt that the successful eradication of the poverty flaw in the system will help to propel large swathes of children out of deprivation, disadvantage and underachievement.

With that in mind, it is encouraging that measures designed to mitigate the effects of social disadvantage in our education system are working, as we continue to observe an increase in educational outcomes, culminating most emphatically this year with primary school pupils here being ranked among the very best in the world in



literacy and numeracy. Undoubtedly, the growing success of our pupils is multi-causal, but there can be no doubt that anti-poverty measures, such as free school meals, are having a huge impact on educational and health prospects for a growing number of young people. However, although there has, undoubtedly, been continued improvement in educational outcomes, there remains a gulf in performance between pupils from socially disadvantaged backgrounds and those from more affluent backgrounds. Indeed, the figures are quite stark. Last year, only 34% of pupils who receive free school meals achieved five or more good GCSEs compared with 68% of those who are not entitled to free school meals. To put it bluntly, a pupil is twice as likely to achieve good GCSEs if he or she is not from a socially disadvantaged background.

That situation speaks volumes about the ever-present need to support disadvantaged pupils in an effort to ensure that they achieve their full potential. To that end, I am encouraged by the Minister's record of putting such a task at the very heart of many of his policies, such as the recent extension of free school meal entitlement to post-primary pupils and independent schools. The £40 million investment will entitle some 80,000 pupils to receive free school meals, which represents an impressive increase of 42% in the past five years. Bearing in mind the stringent economic climate of the past few years, I consider that the Minister's ongoing dedication to help those pupils from socially deprived backgrounds is invaluable. There is no doubt that thousands of young people will be much better off for his choices. The issue, inevitably, boils down to choices. John O'Dowd could follow the example set by conservative coalitions in London and Dublin and wield the axe against vital measures, such as free school meals. Indeed, the comparison with Britain reinforces the importance of having a Minister with a sense of social responsibility and social justice. Not only have the Westminster Government scrapped various universal free school meal pilots throughout Britain, they have failed to expand eligibility for free school meals despite austerity causing a huge rise in the need for support. That, combined with the previous decisions to abolish the education maintenance allowance (EMA) and to hike up third-level tuition fees through the roof, means that it is no surprise that hundreds of thousands of young people across Britain are cursing the choices of their Education Minister. Meanwhile, a series of socially responsible and vital choices have been taken here at home to support those who are most in need. Not only has free school meal eligibility and, subsequently, school uniform support been extended but the Minister has argued for the retention of the vital EMA, contributing some £4 million to the scheme, and he has joined his Executive colleagues in freezing university fees. With that in mind, it is little surprise that observers identify our Minister of Education and his socially responsible policy choices as the most acute demonstrations of the benefit of devolved government here in Ireland.

#### 1.15 pm

Despite the narrow political rhetoric that opponents of such social measures half-heartedly offer, there really can be no doubt about the huge benefits that free school meals bring for those pupils who are in greatest need. At the very basic financial level, the value of free school meals is estimated at around £450 a year, based on the charge for a school

meal. Consequently, free school meals provide substantial support for low-income families, especially those families with more than one child at school. That vital support, therefore, helps low-income families to face the financial barriers that are inherent in our education system and, indeed, ensures that their children have access to and can benefit from all the opportunities that may be open to them. Succinctly put, school meals act as a safety net for the low-income household, helping families to educate their children and to protect their food security in times of greatest need.

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

**Mr Hazzard:** Yes; go ahead.

**Mr Storey:** From listening to the Member, I thought that the election campaign had started, given his many eulogies about the Minister. In light of all that the Member said, can he maybe get to one of the cruxes of the issue? As a result of spending that money, what has been the benefit to pupils in their educational journey through school?

**Mr Hazzard:** I thank the Member for his comment. I am just about to come on to the long list of benefits.

To see the health benefits of free school meals, we need only read the comments of nutritionists and medical experts, who quite literally marvelled at the results of free school meal pilots in Britain under the last Labour Government. It has been stated:

*"In 30% of cases studied by the Eat Well Do Well report, children had taken their better dietary habits back into the home, improving diets there too."*

The report showed that fewer children avoided breakfast in the mornings, fewer felt hungry throughout the day or after school and a considerably larger number of children had an evening meal. Eating on the way to school showed a decline to just 4% of participants, while the number of pupils who went without breakfast dramatically reduced to just 3%.

Given that more than a third of our young people are considered obese, you can see the important contribution that a healthy, balanced free school meal can make to a child's overall health. Moreover, bearing in mind that low-income families are more likely to rely on unhealthy food due to the pressure in keeping food costs within budget, it is little wonder that free school meals contribute greatly to the overall health of those affected.

Such a positive impact on the financial and physical well-being of our young people and their families, unsurprisingly, plays a critical role in the educational development, performance and outcomes of those young pupils. To appreciate the educational benefits of free school meals, I think that it is best to acknowledge the opinions of teachers who see, at first hand, the impact that those measures had on their pupils.

Again, in the wake of the Eat Well Do Well pilot, more than 80% of teachers were not only in favour of free school meals but went as far as to suggest that they should be universally available for our young people. It has been stated:

*"if a child has a hot meal during the day, or at the beginning of the day, it improves exponentially that child's ability to learn. It improves the behaviour, concentration and ability to settle and listen of all*

*children. Children are less tired and irritable when they have a meal in them. That, in turn, makes teaching easier, and more enjoyable. And these experiences are shown to benefit the most disadvantaged the most, by virtue of their value added."*

It has also been said:

*"The social case for children eating together, learning together, conversing together and understanding that mealtimes can be a time for thinking and learning is powerful."*

That is how it should be.

A second teacher quoted in 'The Guardian' newspaper just last week talked about the importance of free school meals. That teacher said:

*"Children are more attentive and less lethargic in the afternoons, behaviour is much improved and standards are going up because they are concentrating more."*

Absence was down, too, and according to the teacher:

*"There's less illness now. And there's less obesity."*

According to 'The Guardian', the teacher:

*"points proudly to ... similar pupils in areas that did not have free lunches, pupils in both places 'made between four and eight weeks' more progress over the two-year pilot period than pupils in other areas at key stages 1 and 2', but also that, as he puts it, 'the pupils who benefited most were those who were doing the worst and who came from poorer backgrounds'."*

Bearing in mind the extensive benefits to our young people's education and development, especially for those pupils from socially deprived areas, it not only befits us, as representatives, to protect and secure free school meals going forward but it is vital that we look to improve the uptake.

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

**Mr Hazzard:** Initiatives such as inviting parents to tasting sessions, holding theme days to highlight different cuisines and giving pupils a say in the dishes they are offered —

**Mr Principal Deputy Speaker:** The Member's time is up, I am afraid. Ten minutes.

**Mr Hazzard:** One more minute, no?

**Mr Principal Deputy Speaker:** No. No extra minute, sorry. Good effort.

**Mr Rogers:** I beg to move the following amendment:

*Leave out all after "recognises" and insert:*

*"the important role of nutrition in the educational attainment of children; and, in light of increased financial pressures on working families, calls on the Minister of Education to explore ways in which to extend access to free school meals to more children."*

I welcome the opportunity to discuss the importance of free school meals entitlement, and I hope that the Department of Education can ensure that uptake is maximised. I also welcome recent extensions to the availability of free school meals. It is vital that we recognise the need to improve our children's nutrition, particularly in

light of increased financial pressures on working families. We must accept that if our children are to achieve their full potential during the school day, they must be fuelled with nutritious food. Research suggests that there is a strong link between a healthy diet and a child's behaviour and performance in school. Healthy school meals play an important role in raising educational achievement and addressing barriers in low-income backgrounds, including those of working families.

In recent years, many families have fallen into the poverty trap. They hold down jobs and work hard, yet they struggle to meet many of their bills. The working poor make a tremendous contribution to our society and deserve to be supported; in this case, when it comes to their children. I see the breadwinner very often. I see him every morning standing along the road at 6.30 am, going to work to provide for his family. Many hard-working families on relatively low incomes give their children packed lunches because they do not qualify for free school meals and the cost of a school dinner is prohibitive. If you are in that category and have three children attending primary school, over £1,200 per annum is just not affordable, and so they provide them with a packed lunch. Bear in mind that many packed lunches fall well below nutritional standards and are frequently supplemented with crisps, sweets or fizzy drinks.

It will be extremely difficult to counter the facts of welfare reform with respect to free school meals, and we need to be proactive as universal credit bites in England. That alone could mean that thousands of children from poorer backgrounds go without a school dinner, but many low-income working families will be caught in a trap where it does not pay to work. Many parents will admit that they would love to go back to work but that it is financially not viable. Losing a free school meal entitlement could make the difference between whether people return to work or not. We need to support people who want to work and who greatly enhance our society by the contribution that they make in the workplace.

Eligibility for free school meals is also the basis on which schools are awarded extra resources to deal with the effects of disadvantage. If that funding was to be reduced, it would call into question the financial viability of many of our smaller schools, especially those in rural areas. Poor achievement at school defines a substantial group of today's parents. Many of those who have failed have poor diets that are simply not the result of a level of deprivation in the neighbourhood or living at a level of poverty that entitles them to benefits. A mother's poor diet has an adverse effect on foetal development. In fact, life in the womb and the first three years of life are the most important periods for mental, physical and emotional development, and that is when education capabilities are formed. Life in preschool and primary school is built on that. Just like breakfast, the provision of a highly nutritious meal at primary school is essential during those formative years to ensure that children can concentrate and achieve their true potential, even if there are deficits in the nutritional supply in their earlier years. We really should aim for free school meals for all Key Stage 1 pupils. In Scotland, they enacted legislation to that effect in 2008, but due to a strain on the public purse, they are now targeting it at 20% of the most deprived wards. I do not believe that targeting wards is necessarily the right

approach. It needs to be targeted at those who need it most: the poor, those on benefits and the working poor.

In conclusion, there needs to be a cross-departmental and collaborative approach between schools and the home to improve diets and to improve healthy eating for parents, especially mothers, and their children. Article 25 of the United Nations Universal Declaration of Human Rights states that everyone has the right to a standard of living for health and well-being. All our children deserve that.

A free school meal can help children to stay attentive and thus achieve their potential. Early childhood is the most effective period for investment in education. Investing in child nutrition is a necessity and even has the potential to boost our agrifood industry. The greatest resource we have is the intellectual power of our people. Our children are our future generations and we must invest in them. We need to ensure that we give them all the support they need to get through the school day, happy, healthy and ready to learn.

I call on the Minister to explore ways in which he can extend access to free school meals to more children, especially those from low-income families.

**Mr Storey:** I will, first, make comments as the Chairperson of the Committee for Education. The Committee has spent some time considering the entitlement to and the level of uptake of free school meals. It welcomed the extension of the entitlement to free school meals to more post-primary schoolchildren from September 2014. It is understood that this change will benefit in the region of 15,000 young people. More recently, the Committee welcomed the extension of the entitlement to free school meals to children at the 15 independent Christian schools and other non-grant-aided schools in Northern Ireland. I declare an interest as a member of the board of governors of Ballymoney Independent Christian School.

The Committee previously noted the evidence put forward by the Department on the benefit of free school meals. I think that I might fairly summarise the Department's view that the current free school meals system has educational and health benefits in improved pupil concentration and alertness and, perhaps, also in attainment. A good suggestion might be to introduce free school meals in the Department of Education canteen. We might see some good outcomes as a result of that. The Department also contends that free school meals go some way towards improving access and reducing barriers to participation in education.

The Audit Office report of 2011 estimated the uptake of free school meals to be around 78% of those registered, with perhaps around 8,000 children in Northern Ireland being entitled but not registered. The Audit Office also recommended that the Western Education and Library Board's practice of actively targeting low-income parents whose children might be entitled to free school meals should be copied and that more work should be done on improving anonymity for pupils who receive free school meals. I trust that the Minister, when he responds to the debate, might provide us with an update on the issue of uptake and registration levels, and whether any progress has been made in implementing the Audit Office recommendations.

The motion also refers to the importance of the entitlement. Free school meals entitlement is important in a number of ways, and the House is aware that the level

of entitlement to free school meals is used as a proxy measurement for poverty in our schools. The Committee recently noted proposals in the revised common funding formula to make more use of this measure and to allocate more funding accordingly. I think that the majority of Committee members believe that free school meals entitlement should not be the one and only measure of poverty in our schools. In fact, the Committee supports consideration of other measures, as suggested in recommendation 21 of the Salisbury report. We still wait to see what the Department will bring forward in relation to that matter.

I will conclude as a Member of the House and as the DUP's education spokesperson. I will make a few comments in relation to how we got to this point. As someone who, as I said, is a member of the board of governors of an independent Christian school, I always welcome conversions, but I just wonder when the Minister had his road-to-Damascus conversion on the issue of changes to the criteria. In a question for written answer, in November 2012, I asked the Minister:

*"when he will review the criteria for free school meals and extend the working tax credit entitlements to pupils in the post-primary sector."*

His answer was:

*"I have no plans to at present to extend the free school meal Working Tax Credit criterion."*

He then went on to give us the reasons why:

*"The reason why the criterion is not being extended to postprimary schools is that by targeting younger children it is considered that the greatest impact will be achieved with the available budget."*

### 1.30 pm

What has changed since the Minister's officials wrote that answer in November that brings us to a point at which we support the motion? We will support the motion reluctantly, but we will also support the SDLP amendment because we do not want to give the impression that we are opposed to those who have access to an entitlement that will be a benefit. However, we have serious reservations about linking entitlement to attainment. Neither the Council for the Curriculum, Examinations and Assessment (CCEA) nor the Department of Education has produced any evidence for doing so. I notice there are no officials available to be with the Minister today. Perhaps that is why: the Department of Education has produced no evidence. We have to depend on studies that have been carried out —

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

**Mr Storey:** Yes, I will.

**Mrs D Kelly:** Does the Member share the concern that has been raised with me that some parents do not claim free school meals because they are embarrassed, but they claim for free school uniforms? Does he agree that that should be examined?

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

**Mr Storey:** I thank the Member for her intervention. I also thank her colleague Mr Rogers for his comments

about the working poor. If we want to address educational underachievement and inequalities in outcome and provisions, particularly, as has been highlighted repeatedly, among working-class Protestant boys, we need to ensure that we do so in a way that is fair and equitable across the piece.

Bristol University carried out work on the use of free school meals and said that it found it to be:

*"a coarse and unreliable indicator by which school performance is judged and leads to biased estimates of the effect of poverty on pupils' academic progress."*

Yet again, the Department of Education sees a means of putting all its eggs in one basket, closing its eyes and ears and thinking that all will be well. The Minister has learned a lesson over the weekend from the survey that was released by the General Teaching Council.

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

**Mr Storey:** The Minister closed his ears and eyes for 18 months about assessment, and teachers are today saying that it is time to scrap them.

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

**Mr Storey:** The Minister needs to revisit the issue of free school meals and come up with fair indicators that can deliver the goods.

**Mr Kinahan:** It is good to have an education debate early in the session. With everything else that is going on, that is important.

We support the motion and the amendment, but with reservations. We wish that the House had taken up the Ulster Unionist motion, because that would have allowed us to expand on and challenge the seemingly accepted correlation between free school meals entitlement and educational attainment. In many ways, as we have just heard, that argument is flawed, which we must keep in mind during the debate.

I welcome the announcement today that free school meals will be extended in 2014, but we need to look at how we can improve that. We must also acknowledge the fact that funds are scarce for any Department in implementing the result of the motion. Departments should work together better to find more budget efficiencies. I produced a more efficient scheme that has better economic results and is a more effective and dynamic solution. With this Minister and this Department, we see little effort being made to work with anyone else. We see no effort on consensus or savings delivery plans, and consultation is seen as a nuisance. That all builds into an attitude typified by the "So what?" comment.

I remind everyone that we have an unspent social investment fund of £80 million in the Office of the First Minister and deputy First Minister (OFMDFM). Some £14 million has been wasted on the Education and Skills Authority (ESA), and there are many other examples of inefficient spending throughout the Assembly. If we all worked together, as was originally envisaged in the Belfast Agreement, rather than taking the "deal or no deal" approach of the two main parties, we might be able to afford to get more from free school meals. We can achieve that through the efficient use of departmental budgets or

by working together rather than taking more money from successful schools, which seems to be the present plan. It seems to punish the achievers and has started a virtual class war. That is really what is behind the debate.

I see no difficulty in supporting the amendment because health, welfare and so many community matters are all part of the same equation. That is why I call today for departmental measures to ensure that all Departments work together and end the silo approach. This new approach need not be just at Assembly level; it should embrace and include councils. It should also include Westminster and the present shake-up of the welfare system. Many are doing that, but we need to do more to manipulate and amend it so that it benefits Northern Ireland. That is how we should be exploring ways of reviewing free school meals. I welcome the Minister's intention to review the matter, if that is still the case, and I really hope that he does. It should be reviewed and reviewed as the Assembly goes on and on.

There are, as we heard from other Members, many working poor and many struggling to keep their head above the water financially, and we must never forget them. If you read the documents that we have received, you will see that the Australians ask deeper questions than we do. Maybe we should look at that. We also see an American system based on a measurement of the poverty line. Maybe we should look at that. If we could adopt a similar measurement, we might be able to get free school meals and help to everyone who needs it. I also welcome the extension to tax credit.

We hear continually that many do not claim free school meals, whether in rural communities or Protestant communities. We continually put that to the Department, and, many times, it seems to ignore it by using its own statistics for its own means. Maybe we should change the name of free school meals. Maybe, as we have heard today about healthy eating, we should call them "healthy eating vouchers" or look at some other way of changing them so that everyone is attracted to and wants them. We need to get that money to disadvantaged areas and schools. We, as a party, have called for a pupil premium, and we still want that to happen.

Going back to where I started, I repeat that we need to find more funds. I have not had time in the debate to push for the need for accountability and monitoring to make sure that the money that we give through free school meals works. We need better efficiency. We need to be working better together: councils, the Assembly and Westminster. We need to avoid the politics of "Ourselves Alone".

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

**Mr Kinahan:** We support the motion.

**Mr Lunn:** I think that what we heard in the previous two contributions was a bit of a preview of next week's debate on the common funding formula. I will not go there on this occasion.

The motion and amendment are so similar that you could hardly support one and not the other. In fact, you could not put a proverbial cigarette paper between them. The motion recognises the importance of free school meals entitlement; the amendment recognises the important role of nutrition in the educational attainment of children. Who



could argue? I think that Mr Storey at least asked about the beneficial effects of nutrition to pupils. I hope that, by now, he is reconciled to the fact that it is very beneficial. A hungry child is not a happy child and will not learn or develop physically, emotionally or educationally as well as a child who is not hungry.

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

**Mr Lunn:** Yes. Go ahead.

**Mr Storey:** We are not disputing that per se. We are disputing the notion that using free school meals as the only tool in the toolbox — given all the stuff that we get from the Department, I would say that there are more tools than needed in Rathgael — is the best way to proceed. Using them as a stand-alone measure is not the best way to proceed.

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

**Mr Lunn:** I do think that I will need it. The Member is again straying into next week's debate.

I would like all children who are entitled to free school meals to take up the offer. From the various stats, it appears that perhaps at least a quarter of those so entitled do not. There are different theories about the reason for that. I would have thought that, in a lot of cases, it is because mummy thinks that she can prepare a better meal than the school, and that is perfectly valid. When it comes to healthy eating and so on, perhaps parents think that they can do better.

There is also a feeling that we heard expressed when we touched on this matter previously. I do not like to use the word, but Protestant — it is in the statistics — parents of pupils in controlled schools are slightly less inclined to take up the offer. I do not have an answer to that. Is it a pride thing, or is it a preference? I really do not know, but, given that everybody is agreed about the need to try to improve —

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

**Mr Lunn:** No. Given that everybody is agreed about the need to try to improve the performance of schools that cater for the Protestant working class, particularly Protestant working-class boys, I would have thought that we are all on the same page here. I will give way to Mr Beggs.

**Mr Beggs:** The Member indicated that there is evidence of a lack of uptake, particularly in controlled schools. Therefore, does he, as I do, have concerns from the point of view of an equality impact assessment if that single criteria is to be used for determining funding?

**Mr Lunn:** He is drifting into next week's debate as well. I am sticking to what is on the Order Paper. I will have more to say about it next week, believe me. That is a different issue.

I am glad to see the Minister's recent initiatives, particularly the one that extends into secondary school provision. It gives some more allowance for pupils to have free school meals. I know that they are small in number, but the independent schools are now to be included, which is good.

Mr Hazzard hinted at wondering how it would be if free school meals were universally available without any criteria or test. He wondered what the uptake would be and how much it would cost. It is an interesting notion,

because I believe that, in Finland, which is the place in the world that is constantly held up as having the ultimate in education systems and in educational achievement and balance, everybody gets a free school meal if they want it, without any need to qualify for it. Mr Rogers mentioned that working on Key Stage 1 might be the way to go.

Everybody else did this, so I will touch on the question of free school meals as an indicator to be used for other matters. I know that Bristol University and other expert opinion have said that it is not a perfect system and that it is slightly imperfect. When someone comes up with a better system, perhaps we can graduate towards that, but, at the moment, the current system is recognised as being the best that there is. I will leave it at that, Mr Deputy Speaker. We will support the amendment or the motion or both.

**Mr Craig:** I will make the party's position very clear, because there seems to be a wee bit of confusion. We are supporting not only the motion but the amendment. Because we have questions and are critical of some aspects of free school meals, that does not mean that we are against the motion or the fact that people who are entitled to the provision should take it up. I have with listened with interest to what everybody said about the point that you will not listen as well on an empty stomach. The reverse of that is that, if you eat far too much in your free school meal, you might be a bit sleepy by the time that you get to the teacher, so we need to watch out for that one.

I was looking at the figures on free school meals, and they seem to show some variance. I am afraid that that is the engineer in me coming out — I am going into the dull figures. There are some startling differences. Last year, there was a discrepancy of almost 14% between the number of people who claimed free school meals in the primary sector and those who claimed in the secondary sector. In secondary schools, the number claiming was 14% down from primary schools. Huge questions need to be asked about that. How come people who will claim it in a primary school will not claim it in a secondary school? That is a strange figure, and I do not have an answer for why it is there.

I will ask the Minister to get the Department to look at this year's figure, because the quoted figures are startling. There is a 44% discrepancy between the two figures. I assume that that is not correct, and I would not like to think that it is. It comes back to whether there is a stigma attached to claiming free school meals. No matter what way you look at the figures, it certainly looks as though there is some form of stigma once a child goes to a secondary school, and, for some reason, they are not claiming. That is something that, hopefully, the Department and the boards could have a look at. It should not be the case, but, going back to my school days, there was a stigma there, and a lot of people just did not bother claiming it because of the stigma attached to it. Maybe that was more prevalent in the controlled school sector than it was in the maintained sector. I do not have the answer to that one at all, but there are certainly issues there that need to be looked at.

#### 1.45 pm

We have been accused of straying into next week's debate. I am going to use terminology that we are all very well aware of here — the two are inextricably linked,

whether we like it or not. That comes down to the fact that, time and time again, the Minister says that we should target the needs via free school meals. That is an issue that I decided to have a closer look at. I have a list of the 20 worst-performing schools in Northern Ireland. They are the Department's figures, not mine. I am not going to name any school, because I do not believe that it would be correct to do that. When I compare the bottom 20 schools in Northern Ireland to their free school meal entitlement or take-up — the same percentages and the same Department giving us all of those figures — the remarkable thing is that, in 10 of those 20 schools, less than one third of pupils claim free school meals. The other 10, quite correctly, have very high percentages claiming free school meals, so there is an issue of deprivation versus low performance.

The further you go down that list — I have not gone beyond 20, but it contains the 35 worst-performing schools — the fascinating thing for me is that free school meal entitlement does not necessarily correspond to underperformance in a school. That is why, as a party, we are against using free school meals to skew where finances or support will go to a school. That list of the bottom 35 performing schools is what I hope that the Department and the Minister will target to try to improve, not some artificial measurement that does not get us to where we want to be.

**Ms Boyle:** Go raibh maith agat, a LeasCheann Comhairle. I would first like to welcome the recent announcement from the Minister that those attending independent schools are now eligible to claim free school meals. That move, as previously said, will see pupils from around 15 independent schools, right across the boards, getting the same entitlement as those pupils who attend grant-aided schools. I would also like to acknowledge the Minister's announcement back in June that he would give £30 million to help low-income families. From next year, that will also allow more than 15,000 secondary- and grammar-school children to claim free school meals, extending the criteria to those parents who are on low incomes.

We are all aware of the benefits of receiving a free school meal and a lot has been said about the nutritional value that enables pupils to concentrate, learn and play at school. It has already been stated that there is a slight increase in the numbers receiving free school meals, but there is still a large proportion of parents not taking up their entitlements, leaving their children at a disadvantage. Having spoken to parents and pupils prior to this debate, I believe, and it has been said, that there is still a stigma attached to claiming free school meals. Schools and boards should work more closely with parents, working in tandem to confirm eligibility. It is my view that the Department needs to address that by way of an advertising campaign to raise awareness, particularly with the proposed welfare reform and the new changes that are coming on board to the extension of free school meals in 2014.

I believe that schools should also do more within the school to implement ways of distributing free school meal tickets so that pupils do not feel stigmatised or stereotyped. A lot has been said about that in the debate.

I want to talk about school policies for allowing children to leave the school environs during midday mealtime. A lot of us know from passing by schools in our constituencies that there are a lot of chip shops and chip vans on many school

routes. When you drive along the road at midday, you see a lot of children coming out of schools to go to those chip vans. I believe that there should be a stricter policy in schools so that children stay and avail themselves of the nutritional, balanced meal that is provided.

I commend principals, boards of governors, canteen staff and chefs for providing nutritional, healthy, balanced food and drink throughout the school day for children. However, I believe that schools can do a lot more to promote the health of our children and improve the quality of food in our schools. The Education Committee has discussed and debated access to food that we believe should not be on school menus, such as fatty foods and ice pops. Parents of schoolchildren should know whether the school that their child attends is applying nutrient-based standards so they can be sure that their child is getting a well-balanced midday meal. I support the amendment in that respect.

Families with one or more parent working and receiving a low income struggle when it comes to paying for school meals and, indeed, school uniforms. The disparity in claiming for meals and uniforms has been talked about. That is also something that the Department can address. I will be interested to hear its findings on that.

I am aware of low-income families who are paid monthly and, in certain cases, do not have the same access to finances towards the end of the month. I know that most families are scrimping by to pay for school meals and maybe give a child an extra pound towards the price. I am not aware of the actual cost of a school meal ticket and do not know whether that differs among schools. I do not know whether you get it free or have to pay. However, I hear young people say that, if they want to get something of nutritional value and a drink in school, it can be costly —

**Mr Principal Deputy Speaker:** Will the Member bring her remarks to a close? Her time is up.

**Ms Boyle:** Schools need to look at that. I will just quote —

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

**Mr Newton:** I support the amendment and, hopefully, therefore, the motion as amended. Some remarks were made by Mr Lunn that there is really no difference between the amendment and the motion. I beg to differ. Through the amendment, Mr Rogers has brought to the motion a wider view of the problem, and brought other issues into play. There is no doubt that, in his speech, his experience before coming to the Assembly was brought to bear on the matter. His professional background came through in his remarks.

I have, at this stage, been a member of the Education Committee for only a couple of hours. What has been said on what is a relatively narrow motion has all been very sane and sensible. However, there is a need, as came through from a couple of Members who spoke, to ensure that those who are eligible for free school meals get the support to which they are entitled. Whatever the reason for an embargo and the feeling that those children should not apply, and whether, as perceived by some, there is a stigma, we must find ways around that. For the sake of our children's education, we must be assured that, when the entitlement is there, it is taken up.

We talk about school meals being a cost, but we need to ask whether school meals make a difference to pupils'

learning ability. If that is the case — there is evidence to suggest that it is — rather than seeing school meals as a cost, we should look at them as an investment in our schoolchildren's education to help them to be the best that they can possibly be. That reflects the need for a change in attitude from our perspective so that cost is looked at as an investment that prepares our children and gives them the best possible chance. To do that, we need to make sure that we can measure the outcomes, that those who are entitled to free school meals continue to get them and that those who are not receiving the free school meals to which they are entitled actually do so.

School meals play their part, but we also need to ensure that we have the best possible base for learning in the school environment. All the indicators suggest that when you build a positive relationship between schools and parents, and when parents become part of the learning situation, together with pupils and schools, there is better achievement. Whatever way we do that, we need to support parents in their involvement in schools and ensure that all entitlements are taken up, parents are involved and there is a rounded approach in building the right base for children. I support the motion and the amendment.

**Mr Principal Deputy Speaker:** As Question Time begins at 2.00 pm, I suggest that the House takes its ease until then. The debate will resume after Question Time, when the next Member to speak will be Mr Roy Beggs.

*The debate stood suspended.*

*(Mr Speaker in the Chair)*

2.00 pm

## Oral Answers to Questions

### Finance and Personnel

**Mr Speaker:** Once again, I remind Members that we will have topical questions first. Those will last for 15 minutes. We will then move to deal with the questions that appear on the Order Paper. I take this opportunity to welcome the new Minister of Finance and Personnel to his first Question Time as Minister. I wish him well.

### Economic Recovery

1. **Mr G Robinson** asked the Minister of Finance and Personnel on what he is basing his publicly expressed belief that Northern Ireland is in the foothills of economic recovery. (AQT 41/11-15)

I wish my colleague the new Finance Minister well. I feel privileged to be the first Member to ask him a question in his new post.

**Mr Hamilton (The Minister of Finance and Personnel):** Mr Speaker, I begin by thanking you for your words of welcome. I also thank my good friend Mr Robinson for his kind words. I have to say that I have received a lot of kind words in the past six weeks. I seem to be everybody's best friend suddenly.

**Mr Campbell:** It will not last.

**Mr Hamilton:** It will not last. It is early days — still the honeymoon period.

I thank the Member for his question. I do not think that any of us should be unduly optimistic too early. In the past, we have heard politicians express too early the end of economic downturns, recessions, and so forth, so we need to be somewhat cautious. However, when we start to see a body of evidence develop, as we have over the past number of weeks, we can say that there are encouraging signs economically in Northern Ireland. At least five indicators are starting to show that we are moving into the foothills of economic recovery in Northern Ireland.

The first is the Northern Ireland composite index, which is produced by the Northern Ireland Statistics and Research Agency (NISRA) in my Department and has shown positive growth in the economy during two of the past four quarters. The unemployment rate in Northern Ireland now seems to have stabilised and turned a corner. It now stands at 6.9%, which places it nearly a whole percentage point below the UK average. Our employment level is also heading in the right direction. Employment rose by 3,240 over the past quarter and by 5,230 over the past year. In July and August, the Ulster Bank's purchasing managers' index was extremely encouraging. Anybody who knows the history of that will know that the figures have been "littered with positives", which is a direct quote from commentators. Business activity, new orders, exports and employment have all increased. The business activity increase is now at its fastest rate in 70 months.

The final indicator is the residential property price index report, which shows that prices increased by 2% between the first and second quarters of 2013. In many respects, these are the best figures since 2007, which is significant because that was the start of the downturn. All previous indications were that these things were moving in the wrong direction. They are now moving in the right direction, and that is, rightly, cause for optimism.

**Mr Speaker:** I should announce that question 6 has been withdrawn.

**Mr G Robinson:** I thank the Minister for his answer. What evidence does the Minister have that these improvements will be sustained to help to minimise situations such as that pertaining to the possible closure of Hanna and Browne stores in Limavady, Bangor and Lisburn?

**Mr Hamilton:** I thank the Member for his supplementary. He is right to highlight the case of Hanna and Browne, which is in his constituency and has a presence on High Street in Newtownards in my constituency. It shows the extent of the problem that we have. I do not think that we should be overly or unnecessarily optimistic. There will be bumps along the road to recovery. It will not be a very sudden switch from all negative news to positive news. There may be two steps forward and one back economically in Northern Ireland. Unfortunately, I suspect that some well-known names, such as Hanna and Browne, will fall away and not survive. However, what we, as an Executive, have done, particularly on rates — work taken forward by my predecessors in this role — has ensured that many shops and retailers are still there, have fought through the downturn and are in a position in which they can survive it. The job for me and Executive colleagues is to find a way to encourage such companies and firms to thrive moving forward.

I am optimistic, because all the evidence is moving in the right direction. It is starting to show trends over a period of a couple of months or a couple of quarters, which is always good. We are seeing growth in some of our key markets: the UK economy as a whole, the Irish economy and the euro zone economy. Given how dependent we have been in the past on exporting goods from Northern Ireland to those markets, the fact that they are all showing positive signs is an encouragement that the indicators that we have seen over the past number of weeks are here to stay. That gives me the optimism that I have expressed previously.

## Equal Pay Settlement

2. **Mr Girvan** asked the Minister of Finance and Personnel whether he has given any consideration to the sense of injustice felt by the staff of the PSNI and the Department of Justice who have been denied access to the equal pay settlement. (AQT 42/11-15)

I, too, congratulate the Minister on his new post and hope that it is not a bumpy road for him.

**Mr Hamilton:** I thank the Member for his question. I think that it is important for me to clarify at the outset that the judgement that Justice Babington made back in March made clear that there was no legal liability for my Department in settling any equal pay issue for the staff that the Member referred to in the PSNI and the former NIO. Some argue, and I have incredible sympathy for their

view, that there is a strong moral case and a strength of feeling across many who are literally sitting beside, and doing essentially the same work, as some of those who were able to access the equal pay settlement while they themselves were not.

I have spoken to many colleagues over the past couple of weeks, notably the First Minister, the Member himself, Mr McCrea, who is sitting on his left, and, indeed, many others in the Assembly, who have expressed their concerns and the strong feeling that they have that there is a moral case for us to address. However, I am conscious of the danger of raising expectations unnecessarily. A lot of people were let down in the past, and I do not want in any way to raise their expectations that this can be resolved. However, I make it clear that I am carefully considering options on the issue. I have asked officials to prepare a paper on how a payment could be made, how much of such a payment could be made and what the ramifications might be.

To make that a reality, I am mindful that I might require broader political support in the Executive and, indeed, the Assembly. There are issues and challenges with this matter, but I am carefully considering it, and I hope that what I have said today might give some comfort to those in the PSNI and the NIO that their case is being taken seriously.

**Mr Girvan:** I thank the Minister for his answer. I appreciate that there is a moral issue to consider and I believe that we should address it. The Minister mentioned the possible need for broader political support. Does he envisage that as a problem? Are there those who have tried to stymie a solution to the matter?

**Mr Hamilton:** I thank the Member for his supplementary question. I hope that there will not be difficulties if broader political support is required, as I think it will be. The reason why I do not think that there will be difficulties is because of the sheer volume of representations that I have received not just from members of the public service who are directly affected but from political representatives from this Chamber and other democratic institutions. The Committee for Finance and Personnel has taken a keen interest in the issue, and, in the past, it has made it clear that some way should be found to resolve it. Obviously, the Committee has broad political representation in this House, and there was Assembly support, in broad principles, for a resolution of it in a motion that Mr McCrea tabled in June this year. Members from all sides roundly endorsed that motion. So, I hope that that is followed through at a later stage. If I am able to do this, if there is money to do it and if I require political support, I hope that that will stand us in good stead.

However, let me reiterate that I do not want to raise expectations unnecessarily, other than to say that the issue is being carefully considered. If I can come to a view that this can be done, that it is affordable and that the ramifications are not so bad that they would rule it out, I will be seeking that broader support to resolve this issue and to dispense with the sense of injustice that many in our public service feel.

## Public Sector Reform

3. **Mr McQuillan** asked the Minister of Finance and Personnel to update the Assembly on his public sector reform agenda and the creation of a new division in the Department of Finance and Personnel. (AQT 43/11-15)



I offer my best wishes to the Minister — *[Laughter.]* — and to his predecessor.

**Mr Hamilton:** I thank the Member for his congratulations and his question. I will have a fairly big Christmas card list this year.

I have a lot of priorities in DFP, and I think that you would expect that in a Department that is so central and so pivotal, and which has such a broad remit across our government. I think that you would expect me, as you would expect any Finance Minister or person occupying this role, to be concerned, first and foremost, with ensuring that our public finances are sound and secure and that we are able to do our first priority as a government, which is to deliver services to achieve better outcomes for our citizens. However, I obviously have priorities in respect of procurement and making sure that we spend wisely the £3 billion that we spend every year, and that, in so doing, we do what we can to assist local companies. You would expect me to have priorities in respect of rates as well.

To that list, I have added public sector reform. I have done that because I believe that the public expenditure situation in Northern Ireland is challenging, and remains challenging. Perhaps, it has not been as challenging as it has been for some across the water, principally in local government, but, moving forward, there is less spending overall, and there will be less resource expenditure, which will put pressure on some of our key services. If you add into that the rising public expectations of what we in government, in Stormont, can do and should deliver for them, it poses an immense challenge for all of us moving forward.

I have come to the conclusion that government needs to transform, change and be innovative. To assist me in achieving that objective, I have created a new public sector reform division within the Department, as the Member alluded to. It will be headed up by Colin Sullivan, who has been appointed in the past week or so. In the weeks ahead, he and I will start to work up a work programme, which will look at how we can drive innovation across the public sector, how we can make better use of technology, how we can collaborate across Departments to resolve outstanding problems, how we can spend a lot more on prevention and how we can ensure excellence across the board. It is a big task, Mr Speaker, but, given the circumstances that we are in, it is one that has to be embraced.

**Mr McQuillan:** I thank the Minister for his answer. In his answer, he mentioned a new division within DFP. Who does he see as being the main players in that, along with himself and the gentleman he mentioned?

**Mr Hamilton:** I thank the Member for his supplementary question. It is a priority that I have made, and I will take a very close, personal interest in the matter. I think that the significance of this issue for the Northern Ireland Government has been highlighted by the fact that we have created a division and put a senior civil servant in charge of it. He will have a small team that will work around him. In many respects, I cannot do the job with public sector reform that I want to do unless I get engagement from right across the public sector; and I mean right across the public sector. It is not just the other 11 Departments here at Stormont, although, obviously, they will be critical. I want to see DFP as a proactive partner alongside those

Departments, because all Departments understand that they are under pressure, that public expenditure is tight and that if they are to meet the expectations that the public have for them individually as Departments, they are going to have to reform, change and be much more innovative in how they deliver public services.

I do not see it as DFP stepping in and telling those Departments, and others within the public service beyond our core Departments, what they should be doing, when they should be doing it and how they should be doing it. I would like to do that. I might have my own ideas on how that could be done, but I see it very much as working in partnership with others within the public sector to tackle the reality that we have of less public expenditure, different public expenditure moving forward and the expectations that people have about what we should be doing.

I am sure that the Member will sympathise with the fact that public expectations are not diminishing, even in the circumstances we are in with public expenditure; in fact, if anything, they are rising all the time. That poses a real difficulty for Departments. Sometimes, they are not used to thinking about reform and innovation and to collaborating across Departments. I see DFP as an enabler — as a Department that can facilitate that sort of reform and be a catalyst for the sort of change that, I think, the whole of government in Northern Ireland so desperately needs.

## 2.15 pm

**Mr Speaker:** That ends the period for topical questions. We now move to oral questions to the Minister of Finance and Personnel.

## Well-being

1. **Ms McCorley** asked the Minister of Finance and Personnel how his Department will prioritise and encourage the measurement of well-being at departmental and Executive level. (AQO 4531/11-15)

**Mr Hamilton:** As the Member may be aware, the Office for National Statistics has been leading a programme for the United Kingdom that aims to develop an accepted and trusted set of national statistics to help people understand and monitor national well-being. That work has been undertaken for the UK as a whole, and officials in NISRA have been involved at all stages in seeking to ensure that Northern Ireland interests are represented and that Northern Ireland data is included where available.

The area of well-being measurement has grown internationally in recent years in response to a general understanding that traditional economic measures, particularly a focus on GDP, are and remain very valuable but do not provide a complete picture of social, economic and environmental progress. Along with the Member's party colleague the Chairperson of the Committee for Finance and Personnel, Daithí McKay, I opened a Belfast conference on this subject just last week, which was organised by the Carnegie UK Trust. That conference was very well attended, with participants from a broad spectrum of public life in Northern Ireland. Following that conference, I have asked NISRA officials to draw together the Northern Ireland data that has been input to the UK national well-being wheel of measures so that we can have our own Northern Ireland index and a comparator with the UK as a whole.

**Mr Speaker:** Questions 5, 7 and 14 have been withdrawn.

**Ms McCorley:** Go raibh maith agat, a Cheann Comhairle. An dtig liom an seans a ghlacadh comhghairdeas a ghabháil leis an Aire as a phost nua. Guím gach rath air san am atá le teacht. I congratulate the Minister on his appointment and wish him well in the future.

**Mr McQuillan:** You are finished now.

**Ms McCorley:** OK. As the Minister said, GDP and GVA provide statistics that are used as indicators, but they can sometimes be crude indicators of how well a society is performing. Does he agree that the narrative needs to be widened? Will that debate be brought to the Executive? Will he consider reflecting on the experience of Scotland in particular and how well it has done in addressing well-being?

**Mr Hamilton:** I thank the Member for her supplementary question and for her congratulations, which are coming from all sides. I am now deeply worried about that.

The Member is right. This is a fascinating subject, although it is probably not what people think of as a core area of business for the Department of Finance and Personnel. We have, down the years, been conditioned to think exclusively about measuring the success of one country or region against another on the basis of economic outputs, such as GDP. In our case, given the difficulties in accurately providing that for Northern Ireland, GVA is frequently used. The school of thought is that although those measurements are very useful — we should continue to produce them — and those statistics still have merit because they are an easier comparator sometimes than using well-being or happiness, or whatever is the preferred approach, there is merit in us examining the potential of broadening how we measure our success or otherwise as a Government by examining well-being.

I will continue the commitment that was made by my predecessor and we will work with the United Kingdom Office for National Statistics to ensure that we input whatever data we have and that we will produce that data ourselves for Northern Ireland. That is a significant step forward that means that, for the first time, we will have well-being data published for Northern Ireland.

I will have to consider carefully what we do with that data. This area is still in its infancy but it has huge potential and, in some respects, what is going on is quite exciting. Nevertheless, I am conscious that I should not go too far ahead of international best practice in this regard. I am open to looking at this area of work while acknowledging that it is complementary to the fact that GDP and GVA are still important measures of where we are as a country.

**Mr Clarke:** I join the rest of the choir in congratulating the Minister today. I see that there is enthusiasm for the well-being measurement but, further to that, does he have any plans to bring a proposal to the Executive to make it a part of the Programme for Government?

**Mr Hamilton:** I also thank the Member for his congratulations. If any Members now rise to their feet and do not congratulate me, they will be singled out for special treatment.

**Mr Storey:** There will always be one — *[Interruption.]* John McCallister *[Laughter.]*

**Mr Hamilton:** Our very own indicators of national well-being and happiness sitting over there in the corner.

*[Interruption.]* I will touch on the Member's point. I did not address it in my response to the supplementary question from the Member opposite about what I propose to do in Northern Ireland and what lessons I might learn from elsewhere.

At last week's conference on well-being in Belfast, I had the opportunity of meeting Sir John Elvidge, a former permanent secretary in the Scottish Government. We had a very interesting discussion about how their framework, Scotland Performs, has been incorporated as a strategic measurement framework throughout the Scottish public sector.

There is considerable merit in at least examining how such an approach could be used to help us to assess and measure how we are making Northern Ireland a more successful country. Places such as Finland and Sweden are already learning from Scotland. I look forward to meeting Sir John again, although he is retired now, and others in the Senior Civil Service in Scotland. I am due to visit Scotland and meet my counterpart, John Swinney, in the next number of weeks. I also hope to be able to meet those in the Scottish Government who operate Scotland Performs to see how they incorporate it into their measurement of the success of their Programme for Government and how we might be able to do the same.

**Mrs Cochrane:** I thank the Minister for his answers thus far. I suppose that I should congratulate the Minister as well. Maybe that did not sound very sincere, but I obviously mean it.

The Minister may be aware that the UN global report on happiness was published last week. Given how miserable many of us up here are a lot of the time, is there anything that we can learn from countries such as Denmark that ranked in the top 10?

**Mr Hamilton:** I thank the Member for her question and her congratulations.

Some purists would debate whether well-being and happiness are exactly the same thing. There are slight and distinct differences. I will not get into that academic debate, but the fact that the United Nations produces an annual happiness index shows that, globally, a lot of countries are not simply making assessments on purely economic figures but on the basis of wider social, environmental and economic well-being and happiness.

I saw the report and was interested in the countries that ranked in the top five. Denmark was at the top, Sweden was fifth, or something like that, and Norway was second. When you look at that superficially, those are cold countries that are dark for half the year and whose people pay half their income in taxes. You would not think that that is a natural recipe for a happy country. Mr Campbell reminds me that Norway is outside the European Union. That may be one reason for its happiness, together with the oil and gas surpluses that it does not know what to do with. That might be a slightly different case altogether.

The ranking of those countries shows that big government, as there is in Northern Ireland, Denmark and Sweden, is not necessarily always a bad thing if that big government is focused on being efficient and effective. I am keen to look at that for public sector reform, and I have expressed

my desire to look at and learn lessons from countries such as Denmark, Sweden and Finland. They all ranked very highly in that report, compared with Ireland, which ranked seventeenth, and the United Kingdom, which was twenty-second. I am keen to learn lessons on how we can get a competitive economy, a more efficient public sector and make our people happier in the process.

## Narrow Water Bridge

**2. Mrs McKevitt** asked the Minister of Finance and Personnel whether he would consider providing further funding to the Narrow Water Bridge project, given that three councils, the Irish Government and a private investor are either considering, or have already provided, a commitment to fill the shortfall in funding for the project. (AQO 4532/11-15)

**Mr Hamilton:** I thank the Member for her question. On 28 May 2013, my predecessor, Minister Wilson, announced DFP approval for considerable financial support for the INTERREG IVa Narrow Water Bridge project. In this announcement, in the letter of offer issued to the project lead partner and in all subsequent correspondence to those involved with or lobbying for the project, it was made clear that the Department has a fixed funding position for the Narrow Water Bridge. The substantial INTERREG IVa funding package, which is some £11.7 million, is the DFP contribution to the project. My Department has no additional funding that can be made available for the Narrow Water Bridge.

**Mrs McKevitt:** The Minister is probably aware that discussions are ongoing to put together a cocktail of funding to deliver the project. Many in south Down see the project as a means of underpinning the local economy. Will the Minister make a positive contribution by exploring the possibility of the Northern Ireland Executive making a financial contribution to make this very important project happen?

**Mr Hamilton:** I thank the Member for her supplementary. As I pointed out in my response to her first question, we have already committed a substantial amount — nearly £12 million — to the project, which is a considerable volume of money in the grand scheme of the project. It would have been a very significant amount but for the huge cost overrun. I recognise, and the business case recognised, that there were myriad potential benefits for the greater Carlingford lough area, particularly in tourism, ease of access and quicker transportation times. Although those are important things to secure for that area, and I know the area very well, we cannot lose sight of the fact that there has been a significant cost overrun, which is proving challenging to realising the project.

At this stage, DFP has received no formal proposals to confirm that the additional sources of funding, such as those that the Member highlighted in her initial question, are in place. The project must present satisfactory evidence of funding to the Special EU Programmes Body for its consideration, and that will be transmitted onward to DFP for review. Given the considerable increase in project costs, DFP will need to fully assess the implications of that, and approval will be required. As always, on everything, I am more than prepared to listen to anybody who comes forward with any proposals for how to get us out of this or

any other problem. However, to date, we have not received anything formal from anybody.

**Mr McCallister:** Not to be outdone, I, too, congratulate the Minister.

**A Member:** Hypocrite.

**Mr McCallister:** It is only fair that I congratulate him today. I will not feel as bad having to shout “resign” at him in the future.

There is huge concern about the bridge. The Minister, quite rightly, highlighted how right up against the wire the project is. Will he undertake at least to facilitate putting pressure on other Governments? I know that the Irish Government will contribute something, as will Newry and Mourne District Council. Will he use his office to try to consolidate the cocktail of funding that has been put in place to make sure that it falls within all the necessary European funding regulations?

**Mr Hamilton:** I thank the Member for his question. I am glad to see him without his partner in crime: it seems that he has been let out on his own now after the summer.

On the financial contribution from Northern Ireland, the £12 million that we are committed to giving to the project is a significant tranche. The Member mentioned the commitment of others. I am aware that the local council in that part of the world is committed to making money available, although we have not had any formal discussions with it about that. He also mentioned the Irish Government. Although we have had some discussions with the Irish Government, I am not aware that we have had any formal approach from them suggesting that they will input additional money.

The Member asked what DFP does to consolidate — to use his term. Ultimately, the Department will assess a new business case for this because of the significant cost overrun. Therefore, I suppose that we are consolidating. Nevertheless, my position on this is the same as my predecessor's: as far as Northern Ireland is concerned, the £12 million that we are putting forward is enough — no more.

**Mr Campbell:** I congratulate the Minister on lasting for 28 minutes before the first use of the word “resign” in his career. On a slightly longer timescale, the Minister indicated that his predecessor made the announcement on the project four months ago. If the project were not to proceed, will the Minister outline what the outcome would be for the INTERREG funding already set aside for it?

**Mr Hamilton:** I thank the Member for his question. Given the amount that we have said that we would outlay on the project, my biggest concern is that we have committed £12 million. If the project does not go forward, we will have to find other projects on which to spend the £12 million so that that European money, which is, of course, our money coming back to us, is not lost, and Northern Ireland is not the loser as a result. The substantial INTERREG IVa funding allocated to the project means that a decision needs to be taken in the coming weeks to ensure that, if the project does not progress, a contingency may be put in place that is deliverable and will achieve full drawdown in the remaining time frame, which ends in December 2015.

**2.30 pm**

I think that that highlights the urgency of coming forward with this. We cannot mess about trying to get a cocktail of funding that is loose and, perhaps, ultimately very difficult to realise. DFP is working with the SEUPB, other Departments and the Department of Public Expenditure and Reform in the Republic of Ireland to identify contingency projects to meet the potential shortfall in the INTERREG IVa programme allocation.

The apportionment of departmental budgets in the Irish Republic means that any such projects must align with those priorities that are suitable for funding by the Department of Transport, Tourism and Sport in the Republic of Ireland. That also somewhat narrows our ability to spend that money and makes it even more of a concern for me.

**Finance for Small Businesses**

**3. Mr McCarthy** asked the Minister of Finance and Personnel what discussions he has had with the banking sector about additional funding being made available for small businesses. (AQO 4533/11-15)

**Mr Hamilton:** I thank Mr McCarthy for his question. I recently began a series of meetings to renew the focus on access to finance and banking issues. Last week, I met the chief executive of the British Bankers' Association to discuss what more the banks can do to improve access to finance locally. I also met the Secretary of State to discuss what action the Government will take to deliver on their commitments in this regard in the economic pact. In particular, I called on her to ensure that the first meeting of the joint ministerial working group on banking issues takes place as soon as possible.

In the week prior to that, I met the Irish Finance Minister to discuss the approach that is being taken to address the problems in the Irish banks and how that is being applied to their operations in Northern Ireland. As part of our ongoing engagement with them, I will also be looking to meet senior management of our individual banks with my party and ministerial colleague the Minister of Enterprise, Trade and Investment.

**Mr McCarthy:** I thank the Minister for his answer. Could I, as a Strangford Assembly colleague, proudly congratulate the Minister on his appointment? Only somebody from Strangford could reach this point in their career and so early, and I wish you every success. I hope that you will continue to make sensible and prudent decisions on behalf of us all.

Do you share my concerns that the Government's funding for lending programme lets Northern Ireland down somewhat in that very few UK-domiciled banks trade here? What approach will you take with the Treasury to rectify that anomaly?

**Mr Hamilton:** I would let the Member talk all day if that is the sort of effusive praise that he will hurl in my direction. Similar to Mr McCallister's congratulations, I am sure that it will be short-lived in the future. However, I thank him for his kind words.

He is right in identifying the failure of many of the national lending initiatives that Treasury brought forward to function and operate properly here in Northern Ireland. I think that

the primary reason for that is our unique banking structure in Northern Ireland, where we have only one bank in British hands, that being RBS/Ulster Bank, which is in our national Government's ownership. Because of that, that has habitually been the only bank to embrace those national lending initiatives. The others are not compelled to and opted out.

Sometimes they opted out for very good reasons. Some of the schemes have not been tailored for Northern Ireland problems. They have been administratively bureaucratic and quite costly. I spoke to some of them, and they said that it is simply not worth them spending the time, effort or money in some cases in getting into those schemes, because they will not work in Northern Ireland.

The Member mentioned funding for lending specifically. I am glad that Ulster Bank has embraced and become involved in that. The Bank of Ireland got on board in recent weeks. Banks that are not small in a British sense, such as Barclays and HSBC, are involved as part of their national banks, so their very small operations in Northern Ireland are at least availing themselves of funding for lending.

In some ways, funding for lending is not where our problem is. Our problem is a property overhang problem and is a bit more like the Irish Republic's problem than mainland UK's. In working with the Treasury and our government in Westminster, the joint ministerial working group on banking, which I mentioned, will, as one of its pieces of work, look at how we can tailor those funds, initiatives and schemes so that they can work in Northern Ireland. I welcome that engagement from government and, at last, the recognition that we need a different solution in Northern Ireland.

**Mr D Bradley:** Go raibh maith agat, a Cheann Comhairle. Tréaslaim a cheapachán leis an Aire, agus guím gach rath air san am atá romhainn. I also congratulate the Minister on his appointment and wish him well in the future. Can he give us an update on the enterprise finance guarantee?

**Mr Hamilton:** I thank the Member for his comments. I am being praised in every language going in this place; if only Jim Shannon was here, I could get it in Ulster Scots as well.

The enterprise finance guarantee scheme is another one of those initiatives that Mr McCarthy was alluding to that has not, initially anyway, worked in Northern Ireland. There is, as part of the economic pact, an agreement to bring forward a pilot for that scheme.

All of these schemes, whether or not they have worked in Northern Ireland and whether or not they have directly addressed the problems that we have in respect of banking and access to finance, have some merit and will help some companies in Northern Ireland to get access to the finance that they need. I have been on public record as saying that what threatens the recovery that I was talking about in response to Mr Robinson is the failure of very good companies that have good ideas to get access to finance. If things like the enterprise finance guarantee scheme can help them, we should support and encourage that and work with our counterparts across the water to ensure that that pilot works and is effective in Northern Ireland.

**Ms Fearon:** Go raibh maith agat, a Cheann Comhairle. Gabhaim buíochas leis an Aire. I also congratulate the Minister on his appointment. Will he have discussions with



the banking sector about the difficulties that businesses and local people face with cross-border banking?

**Mr Hamilton:** I have met some of the main banks that are operating in Northern Ireland. I imagine that, in the weeks and months ahead, that process will only accelerate. I and my colleague the Enterprise Minister intend to continue what my predecessor and she did, namely meeting on a quarterly basis all of the main banks that operate in Northern Ireland.

Clearly, there is a cross-border element to banking, given that Bank of Ireland and Allied Irish Bank/First Trust have a significant presence in Northern Ireland. That means that I have to engage not only directly with them but with my counterpart Michael Noonan, the Minister for Finance in the Irish Republic. Also, the National Asset Management Agency (NAMA) has a huge cross-border element and significance.

So, I am very keen to do whatever I can, no matter who it is with, whether it is our Government in Westminster or the Government in Dublin, to ensure that this very important issue, which is something on which there are huge symmetries across the border, is addressed. Whether it is London or Dublin, we need answers to problems that help us and help companies in Northern Ireland to grow.

## Residential Property Price Index

4. **Mr Moutray** asked the Minister of Finance and Personnel for his assessment of the findings of the latest residential property price index. (AQO 4534/11-15)

**Mr Hamilton:** First of all, I welcome this further quarterly report from Land and Property Services (LPS) in conjunction with the Northern Ireland Statistics and Research Agency (NISRA), which economic commentators are referring to as the most authoritative index for Northern Ireland. It is promising to note that this is the first quarter since 2007 in which an increase in house prices across all property types has occurred. That confirms the views of local commentators that the residential property market here is beginning to stabilise. The index shows that the local market has rebalanced, with prices at pre-2005 levels.

The latest statistics include analysis of the three-month period up to June 2013. The report shows that overall prices increased by 2% between the first and second quarters of this year. However, looking back over the last year, prices are still down by some 3% compared to the second quarter of 2012. The increased number of sales is another welcome sign of the market beginning to stabilise.

**Mr Moutray:** Like everyone else here today, I congratulate the Minister. I thank him for the response that he has just given.

The Minister will be aware that a number of residential property price indices exist, so why has DFP produced another set?

**Mr Hamilton:** With all this praise, I am worried that my head will get so big that I will not be able to get through the door. I am sure that somebody will bring me down to earth very quickly.

First and foremost, a reliable residential property price index is a very useful indicator of the state of the property market. The other indices that produce results for Northern

Ireland are, by their nature, limited, in that they are based only on certain parts of the property market. For example, they are based on things like sales purchased through a mortgage or on averages or samples. The index produced by my Department is based on the full range of sales of residential property in Northern Ireland using transactions reported to Her Majesty's Revenue and Customs for stamp duty and land tax purposes. Therefore, you get a complete picture that covers all sales, irrespective of how the purchases were made, which is unlike some of the other indices. That has allowed LPS, in conjunction with NISRA, to produce what economic commentators have referred to as the most authoritative index for Northern Ireland, and one that uses internationally recognised methodology.

**Mr McKay:** Go raibh maith agat, a Cheann Comhairle. I know that I am at risk of making the Assembly sound like a broken Cliff Richard record. However, I also add my congratulations to the Minister. I will congratulate him further when he gets through his first session with the Committee for Finance and Personnel in a couple of weeks.

On property sales and the construction industry, we still have a long way to go. Will the Minister commit to doing what his predecessor failed to do, which is to deal with the overly bureaucratic payments process between centres of procurement expertise (COPEs) and main contractors? Will he also introduce adequate protection for our subcontractors?

**Mr Hamilton:** I thank the Member for comments. I very much look forward to my first session with the Committee, which I think is scheduled for 25 September. I am sure that the Committee members will be as gentle with me as they have been today.

The Member has conflated a couple of issues so I will try to untangle them. On where we are with house prices, I think that we sometimes get a little bit obsessed with the prices themselves. Obviously, price is significant, particularly for people who have seen huge falls and are perhaps in negative equity. I am probably more interested in activity, particularly given the Member's line about getting the construction sector going. As the index shows, that activity is generally at a lower level in the market. However, it has shown, between quarter 1 and quarter 2 of this year, a 10% increase. That is a fairly significant increase: the highest since quarter 2 of 2007, which was, of course, at the start of the economic problems that we have had. Therefore, I think that that is a good indicator that we are heading in the right direction and that there are significant numbers of sales. I think that there were around 3,400 sales in quarter 2 of this year, although that is not up to 2005 levels.

In respect of COPEs, which is a more general procurement issue right across the public sector, the Member will know from his experience in Committee that we have put in place prompt payment criteria for all our contracts. Most COPEs and Departments are hitting well above their targets. There is still room for improvement; we should always strive to get as close to 100% as we can. However, we have seen significant increases over the past number of years. The Member will also know that, with regard to getting payments to subcontractors, we have introduced project bank accounts for any procurement contract that is worth over £1 million and has a significant number of subcontractors involved in it. Their payments

will go through a project bank account, and officials from my Department will have a say over that. Hopefully, that should resolve the sort of situations that the Member will have seen in his constituency with the collapse of the Patton Group and the failure to pay a significant number of subcontractors what they were owed.

**Mr Copeland:** I begin by offering the Minister a degree of sympathy for the onerous duties that he now confronts. To a lesser degree, I echo the congratulations that he has had from other quarters.

I seek the Minister's views as to how property prices are affected by geographical area and the degree to which he believes rating valuations play a part in influencing house prices.

**Mr Hamilton:** Clearly, where you live affects your property's price. We see that reflected in the latest index that has been produced by Land and Property Services, which is split into four areas across Northern Ireland. In that index, the north of Northern Ireland stretches from Londonderry right across through Limavady, Coleraine and the lovely north coast, which my colleague here represents. It showed a fairly significant increase of, I think, around 6%. In other parts, however, such as Craigavon in Mr Moutray's constituency, which is in the south of Northern Ireland, there was a decrease. So, parts of Northern Ireland are doing better with regard to property prices than others. That tends to reflect the data that comes from some of the other reports and indexes. It is also reflective of historical trends.

As for the impact of rates on house prices, I suspect that, for some, rates may be a factor that they consider when they look at the totality of the budget that they have to pay for their new properties.

However, I have not seen any documentary evidence to suggest that the level of rates that people pay is dissuading them from purchasing houses or is itself a factor in increasing or decreasing property prices.

2.45 pm

## Education

### St Mary's High School, Brollagh

1. **Mr Flanagan** asked the Minister of Education, given the challenges facing St Mary's High School, Brollagh and its threatened closure, with a public meeting to take place this Wednesday evening to further inform the local community about the alternative and innovative cross-border proposal from the local action group, to give an assurance that his Department will do everything possible to ensure that this alternative proposal is fully assessed by CCMS as part of its ongoing work. (AQT 51/11-15)

**Mr O'Dowd (The Minister of Education):** Go raibh maith agat, a Cheann Comhairle. First, I congratulate the Finance Minister on being elevated to his new post. The previous Finance Minister and I got on like a house on fire, and I am sure that that relationship will continue with Mr Hamilton.

On the Member's question, one of the issues that has arisen as part of the area-planning proposals is the

involvement of local communities in discussing the future of their schools, whether in rural or urban communities. I have urged all relevant managing authorities, whether it is the education boards or the Council for Catholic Maintained Schools (CCMS), to take heed of what local communities are saying to them. If alternative plans come forward, those need to be critiqued by the managing authorities to assess their value and, perhaps, their limitations. They certainly deserve to be critiqued and evaluated by the relevant managing authority, and that is the case in Brollagh.

**Mr Flanagan:** Go raibh maith agat, a Cheann Comhairle. I thank the Minister for his answer. One of the difficulties that groups face is that they are not really made up of educationalists or academic experts who can produce well-written and detailed reports. Would the Minister's Department be willing to look at providing funding or staff resources to help groups such as this one to develop further this exciting and innovative alternative proposal to closing a rural post-primary school?

**Mr O'Dowd:** The Member missed the right Minister for that question — the Finance Minister has just left the Chamber. There is no funding available in my Department to finance the programme of work that the Member sets out. A proposal does not have to be as detailed as one produced by a consultant or someone else to whom large sums of money would be paid for such work. Local communities know their communities. They will be able to access information from their schools, through Freedom of Information requests and other resources on travel distances etc for these reports. The people you have to convince about the survival of a rural school is not the Minister or CCMS but the parents in the area. You have to convince them to send their children to the school, because time and time again, parents, for whatever reason, decide to send their children past their local school to another school. If you start to convince parents in the locality of the viability of the school, you will have won the battle.

### Secondary Education: East Belfast

2. **Mr Douglas** asked the Minister of Education for an update on the review of secondary education in east Belfast and its impact on secondary education in south Belfast. (AQT 52/11-15)

**Mr O'Dowd:** I am reaching the stage at which I will be able to make a final decision on the development proposals in east Belfast, which also affect south Belfast. I have asked my officials to speak, once again, to the relevant boards about a number of matters that came to my attention as a result of my discussions with elected representatives, community representatives and the schools. As I said to Mr Flanagan, one of the positive issues to arise from area planning is that communities have started to take ownership of their schools. I have to decide whether that ownership has come in time to save a school.

**Mr Douglas:** I thank the Minister for his answer. I know that he met all the MLAs for East Belfast. Will he let us know when that process will finish? Will he agree to meet us again to give us an update?

**Mr O'Dowd:** I cannot give the Member a definitive date for my decision, but it is imminent. I will certainly accommodate any discussions with officials following

my decision. I am still involved in a statutory consultation process. That is now closed, and I have to make my decision. Once I have made my decision, I am more than happy to engage with elected representatives.

### Levels of Progression

3. **Mr Girvan** asked the Minister of Education, in light of the recent GTC NI survey of teachers on levels of progression, when this fiasco will be brought to an end. (AQT 53/11-15)

**Mr O'Dowd:** I read with interest the GTC's report on levels of progression. Indeed, I already had in my possession consultation responses from schools in programmes of work that the Department of Education and the Council for the Curriculum, Examinations and Assessment (CCEA) have taken out. They reflect the failings that are expressed in the GTC report, but I do not accept that we are in a mess. We are in a programme of change to assessment in education and in schools. I had committed to the unions and to the Education Committee, which, by the way, also agreed to the levels of progression proceeding. So it was not only the Minister who was not hearing, not seeing and not listening at that stage, as was pointed out to me this morning. They agreed that the changes that I had made at that stage were sufficient to allow it to go into a trial year. I assured the unions that, during that trial year, I would re-evaluate it, have meetings and discuss and learn what had to be done. I have done that. The GTC report confirms many of the things that I had already found out, and I will go back to the unions and put on the table proposals on the way forward. I believe that there is a requirement for assessment in our system, but I accept that that assessment has to be worthwhile and add value to education.

**Mr Girvan:** I thank the Minister for his answer. What is the time frame for making those changes? The report bears it out, everything else is saying it, and we have known it for quite some time.

**Mr O'Dowd:** It will be within a matter of weeks, possibly stretching into months, but not a significant period after that, because the schools need to know what changes I am making. Hindsight is a great benefit to Members who, during Question Time, take an opposition position to that which we have adopted, and I have no difficulty with that. However, this was debated at length in the Education Committee, which, quite rightly, asked for changes to it. I delivered those changes, and no one blocked them. Everyone was prepared to give it a chance over the year because it was being evaluated by me and my Department. We have evaluated it, and I did not need the GTC to report to me on its findings. I already had that information in my possession because I sought it. I will deliver changes to the programme, but I believe that assessment is a necessary part of improving our education system. I also agree that we have to get it right.

### Pensions: Teachers

4. **Mr Brady** asked the Minister of Education whether he has given any consideration to breaking parity with the UK in relation to the Public Sector Pensions Bill perhaps to establish a local pensions scheme for local teachers. (AQT 54/11-15)

**Mr O'Dowd:** The Department of Education is committed to whatever decisions the Executive and the Assembly make on public sector pensions. A Bill is making its way through the Assembly structures, and I await the outcome of that. However, with teachers' pensions, during an earlier phase when changes were made by the Westminster Government, I produced alternatives to what Westminster suggested. I published those ideas for consultation and engaged with the trade unions, and I thought it a fair way forward that teachers on higher earnings should pay a greater amount than those on low earnings, given the direct financial consequences that we faced because of economic decisions elsewhere. The unions rejected that, and, therefore, I could not move ahead with it. I await the outcome of the Bill, and we will see what policies that brings.

**Mr Brady:** I thank the Minister for his answer. Has he had any more recent meetings with stakeholders and teachers' unions, and, if so, will he update us on those?

**Mr O'Dowd:** I regularly meet unions and stakeholders across the education family, and we have discussed many issues, including pensions. I have authorised my officials to engage with the unions on pensions as well. It is an ongoing discussion, but we are continually hampered on the way forward by decisions taken elsewhere. Our economic policy is not driven by the Assembly; it is driven by Westminster according to the needs of England, largely, in terms of its economic policy. I do not believe that our economic crisis will be resolved by attacking people's pensions; that is not the way forward. However, if we do not do something, the economic constraints placed on us by the Westminster Government will have consequences.

### Special Educational Needs Strategy

5. **Mr Craig** asked the Minister of Education what impact Lord Justice Coghlin's overturning the High Court ruling on direct teaching support will have on the policy and delivery of a special educational needs strategy. (AQT 55/11-15)

**Mr O'Dowd:** We will have to study the court's findings. It found in favour of the education board, which is delivering education policy as directed by the Department. The judge found that the policy in place was right and proper for the delivery of teaching needs for that child. Let us study the judgement, and if improvements need to be made or lessons learned from that, the Department will do so.

**Mr Craig:** I thank the Minister for that answer. Does he concur that there is an urgency in getting a special needs strategy out there? It has raised concerns with parents of children with special educational needs that there is an uncertainty about the legal protection that they have at present. They want that sorted out, dealt with, but, more importantly, they want the legal protection to be kept for the children.

**Mr O'Dowd:** I accept that there has been widespread concern among parents about the special educational needs review. It has been debated at length in both the Chamber and Committee. I have to say that I found those engagements positive and beneficial to moving the legislation forward.

I hope to have draft legislation with the Executive by December. I am acutely conscious that the only way that we will convince parents of the merits of the changes will be when they see the legislation and are able to work

their way through it. I will work with the Assembly on that legislation to ensure that the outcome is something that we can all agree to.

## Sure Start

6. **Mr McAleer** asked the Minister of Education to provide an update of the Sure Start review and to state when it is likely to be published. (AQT 56/11-15)

**Mr O'Dowd:** I have signed off the papers that will commission a review of Sure Start in the Department. So, the review has yet to kick off, but I would like to see it do so within a short period of time. We are spending in the region of £25 million per annum on Sure Start, and although there is anecdotal evidence of its benefits to children, families and local communities, I think that it is only right and prudent, given the time that it has been in place, that we review how it is being delivered on the ground, what the actual benefits are and what we should be doing in Sure Start in the twenty-first century.

A programme of work has yet to be taken on board, and I think that, when we have the report of the review published, it will be very beneficial to map the way forward for the quite significant amount of money that we are investing in Sure Start.

**Mr McAleer:** Go raibh maith agat. Will the Minister outline the role of Sure Start and how effective it is in tackling poverty in rural areas?

**Mr O'Dowd:** Over the past number of years, we have expanded Sure Start from the 20 most deprived wards to the 25 most deprived, a significant number of which will be in rural communities. I have been engaged in discussions with the Department of Agriculture and Rural Development (DARD) at official level regarding whether we should specifically target a number of rural wards in which to provide further Sure Start initiatives to ensure that we identify whether the Department of Education can work with DARD on issues that affect rural communities, particularly childcare, etc. Those discussions will continue.

## Loreto Grammar School

7. **Mr Clarke** asked the Minister of Education why Loreto Grammar School changed its mind about the Lisanelly site given that it was locked into a legal battle about that site. (AQT 57/11-15)

**Mr O'Dowd:** That is really a question that you will have to put to the board of governors of Loreto. The legal hearings came to an end quite a while ago. Area planning moved on. As far as my investment strategy was concerned, I made it clear that the only show in town for area planning was going to be the Lisanelly site. The shared education debate moved forward. I hope that it was a case that everyone in the Omagh area wanted to play their part in ensuring that shared education and the potential of the Lisanelly site were fulfilled.

**Mr Clarke:** Further to that, Minister, can you give the House any assurance that your Department was not in any conversation regarding this being some way of encouraging the school to move away from academic selection?

**Mr O'Dowd:** No. I do encourage them to move away from academic selection, but that was not part of the

discussions nor, I believe, their decision to move on to the Lisanelly site.

## Cycling

8. **Mr McKay** asked the Minister of Education whether, like the Minister for Regional Development, he wants to be a revolutionary in cycling, and, to that end, will he look at the promotion and facilitation of cycling in places such as Denmark and Holland and at the lessons we can learn here from that. (AQT 58/11-15)

**Mr O'Dowd:** First, can I congratulate the Member — since that is what we are doing today — on getting engaged? I understand that it was a very romantic moment, which put the rest of us to shame — or at least my wife told me that you put me to shame.

## 3.00 pm

As to the revolution, I think that it is a great idea, in general. On the specific issue of cycling, I think that the Regional Development Minister has come forward with quite a good idea. I understand that the Member has recently taken up the sport of cycling, or in other words, holding up motorists along the road. All Departments have a duty to encourage healthy lifestyles and healthy living etc, and the Regional Development Minister has brought forward a proposal wherein there is potentially significant capital investment from my Department, which is money that I do not have at this time. However, I have asked my officials to further engage with Department for Regional Development officials on the matter.

**Mr Speaker:** That concludes the topical questions. We now move to oral questions to the Minister of Education. I advise Members that questions 3, 9 and 13 have been withdrawn and require written answers.

## School Transport

1. **Mr Frew** asked the Minister of Education whether he will consider changing the policy on transport provision for children attending a school, other than the school which is closest to their home, where the school which is closest to the children's home is subject to a development proposal to close in the following year. (AQO 4546/11-15)

**Mr O'Dowd:** Although the question asks about a possible change in eligibility for transport assistance, the issue is more about the timely publication of development proposals and a clear articulation in the area plans about the future shape of school provision. There is a statutory duty for a development proposal to be published when a proposal is made for a school to be closed or it is undergoing any significant change. The development proposal process facilitates extensive consultation to ensure that anyone can raise views or concerns before I take a final decision on a proposal.

To allow for an objective assessment of a school's future in the development proposal process and in the wider context of area planning, a school must be considered as a functioning school that is open to accept pupils until such time as a decision is taken on its future. Altering transport assistance in advance of a final decision on the future of a school may be considered in the context of area planning when a definitive plan is in place.



I agree that it is incumbent on the planning authorities to make sure that proposals are brought forward in a timely and orderly manner, taking account of the potential impact of school closures on current and future pupils. They must be sequenced to ensure that pupils are not expected to sign up for schools that are earmarked for closure in the future.

**Mr Frew:** I thank the Minister for his answer, but the point is that we are putting children at a disadvantage because they then have to drive by a school that is earmarked for or is under threat of closure. It is every parent and child's wish not to go to a school that is under threat. Will the Minister give a commitment that, once a development proposal is put in place for closure, it would override the nearest-school policy and allow children to get free transport to their next nearest school or another school within the distance range?

**Mr O'Dowd:** I accept the principle of what the Member is saying, but the definition of "earmarked for closure" or, to use his other term, "threat" refers to a school that has been earmarked for closure and has had a development proposal published. I am, therefore, in a difficult situation because I am the decision-maker for that development proposal. If I were to turn around and say that children should be allowed to pass that school because it may close, I could be accused of making the final decision around that closure. It is an issue that has been raised with me by a number of the chief executives of the boards etc and we have tried to facilitate those children where possible. I will continue to keep the issue under review, and I will examine each case on its own merits to ensure that we are acting within the legislation and that we are reacting to the reality on the ground for some parents.

**Mr Hazzard:** Go raibh maith agat, a Cheann Comhairle. Gabhaim buíochas leis an Aire. Does the Minister have any plans to review the home-to-school transport policy? What benefits could such a review bring to the education system?

**Mr O'Dowd:** I have plans to review the education policy. I have identified a number of individuals to whom the Department will speak about their availability and willingness to take on that review. We spend somewhere in the region of £70 million per annum on transport. It is always a tested and contentious issue in localities where parents find themselves left out of the system or believe that the support they are getting is inadequate. I want to ensure that our transport system meets the needs of our schools estate and education through the 21st century. The review will be forwarded, and I hope that the three individuals identified will agree to carry it out. They have a mix of skills that, I think, will bring benefit to the review.

A financial benefit can be identified, as savings from that £70 million budget can be reinvested in education. The transport review will look at whether we can use that £70 million budget in a different way to deliver transport and how our transport system relates to others in our current system.

**Mrs D Kelly:** The Minister will be aware of the interdepartmental review across education and health in relation to transport. Will he tell us how that squares with his own review? When will we hear of the outcome of those deliberations?

**Mr O'Dowd:** The discussions on the interdepartmental review are ongoing. My review will utilise the lessons that have been learned from that review to date on how we use the available transport, whether that be in the Health Department or the Department for Regional Development (DRD). The key discussions in my review will be with DRD and the Minister for Regional Development around how we move forward with transport etc. They will not take place in isolation from any other Department; we want to learn how we can cooperate more closely with other Departments and how we use or share their resources etc. DRD will clearly play a key role in discussions around the future delivery of home-to-school transport.

**Mrs Overend:** The Minister said that transport is a contentious issue, as is distance from school, particularly in relation to admission criteria for schools. Will the Minister give his assessment of the current arrangements for governors to carry out the very difficult task of verifying applicants' addresses? Does he accept that, on occasions, without appropriate support, that can become a huge administrative task?

**Mr O'Dowd:** I accept that it is a very busy time of year for boards of governors when it comes to examining admissions criteria. However, boards of governors are responsible for their admissions criteria, ensuring that the process is carried out properly, and that all the evidence that they have before them is tested and validated. I cannot think of any other way of doing it at this time. There are, occasionally, areas of contention around the evidence that is provided. At the moment, I am not aware of any cases in which boards of governors have acted irresponsibly in those matters or have failed to carry out their duties because of the pressures involved. That does not rule out there being pressure on boards of governors; I accept that they carry out a voluntary task and that the vast majority of them carry it out very well. I am not aware of nor do I believe that there is another suitable method at this time of carrying out that task.

## A-level Software Development

2. **Mrs Cochrane** asked the Minister of Education what the uptake has been for the new software development A level. (AQO 4547/11-15)

**Mr O'Dowd:** The Council for Curriculum, Examinations and Assessment has worked closely with a range of stakeholders, including the Confederation of British Industry (CBI), the Department of Enterprise, Trade and Investment (DETI), the Department for Employment and Learning (DEL), Invest NI and the sector skills councils, to develop a qualification in software development. The specification or syllabus for the qualification is linked to the current Invest NI priorities for the development and promotion of software and programming skills. This is the first year that the qualification will be available to pupils who are commencing A levels. CCEA requires schools to submit entries for its summer 2014 A-level examinations during next March. It is unable, therefore, to provide details of the uptake in advance of those entries being made.

**Mrs Cochrane:** I thank the Minister for his answer, although, obviously, I did not get the figures. It appears from early indications, having spoken to some of the schools, that the uptake has not been great as yet. Will the Minister tell us, given the importance of computer science

skills, what else he is doing to further promote that among primary and secondary level pupils, especially girls?

**Mr O'Dowd:** Information and communication technology (ICT) is an important part of the curriculum and those skills flow through a variety of aspects of the curriculum. I accept that the computer skills qualification is new, but we worked closely with all the sectors to ensure that the qualification being brought forward met the needs of our economy and of delivery in schools. Information has been sent around the schools and pupils about the course. I have no reason to believe that there will be a lower than expected uptake, but if we reach March and find that that is the case, we will take measures to ensure that schools are informed and that we promote the qualification among pupils. Indeed, I will talk to my officials ahead of that to see whether we can promote it further among pupils. The examination was brought forward at the request of schools and, indeed, industry. I want to ensure that it is widely used in our schools estate. I will talk to officials to see whether there is another way in which we can promote it among our schools ahead of March.

**Mr Campbell:** Whatever the scale of the lack of uptake transpires to be, will the Minister outline the nature of the investigative work that he will do to ensure that, where schools are not participating, they do so next year?

**Mr O'Dowd:** We, quite rightly, introduced a new qualification after quite a good piece of work that included the CBI, DETI, DEL and Invest NI. I want schools to use it, and I believe that our young people's career options will be vastly enhanced if they achieve this qualification. If there is a downturn or a lower than expected number of pupils take it up, we will work with schools to see how we can encourage young people to take up the qualification. Let us investigate what measures we can take to ensure that young people take it up. We will not know until March next year how many young people have taken it up, so there are a number of time frames that we have to work to. A lot of work has been invested into introducing the qualification, and I want to ensure that young people across all sectors have the opportunity to sit this qualification.

**Ms Boyle:** Go raibh maith agat, a Cheann Comhairle. What plans does the Minister have to increase the uptake of computer science choices in schools?

**Mr O'Dowd:** Computer science choices cover a wide area of the curriculum. Many of the subjects that young people now sit involve work through ICT, and so on, which is also about improving their ICT skills. With our investment in the C2k network, despite the fact that there were teething problems in introducing the new system, our schools are the envy of many jurisdictions for the investment that we have made in the availability of ICT. A number of private providers from the computer industry are working closely with many schools, promoting ICT and the use of IT throughout schools. All that work is going on. It has now become second nature in many schools for ICT qualifications. The new qualification is focused on developing our stakeholding in ICT in the future. I want to make sure that young people are also doing that. Many different aspects are at play in ensuring that our young people have access to ICT qualifications and ICT during preparations for other qualifications to ensure that we have a more ICT-literate workforce in the future.

**Mr P Ramsey:** The Minister has acknowledged the importance of IT and ICT in the future for job opportunities for young people. During the Committee for Employment and Learning's inquiry into careers guidance, one key theme that came through from primary-school principals was the fact that they are working with computers and infrastructure that are so out of date that they play no meaningful part in helping those same young people to develop the required computer science skills. Is there a likelihood of any future investment in computers across the primary-school sector?

**Mr O'Dowd:** Primary schools are involved in the same project as post-primary schools, in the form of the old C2k system, which has been updated. We made a significant investment in it only last year, and that is being rolled out across our primary and post-primary schools. So, access to networks and facilities will be the same in our primary schools. Given that IT and ICT move ahead so rapidly, there may be cases of schools having outdated equipment. I accept that budgets are limited, but it is the responsibility of schools to continue to update the resources that are available to pupils. However, many schools have now approached me about the use of tablet devices and their benefits for learning for young people, especially young people with additional learning needs. I am talking to the Department and examining whether there is a way in which we can support schools, particularly primary schools, in rolling out tablet devices to all pupils more rapidly. Those discussions are ongoing. I will have to match that against budgets, but we are looking at those matters.

**Mr Speaker:** Question 3 has been withdrawn.

## Sport: Pupil Safety

4. **Mr Anderson** asked the Minister of Education what action he is taking to improve the safety and welfare of pupils who participate in school sporting events. (AQO 4549/11-15)

**Mr O'Dowd:** I believe that this question has been raised following the recent publicity about the coroner's report into the tragic death of Ben Robinson following injuries sustained during a school rugby match in 2011. I have received a copy of the coroner's report into the death of young Ben Robinson, and I will review it to determine what, if any, guidance the Department should provide for schools. The specific reason or reasons for Ben's death will necessitate the issue of very specific guidance, so in considering the report, I intend to seek professional advice. I will also liaise with my colleague the Minister of Culture, Arts and Leisure, who has responsibility for sports here.

## 3.15 pm

Although the health and safety of pupils is the statutory responsibility of schools' boards of governors, you may be interested to know that the Department of Education provides schools with a copy of the Association for Physical Education's 'Safe Practice in Physical Education and Sport' publication. Schools are guided by and should adhere to that guidance when their pupils are involved in curricular PE or extra-curricular provision. I intend to meet Ben's father after considering the coroner's report. I am very grateful to Mr Robinson for already having been in touch with my office to make those arrangements.

**Mr Anderson:** I thank the Minister for his answer. First, I would like to extend my sympathies to the family of young Ben Robinson, who lost his life to second-impact syndrome while playing school rugby. They have lost a precious 14-year-old son, and I know that the recent inquest will have been a very painful experience for them. Does the Minister agree with the assertion of the medical director of Ulster Rugby, Dr Michael Webb, that the United Kingdom and Ireland lag behind other countries in their understanding of the risks posed to players by concussion?

**Mr O'Dowd:** Clearly, what happened to young Ben is every parent's worst nightmare. It is the phone call that no parent wants to receive when they send their children off to school in the morning. I want to ensure that we do not lag behind anyone. That is why I have agreed to meet Ben's father, and I have asked the Culture Minister to tie in with me on that because she will then link into the sponsoring bodies, whether for rugby, GAA, soccer or whatever. I have no doubt that PE teachers and sports enthusiasts want to know the consequences of head injuries and second injuries. They want to be in a position to ensure that they look after the young people in their charge to the highest degree. I am not a medical expert, so we have to call in expert evidence on this. The coroner's report will be closely studied, as will the comments of Ben's father, and, indeed, the views of the sporting organisations will be taken into account before we issue any further guidance.

**Mrs McKevitt:** My thoughts, too, are with the family of Ben Robinson at this sad time. I come from an area where I have seen three people die on a football field when playing sports. Will the Minister tell me whether all schools have access to a defibrillator and regular training, and, if not, will the Minister consider making representation to the World Police and Fire Games body, which will be distributing defibrillators that were used in the games?

**Mr O'Dowd:** The purchase of defibrillators etc will be a matter for the schools, but I will certainly take on board that comment from the Member about whether there is an opportunity for schools that do not have them on their premises to get those being distributed by the World Police and Fire Games body. That is a very good proposal, and I thank the Member for that.

We issue guidance to our schools. Our PE teachers are highly professional people who are there for the benefit of young people, and they do not want to see anyone coming off a football pitch, or any other sporting pitch, injured. Given the consequences surrounding Ben's death, I want to ensure that teachers have in place the most up-to-date guidance and that they are fully informed, working along with the different sporting codes, to ensure that they have all the knowledge available to them to minimise, as much as we can, the possibility of any repetition of what happened to young Ben.

**Mr Milne:** Go raibh maith agat, a Cheann Comhairle. What training is provided to PE staff to ensure that they coach sport safely?

**Mr O'Dowd:** As I said, PE staff are responsible to the Department of Education. When schools participate in governing body sports activities, they should strictly adhere to the health and safety guidelines determined by the relevant governing body. That is why we will engage with rugby, GAA and soccer on those matters. It is worth

noting that governing bodies also offer coaching awards or qualifications for teachers. The content of those qualifications normally includes the technical and/or tactical elements of the sport, coaching methods and how to coach the sport safely. Following the inquest findings of young Ben's death, I have no doubt that the governing bodies will review their safety measures as well.

## Common Funding Scheme

5. **Mr Storey** asked the Minister of Education how he will ensure that all relevant stakeholders are consulted about the revised common funding scheme. (AQO 4550/11-15)

**Mr O'Dowd:** In my statement to the Assembly on 11 June, I undertook to seek the views of schools and other interested individuals and organisations on the proposed changes to the common funding scheme. My Department launched a public consultation on those proposed changes, and the consultation document has been published on the DE website. A letter that was issued to all grant-aided schools on 26 June encouraged schools to take the opportunity to participate in that consultation exercise by submitting views and comments. In early July, my officials briefed the Education Committee on the proposed changes. An online response form to the consultation is also available on my Department's website.

My focus is putting pupils first. Child-friendly versions of the consultation documentation have been produced, one for children at primary-school age and one for young people at post-primary-school age. Those were issued to all schools on 9 September, and they specifically asked the schools to encourage their children and school councils to discuss the proposed changes to the common funding scheme and to submit responses. I hope that the availability of the child-friendly documents will encourage a wide range of pupils to complete the age-appropriate questionnaire, which is also available online.

I have employed the services of external providers to consult and engage with parents and children, as well as young people. To ensure that there is as wide a spectrum of views as possible, two public forum sessions have been arranged for early October. Those will be held in the greater Belfast area and in the west. Anyone who is interested in responding to the consultation should make their views known by 5.00 pm on 18 October.

**Mr Storey:** I thank the Minister for his answer. Given that his Department is very keen to consult — this is an example that has raised serious concerns — why then, in the document that is out for consultation, is there a proposal to amend paragraph 1.12 of the current scheme? That would basically mean that, in the future, the Department would be able to take decisions about additional delegated funding to schools without actually consulting those schools. Is that simply a power grab by the Department to be able to manipulate the distribution of funds to the school system?

**Mr O'Dowd:** No. It is an attempt to make the Department more efficient and effective in the delivery of services to schools. As you say, it is out to consultation. I await the views of schools and others on that and other questions in the consultation document.

The Department of Education is probably one of the most legislated-for Departments in this jurisdiction. The day-to-

day operation of schools is almost down to the minutiae in legislation, as is the Department. We are trying to free up the Department to deliver services, rather than it having to go through exercises that, sometimes, at the end, produce no different results. So, I await the consultation responses to that and to other issues and will then make a final decision.

**Mr Kinahan:** I thank the Minister for his answers so far. Will the Minister ensure that, before actually making those decisions, the Department does a thorough working through of cuts to those schools that are going to have cuts to make sure that we have a full understanding of the number of jobs that may be lost on the back of that and the class sizes that may have to increase?

**Mr O'Dowd:** I have made an extra £30 million available over the next number of years for education through the common funding formula. So, I do not agree that the cuts and job losses that the Member referred to will be a consequence of my review. My review is a follow-on from Sir Bob Salisbury's report on how we effectively use our common funding formula, or how we fund our schools, and how and why we give money to individual schools. I have specifically targeted those schools with the most social need, because the evidence points to the fact that a school with a high concentration of social need faces greater barriers than a school without that higher proportion. So, it is about using our resources as effectively and efficiently as possible. I have put the consultation document out to the public. I am aware that schools, particularly during parents' nights, are giving evidence sessions or briefings on this. I welcome that; I think that that is a very good initiative by a number of schools. I expect a healthy response to the consultation.

The figures that schools are working on represent what would happen if we made the changes this financial year. In the next financial year, the aggregated schools budget will go up. So, the figures do not necessarily reflect what will happen next year, because there will be quite a significant jump in the aggregated schools budget. To be accurate to each school, we would have to know how many pupils are going to be in a school next year, how many TSN pupils, how many special educational needs pupils etc. So, we cannot give the schools the figures for next year, but, in general, investment in schools is on the way up rather than on the way down.

**Mr Allister:** Is it a fact that when you assess the likely impact on each school in each sector, the big winner in all this is the maintained sector and the big loser is the controlled sector? Is that generally true of your proposals?

**Mr O'Dowd:** I have not approached my proposals in that manner. I have approached my proposals on targeting need, regardless of where that need exists. I will continue to work with my Executive colleagues to seek further funding for education. If we can balance those schools that are losing funds, I will do that, but I want to ensure that those schools that face the greatest challenges through social deprivation are those schools that receive the most funding to challenge that social deprivation. Moving forward, I would like to see this method as an early intervention in creating and saving money long term for this society, because a well-educated population will not end up in prison, and its people will not end up with the same levels of poor health and reliance on welfare as those in a population that is not well educated. So, I am

making an investment for the future, and I hope that the Assembly will back me up on that.

## Free School Meals

6. **Mr Brady** asked the Minister of Education to detail the recent changes he has made to the free school meals entitlement, including the number of pupils who will benefit. (AQO 4551/11-15)

**Mr O'Dowd:** On 11 June 2013, I announced how I intend to take forward the recommendations from the independent review of the common funding formula. The review includes a recommendation to adjust the eligibility criteria for free school meals, which I have accepted. That will mean that, from September 2014, the same eligibility criteria for free school meals for primary and post-primary pupils will apply. I am pleased to advise that that will benefit an estimated additional 15,000 children from lower-income families.

**Mr Brady:** I thank the Minister for his answer. Will the Minister outline the expected benefits to schools from his recent decision to extend the criteria for free school meals entitlement?

**Mr O'Dowd:** The Member may be aware that we are having a debate in the Assembly about free school meals and the expansion of free school meals. The proposal is that we expand it further to include more low-income families. In principle, I have to say that I am very supportive of that. My policy direction is not how it benefits schools; it is how it benefits the individual pupil. However, to go back to the previous question, evidence shows that those schools with the highest concentration of social deprivation need the most financial support and financial interventions. Those are my proposals on the way forward. I will await the outcome of the common funding formula review before any decisions are made in that regard.

**Mr Cree:** Given that the Salisbury report appeared to indicate a failure in the Department's policies at targeting social need, will the Minister detail whether he will now advance my party's proposal for a pupil bonus scheme, similar to the one proposed by Salisbury, which is in operation in England?

**Mr O'Dowd:** I am not sure that Sir Bob Salisbury's report indicated that the Department had failed, though Sir Bob Salisbury is a very intelligent and articulate individual, and he will be able to speak on that matter himself.

In relation to the bonus scheme proposed by the report, the money has to come from somewhere, and if one pupil gains, another school may lose. I am proposing an open and transparent formula, which everyone can look at and can understand why a school or pupil receives the funding that they have received. You can refer to it as a TSN bonus or a targeting social need bonus; they are the same thing. I am not as interested in the title as the mechanisms and the effectiveness of the policy to help eradicate social deprivation.

**Mr Eastwood:** Will the Minister give any consideration to the provision of free school meals for all Key Stage 1 pupils?

**Mr O'Dowd:** I am happy to consider it. As with all these things, costs always come into play, and we would have to look at the educational benefits to the individuals, but it is something that should be considered.



## Post-primary Education: Craigavon

7. **Mr Moutray** asked the Minister of Education whether option A of the proposals set out by the Southern Education and Library Board concerning the provision of post-primary education in the Craigavon area, will lead to the closure of Lurgan and Portadown Colleges. (AQO 4552/11-15)

**Mr O'Dowd:** At the outset, I want to make clear that it is the responsibility of the relevant managing authorities to determine the most appropriate structure of education provision for children living in their area.

I am aware that, following the completion of a public consultation on its post-primary area plan, the Southern Education and Library Board supported the recommendation of its advisory subcommittee for controlled schools by backing option A. I understand that, under that option, the SELB envisages Clounagh, Killicomaine and Tandragee junior high schools being brought together as one junior college and both Portadown College and Lurgan College becoming bilateral schools, with their existing selective, grammar element continuing alongside the non-selective element. I am not aware of any proposal to close either Lurgan College or Portadown College.

3.30 pm

**Mr Moutray:** The Minister said a lot but told us little there. Minister, at the end of the day, the question is this: if option A is adopted, will Lurgan College and Portadown College continue to exist as free-standing grammar schools, or will they, in effect, close?

**Mr O'Dowd:** I will await the publication of a development proposal from the Southern Education and Library Board, but my understanding of option A is that neither Lurgan College nor Portadown College will close. They will continue to provide excellent education to the young people of that area.

## Private Members' Business

### Free School Meals Entitlement

*Debate resumed on amendment to motion:*

*That this Assembly recognises the importance of free school meals entitlement; welcomes the increase in children who are accessing free school meals; and calls on the Minister of Education to explore ways in which the uptake of free school meals can be improved. — [Mr Hazzard.]*

*Which amendment was:*

*Leave out all after "recognises" and insert:*

*"the important role of nutrition in the educational attainment of children; and, in light of increased financial pressures on working families, calls on the Minister of Education to explore ways in which to extend access to free school meals to more children." — [Mr Rogers.]*

**Mr Speaker:** Roy Beggs is not in his place. Once again, I tell parties — *[Interruption.]* Order. It is up to Chief Whips of parties to make sure that Members are in their place to take part in debates. Once again, I have to scold Chief Whips and warn the whole House.

**Mr B McCrea:** We had an interesting debate before Question Time, largely along the lines that the real debate will take place next week, which is rather disappointing. Surely we should try to deal with the efficacy of free school meals. I heard a number of Members, Mervyn Storey in particular, ask whether there was evidence that free school meals actually made a fundamental difference and whether there was something that we could do to be able to say that spending more on school meals would improve educational achievement. We then got into the issue that it is a really coarse — *[Interruption.]* Sorry, Mr Speaker, I was momentarily distracted there. We then got into the issue of it being such a coarse measure for other, more important things.

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

One of the key questions missing from the debate is this: what is the Minister of Education going to do about welfare reform? If you get into a situation of universal benefits and many of the criteria that make you eligible for free school meals become part of passported benefits, you may find that many of our citizens end up facing the question of whether or not it is worth going to work because all the benefits are rolled together. I have a specific question for the Minister, because I know that he is going to review the criteria: will he consult on the criteria? Will he go out and ask us why we want to have free school meals and what is the right way to bring things through?

Some Members have suggested that free school meals should be extended. Mr Hazzard said that we should extend them to everybody, but surely that cannot be the right way to deal with the matter. Surely this is about targeted intervention for things that will really make an individual difference. That is what I would really like to have heard in the debate. That is what I really wanted people to come along and talk about. If we are going to spend significant sums on free school meals, let us work out what it is that we are trying to achieve, how much it

would cost and what the incremental benefit would be. Let us do all that in a proper and coordinated manner. I am sure that, when the Minister comes back with these issues after a proper consultation, we will then have the time to discuss them.

There is an issue about what we, as an Assembly, plan to do. It struck me that, last week, we spent an awful lot of time talking about the past. We seem to be spending an awful lot of time today talking about something that we all agree on. I have heard Members ask what is the difference between the amendment and the motion. I cannot see much difference. Mr Lunn made the point that you could not put a cigarette paper between them. I do not see the benefit in tabling an amendment that does not really add anything to the motion.

I conclude by saying that the motion and the amendment, as far as they go, are both fine, but we are really ducking the issue. We are not really talking about free school meals, what they should be for, how we should fund them and how to go forward. I hope that the Minister will address my specific questions about how he will come forward in the future with a review of the criteria. When the review comes out, particularly if there is a public consultation, which I urge him to consider, we can have a proper debate about what we are trying to do with this policy issue.

**Mr Beggs:** I declare an interest as a governor of Glynn Primary School.

I am content with the wording of the motion but not with the limit to which it goes, so I will support the amendment. The issue is not only about maximising the current uptake but about extending it and ensuring that as many vulnerable young people as possible are assisted by it.

For some time, academics have recognised the importance of nutrition to a child's development. Everyone accepts that, if too many sweets with E-numbers are consumed, a child becomes moody and difficult to settle in the classroom. Equally, if a child is hungry, he or she cannot concentrate. The provision of a nutritional diet is very important. It is also important that we talk about breakfast clubs because some young children come to school without breakfast, which is the most important meal of the day.

The issue of nutritional meals for children was raised in 2005 by Jamie Oliver's campaign. Indeed, my dad was involved in that at Westminster. The campaign highlighted that, at that time, the money spent on a school meal was about one quarter of that spent on a prisoner's meal. We must invest in our young people to ensure that they get quality food that will sustain them during the day and enable their development in school.

We must encourage the uptake of free school meals. I commend the work of the Western Education and Library Board, which has mounted a campaign to try to ensure a better uptake of this service and to support parents. However, I notice that, in the 2011 Northern Ireland Audit Office report, it is estimated that only 78% of those registered for free school meals take them. Some 22% of those who are clearly entitled to such meals do not take them, which amounts to 12,700 young people. The Audit Office also indicates that some 8,000 entitled pupils have not registered for free school meals. Therefore, some 20,000 young people do not take advantage of their entitlement.

**Mr Storey:** I thank the Member for giving way. Given that eligible pupils are not taking up school meals and others have not applied for them, is that not a reason why the Department must understand what that money is used for in schools and where it goes in the system? Clearly, there is an issue of accountability.

**Mr Beggs:** I concur with the Member, and I am concerned that the young people who are entitled to nutritional meals are not getting them — never mind the funding implications of that.

On reading the Research and Information Service's information pack, it struck me that there is a funding cliff that affects the working poor. There comes a point at which you are no longer entitled to free school meals for your children. Guess what? If you earn just a little bit more, you and your family are suddenly worse off. That should concern us all, particularly in view of the review of benefits. That cliff should not exist. No one should be worse off, whether through their benefits or the cumulative effect of their access to free school meals, as they gain employment and slowly, perhaps, increase their hours of employment.

The way in which we increase the uptake of free school meals among those who are entitled to them is important. There should be an aspiration that, at some point in the future, every child should simply be given a free school meal, and then there would be no stigma associated with it. There have been such pilots in England, and we should aspire to it. Perhaps, there could be free fruit for every child at school. That is doable and practical. We need to think outside the box; it is not a question of just more of the same. We need to remove the stigma to ensure that everyone has a nutritional diet and can progress.

To achieve an effective uptake campaign, the lessons seem to be to have a very simple application form, perhaps online, ensure that it is easily understood and, when people ultimately get their money, do everything that can be done to avoid any stigma being attached to it, where possible. The electronic card is one mechanism for doing that, but that is not viable in every case, particularly in smaller schools, because of the sheer cost of the system. However, we must do everything that we can to ensure that those who are entitled take up their entitlement. We should also look at how we can extend it to those who are worse off because they are working — I am talking about the working poor — and those who, perhaps, do not access free school meals because of family pride. We must ensure that children do not go hungry and that they have a nutritional diet to enable them to progress in school, academically and on the sports field.

**Mr Deputy Speaker:** I call the Minister of Education, Mr John O'Dowd, to respond. Minister, you have 15 minutes.

**Mr O'Dowd (The Minister of Education):** Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas le Chris Hazzard as an ábhar tábhachtach seo a ardú le haghaidh díospóireachta. I thank Chris Hazzard for tabling this important topic for debate. Free school meals are a key passported benefit that addresses the material needs of children from lower-income households. They support their health and well-being and improve their learning and educational attainment. For those reasons, the significance of free school meals must be seen in the context of the Programme for Government

commitment to tackle disadvantage and close the gap in educational attainment between the least and most deprived communities — a commitment from not only my Department but all Departments. In that regard, the provision of school meals is not an end in itself. If we are to eradicate child poverty here, it is a critical enabler.

The particular challenges faced by pupils from lower-income backgrounds in accessing, participating in and benefiting from formal education are well documented. We should not underestimate the impact that that can have on their educational attainment and, ultimately, lifetime opportunities.

I draw Members' attention to some of the key statistics on educational attainment levels for those who are eligible for free school meals. In 2011-12, only 34.1% of young people who were eligible for free school meals achieved five-plus GCSEs at grades A to C, including English and maths. That compares with a figure of 67.9% for those not entitled to free school meals.

I will touch on some of the comments by Members. The Chair referred to the Bristol University report on free school meals in England. The criteria in England are much narrower than the criteria that we have here, so they do not go across as broad a range of low-income families to identify social deprivation. Therefore, I do not think that the report is a fair analysis of our current free school meals entitlement, which is much broader than that in England. As I said, we take in a much wider range, from families on benefits through to the introduction of family tax credit. So we have wider criteria for identifying those on a low income. I think, therefore, that, in that sense, our measure is more robust. The other important thing to remember about free school meals is that the individual child is identified. To the best of my knowledge, no other measure that has been suggested to the Department identifies the individual child entitled to the benefit. That is where the report's analysis is worthy.

Although there has been continued improvement in performance over recent years, there remains too large a gap in performance between pupils from socially disadvantaged areas and those from more affluent areas. I think that it was Jonathan Craig who gave an example, but, in fairness, he did not mention any of the schools. He said that there was a list of 20 schools, with 10 at the top and 10 at the bottom. Some of those at the bottom of the list for attainment did not have as many children receiving free school meals as those at the top. He is right. Free school meals entitlement is an indication of low income and the barriers that a child may face, but it should not be an excuse for any school not to ensure that all its children achieve everything that they can. We have many schools operating in highly socially deprived areas and doing a fantastic job, with limited resources, to ensure that their young people reach the heights that they deserve.

### 3.45 pm

It is clear from all the research and evidence that socio-economic background remains the strongest factor that has an impact on pupils' attainment. I believe that that is totally unacceptable. Life opportunities must not be determined by social background. As I said, we have many schools that challenge that as well. I have made it clear that I will take action to break that link wherever it exists.

A good education that leads to recognised qualifications is the most effective means to break the cycle of poverty and disadvantage. It is right and fitting, therefore, that my Department has a particular focus on ensuring that children and young people from low-income and deprived backgrounds receive the support that they need to fulfil their potential. That approach is at the very core of many of my Department's policies, programmes and initiatives. It is reflected in the distribution of funding under the common funding formula, which uses free school meals entitlement as a proxy measure for deprivation.

Let me also say to Members that there is no research evidence to suggest that members of the Protestant community are less likely to claim free school meals entitlement than those from the Catholic community. There is no research evidence to back up that claim. I hope that Members are not suggesting, whenever they make such assertions without the relevant research, that Catholics are more likely to claim for whatever is going. I suspect that that is not the case for many Members.

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

**Mr O'Dowd:** Yes.

**Mr Storey:** The Minister's remarks clearly contradict his answers to a question that I asked in the House some time ago. Clearly, when you look at the figures, you see that there are more pupils in maintained schools who apply for and are eligible for free school meals. Surely the Minister is not trying to paper over the truth and reality of what is happening in schools.

**Mr O'Dowd:** There are higher levels of social deprivation —

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

**Mr O'Dowd:** Just give me a second and I will let you in.

There are higher levels of social deprivation in the Catholic community. That is the reality of the situation. There is no evidence to suggest that there are significantly fewer applications from the Protestant community than from the Catholic community. I have no evidence or research available to me that would support that. If there is more deprivation in the Catholic community, schools in the maintained sector, which largely serve the Catholic community, will of course have higher levels of take-up of free school meals.

I will give way to Mrs Kelly.

**Mrs D Kelly:** I wanted to comment on that particular point. Will the Minister confirm that the evidence that is widely available and researched is that there is a greater level of poverty in the Catholic nationalist community than in any other community in the North of Ireland?

**Mr O'Dowd:** Yes. Those are the facts that are indicated by all research and, indeed, government indices on the matter.

I want to talk about a stigma that is attached to free school meals. I accept that there is a stigma across the board, but there is also a stigma attached to people who are on benefits. If you accuse people on benefits almost to the point of criminalisation and say that they should not be claiming them, it is hardly surprising that there may be a reluctance among some people to claim the benefits to which they are entitled.

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

**Mr O'Dowd:** I will give way in a second.

Anyone who is entitled to free school meals should not only claim that entitlement but use it for the benefit of their children. We have vastly improved the information flow on free school meals to parents and schools. Schools have taken the stigma issue on board, and the vast majority of schools that I have visited have always been keen to show me how they ensure that children are not stigmatised in any way about free school meals. Different coloured tickets are no longer used; the tickets are all the same colour, and where electronic means are used that require a handprint or a thumbprint or whatever it may be, nobody knows who is on free school meals in our schools estate now.

If you are entitled to benefits, you should claim them, and if you are entitled to free school meals, you should claim them also. I will give way to Mr Kinahan.

**Mr Kinahan:** Does the Minister not feel that we should have an opt-out rather than an opt-in system so that everyone who wants the provision takes it rather than including those who do not want to take it up?

**Mr O'Dowd:** The Member's point is valid. We might need to get our computer systems to the point where we can trust them. I suspect that that would involve a major data project. As we move towards more use of computers and centralised data, we may have such a system at some stage, but, at the moment, we are not there. It is down to each individual to claim.

Free school meals entitlement leads on to the introduction of grants for school uniforms. I accept that the grant does not cover the full cost of a uniform.

It is there to assist parents who are under pressure when their children go back to school etc. We have increased that; we have increased the range. It is a reflection of the broadening of the criteria, but it is also a reflection of the economic situation that we are in. In 2007-08, around 25,000 pupils were entitled to receive the uniform grant. By 2012-13, that had increased by almost 53,000 to around 78,000. That demonstrates just how important that support to families can be. Broadening the criteria and the economic situation have brought us there, but we have backed that up with finances to help families the best that we can.

My colleague Mr Hazzard outlined the benefits of free school meals to the health of the child, and I do not think that there is any argument over the educational benefits of free school meals to individual children. It is a wee bit like the old smoking debate in which the pro-smoking lobby said, "Cigarettes will not do you any harm. It will be all right. Go out and carry on smoking." There was no evidence to support that, but there is evidence to support free school meals entitlement and the health benefits to children. It is shocking to realise —

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

**Mr O'Dowd:** Yes.

**Mr B McCrea:** I want to drill down into comments about the evidence. Is it an absolute that free school meals will make a difference for every child? In other words, should it be a universal entitlement? Should every child have free school meals?

**Mr O'Dowd:** I am not talking about the universal element at this time. I will come on to the consultation issue in just a moment.

Free school meals are vital to children from low-income families. It is shocking to realise that that meal may be the only hot meal those children get that day. That is shocking in the 21st century. Those hot meals give those children a nutritious benefit; they allow them to partake in school activities and to be able to concentrate. Over the past number of years, many of our schools have provided water in the classroom to ensure that children are hydrated. A child also needs nutrition to learn. That pays benefits for those children.

I want to deal with welfare reform and where it may take us. If the Executive and the Assembly decide to move forward with welfare reform — it is an "if" — I will go out to consultation on free school meals. It would be only right and proper for us to do so. However, I have to say that I will not go out and ask whether we should continue with free school meals. We will continue with free school meals. I want to protect as many families who are currently entitled to free school meals as possible into the future. That may well spark the debate that Mr McCrea referred to about whether it should be a universal benefit, in respect of the cliff edge and encouraging people to go back to work — although there has to be work to go back to. However, my duty is to ensure that children from low-income families receive free school meals entitlement, a nutritious meal during the day and the educational benefits that flow from that.

I think that I have covered most comments —

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

**Mr O'Dowd:** Just give me one second. I think that I have covered most of the comments from Members about how we move forward.

In principle, I have no difficulty with the amendment that was tabled by the SDLP. As I said earlier in relation to the Bristol school report, we have expanded our entitlement criteria for free school meals beyond simply benefits to family tax credits etc. There has been some uncertainty in the system about the direction of travel of welfare. If I knew one way or the other what was going to happen with welfare, I would be able to make a decision on what other measures we could take and spread that criteria out to more low-income families. However, I do not think that that decision can be made ahead of a decision on welfare reform. Mr Newton.

**Mr Newton:** OK, Minister. I want to continue that theme. You said that free school meals make a difference, and you talked about the need for children to be hydrated in the classroom and to have wholesome food in free school meals. If it does make a difference and there is evidence of that, why do we talk about "free school meals"? Why do we not talk about this as an investment in our children for the future? That would be a positive response rather than a negative response.

**Mr O'Dowd:** I think that it was you who, during the debate, said that the title of the meal bars people from taking it or puts a stigma around it. You are right: this is an educational investment. We provide those meals to those children to ensure that they have a chance in education and can benefit from it, receive qualifications and go out



into life to be a valuable member of society. Perhaps we should look at the name, how we promote it, and explain better to communities and families the benefits of free school meals, and move on from there. There is validity in what you say.

I thank the school catering services that provide a wide range of nutritious meals to our schools. Our memory of schools meals is in the distant past. I assure Members that today's school meals are healthy, nutritious and delicious. I am sure that the comparison with prison food is no longer justifiable. I assure you that our school catering staff provide an excellent service to all young people. Indeed, we have worked with the Health Department on how we encourage nutritious diets and menus in schools. My Department has invested an additional £4.5 million in our schools to ensure that teaching staff, pupils and catering staff are aware of the need for a nutritious meal during the day, and we continue to work at that. That collaboration with the Health Department has been successful.

I support the motion. I believe that free school meals are educationally beneficial to the young people who require them. I believe that they are targeted at the right people. I accept that, across all communities, there are people who do not claim free schools meals, and I encourage them to do so. I will look at how we brand and promote these things, and I will also look at how we can broaden the criteria to bring more people under the safety net of the free school meal entitlement.

**Mrs D Kelly:** I thank all Members who participated in the debate. For those who were unsure about what the amendment added to the motion, the Minister covered some of that in his summing up: it widens out the catchment over and beyond people on benefits, particularly the working poor. As the Minister and others know, the means test figure of just over £16,000 is quite a low wage. As Mr Rogers said, it is very difficult for a family with three children to save £1,200 a year to spend on school meals. That is a substantial investment for any family. Therefore, the amendment seeks to include more people who would be designated as working poor.

All Members who spoke recognised the educational attainment improvements in children who had good nutritional lunches. Those are fairly indisputable facts. The question around stigma was a common theme in many Members' contributions. It would be interesting if the Minister, along with the Minister for Social Development, were to look at some stage at whether there is a way in which school meals could be applied for at the outset. For example, when people apply for benefits and submit their claims to the Social Security Agency, surely the agency could carry out a health benefits check to see whether all the benefits to which they are entitled could be settled at that stage, rather than them having to fill out individual and repeat claim forms.

The issue around school meal entitlement cannot be divorced from the eradication of poverty and the promotion of social inclusion. It strikes me that most of today's debate has focused on the symptoms of poverty and not its cause, such as the low wage environment in which many people have to operate here in Northern Ireland. Therefore, the Executive need to place a greater emphasis on cross-departmental work on the eradication of poverty and the promotion of social inclusion. For example, some Members talked about the importance of exercise, as well as a good

balanced diet. However, some of the programmes that were a legacy of the Olympics and were to be funded by the Minister of Culture, Arts and Leisure have yet to be decided. Those programmes were to have been funded last year and given out to the schools. Perhaps the Education Minister might follow that up with his counterpart in the Department of Culture, Arts and Leisure.

Some Members and, indeed, the Minister, talked about working jointly with the Health Department. That is critical.

#### 4.00 pm

I recently spoke to some school principals who told me that some of their truancy levels are quite high because when an education welfare officer visits a parent to find out what is happening, the parent is often inebriated or suffering the morning-after effects of alcohol. There is a much wider attack on the causes of poverty and poor educational attainment other than the provision of free school meals would suggest.

This debate has widened the discussion beyond the provision of free school meals. I very much welcome the Minister's recognition of the possible impact of welfare reform on the provision of free school meals. I am pleased that he gave his commitment that should that arise, he will look at the baselines for entitlement and extend those where possible.

**Mr Sheehan:** Go raibh maith agat, a LeasCheann Comhairle. It is slightly disappointing that the debate did not focus entirely on the increased uptake of free school meals. Few enough good news stories come out of this Building, and when we get one such as this, it would be good if everyone could focus on it.

Trevor Lunn said that we were having a review of the debate next week. I tend to think that it was more of a dress rehearsal. Some Members believe that using free school meals as an indicator of social and economic disadvantage is not the best tool to direct funding to schools, but neither are any of the alternatives. I predict here and now that no knockout blows will be landed next week. So, let us stick to the point: free school meals —

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

**Mr Sheehan:** Go ahead.

**Mr Storey:** I am quite happy to throw the first punch if there is going to be a contest on the issue. The issue is — we want the Member to explain because the Minister has not been able to explain it adequately — that as a result of spending that money and putting it into schools, where is the educational out-turn? That is what this is about. I accept the arguments about nutritional benefit and all those things. Where is the evidence? We have not seen one paper that gives us the evidence in Northern Ireland.

**Mr Sheehan:** It is not about schools; it is about individuals. Every individual needs proper nutrition for brain, intellectual and physical development. They need vitamins, minerals and all the types of nourishment that we are talking about. If kids are coming into school malnourished or undernourished, are you going to tell me that their educational outcomes will not be affected? That flies in the face of all the evidence.

The Member, as Chair of the Education Committee, well knows that the funding follows the child. It does not go

to the school, so schools that have more pupils from disadvantaged backgrounds will get the funding. It is straightforward.

We also need to educate children's palates, which was not mentioned in the debate. I am not a great fan of school meals. My own children do not take them. I heard Roy Beggs say that school meals were only half as nutritious as prison meals. That is definitely a good reason for everyone not to send their kids to school dinners because I have had plenty of experience of prison dinners.

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

**Mr Sheehan:** Go ahead.

**Mr Swann:** To clarify: if we check the Hansard report, I think we will see that Roy referred to the difference in costs in producing school and prison meals. He did not refer to their nutrition.

**Mr Sheehan:** I stand corrected on that, but if school meals are costing less than prison dinners, there is definitely something wrong somewhere.

I have a story about educating children's palates, and I beg the indulgence of Committee members because I told it at Committee. I have a 14-year-old son who will eat whatever is put in front of him. He will eat any vegetable, any fish — cod, haddock, squid, octopus, oysters — and if you put a big salad in front of him for his dinner, he would be happy to eat it. However, he was not always like that; he had to be educated. It was hard to get him off chicken nuggets, but he was educated and will now eat whatever is put in front of him and not complain. He will try practically any food going. In his first year in post-primary school, what was the first thing that he was taught to cook in his home economics class? A fry. So there has to be some sort of joined-up thinking about the dinners being provided in schools and what they teach kids in home economics classes. I am sure that the Minister will take that thought on board.

**Mr Storey:** As a former chef.

**Mr Sheehan:** Absolutely.

The issue is not just that kids are going into school without having had a meal or anything to eat. We also face the problem of obesity. That is an explosion waiting to happen over the next 10, 15 and 20 years. Kids are going into school eating the wrong food. They are being given money to stop at the corner shop and get a sausage roll, a bag of crisps or whatever, and that is a problem. Parents who do not send their kids to eat school dinners often give their kids lunch boxes that do not have nutritious contents. The kids get crisps, a fizzy drink or whatever, and that is a problem as well.

Obesity is a problem, so how do we tackle it? As I said, we must educate children's palates, and that can start in school. We educate them in English, maths and science, so why do we not educate them in what they should be eating and give them a chance to experience different foods? The plain fact is that if kids are not educated, they will eat the same foods as their parents. If their parents are obese, they will be obese and their children will be obese. Those issues need to be tackled.

The take-up of entitlement was raised and a number of reasons advanced for why some parents did not take up their entitlement to free school meals for their children. The

issue of pride was raised, and it might well be the case that there is a stigma attached to free school meals, and that has to be overcome. Also, we all need to be careful, as public representatives, to not, in any way, be disparaging or denigrating about people who are on benefits or low incomes. There is a responsibility on all of us in the House and those in other institutions to be careful about that.

Some parents believe that they can provide a healthier lunch-box option for their kids, and I agree that that can be the case.

The option of providing universal free school meals also came up, and I am in favour of that. It would do away with the argument about stigma. If children or their parents wanted to opt out, I am sure that that could be easily arranged. We could fund universal free school meals. I understand that it would probably cost nearly £100 million a year to provide them. Where would we get the money? We introduced a tax on plastic bags recently, so why could we not introduce a progressive tax on, for example, fizzy drinks that could be used to fund universal free school meals? There is no reason why that cannot be done.

The Finnish system is the education system that is regularly held up to us as being the best in the world. As mentioned, free school meals are provided to all children in Finland.

Free school meals are educationally beneficial to kids in school, and the scientific evidence for that is there. For that reason, and for the reason that it is a good-news story, next year there will be upwards of an extra 15,000 pupils on free school meals.

I commend the motion to the Assembly. I also support the amendment. Go raibh míle maith agat.

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

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

*Resolved:*

*That this Assembly recognises the important role of nutrition in the educational attainment of children; and, in light of increased financial pressures on working families, calls on the Minister of Education to explore ways in which to extend access to free school meals to more children.*

*Adjourned at 4.11 pm.*

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# Northern Ireland Assembly

**Tuesday 17 September 2013**

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

*Members observed two minutes' silence.*

## Assembly Business

### **Committee for Health, Social Services and Public Safety**

**Mr Speaker:** Before we move to this morning's business, I wish to make an announcement to the House. I have been notified by the Sinn Féin nominating officer that Ms Sue Ramsey has been replaced as Chairperson of the Committee for Health, Social Services and Public Safety by Ms Maeve McLaughlin, with effect from 16 September 2013. Ms McLaughlin has accepted the nomination. I am content that the requirements of Standing Orders have been met, and I therefore confirm that Ms Maeve McLaughlin took up office as Chairperson of the Committee for Health, Social Services and Public Safety with effect from yesterday.

## Ministerial Statements

### **North/South Ministerial Council: Plenary Meeting**

**Mr M McGuinness (The deputy First Minister):** Go raibh maith agat, a Cheann Comhairle. Mr Speaker, in compliance with section 52C(2) of the Northern Ireland Act 1998, we wish to make a statement on the sixteenth meeting of the North/South Ministerial Council (NSMC) in plenary format, which was held in Dublin on Friday 5 July 2013, immediately before the Assembly went into recess. The Executive Ministers who attended the meeting have agreed that we may make this report on their behalf.

Our delegation was led by the First Minister, Peter Robinson MLA, and myself. The following Executive Ministers were also in attendance: Minister Attwood, Minister Farry, Minister Kennedy, Minister Ní Chuilín, Minister O'Dowd, Minister O'Neill, Minister Poots, junior Minister Bell and junior Minister McCann.

The Irish Government delegation was led by the Taoiseach, Enda Kenny TD. The following Irish Government Ministers were also in attendance: Tánaiste and Minister for Foreign Affairs and Trade Eamon Gilmore, Minister Noonan, Minister Howlin, Minister Bruton, Minister Burton, Minister Deenihan, Minister Rabbitte, Minister Coveney and Minister Fitzgerald.

At our meeting, the Council discussed a broad range of issues facing both jurisdictions. The July meeting came just a few weeks after the very successful G8 summit in Fermanagh. Ministers welcomed the positive impact that the summit made and recognised the need to build on its success. In that context, we looked ahead to the World Police and Fire Games in August, which turned out to be another hugely successful event for us, and to the continuing efforts to promote tourism through the City of Culture and "The Gathering".

The plenary session also provided a valuable opportunity to exchange views on the fiscal challenges that we face. In particular, Ministers discussed the challenges facing the local banking sector and recognised the need to cooperate on bank restructuring and the National Asset Management Agency (NAMA).

The opportunities through cooperation of attracting trade and investment from developing markets for both jurisdictions were also discussed. On the back of our successful trips to China and Brazil, we took the opportunity to acknowledge the role of the Irish embassy network in supporting the Executive during those trade visits.

There was a discussion on the new 'Building a Prosperous and United Community' economic package, and it was agreed that both jurisdictions will cooperate on that. The Council welcomed our Together: Building a United Community strategy, which will complement the new Peace programme.

Ministers also discussed the negative impact of illegal fuel on the transport industry, revenue to the exchequers and the environment.

The position on Narrow Water bridge was also discussed by Ministers.

On EU matters, Ministers noted that Ireland's presidency of the EU had been a great success and that there had been good cooperation between both jurisdictions during the presidency term. The participation of Executive Ministers at presidency-related events and the updates on the presidency, provided at NSMC meetings and by the then Minister of State Creighton to Executive Ministers and MLAs, were welcomed. The Irish Government thanked the Executive for the provision of premises and staff by our office in Brussels and for the provision of seconded staff from the Civil Service.

Ministers noted the implications of the European Council agreement on the multi-annual financial framework, common agriculture policy reform and common fisheries policies, and the impact of transnational EU programmes such as INTERREG and framework programme 7 (FP7), which will become Horizon 2020. They acknowledged the importance of North/South cooperation in accessing EU funds.

The multi-annual financial framework, which has now been agreed by the European Parliament, includes provision for funding of €150 million towards a new Peace programme as part of the new EU budget. Ministers also noted that the size of the programme, including match-funding requirements, will depend on the outcome of programme planning. The draft operational programme plans are being prepared by the Special EU Programmes Body (SEUPB), and finalisation of those will be dependent on agreement on the EU budget and regulations.

Youth unemployment is an issue that impacts on both jurisdictions, and there was a valuable discussion on the actions being taken to tackle it. Ministers noted that the issue is recognised as being of importance across Europe and that various EU-wide initiatives are being implemented to help address youth unemployment levels. Ministers considered the opportunities for collaboration to address this important issue, including through the European Union's new Youth Guarantee and to work with relevant stakeholders to maximise the impact of the Youth Guarantee.

The plenary session provides an opportunity for Ministers to consider the progress report prepared by the NSMC joint secretaries on the work of the North/South bodies and in the other NSMC areas for cooperation.

The following key developments were highlighted in the joint secretaries report. The business planning case for the establishment of a radiotherapy unit at Altnagelvin hospital is further advanced, and officials are working together to ensure the effective delivery of the project.

A very successful all-island child protection conference was held in May 2013, attended by over 250 delegates.

The conference facilitated practitioners, managers, policymakers and legislators from both jurisdictions to share practice knowledge, research, experience and learning on safeguarding and child protection practice.

The two Agriculture Departments continue to cooperate closely in dealing with the ash dieback outbreak.

Ministers affirmed the intention of the Education Departments to work to broaden and deepen their cooperation on education matters and that the stated intentions of part 2 of the joint study on North/South cooperation in education can be achieved as a result of the proposed high-level engagement at official level.

Charging for carrier bags is now in place across the island of Ireland following our recent introduction of the carrier bag levy in April. Progress continues on the mutual recognition of penalty points with the commitment to have the necessary primary and secondary legislation in place by 31 December 2014.

InterTradelreland hosted a very successful Collaborate to Innovate conference on 23 May in the Croke Park conference centre, which was attended by over 220 delegates. The focus of the conference was on the upcoming expected €70 billion R&D and innovation fund Horizon 2020, which will come on stream in 2014.

At March 2013, in the Peace III programme, 214 projects worth €314 million, which is £283 million, had received letters of offer, and, in the INTERREG IVa programme, 78 projects worth €223 million, which is £194 million, had received letters of offer.

The range of consumer and scientific activities undertaken by the Food Safety Promotion Board includes its work on developing an indicator for measuring food poverty and involvement with the Department of the Environment and the Environmental Protection Agency in a joint campaign focusing on customers' understanding of best-before and use-by dates.

The Loughs Agency is involved in prominent engagement with the City of Culture, especially in the important promotional opportunity afforded by the partnership with Tate Britain and the Turner Prize. The two agencies of the Language Body continue to collaborate on governance and promotion issues, including the establishment of a committee to oversee the joint work programme, the current consultation process on the joint equality scheme and funding for 'The Honest Sod', which is a play in Ulster-Scots and Irish that has toured 88 schools and has been seen by over 3,000 pupils.

With regard to the Ulster canal, formal planning applications have been granted by Cavan County Council and Clones Town Council. Fermanagh District Council agreed the recommendation for approval and referred it to the Department of the Environment's Planning Service, which has also approved the application. The joint secretaries report also highlighted that a new suite of websites was rolled out by Tourism Ireland designed to capitalise on the growing importance of the internet in travel and holiday planning and to harness the growth in social media.

Ministers noted that the terms of reference 1 for the St Andrews Agreement review is now largely complete, that senior officials have met and initiated a work programme to take forward terms of reference 2 and 3, and that they will



conclude their work and present a report with proposals to the next NSMC institutional meeting in the autumn.

Ministers also welcomed the progress that has been made through the north-west gateway initiative on a range of initiatives, which have been delivered and planned, that aim to deliver economic and social benefits in the north-west. They noted that the consultation has commenced with key stakeholders in the north-west on the future development of the north-west gateway initiative and that a report on the outcome of that exercise will be brought to a future NSMC institutional meeting. Ministers noted the current position on a North/South consultative forum and agreed to review the issue at a future NSMC plenary. The Council approved a schedule of NSMC meetings proposed by the joint secretariat.

**Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister):** I thank the deputy First Minister for his statement.

Yesterday, the Agriculture Minister reported on an NSMC meeting in agriculture format, and the DUP's Mr Buchanan summarised it by saying that the statement notes this and welcomes that but tells us absolutely nothing. Given that the Minister's statement also does a lot of noting and welcoming, is Mr Buchanan right in his criticism?

**Mr M McGuinness:** I do not think that it is my responsibility, when reporting on a meeting of the North/South Ministerial Council, to comment on other meetings. The Member may have his own view on the content of reports that are given to this Assembly by other Ministers, but it is certainly not my responsibility to make any comment on that.

**Mr Moutray:** I thank the deputy First Minister for the statement. What further steps can be taken to achieve value for money for Northern Ireland from meetings such as this?

10.45 am

**Mr M McGuinness:** The first thing that people need to remember is that meetings such as the one that the First Minister, other Ministers and I attended with our counterparts from Dublin would not be happening if they were not of value to the institutions, North and South. It is quite clear that the levels of cooperation across a wide range of ministerial responsibilities are of huge benefit to the institutions. All that happens without compromising anybody's political allegiances; as the Member said, it is about value for money. There are clear examples of how that has been the case, not least with the work of InterTradelreland, and cooperation on child protection, which, as we all know, has been in the news recently. That is an issue of great concern, and there are circumstances in which people can skip across borders to evade detection and prosecution. It is hugely important that the institutions of government are working closely together.

From a political perspective, the fact that the political institutions, North and South, are working closely together is beneficial for the work in which the customs services and police services, North and South, are involved in detecting people who are engaged in illegal fuel laundering, much of which is seriously detrimental to our environment and our economy and clearly involves criminal activity.

Ever-increasing good work is being done by the police services, North and South, to ensure that those opposed to peace on this island can be neutralised and prevented from carrying out their nefarious deeds.

**Ms McGahan:** Go raibh maith agat. I thank the Minister for his statement. I welcome the development and progress of the all-Ireland child protection conference. However, given recent developments in the news about the serious exploitation of young people in care homes in the North of Ireland, does the joint First Minister agree that this issue needs to be addressed on an all-Ireland basis and to be at the forefront of the North/South Ministerial Council agenda?

**Mr Speaker:** Order. Before the deputy First Minister answers, let us address Ministers and Members by their proper title. I will continue to warn the whole House about this, even when it comes to the naming of Members in the House. Let us address Ministers in the proper manner.

**Mr M McGuinness:** Child protection is hugely important, as we all know, particularly anybody who has been listening to the horrific reports that we have been hearing over the past 24 hours. I am conscious of the fact that there is an ongoing police investigation into the activities of suspected child abusers. It is hugely important that we, in our meetings on a North/South basis, are involved in ensuring that we are up to speed in providing the required child protection safeguards and mechanisms. The fact that we discuss the issue at the NSMC and that there was an all-island child protection conference, which was held in Dundalk, shows that it is an important area of work. It is absolutely vital that we cooperate in this area, so the North/South Ministerial Council will continue to monitor closely the agreed work programme with a cross-border steering group on child protection.

As I said in my earlier answer, it is incumbent on all of us to recognise that child abusers, although they may carry out abuse in any of the six counties in the North, can quite easily on occasions skip across the border and live in any of the other 26 counties. It is important that we work together, not only on a North/South basis but on an east-west basis, because it has long been recognised that we are dealing with a global problem. It is important that we continue to work and to closely support one another as Ministers and support the people who are at the sharp end in dealing with the matter: the police services, North and South. It is vital that we protect our children, and I think that all of us accept that it makes sense to do so on an all-island basis.

**Mr Eastwood:** I thank the deputy First Minister for his statement and for his answers so far. I know that he will join me in saying that the City of Culture has been a fantastic year for our city. It has been tremendous, and the impact for the people of Derry has been fantastic. What work will the Executive do to develop and ensure a positive legacy for the people of our city, especially given the quite worrying recent unemployment figures in Derry?

**Mr M McGuinness:** I thank the Member for raising the City of Culture issue. It came up during the meeting, and we told the Irish Government that the City of Culture celebrations were well under way and that many excellent events had already been hosted.

Since the plenary meeting, there have been numerous other successful events, but I want specifically to highlight

the success of the Fleadh Cheoil na hÉireann in August, which was held for the first time in its history in the North. Over eight days, thousands of musicians and visitors packed the streets through playing traditional music. They took over the city with street sessions, fun days, pageants, marching bands, competitions, ceilidh bands, concerts and singing. An assessment of the economic impact of the Fleadh is being undertaken, and it is worth noting that an economic impact assessment of the Cavan Fleadh in 2010 concluded that it generated more than £30 million in direct expenditure in the local economy.

It was a great joy that we attended The Poet and the Piper event in the Millennium Forum with Seamus Heaney and Liam Óg Ó Floinn. Some of us spoke to Seamus after the event, and he was absolutely overjoyed that the city had been designated City of Culture. He was also delighted to have participated in Fleadh Cheoil na hÉireann. Hearing, two weeks later, that he had passed away brought enormous sadness to all of us. The island of Ireland was effectively in mourning for Ireland's greatest poet. It is important that we recognise his contribution as a Nobel laureate in literature, someone who made an enormous contribution to all of our lives and a very strong supporter of the peace process. He was very much in favour of unionist and nationalist and republican politicians working together. He once used a great phrase that has always stuck in my mind: working "through-otherness". It is important to recognise his important contribution to Irish life.

I was also delighted that at least four loyalist bands participated in Fleadh Cheoil na hÉireann. At one stage, at one of their contributions, they played 'The Sash' — against advice — and nobody blinked an eyelid. It was a fantastic event and a clear example of how all of us need to work together. I was very pleased to attend a play in honour of a loyalist band. It was not a pipe band, it was a tin whistle band. No, it was a flute band from Newbuildings. Some members of the band participated in the play, and it was an enormous success. It was also an eye-opener for me into a culture that I do not have a lot of knowledge about.

The legacy issue is hugely important. The Minister of Culture, Arts and Leisure has a responsibility to take that forward, and I know that work is in progress. It would be a disaster if we ended up on 31 December, when the City of Culture comes to an end, with nothing in place to take forward a programme of culture in the period ahead. I know that the Minister is exercised about that and is very much involved with the local council and other organisations in the city to ensure that there is a legacy. However, this year has been a fabulous success, and those who deserve the most praise are the people of the city who made their own unique contribution. I include everybody in that, those from the east bank and the west bank.

**Mr Lyttle:** I thank the deputy First Minister for his statement. We are advised that the meeting of the North/South Ministerial Council welcomed the publication of the Office of the First Minister and deputy First Minister (OFMDFM) community relations strategy, Together: Building a United Community. What is the deputy First Minister's response to Richard Haass's comments that, despite the strategy, the upcoming talks should consider the issue of segregation in our society, particularly in education and housing?

**Mr M McGuinness:** The First Minister and I had the opportunity to have a very lengthy meeting with Richard

Haass in New York last week. I am delighted that he has now arrived and that many of us will meet him over the coming days.

The important thing is that Richard Haass is an independent chair who was agreed by all the parties in the Assembly. That is of huge significance, because he comes at all this with a tremendous experience and knowledge of the situation here that was gained when he was the United States envoy to our situation. Obviously, they are crucially important talks. The issues that are to be resolved in relation to flags, parades and the past are critical elements on which we have failed to gain agreement over the course of recent times. We have seen how that has played out, particularly in relation to the issue of flags and parades, to our detriment in the course of recent times. I wish Richard Haass every success, and I pledge my party's — and I have no doubt that others will pledge their party's — full intention to work closely with him to find solutions to those difficult issues.

The discussions around integrated education and segregated housing estates have been mentioned by Richard Haass. We will see how those discussions are taken forward. Certainly, in our Together: Building a United Community, there is a very determined intention by the First Minister and me to tackle those issues. If we were, as, I expect, we will do in the course of the coming months and years, to make progress on those issues, we would be well on our way to making huge inroads into removing the unacceptable levels of segregation that exist in our society.

**Mr G Robinson:** I thank the deputy First Minister for his statement. Will he elaborate on the north-west gateway initiative? Will any economic and social benefits apply to towns such as Limavady, where so many jobs have been lost over a period of time?

**Mr M McGuinness:** Obviously, the north-west gateway initiative is hugely important. As I said earlier in my statement, it is quite clear that it is being taken forward in relation to some hugely important matters, not least the construction of the new radiotherapy unit at Altnagelvin Area Hospital.

Limavady and other areas in the north-west, including the city of Derry, are black spots, and Coleraine has also been affected. Those are all issues that are of huge concern to our Executive. The decision of the Agriculture Minister to relocate the headquarters of the Department of Agriculture to Ballykelly is a very clear signal of the Executive's intention to try to target some of the unemployment black spots that exist in the north-west. We will continue to take that work forward in a way that delivers for citizens. However, it is incumbent on me to point out that, whenever large companies take decisions, such as some of the decisions that were taken in Limavady, that create unemployment for many people, it can be very dispiriting for any community or area.

The north-west gateway initiative, the radiotherapy unit, the City of Culture, Project Kelvin, cooperation on out-of-hours medical centres, and a consultation exercise currently under way with key stakeholders about the future direction of the initiative is all to try to improve the lives of the people who live in the north-west on both sides of the border, obviously with a key focus on the unemployment black spots that the Member has just mentioned.

**Ms Fearon:** Go raibh maith agat, a Cheann Comhairle. I, too, thank the deputy First Minister for his statement. How does his Office intend to deliver on the new European youth guarantee, given that it has had some success in other European countries already in tackling youth unemployment?

**Mr M McGuinness:** That was a major topic at not just the North/South Ministerial Council but the British-Irish Council (BIC), which the First Minister and I attend regularly. At this meeting, we had a very useful discussion with the Irish Government. Youth unemployment, Europe wide, is a very serious issue. The economic situation over the past number of years has made it really difficult for our young people to enter the labour market.

We understand that youth unemployment in both jurisdictions and right across Europe is at unacceptable levels, and the European Union has effectively now set aside €8 billion in the European budget to tackle the issue. We discussed whether there was potential for us to work together on this. The Irish Government told us that the Organisation for Economic Co-operation and Development would be working with them to develop an action plan to increase youth employment, and they have also invited our Minister Farry to be involved in this, which is a very welcome development. Further discussions are continuing on the issue, and we agreed that we will consider the topic again at the next plenary meeting. So, there is a huge emphasis, both at the NSMC and at the BIC, with a particular focus on the €8 billion that Europe has set aside to tackle this issue.

11.00 am

**Mrs Hale:** I thank the deputy First Minister for his statement. Given the agreement on the business case for the radiotherapy unit at Altnagelvin hospital, can the deputy First Minister give any further insight into any advancement on the delivery of the project?

**Mr M McGuinness:** At the meeting, we noted the position regarding the construction of the new radiotherapy centre. The business planning process is well advanced, with a stage 2 outline business case having been approved in August 2012. A full business case is being developed by the Western Trust and is expected to be submitted to the Department of Health, Social Services and Public Safety (DHSSPS) this month before being referred to the Department of Finance and Personnel (DFP) for approval. The total approved funding for the project is around £65 million, including a capital contribution from the Irish Government's Department of Health of €19 million. Enabling work on the site commenced in June 2012. The design team for the new building started work in January 2012, and the completion and operational date for the unit remains 2016. Officials from both jurisdictions are continuing to work together to ensure that the project remains on target for completion. A draft memorandum of understanding has been agreed and will be signed by all parties shortly. Work has started on developing a service level agreement, so things are now progressing very well indeed.

**Mr Flanagan:** Go raibh maith agat, a Cheann Comhairle. Gabhaim buíochas leis an Aire as ucht a ráitis. In the Minister's statement, he said that one of the attendees at the meeting was the Tánaiste and Minister for Foreign Affairs and Trade, Eamon Gilmore TD. Shortly after the NSMC meeting, he departed on a two-day visit to

Washington to lobby on behalf of the undocumented Irish in America, which is a huge issue for very many people in my constituency and in other areas. Does the deputy First Minister agree that the undocumented Irish in America is an important issue that should be raised at a future meeting of the NSMC or at any other suitable forum?

**Mr M McGuinness:** I absolutely do agree that it is a critical issue, given that there are countless examples of a lot of human misery that has been caused because of the inability of people who are regarded as undocumented to travel home for things such as funerals, weddings and baptisms. This House will be aware that this is the subject of major discussion at Capitol Hill. In fact, decisions have been taken by Congress, and the very positive decisions that it has taken on doing something about this now rest with the Senate. We know that President Obama is very proactive and that many senior Republican Senators are also very supportive of doing something about this. So, yes, it is a hugely important issue. When the First Minister and I were in the United States, I was told of a man who has been there for something like 18 years. He is employing 100 people but is one of the undocumented Irish in the United States. This is somebody who making a massive contribution towards the US economy.

We will continue to be focused on the issue, and we wish the Senate well in its deliberations. We do not know how it will turn out, but there is now a big focus on it. It is not only on the plight of people who come from this island. Obviously, the discussions that are taking place on Capitol Hill are much more holistic and much more global, dealing with many other ethnic groups. However, I think that, given the relationship between this island, North and South, and the United States of America, it is incumbent on all of us to ensure that people, whatever community they come from, North and South, can be assisted through what is turning out to be a very difficult situation for them, particularly with the inability to come home at critical times in their family lives.

**Mr Speaker:** I warn Members that questions should be on the statement before the House this morning, just in case other Members might feel that they want to stray into other avenues.

**Mr McGlone:** Go raibh maith agat, a Cheann Comhairle. Fanfaidh mé leis an ráiteas. I think I will stick with the statement. During the meeting, both parties or both sides:

*"acknowledged the importance of North/South cooperation in accessing EU funds."*

That is particularly important for research, innovation and development, for our businesses and for many of our stakeholders. Will the deputy First Minister provide us with information as to what is actually being done to deliver support and information downwards to the wider community, particularly to our small and medium-sized enterprises (SME) sector? Frankly, it is not happening at the moment in the way it should.

**Mr M McGuinness:** I think the Member will be conscious of the fact that, for example, the First Minister and I, on one of our previous visits to Europe, met EU Commissioner Máire Geoghegan-Quinn. On foot of that conversation, Máire Geoghegan-Quinn came to Belfast and hosted a very important meeting, to which SMEs were invited. She clearly outlined her intention to try to simplify the process,

which would allow SMEs to access European funds. As a result of that, I think there has been a 20% increase in the ability to access funds from Europe.

Obviously, the Member is right that more can be done, and I think that the process of continuing education for SMEs in relation to how they go about that is absolutely essential. That work is continuing, and in all of our discussions when we go to Brussels — we are not the only Ministers who go to Brussels — we are all very engaged. On almost every visit we have had to Brussels we have had the opportunity to meet Máire Geoghegan-Quinn. If the Member thinks that more can be done or has any ideas about how we can increase the level of drawdown from Europe, I would be very glad to meet him and have a discussion about that.

**Mr Cree:** I also thank the deputy First Minister for his statement. He referred to the negative impact of illegal fuel on the transport industry. Will he expand on that and advise the House on whether there are any new initiatives planned to bring people guilty of that criminal activity to justice?

**Mr M McGuinness:** I think that we have seen, in recent months, a determined effort being made by the police services and the customs services, North and South, to target those criminals who are involved in illegal fuel laundering, particularly in border areas. I support that 100%. I think it is hugely important that that very damaging practice is brought to an end, not least because of the very destructive environmental difficulties that it presents for local communities, for animals and for society as a whole. So, I think that the evidence of an increased effort being made is now clearly there and that all of us should support that.

**Mr Spratt:** I thank the deputy First Minister for his statement. I note that the Minister referred to the Ulster canal and the planning applications with Cavan County Council, Clones Town Council and Fermanagh District Council. Was there any discussion in relation to the entire scheme and the considerable good work that has been done by Belfast City Council, Castlereagh Borough Council and Lisburn City Council in relation to that project, which could be a very exciting tourism opportunity for Northern Ireland?

**Mr M McGuinness:** I absolutely agree with the Member. It is a vital project, not least for our tourism. All you have to do is look at the amount of tourism traffic from places such as Carrick-on-Shannon to Limerick to understand the importance of canals to the local community.

At the meeting, we noted that work continues to progress on the restoration of the Ulster canal, and all the necessary planning permissions to restore the section of the canal to Lough Erne have been received. This inland waterway is a vital part in the jigsaw of the long-term restoration of the all-Ireland inland waterway network as a sustainable leisure asset. It is envisaged that the development of the canal will help to stimulate regeneration and assist in tackling poverty and social exclusion, particularly in isolated rural communities, with opportunities for employment and community engagement around water-based leisure and tourist activities. An interagency group has been established to explore possible funding options to advance the project. The fact that Lisburn and Belfast councils have taken an interest is a clear indicator that people increasingly accept the enormous value that a fully developed canal scheme would provide to local

communities, for all the reasons that I outlined. I absolutely agree with the Member.

**Mr Byrne:** I welcome the deputy First Minister's statement. Paragraphs 17 and 18 are timely. I welcome the fact that terms of reference 2 and 3 of the St Andrews Agreement are to be examined in the review of the North/South bodies.

With the north-west gateway initiative, does the deputy First Minister support the move to try to have a cross-border development at Lifford Bridge, called the riverine project, within the overall three rivers project?

**Mr M McGuinness:** I am aware that that issue has been the subject of much recent discussion. Indeed, some of my colleagues, not least Pat Doherty, the MP for the area, have been proactive. Obviously, there is SEUPB involvement in the scheme. Given that other matters are under examination, there is an expectation in the Strabane area that if such projects experience difficulties and do not come to fruition, the SEUPB would look favourably at the riverine project. It is undoubtedly an important project for the Donegal/Tyrone area. We await the outcome of other deliberations to find out whether this project can be pursued in the immediate future.

**Mr I McCrea:** The deputy First Minister referred to progress being made on the mutual recognition of penalty points and that it was hoped that the necessary primary and secondary legislation would be in place by December 2014. Will the deputy First Minister assure the House that that is a realistic target, that there will be no slippage and that if there is any possibility of the date being brought forward, that will happen?

**Mr M McGuinness:** The target would not be in the statement if we did not think that it was realistic. It is important that we recognise that we need consistency in how we deal with those issues. Progress continues to be made on the mutual recognition of penalty points across the island. There is no doubt that that will contribute significantly to making our roads much safer. It will complement and strengthen the benefits already achieved through the introduction of the mutual recognition of driving disqualifications in 2010. I agree with the Member that it is important to keep to the timeline, and I fully expect that that will be the case.

**Mr Rogers:** Thanks to the deputy First Minister for his statement and his answers so far. I draw his attention to the discussion on the Narrow Water bridge. There was quite a bit of discussion at Question Time yesterday, when the Finance Minister said that he was committed to giving £12 million and no more to the project. Will the deputy First Minister detail what he and the Executive are doing to ensure that that important economic project becomes a reality?

**Mr M McGuinness:** At the meeting, we discussed the current situation of the Narrow Water bridge project. Unfortunately, since that meeting, it transpired that the project promoters, Louth County Council and the East Border Region, were unable to proceed with the project because of increased costs following formal tendering for the project. However, the East Border Region subsequently accepted the INTERREG IVa funding offer of €15 million on 20 August 2013. The project partners are working to secure the shortfall and have identified a number of potential funding streams. SEUPB is working closely with the project to ensure that firm proposals are



brought forward for scrutiny as soon as possible. Just recently, when I met the Taoiseach in County Down at the funeral of Mary McAleese's father, I raised the issue with him. As a result of that conversation, I am encouraged that we might hear something positive from him about the matter in the not-too-distant future.

**11.15 am**

I am huge fan of bridge-building, not just in the political sense but in the context of how new structures can enhance the lives of people in different communities. All we have to do is look at the huge success of the Peace Bridge in my city. In just over two years, something like two million people have walked across it. So I have no doubt that the construction of this bridge would have a very positive effect on people in the communities that will benefit from it. I am hopeful that there will be a future resolution to the project. This morning, I read in the Hansard report what the Finance Minister said here yesterday, and I think that he, too, is looking to see what contribution will be made, not just by the Irish Government but by other interested parties.

**Mr Dallat:** There was particular reference to unemployment among our young people. What cross-border initiatives are in place to tackle this serious problem that afflicts both North and South?

**Mr M McGuinness:** In my answers earlier, I clearly indicated that a huge effort was being made to take advantage of whatever schemes can be put in place to deal with the issue. We look not least to funding that may come from Europe. Both North and South, we are proactively engaged in trying to ensure that some of that money comes in our direction. The fact that our Minister Farry has been invited by the Irish Government to participate in some of those discussions allows us and him, as the Minister responsible, to focus on what is a very serious problem in our community. So I expect positive initiatives to flow from that, and I think that we need to give them a little time, given that the European budget was only recently cleared.

**Mr Allister:** I note, in the joint secretaries' progress report to the plenary, the reference to 214 projects under Peace III having received letters of offer. One such letter of offer related to the now abandoned Peace project at the Maze. Following the First Minister's welcome U-turn on that divisive proposal, what ideas does the Department have about where that £18 million might now be usefully spent?

**Mr M McGuinness:** This issue has been the subject of considerable media and political interest in recent times. It is obvious that the question is being asked not just in the context of gaining information on whether that funding will be used and for what subject but in the context of trying to create more division. I am not prepared to play that game. We have to recognise that there is a serious problem and that the construction of the peace-building and conflict resolution centre was a commitment in the Programme for Government, and I will just leave it at that.

**Mr McNarry:** I am still smiling at the deputy First Minister's reference to "tin whistle bands". I suppose what you do not know will not do you any harm. I will just leave it at that and ask my question.

The deputy First Minister referred to 250 people sharing knowledge on child protection. In light of the news that has hit and shocked the population of Northern Ireland, I ask

him this: was the PSNI investigation, which was going on at the time of that conference, discussed at the meeting? Was the PSNI investigation itself made part of the shared knowledge that he refers to?

**Mr M McGuinness:** I was not at the meeting, so I do not know. The information in relation to the PSNI investigation —

**Mr McNarry:** Did you not ask?

**Mr M McGuinness:** You asked about the PSNI investigation, and I am just about to address that.

It is an ongoing investigation. I heard a member of the PSNI give a very extensive interview on Stephen Nolan's radio programme this morning in relation to their handling of what is a very complex and difficult matter to deal with. I have not doubt whatsoever that they, in conjunction with the Department of Justice and the Department of Health, are very exercised about what you quite rightly identify as the shocking news that has reached us in recent days about the levels of child abuse and, specifically, the characters who are suspected of being involved.

What we need to do at this stage is use all our comments to encourage families and those people with information and knowledge to give that information to the Police Service so that those responsible can be brought before the courts. That has to be the big effort at this time. It is not about trying to undermine the PSNI or in any way question the approach that they have adopted to what is a very difficult matter given the complexities that surround such a scenario and the differences that might exist in the different cases that they are dealing with. That has to be the approach. All of us have to appeal to the community that if people have information, that information should be forwarded to the PSNI as a matter of urgency so that the people responsible for these heinous acts can be brought before the courts.

## North/South Ministerial Council: Inland Waterways

**Ms Ní Chuilín (The Minister of Culture, Arts and Leisure):** Go raibh maith agat, a Cheann Comhairle. With your permission, Mr Speaker, I wish to make a statement, in compliance with section 52 of the NI Act 1998, regarding the North/South Ministerial Council inland waterways meeting, which was held in Armagh on 19 June 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 Jimmy Deenihan TD, Minister for Arts Heritage and the Gaeltacht, and Dinny McGinley TD, Minister of State with responsibility for Gaeltacht affairs. This statement has been agreed with junior Minister Bell, and I make it on behalf of us both.

The Council received a progress report from Mr John Martin, chief executive of Waterways Ireland, on the work of Waterways Ireland, which includes the following significant achievements: the provision of 368 metres of additional moorings; the assessment of applications for the 2013 sponsorship programme, with the successful applicants informed and the programme commenced; the keeping open of 99.8% of waterways during the month of April; and the publication of 'A Taste of the Waterways 2013' and 'What's On 2013'.

A presentation on Waterways Ireland's new website was made by Mr Éanna Rowe, head of marketing and communications. The presentation highlighted the benefits of the newly developed website, the first in Ireland to be hosted on a SharePoint platform, and how it can be used to promote the waterways as a major tourist attraction in its own right and as a valuable recreational and educational resource. The website enables users, individuals and businesses to do business online with the introduction of online forms and payments for services.

The Council approved the Waterways Ireland business plan for 2012 and recommended the budget provision of €31.15 million. It also noted progress on the development of the 2013 business plan and budget. Following approval by sponsor Departments and Finance Ministers, the plan will be brought forward for approval at a future NSMC meeting. The Council noted that the Waterways Ireland annual report and draft accounts for 2012 have been submitted to the Comptrollers and Auditors General and, following certification, they will be laid before the Assembly and both Houses of the Oireachtas.

The Council received a progress report on the restoration work for the Upper Lough Erne to Clones section of the Ulster canal. It was noted that Cavan County Council, Clones Town Council and Monaghan County Council have granted planning permission, and Fermanagh District Council has agreed the recommendation for approval. The project has now been approved by the Department of the Environment's Planning Service. Ministers noted that the interagency group on the Ulster canal, set up to explore funding options for advancing the Ulster canal project, held its second meeting on 16 May 2013, and sponsor Departments agreed to examine the potential social benefits and leveraged funding opportunities in that context.

The Council noted the assessment of options presented by sponsor Departments for a board for Waterways

Ireland and the conclusions that the existing governance arrangements should be strengthened and that there is no requirement for the appointment of a board at this time. Ministers noted that sponsor Departments will bring forward an update on governance arrangements to a future NSMC meeting.

The Council consented to a number of property disposals, all of which were in the South of Ireland.

Ministers thanked John Martin for deferring his retirement to assist with the recruitment of his replacement and wished him well for the future. Ministers appointed Dawn Livingstone as chief executive of Waterways Ireland with effect from 29 July 2013.

The Council agreed to meet again in inland waterways sectoral format on 20 November 2013.

**Miss M McIlveen (The Chairperson of the Committee for Culture, Arts and Leisure):** Can the Minister detail any discussions that she has had with the tourism Minister about the tourist potential of our waterways? Can she be more specific about the areas where the governance of Waterways Ireland needs to be strengthened? Why was it felt, at this stage, that there was no requirement for the appointment of a board?

**Ms Ní Chuilín:** I will try to answer the Member's three questions. I have had no discussions with the Minister of Enterprise, Trade and Investment, although I plan to. They will be brought forward after the next interagency meeting on the Ulster canal, because that is about tourism. I believe that the report that Éanna Rowe delivered to Waterways Ireland will be shared with other Departments.

There is no board at this time because Waterways Ireland was one of the bodies that did not need legislation to set up a board. However, I think it incumbent on all Ministers, particularly in the absence of a board, to look at governance arrangements, and where they can be improved, they should be. That does not indicate that there is any particular problem. Given the fact that we have to make reports to both Houses, we need to assure Members and, indeed, the public that we do this as a matter of course. It is not like a desktop exercise but a real one with constant updates, and I think it is to be welcomed.

**Mr Ó hOisín:** Go raibh maith agat, a Cheann Comhairle. Gabhaim buíochas leis an Aire as ucht a ráitis ar maidin. What is the position with the business plan and budgets for 2013? Will they go beyond the efficiency targets that were set out in previous agreements?

**Ms Ní Chuilín:** The business plans are progressing well. I think that I have picked the Member up right. The concern has been expressed, particularly about waterways and languages, which we come to next, that, because of the financial situation, the Dublin Government have pressed for additional efficiency savings that have been agreed beyond that. I assure the Member that I am aware of the situation with my Irish counterparts. I have consistently said, and will continue to do so, that I am totally reluctant to go beyond what we agreed initially on funding for inland waterways and, indeed, the Irish language and Ulster Scots, and that remains the case.

**11.30 am**

**Mrs McKevitt:** I acknowledge the fact that a lot of work has been done to help promote the waterways, with the

publication of 'What's On 2013' and the newly developed Waterways Ireland website. What plans does the Minister's Department have to help promote and use that?

**Ms Ní Chuilín:** I assume, but I think it might be obvious, that the Committee for Culture, Arts and Leisure and the Committee for Enterprise, Trade and Investment would certainly get some value out of the presentation that we received from Mr Éanna Rowe. Apart from the fact that it is a first ever on this island, it reaches out to people, particularly small microbusinesses around the waterways, who very clearly feel that, in the past, they have not had opportunities to capitalise on tourism potential around waterways. We are looking particularly at how we, within Waterways Ireland, can bring that valuable tool forward and, more than that, try to share it with county councils and councils along the waterways, because if people do not know it is there and do not know how to access it and maximise the potential, it is a wasted opportunity. If the Committee does not have a copy of the report, I am happy to furnish it with a copy, and if the Committee wishes to have Éanna make a presentation, I am sure that the Committee will arrange that.

**Ms Lo:** I am very pleased to hear that the various local councils have given planning permission for the restoration work for the Upper Lough Erne to Clones section of the Ulster canal. Will the Minister outline what is mentioned in the progress report? What progress has been made so far?

**Ms Ní Chuilín:** The progress report was primarily around the planning applications and outstanding concerns that the Environment Agency had about some of the wildlife and flora and fauna, particularly around Upper Lough Erne and Clones. Thankfully, they have been settled, and that is progress. As well as that, the interagency group, which has been set up to look at how funding for the Ulster canal can be maximised and developed, received a report on that. There has been a realisation that although the Irish Government made a commitment to fund the capital works, they are not in a position to fund it all at once, so we are starting to look at ways in which we could do it in stages. However, that is in the very, very early stages.

I think that progress in looking to see what options there are and taking a can-do attitude is progress worth noting. I am sure that the Member and other Members will be looking forward to future statements to see how the progress has been delivered and what it looks like.

**Mr Irwin:** The chief executive, Mr John Martin, reported on significant achievements. One of those achievements was that 99.8% of waterways remained open during the month of April. Has the Minister any figures to compare that with other months of the year?

**Ms Ní Chuilín:** I do not have them offhand, but I can certainly give them to the Member. If he looks back over previous statements that were made to the House, he will see that the percentages are very, very high. The waterways have been kept open. As far as I remember, the percentages are well in the nineties, but I am happy to get the Member precise figures.

**Ms McCorley:** Go raibh maith agat, a Cheann Comhairle. Gabhaim buíochas leis an Aire as a ráiteas ar maidin agus as a freagraí go dtí seo. I thank the Minister for her statement this morning and for her answers up to now. Can the Minister outline the events sponsored by Waterways

Ireland in 2013 and what benefits, if any, they may have for the local economy?

**Ms Ní Chuilín:** I thank the Member for her question. Waterways Ireland, with other bodies and agencies, has provided sponsorship for 105 events. They include the likes of Waterways Ireland Riverfest, water sports events on the lower Bann and the Lady of the Erne. The events are in County Fermanagh, in particular. The annual sponsorship is approximately £200,000, but I think the key to the question is what impact it might have on the local economy. It is estimated that, in 2012, 1.1 million people attended, accruing £85 million for the local economy. That excludes the Tall Ships.

There are many opportunities to be had from water-based tourism and, certainly, from holding events and festivals on the waterways. Not only does it lift people's mood and spirit but it adds to the local economy. For many people, particularly in rural areas, this is probably one of the very few, if only, opportunities that they have to do that.

**Mr Hilditch:** With each statement, there usually come a number of property sales. What was the rationale behind those sales, and who benefits from them?

**Ms Ní Chuilín:** I have no figures relating to any such benefit. Property disposals are sometimes done through leases, so they are referred to as property disposals.

There were eight such disposals and, as I said in, all the properties were in the South of Ireland. Councils such as Longford County Council and Dublin City Council, which maintains the Royal canal towpath, are responsible for extending existing licences, which are referred to as property disposals.

When I first came across that term, it made me think of swathes of property being sold off, but that is not the case; it is just a term. The fact that local councils have been given the responsibility for the extension of leases shows not only that what was there previously worked but that there is confidence in the councils to deliver for the future.

**Mr Lynch:** Go raibh maith agat, a Cheann Comhairle. Gabhaim buíochas leis an Aire as a ráiteas. I thank the Minister for her statement. She may have gone some way to answering this question following Ms Lo's question, but were the section of the Ulster canal between Lough Erne and Clones to be started, how long would it take to complete?

**Ms Ní Chuilín:** I thank the Member for his question. To make progress on the restoration of the Ulster canal we need to look at an up-to-date business plan. I know that economists in DCAL have been involved in that. At one stage, hundreds of millions of pounds were cited as the cost of full completion through the different stages, so that has to be costed.

There are options that we can look at. The Member will appreciate that, at this stage, I am reluctant to go into options because the business plan has not been completed. Part of that will involve looking at the options that we can afford, and, if they are done in stages, what they will cost. I am not too sure how long that will take, but I hope to have a report after the November sectoral meeting. A huge amount of work is involved, and the Member will appreciate that it is worth taking the time to get it right.

**Mr D Bradley:** Go raibh míle maith agat, a Cheann Comhairle. Gabhaim buíochas leis an Aire as ucht a cuid freagraí. Ba mhaith liom ceist a chur ar an Aire: an nglacfaidh sí le cuireadh ó Chumann Uiscebhealaí Intíre na hÉireann, craobh an Lúir agus Phort an Dúnáin teacht chuig lúr Chinn Trá agus féachaint ar an deisiúchán a rinne an cumann ar chanáil an Lúir?

I thank the Minister for her answers. Will she accept an invitation to come to Newry to view the work that the Portadown and Newry branch of the Inland Waterways Association of Ireland has done on the Newry canal?

**Ms Ní Chuilín:** I thank the Member for his invite. I agreed to visit Newry canal at the request of the MP for the area, Conor Murphy. The request for the meeting came in during the summer, and I was conscious that the Member had extended the invitation previously. I wanted to wait until we were back here, and I am happy to go down. I hope to have that visit arranged for the middle or the end of October. I will keep in contact with the Member, and he will be made aware of all the details of that visit.

**Mr Humphrey:** I thank the Minister for her statement to the House. I welcome the progress that has been made with Cavan County Council, Monaghan County Council and Fermanagh District Council on Upper Lough Erne. Will the Minister advise the House what progress is being made by Waterways Ireland across Northern Ireland, particularly on the Ulster canal, to show some benefit from the taxes put into that North/South body? Have approaches been made to Europe for funding?

**Ms Ní Chuilín:** I thank the Member for his questions. I will take the second question first. Yes, I met Pat Colgan from the SEUPB, not just to raise the issue of the Ulster canal but to attempt to get a better result for arts and sports from European funding. I have met many groups that have done fantastic work throughout the years but still have difficulty accessing European funds. I certainly discussed the Ulster canal and inland waterways with him.

I am totally satisfied that Waterways Ireland is not, in its work on waterways in the North, including the Ulster canal and other canals, fixated on one part of the country at the detriment of the other. To be frank, if I thought that that was the case, regardless of where you and I come from politically, I would not allow that to happen.

Trying to restore the Ulster canal is a big challenge — it is a huge challenge. As well as the interagency group that we have set up, Ministers are looking for other opportunities individually. On that basis, I met Pat Colgan. I will meet him again and, where possible, with others. That may include the Heritage Lottery Fund and others. We will see whether anything can be done to start looking at ways of beginning the restoration.

The restoration will, undoubtedly, bring huge opportunities for local employment and apprenticeships. The end result will be not just be the opening up of a waterway, which, in itself, is very important. It will also help with the promotion of tourism, angling and all the rest that goes with it, which will help the local economy.

**Mr McGimpsey:** I begin by commending Waterways Ireland for the work that it has done under John Martin as chief executive. I trust that the new chief executive will carry on in that tradition.

As we discussed, the Ulster canal is a huge capital project, but just because it is a huge capital project does not mean that we will walk away from it in any way. The project target and dream of connecting Belfast and Dublin by inland waterways is of huge value, not least in terms of the tourist product. The way to do this is by doing small bits at a time — it would cost over £100 million to do it all at once.

On public perception, you have sections between Belfast and Lisburn and Lisburn and Lough Neagh. Would that not be another way of exciting the public imagination?

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

**Mr McGimpsey:** Thank you, Mr Speaker. I have waited a long time, so I thought that I should get my money's worth.

That would be an important way forward. What progress has been made on the stretches from Belfast to Lisburn and Lisburn to Lough Neagh?

**Ms Ní Chuilín:** I thank the Member for his statement. There has been some progress.

The Member is right, and I accept his sentiments about John Martin. I am sure that John Martin will read Hansard and be grateful for those sentiments. He has done excellent work. As I said in the statement, John stayed on until we had gone through the recruitment process for the new chief executive, which is a big ask when someone has plans and a lot of demanding daughters. I am sure that John will be delighted to read those comments.

The Member is correct: the work to take the Ulster canal from the Lagan to Lisburn, on to Lough Neagh and then opening it up further will cost hundreds of millions of pounds. We need to start to look at what the different stages and phases will cost. Belfast City Council has done excellent work on the Lagan canal, but a huge amount of money is needed.

I have asked for a recent update because, sometimes, business cases have figures that were OK seven or eight years ago, but there is a different market now — the figures may go up, but the market is more competitive. We need to look at all that and make decisions about what we can do and when we do it. I am certainly not taking the approach that we do not have the money to do it all at once. I am looking at what we have and what we can do. I will then get agreement on that and move ahead.



## North/South Ministerial Council: Languages

### **Ms Ní Chuilín (The Minister of Culture, Arts and Leisure):** Go raibh maith agat, a Cheann Comhairle.

Thank you, Mr Speaker. With your permission and in compliance with section 52 of the NI Act 1998, I wish to make a statement on the North/South Ministerial Council (NSMC) Language Body meetings that were held in Armagh on 19 June and 10 July 2013.

#### **11.45 am**

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 lead Minister Dinny McGinley TD, Minister of State with special responsibility for Gaeltacht affairs, and Jimmy Deenihan TD, Minister for Arts, Heritage and the Gaeltacht. The statement has been agreed with junior Minister Bell, and I make it on behalf of us both.

The meeting on 19 June dealt with issues relating to the language body and its two constituent agencies. Foras na Gaeilge's review of core funding was discussed, and it was agreed that a further meeting of the NSMC Language Body would be held as soon as possible, but not later than September, in order to bring the process to a conclusion.

The Council noted progress reports from the chairpersons and the chief executive officers of both agencies, which included the following achievements: with regard to the Ulster-Scots Agency, the provision of support in the education system, including 16 after-school clubs in the primary sector and two educational fairs in the post-primary sector in addition to advancement of the Ulster-Scots flagship programme for primary schools; the promotion of Ulster-Scots culture through delivery of three talks at the agency's interpretative centre and seven seminars to raise awareness of agency-funded programmes for festivals and summer schools, in addition to support for a heritage event for over 400 people at the Presbyterian General Assembly held in Derry for the first time; the provision of community support, including funding for six Ulster-Scots community showcase events and funding for 195 groups for music and dance tuition; and sponsorship of a plaque for James Bryce, a prominent Ulster Scot of Edwardian times, which was unveiled in May 2013 on the 175th anniversary of his birth as part of the partnership programme with the Ulster History Circle.

With regard to Foras na Gaeilge, an evaluation of the summer camps scheme has been completed and funding was to be provided for in excess of 50 camps catering for over 2,000 young people during July and August 2013; the Irish language officers scheme in the North, which aims to improve the status of the Irish language at local level and build on Líofa 2015 by providing the public with a range of bilingual services, has been advertised for the period July 2013 to March 2016; a promotional campaign is under way throughout the public sector, North and South, in regard to the helpline Freagra, which provides an Irish language translation service to the public sector; and a conference on minority languages in the arts, Voces in Artes, was organised in May 2013 as part of Ireland's EU presidency.

The Council also noted the ongoing collaboration between the Ulster-Scots Agency and Foras na Gaeilge in regard to governance issues and promotion of the work

of the language body, including the establishment of a committee to oversee a joint work programme, the current consultation process on the joint equality scheme, and funding for 'The Honest Sod', a play in Ulster Scots and Irish, which has toured to 88 schools and has been seen by over 3,000 pupils.

Ministers noted that the sponsor Departments are working with both agencies to finalise the 2013 business plans and budgets and, following approval by Finance Ministers, will bring them forward for approval as soon as possible to a future NSMC language meeting.

The Council noted that the 2010 consolidated language body annual report and accounts were certified by the Comptrollers and Auditors General on 10 June 2013 and were to be laid in the Houses of the Oireachtas and the Assembly in July 2013. Ministers further noted that it is envisaged by the Comptrollers and Auditors General that the 2011 language body annual report and accounts will be certified in autumn 2013, and that field audits will commence in September 2013 in regard to the 2012 annual report and accounts. The Council also acknowledged the ongoing cooperation with the independent offices of the Comptrollers and Auditors General in both jurisdictions, as a result of which 10 sets of annual reports and accounts for the language body have been published in the period 2005-2012.

Ministers noted the work being undertaken by the Ulster-Scots Agency to progress the Discover Ulster Scots initiative. This will create a coherent branding capable of being applied to tourist products and experiences that are relevant to Ulster-Scots heritage and a single web-based access point where visitors will be able to find out about places to go and things to do that reflect Ulster-Scots heritage.

An NSMC language meeting to further discuss Foras na Gaeilge core funding proposals was arranged for 10 July 2013. At that meeting, Ministers approved new funding arrangements to replace the existing core funding model, comprising the following key elements. The delivery by six lead organisations, operating on an all-island basis, of the following strategic priorities: Irish-medium education; Irish language in English-medium education; language-centred community and economic development; language use; language planning; and youth networks. The establishment by Foras na Gaeilge of an all-island partnership forum to ensure a collaborative approach by the six lead organisations; the establishment by Foras na Gaeilge of an all-island language development forum that is representative of local language interests funded by Foras na Gaeilge at community level; the development of a community radio scheme to provide funding for Irish language community radio in both jurisdictions; and future funding to be provided for An tÁisaonad, as appropriate, in the context of Foras na Gaeilge's statutory function in regard to supporting Irish-medium education and the teaching of Irish.

The Council also directed Foras na Gaeilge to proceed with the implementation of the new funding arrangements with effect from 1 July 2014, subject to approval by Finance Departments, and agreed to extend the core funding arrangements to 30 June 2014, when the new funding arrangements will take effect.

The Council agreed that its next language body meeting will take place on 20 November 2013.

**Miss M McIlveen (The Chairperson of the Committee for Culture, Arts and Leisure):** I understand that the 2012 business plans and budget for the Ulster-Scots Agency and Foras na Gaeilge were not approved until March 2013. Furthermore, we are now in September, with no approval for the business plan and budget for this year. When does the Minister expect those to be signed off? I also note that the language bodies are coming to the end of their current corporate plan. When does she anticipate those new plans being approved?

**Ms Ní Chuilín:** I anticipate those new plans being approved as soon as possible. I imagine that, if they are not, we can confirm that they will be done at the next meeting, which is on 20 November. As the Member is aware, there has been a considerable backlog over the years of not just the reports and accounts but the business plans. I am content with the work being done by senior officials from both jurisdictions with both agencies to ensure not only that they are brought up to date but that we are made aware of difficulties and issues well in advance and that remedial work to bring those up to where they need to be is done as early as possible rather than being left to the last minute — I am not saying that that is the case, but that sometimes appears to be the perception. I am happy that the work is in a much better place than where it was but we still have a bit more to do.

**Mr Ó hOisín:** Go raibh maith agat a Cheann Comhairle. Gabhaim buíochas leis an Aire as ucht an dara ráiteas a thug sí dúinn ar maidin. I know that this issue has been brought up previously, but can the Minister tell the House what specifically is causing the delay in publishing the North/South Language Body annual reports and accounts?

**Ms Ní Chuilín:** The delays go back to 2000-01 when the chair of the Ulster-Scots Agency refused to sign off. That caused a knock-on delay throughout the years. In fact, because all the accounts are done in chronological order, we are always trying to catch up. In that respect, the chairs and chief executives of both language bodies find themselves in the unenviable position of always working on the back foot. However, we are hoping, as I said to the Chair of the Committee, that the business plans will be brought forward and approved at the next meeting, which is on 20 November.

Just to repeat — it was mentioned during the previous statement — I am very conscious of the situation that Ministers Deenihan and McGinley are in with their budgets, but I have been and still am totally reluctant to go beyond what we agreed the efficiency savings should be.

**Mrs McKevitt:** Does the Minister agree that it would be more appropriate for the Department of Education to fund the Áisaonad at St Mary's University College? Will she pursue that issue with the Minister of Education?

**Ms Ní Chuilín:** That issue has been raised previously. There have been discussions with Ministers on who should fund not so much An tÁisaonad but, certainly, different aspects. The decision has been made. I welcome the Member's concern that funding for what would seem to be a purely educational matter is coming out of the Department of Culture, Arts and Leisure (DCAL) budget, which, as the Member has always said, is the smallest

Executive budget. However, until discussions have been progressed and it is agreed by both education Departments, it is a matter for the language body to bring forward future funding for An tÁisaonad. I also think that it is incumbent on An tÁisaonad and, indeed, St Mary's to look for whatever shortfalls of funding they have from other bodies and agencies as well. There seems to be a pattern of just asking and expecting DCAL to fund the shortfall. The work that they do is very important, but they need to look at long-term funding support for that work.

**Mr McGimpsey:** I note that Foras na Gaeilge, under its Irish language officers' scheme, is advertising for the period from 2013 to 2016. That is within the new remit of this Assembly; however, it is outside the remit of the Budget. As I understand it, the Budget still stops at 2015. Can the Minister remind us how many officers we are talking about and at what annual cost?

**Ms Ní Chuilín:** I do not have the figures for the number of officers who have been recruited through that latest round of funding. I will certainly write to the Member. I am happy to provide him with that and also to clarify the position with regard to what happens between 2015 and 2016, which is outside of this mandate.

**Ms Lo:** I welcome the many different programmes that are provided by the Ulster-Scots Agency. How is the effectiveness of those activities monitored and evaluated?

**Ms Ní Chuilín:** I think that the Member was in the House when the deputy First Minister made his statement and referred to 'The Honest Sod', which is a play in Ulster Scots and the Irish language that has been seen by 3,000 pupils from 88 schools. The feedback and evaluation was that it was very worthwhile and raised awareness and mutual respect for diversity. That is one obvious example of monitoring and evaluation. It is important that we look at the work of both agencies, not only what they do separately but what they do together. Certainly, in building a shared and better future, work that we can do across language and cultural heritage is good for everybody. You do not need to go through a whole pile of questions on an evaluation form to know that it is good, it works and that more people from other Departments and bodies should do more of the same.

**Mr Hilditch:** I thank the Minister for her statement. In the emerging strategy, is there any aspiration on the part of the Minister to seek a greater degree of parity between the two parts or sides of the language body? For instance, £2.7 million is spent on Ulster Scots compared with £15 million that is spent on Foras na Gaeilge, plus other money. Given the year-on-year reductions, it is believed that reductions are felt more strongly in the Ulster-Scots community.

**Ms Ní Chuilín:** I do not believe that has been the case with regard to reductions and the Ulster-Scots community. The Member is aware that money has gone through the ministerial advisory group for the academy. Money has been spent there. Those budgets were based on the need at the time. They have been and will be reviewed constantly. It is about delivering to the point of need, which is about equality, rather than parity. It is not, "If you get fifty, I get fifty, just because." That is not a good use of public money. I am not suggesting that the Member is saying that. However, I am conscious of that issue.

I am actually happier this year than I was, perhaps, a year or so ago about work, particularly by the Ulster-Scots

Agency, and the efforts that it has made to try to bring cohesion between all the networks and groups in the Ulster-Scots community, first of all, to ensure that money is spent well and that there is an outcome, rather than just a process, and, more than that, to make the case constantly and provide evidence for future funding. In my view, that is what was missing previously. Therefore, with regard to parity, I am glad to see greater sharing of better practice between the Ulster-Scots Agency and Foras na Gaeilge, which will help the agency in future. Parity for the sake of it in funding is something that we should not, and never will, do simply for the sake of spending public money.

## 12.00 noon

**Ms McCorley:** Go raibh maith agat, a Cheann Comhairle. Gabhaim buíochas leis an Aire as a ráiteas agus as a freagraí go dtí seo. I thank the Minister for her statement and her answers so far. What are the new all-Ireland structures that Foras na Gaeilge is proposing as part of the new arrangements?

**Ms Ní Chuilín:** I thank the Member for her question. Two particular structures are new. One is an all-Ireland partnership forum, which is really about ensuring a collaborative approach, particularly on the six themes that I outlined, by the six leading organisations, albeit that there is collaboration among all the groups that exist at the minute. That is really important for sharing, better networking and to ensure a better product not only for people who use or learn the Irish language but for future language development. I am sure that the Member will agree that that is a welcome step.

The second structure is an all-Ireland language development forum, which is crucial because it will look at how, across this island, we develop the language and make sure that it is being taught. The standards and materials that we use to teach the language are very important, but we are also trying to look at parts of the island where there are no services at all for the Irish language and to see, through that forum, how that need can be met.

Those are examples of two new forums that have been developed as a result of the work of the NSMC. I, like everyone else, look forward to seeing how they will roll out, but I know that there has been a gap and that a lot of people in the sector from one end of the island to the other have welcomed this initiative.

**Mr Humphrey:** While I am on my feet, I want to take the opportunity on behalf of my party to once again congratulate the Field Marshal Montgomery Pipe Band on becoming grade-one world champions in Glasgow.

Minister, I have spoken to members of the Ulster-Scots Agency board over the past few days. The Minister indicated in her answer to my colleague the Chairperson of the Committee that she intends to cut budgets. Those cuts will have a devastating blow for the Ulster-Scots Agency, given that it gets its funding only from the Department here in Northern Ireland. There is a huge disparity in funding. Foras na Gaeilge received €15 million, compared with funding of £2.7 million from our Government for the Ulster-Scots Agency. Those cuts will be devastating. Will the Minister explain why there is such a huge disparity in funding between the two bodies? Will the Minister not work, as my colleague

from East Antrim has urged, for parity in funding to deliver equality here in Northern Ireland?

**Ms Ní Chuilín:** The Member is factually incorrect. I did not say to anyone that I was agreeing to cuts. In fact, I said in my previous sectoral statement, and repeated to Cahal Ó hOisín and others, that I do not want to go beyond what has been agreed in efficiency savings.

**Mr Humphrey:** You did not say that you had agreed.

**Ms Ní Chuilín:** I did say that I agreed. You can check the Hansard report, and then you can come back and apologise. I did say that. *[Interruption.]*

**Mr Speaker:** Order.

**Ms Ní Chuilín:** I will ensure that I will not go beyond what was agreed. As for parity, is the Member actually suggesting — I think that this needs to be nailed — that I provide additional money when need has not been demonstrated and given that moneys were returned in the past because they could not be spent, even on identified need? If the Member is seriously suggesting that we provide moneys solely for the sake of parity, I will end up in front of the Member behind me at the Public Accounts Committee if that funding could have been spent on something else. Do I want to make sure that Ulster Scots gets the money that it deserves? Absolutely. I think that things are going in the right direction. I think, with the consolidation of services in a network and, hopefully, through the academy, there will be a better return for the Ulster-Scots community. However, arguing for parity just for its own sake is politically naive and wrong.

**Mr D Bradley:** Go raibh maith agat, a Cheann Comhairle. Táimid thar a bheith gnóthach anseo inniu ag cur ceisteanna agus ag díospóireacht. Gabhaim buíochas leis an Aire as ucht an méid a dúirt sí go dtí seo. Ó thaobh na samhla nua maoinithe de, an aontaíonn an tAire leis na daoine sin a chreideann go ndéanfaidh an tsamhail nua maoinithe damáiste as cuimse d'eagraíochtaí Gaeilge agus d'infreastruchtúr na Gaeilge anseo sa Tuaisceart?

It is a busy day for culture, arts and leisure. I thank the Minister for her answers. Does she agree with those who say that the new core funding model that is proposed by Foras na Gaeilge will lead to the demise of several important Irish language organisations in the North and will damage the infrastructure of the language here?

**Ms Ní Chuilín:** Ní aontaím go hiomlán leat. I do not agree with that sentiment at all. In fact, I think that the new core funding arrangements should enhance, develop and protect the long-term development of the language. I am sure that the Member and others who have raised this before, as, indeed, he has, will agree with me that it is vital that we look at the needs of the sector and, in doing that, at who will deliver the services. I often talk to groups that say that not funding their work will result in the demise of the whole sector. I question that and then look for the evidence, but it is not there.

I want to make sure that groups that currently receive funding through Foras na Gaeilge have opportunities to become one of those lead groups. There is absolutely nothing to say that that cannot happen, but what will not happen on my watch is the continued funding of salaries and very little money going into the development of the language on the ground. Language officers are being well developed and well looked after, but language recipients

need to have a bit more support, and the core funding arrangements provide just that. We need to build on that and look at the work of other Departments to ensure the long-term development of the language, not the long-term development and security of some language development officers.

## Committee Business

### Regional Library for Northern Ireland

**Mr 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 10 minutes to make a winding-up speech. All other Members who wish 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 recognises the economic, cultural, social and educational benefits that a regional library for Northern Ireland would provide; and urges the Minister of Culture, Arts and Leisure to engage with Executive colleagues and other partners to pursue Belfast central library's redevelopment plan to create a regional library as part of the overall Library Square project.*

Today's motion is not the first time that library provision has been debated in the Assembly. Libraries have been and will remain a key area of focus for the Committee. That is unsurprising given that libraries are the focal point of a community. They offer a shared community space, help to stimulate learning and contribute to social cohesion. Increasingly, they offer a multipurpose space where a wide range of community activities can take place. The Committee saw an excellent example of that kind of facility when it held a meeting at the library in Lisburn. While the Committee met in one room, all sorts of other activities were happening throughout the building, including mother and toddler groups, people using the internet, classes and, of course, people coming to borrow books.

Today's motion is about recognising the economic, social and educational benefits that a regional library for Northern Ireland could provide. The Committee, at its meeting at Belfast central library, heard from officials about how a redeveloped Belfast central library would provide a fit-for-purpose setting to display its many resources, collections and artefacts, giving it the status of a regional library and providing a fitting flagship building for the Library Square redevelopment. Anyone who has visited that library could not fail to be saddened by the limitations placed on service provision by a building that has long since ceased to be fit for purpose.

When Belfast central library opened in 1888 — indeed, it is its 125th anniversary this year — it was considered to be leading the way in city libraries. The building is beautiful, with a host of late Victorian features and characteristics. However, this architectural gem is now blighted by the ravages of time and the addition of ugly extensions to the rear. It is no longer at the cutting edge of library provision.

The Committee was fortunate, during its recent study visit to Liverpool, to have a tour of the redeveloped central library on the day that it was due to open to the public. Following a £50 million renovation, that library now has space to show its collections, provide learning environments and lecture theatres, display its rare books and do all the other things that a modern library does. It is an extraordinary building that makes a clear statement about Liverpool's pride in itself and the facilities that it wants to provide for its people.



Members will have seen in the media the recent unveiling of Birmingham's redeveloped central library. Some £200 million was spent on providing the largest library in Europe. The Liverpool and Birmingham libraries that I have mentioned are part of wider city regeneration projects, and I suggest that nothing illustrates a people-centred regeneration of a city more than putting a modern, fit-for-purpose library at its heart.

If Members are not convinced by the examples of Liverpool and Birmingham, I also point to Dublin's plans for its central library. The Committee is aware of Dublin's plans for a cultural quarter at Parnell Square, which will involve the development of a new and innovative Dublin city library. Edinburgh has similar plans.

The investment strategy for Northern Ireland recognises the benefits of Belfast central library as a regional library for Northern Ireland, with a commitment to consider investment during 2016-2021. However, the time is right now to invest in the redevelopment of Belfast central library. Indeed, it is an essential development to facilitate a number of Programme for Government priorities and other related strategies. Currently, the Belfast central library receives approximately 400,000 visits a year and provides a highly valued service for not only the local community but Belfast and the wider population of Northern Ireland. The Belfast Streets Ahead project, with a proposed new University of Ulster campus at York Street, together with the granting of planning permission for the Royal Exchange development, has provided a unique opportunity for the regeneration of Belfast central library. Therefore, it seems inconceivable that that library should remain in its current form without significant investment while the surrounding area is transformed into a communications and learning hub.

Libraries NI's proposal is to develop a purpose-designed world-class centre for knowledge, information, culture and heritage that will contribute to all aspects of the Programme for Government. It will benefit all the people of Northern Ireland as a regional hub, and it is hoped that it will become a destination for people from outside Northern Ireland and will complement other cultural facilities in the city. A regional library would bring economic benefits to the region. There is the potential to support the creative industries through the extensive collection of resources, including the historical and fine books that are often a source of inspiration to people working in the sector. The library houses the most extensive collection of freely available business resources in Northern Ireland, including market research, company and financial data, British Standards, copyrights, trademarks and patents, and provides information and support for students, those involved in business start-up and established businesses.

Members will be aware of the Library Square development, linked to the Department for Social Development's north-west quarter regeneration framework, which sees the redevelopment of Belfast central library as a catalyst for the regeneration of that part of Belfast. Of course, the added benefit of the redevelopment of the library is the resulting construction jobs and many skilled apprenticeships.

I also want to outline a number of important social benefits that would flow from the library's redevelopment. The library is already recognised as a shared space, and redevelopment provides an opportunity to contribute

significantly to the Together: Building a United Community strategy, which outlines a vision for a united community based on equality of opportunity and the desirability of good relations and reconciliation, where cultural expression is celebrated and embraced and where everyone can live, learn, work and socialise together. The library has a significant collection of unique materials relating to our cultural heritage, both local and national. The people of Belfast and, indeed, Northern Ireland deserve a special place where they can explore all the things that unite us culturally and that illustrate and celebrate our differences. It is important for our communities that there is a shared space where they can explore each other's cultural identity and come together to experience a shared identity.

The project provides a number of other educational benefits, including learning programmes using new technologies that the current building cannot support. Redevelopment of the library would also allow work to support people who are unemployed by helping them to gain the skills necessary to improve their employability. Important work with children could also be undertaken, particularly on the development of a love of reading.

Currently, Northern Ireland has no legal deposit library. That means that there is no library where there is a legal requirement for works published by Ulster authors to be held. Such a facility would allow current, past and future works to be held, and that would allow 18th- and 19th-century works, including those recording the famine, to be held in one place. An added bonus would be that the library would become a hub for the Ulster diaspora, where they could go to find out more about culture and literary heritage. Furthermore, it could help to create and consolidate international links with countries where those who have left these shores and contribute to our literary legacy are now settled. Belfast central library would be the perfect location for such a collection.

#### 12.15 pm

The Committee is aware that Libraries NI will submit a business case to DCAL at the end of October seeking financial support for its vision of a regional library for Northern Ireland. The Committee urges the Minister of Culture, Arts and Leisure to engage with Executive colleagues and other partners to pursue Belfast central library's redevelopment plan as part of the overall Library Square project, and to look favourably on Libraries NI's business case for the redevelopment of Belfast central library and all the benefits that would accrue from it.

I ask Members to support the vision of something better for our people. Surely they deserve the same sort of facilities that the people of Liverpool and Birmingham can now enjoy and that the people of Edinburgh and Dublin are looking forward to. A regional library in Belfast would make a clear statement that we see information, communication and education as key to the improvement of our community's situation and that we are proud of and wish to display the products of our rich cultural heritage, both shared and separate.

I thank all Members who will contribute to today's debate and encourage them to support the motion. I commend the motion to the House.

**Mr Ó hOisín:** Beidh mé ag labhairt inniu i bhfabhar an mholta seo. I support the motion and am glad that it has come before the House. The Committee for Culture, Arts and Leisure visited the central library for a meeting in June and, indeed, the Chair of the Committee and me had a more extensive visit previously. I was quite shocked by the condition of the library, particularly that of the two newer buildings that were built in the 1960s and the 1980s. I was shocked by the conditions in which some of the great resources that are contained within central library are stored. To describe the two buildings that were added on as carbuncles might be an appropriate analogy because they certainly do not sit well with the original 19th-century building, which outlived its use a long time ago. I believe that those buildings have also outlived their usage.

In a previous life, I was a researcher and spent much of my time in dusty vaults looking up records. It always surprises me how they survive down through the years as they have, given the conditions in which they were held through damp, fire, floods, the Troubles, and all the rest of it. We have a unique collection of materials in Belfast central library. We have one of the greatest fine book collections, but access to that is limited to the general public because of the conditions in the library. The FJ Bigger collection is hugely culturally important, and the patents collection is the only one of its kind in Ireland and traces much of the industrial heritage and development in this part of Ireland.

We have a unique opportunity here in the development of the Library Quarter. We have to look at the way other quarters developed, including the Gaeltacht Quarter, based around An Chultúrlann; Cathedral Quarter around St Anne's and Writer's Square; and indeed the Titanic Quarter and the iconic building there. I believe that this is an opportunity to bring regeneration to a very neglected part of the city but also to serve the wider region. This is a wonderful opportunity to advance that.

The current library is probably less than a quarter of the size of what would be required, and that is something we should look at. The proposals that have been brought forward include resources such as a business library, as the Chair mentioned, as well as a dedicated children's library, community meeting spaces, learning centres and a totally inclusive centre of culture. The old adage of "build it and they will come" can apply to libraries, and I have seen that in my constituency and in my own town where the new library was opened two and a half years ago and where the attendance and borrowing figures mushroomed. The figure of 400,000 people currently using Belfast central library could be increased. Indeed, the very low number of loans at the moment could be increased. There is also a chance to increase the wider value to the public realm. The Chair touched on the proximity of the York Street campus, but it will be part of the general improvement and regeneration of that entire area. It is a wonderful opportunity to go for that and deliver a project here that, in real terms — we compared it with Dublin, Birmingham and other places — is a really good investment for the future.

The current library, which was built in 1888, has served the people of Belfast and the wider region very well. Let us hope that we have the vision now to establish a building that will see us through the next 125 years to the 250th anniversary. I support the motion.

**Mrs McKevitt:** I support the motion. I am pleased to add my comments to it, as protecting and enhancing our library

services is one of my top priorities. I begin by commending the work of the Committee Clerk, Mr Peter Hall, and all the staff in preparation for today's debate. It is greatly appreciated by all the Committee members.

I am delighted that we are discussing the potential creation of a regional library. You may remember that in 2011 and 2012 in this Chamber, we united together and resisted a proposal to greatly reduce the opening hours of libraries. By doing so, we protected the valuable services they provide. I hope that today we can unite together to support Belfast central library's redevelopment plan to create a regional library as part of the overall Library Square project.

Libraries provide the public with a space for learning, socialising and engaging. Their purpose has been re-imagined to meet modern needs. They are no longer for only quiet reading and borrowing of books; today's libraries are centres of learning that offer many services to the community. An article in the 'The Guardian' by Ken Worpole tells us that the so-called glamming up of libraries is a worldwide trend in response to a revived global enthusiasm for libraries. That enthusiasm certainly seems to be present in Birmingham, as 10,300 visitors came to the opening of the new library on the first day. It is thought that that popular libraries culture has come about as more and more people are engaging in higher forms of education and need study space and access to internet facilities. Libraries are also transforming themselves as community hubs, where people gather to meet friends, view art pieces in a gallery space, listen to storytelling sessions, meet authors or join book clubs. Dare I say that there is a new generation of people who today consider libraries as a cool place to be.

In the digital era, where people communicate through Facebook, Twitter, e-mail, WhatsApp and Snapchat, to name but a few of the modern apps, providing a space for social engagement has never been so important. To combine social engagement with learning opportunities is just icing on the cake. Here in Northern Ireland, we have another reason to value knowledge and educational sources that can be gained and accessed through public libraries. Access to educational resources to develop knowledge on a particular topic gives the public an opportunity to fight any cause that they may have through the words of democratic means rather than violence. Sixteen-year-old Taliban victim Malala Yousafzai opened Birmingham's new and vibrant library with a strong message: pens and books are the greatest weapon against terrorism.

As a champion for libraries, I felt that it was important to spend some time during the summer recess visiting libraries in my constituency of South Down along with Libraries NI chief executive, Irene Knox, to see at first hand the wonderful services that they provide to the community. I am looking forward to the opening of the new modernised library in Kilkeel, which will be open to the public in early 2014. I also visited libraries in Omagh and Fintona with my SDLP colleague Joe Byrne. I found both libraries to be excellent, but Omagh library was a very special experience indeed, as I had the opportunity to view resources that tell the story of the Omagh bomb and remember the victims who lost their lives on that tragic day. I encourage anyone who has not been to make time to visit Omagh library to view its wonderful archive.

I agree with the Committee that a regional library in Belfast would complement the services provided by other libraries across the region.

That is why I urge the Minister to engage with her Executive colleagues and ensure that Belfast central library's redevelopment plan for a regional library is considered and developed.

**Mr McGimpsey:** I have absolutely no problem with the motion as far as the redevelopment of Belfast central library is concerned. It fits in very well with the proposed development at Library Square and the University of Ulster development. Major moneys are to be invested in the area, together with the Royal Exchange and on the back of the Metropolitan Arts Centre. A business case has been produced. The current building is long past its time for development. It is not fit for purpose, and it gives us an opportunity for a modern, state-of-the-art library for Belfast that is fitting for the image of our city and merges the old with the new as far as library services are concerned, bringing in things such as a children's library, a business library, a creative lab facility, increased IT and a community meeting space. There will also be a cafe and retail outlets, which will bring together what we understand to be a modern central regional library such as we have seen in other parts of the UK and in proposals for Dublin. I commend all of that as an important step.

We talk about:

*"A flexible and responsive library service which provides a dynamic focal point in the community and assists people to fulfil their potential".*

That is the strapline, as I understand it, for Libraries NI, the body that oversees our libraries. This, however, to my mind, sits in stark contrast to what happened three years ago in Belfast, when eight libraries were shut. Those libraries were in exactly those communities that needed them most. Carnegie talked about libraries being:

*"instruments for the elevation of the masses of the people".*

They were seen as providing access to learning and advancement for people who had limited opportunities for education and self-improvement. Those libraries were in places among communities that had limited opportunities for education and self-improvement, including Sandy Row, Oldpark, Andersonstown and the Braniel. That is what happened in Belfast. There was another proposal to close a further nine libraries outside Belfast, and I have commended the Minister for her actions at that point, because she stepped in and stopped those libraries being closed. That was important, and it was the right thing to do.

If we are looking forward to library provision, it cannot simply be about a grand regional library in Royal Avenue, Belfast, much as we need that, at a cost of over £30 million. I believe that the Department and the Minister need to direct the attention of Libraries NI back to those communities that have lost out. Communities think that libraries are important, but they do not go to them very often. They do not necessarily use them, so the issue is access. You cannot compare a library in a community such as Sandy Row or Andersonstown that is open six or seven days a week with a van that parks on waste ground for a few hours one day a week. You do not get the sort of use that you require.

I have no problem with the proposal, but there is now an opportunity for the Minister to intervene again with the Department and the libraries service to look again at the communities that have lost out and have had their library services taken away from them. It gives us an opportunity, therefore, to re-engage with those communities to give them access again to learning and advancement. Those people have limited opportunities for education and self-improvement. The libraries service was designed to provide that for those communities, and here is an opportunity for us.

**Mr Speaker:** 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 debate stood suspended.*

*The sitting was suspended at 12.29 pm.*

*On resuming (Mr Principal Deputy Speaker [Mr Mitchel McLaughlin] in the Chair) —*

2.00 pm

## Oral Answers to Questions

### Employment and Learning

**Mr Principal Deputy Speaker:** We will begin with topical questions, which will last for up to 15 minutes, and we will then move on to deal with those that appear on the list of questions for oral answer.

#### University of Ulster: Performance

1. **Mr Buchanan** asked the Minister for Employment and Learning what strategy he has in place and what work he is doing with the University of Ulster given its drop in the past six years from 54 to 88 in 'The Guardian' league table. (AQT 61/11-15)

**Dr Farry (The Minister for Employment and Learning):**

I thank the Member for his question. I stress that one should not put too much stock in league tables. A host of league tables in which universities are ranked are used around the world, and that is one of many. In each, different weightings are given to aspects of university life. Some, for example, place a much heavier reliance on research; others place more reliance on areas such as student satisfaction.

We have a higher education strategy in place in Northern Ireland, and we are working with the universities across a broad range of issues. As an Executive, we are investing heavily in the higher education sector and appreciate its importance to the Northern Ireland economy. I am very proud to say that Northern Ireland has three world-class universities that are really making their presence felt and are critical to our future economic potential.

**Mr Buchanan:** I thank the Minister for his response. I agree with him that we have world-class universities, but, in light of the apparent decline, can you advise why the external review mechanism, which would have identified issues of concern at a much earlier stage, was removed, having been in existence since the inception of the university? Is it not now time that it was replaced?

**Dr Farry:** What I can say to the Member is that there is an ongoing dialogue between my Department, whether at ministerial or official level, and the universities. Those exchanges range from the accounting officer's engagement with the university on the use of public money to how we can achieve our mutual objectives. An indication of that is that I wrote to the vice chancellors over the summer to emphasise again the priorities that the Executive and Assembly have and expect of the higher education sector. The universities have acknowledged that and are working towards those plans. I believe that we have strength, and, again, I urge the Member not to put too much stock in an individual league table because the different measurements that people use as a means of ranking universities do not always stack up with reality.

### Education Maintenance Allowance

2. **Ms Ruane** asked the Minister for Employment and Learning whether the recent changes to the education maintenance allowance have had an impact on the number of young people staying in further education post 16. (AQT 62/11-15)

**Dr Farry:** I thank the Member for her question. The changes to the EMA were jointly agreed between my Department and the Department of Education and then endorsed by the Executive. They seek to better target the available resources at helping individuals from the lowest-income households to remain in education. Northern Ireland's very strong track record of having young people stay on in education is better than that in other parts of these islands, and we can be proud of that. If anything, the evidence of recent years is that the trend has been consolidated and more young people stay on. We see that in, for example, the number of applications to sit GCSEs or A levels. This is the first year of the changes, and we will see what the impact on the ground is. We were clear that there would be a reduction in the number of young people receiving EMA, but, in exchange, we are concentrating the resource on where it will make the biggest difference. We sought to address the dead weight that was in the system previously while preserving the core of the scheme.

**Ms Ruane:** Gabhaim buíochas leis an Aire as an fhreagra sin. I thank the Minister for his answer. Is he satisfied with the level of financial advice available to students aged 16 to 19 at our post-primary and higher education institutions?

**Dr Farry:** The Member is right to identify this as an issue that we need to be conscious of. It is more than simply an issue of how those young people engage with secondary, further or higher education. We need to encourage our young people in the best use of resources. Equally, there is an issue of ensuring that everyone is fully aware of the support that is available to them and can access that. Our various institutions will work with young people to give them that advice. We are always happy to learn lessons as to how that could be done better.

### Students: Cross-border Mobility

3. **Mr McKay** asked the Minister for Employment and Learning what he is doing to tackle the cross-border mobility problems experienced by students, which have an educational and economic impact. (AQT 63/11-15)

The Minister will be aware from recent media articles of some of the issues and problems around cross-border student mobility.

**Dr Farry:** I thank the Member for his interest in this. It is fair to say that the level of student flows on the island of Ireland, whether we are talking about North to South or South to North, is below its potential and is currently at a level below the more recent historical trend. So, there is certainly scope for improvement in that regard. Officials in my Department are working with their counterparts in the Department of Education and Skills in the Republic of Ireland to address those issues. The Member will be aware that the CBI and IBEC published a significant report on the matter in 2011 with, I think, 10 or 12 recommendations, a number of which are directly relevant to my Department and others to the institutions. We are working through those issues. One key issue is the recognition of the



A\*. I know that the Member's colleague the Minister of Education is leading on that issue. There are then issues around careers advice and making sure that young people are aware of the options that are available to them in the different jurisdictions. We recently improved the financial support for students, particularly from Northern Ireland, who wish to study in the Republic of Ireland. While we have moved to replace the payment of the registration fee with a tuition fee loan to cover that, we have a much more generous maintenance support allowance that actually allows young people to survive while doing their degree course. So, the changes are in place. What we now need to do is encourage young people to consider all the options available to them. We are not there to advocate particular courses of action but to ensure that there is a level playing field and people have the full information available.

**Mr McKay:** I thank the Minister for his answer. Has he discussed the matter with his counterpart in the Dublin Government, the Education and Skills Minister, Ruairí Quinn? What are his views on the matter?

**Dr Farry:** I have discussed the matter on a number of occasions with my counterpart, Ruairí Quinn. I know that John O'Dowd has had similar discussions. In the past number of months, I have appeared before the Good Friday Agreement Committee in the Oireachtas. We had a very healthy exchange around higher education issues that also touched on some aspects of research. It is worth highlighting, given that the Member has given me the opportunity, that there is the potential to significantly improve the degree of collaboration on a North/South basis with respect to research in higher and further education settings. In particular, as we look to maximise the drawdown from competitive European Union funds, that type of collaboration is key to making the most of the available opportunities.

### Students: Registered Blind/Deaf

4. **Mr Hussey** asked the Minister for Employment and Learning what action he is taking to address the number of students who are registered blind or with a serious visual impairment uncorrected by glasses, which fell from 360 in 2007-08 to only 85 in 2011-12, and the number of students who are registered deaf or with a serious hearing impairment, which fell from 250 to 100 in the same period. (AQT 64/11-15)

**Dr Farry:** I thank the Member for his question. We are aware of those figures. I stress to the Member and the House that the further education system and higher education system are open to people irrespective of any disability or impairment that they may have, whether that is a sight or hearing issue or, indeed, a learning disability. I will highlight one particular intervention that we have made in recent weeks: the additional support fund, which is available in the further education system to provide support to young people who need assistance, has seen its budget increase by about 33%, from £1.5 million to £2 million. Hopefully, that will begin to make a difference. Ultimately, this is about encouraging people to apply to further education and to understand that assistance is available for them and there is no reason why they should be discouraged in any way from developing their own potential to its maximum.

**Mr Hussey:** I thank the Minister for his response. The extra £500,000 funding in the additional support fund is most welcome for potential students who have a disability. However, does the Minister believe that the allocation of funding before an audit is carried out to establish gaps in disability provision in further education is the best way forward?

**Dr Farry:** I thank the Member for his supplementary question. He touches on a wider issue. He will be aware that we have had discussions on the issue in the Chamber and in Committee. Indeed, the Committee plans to conduct an inquiry into the issue of post-19 special educational needs.

In response to representations that I have received, we have conducted an audit of the availability of courses across the FE sector to see where there are gaps so that we can challenge those. Obviously, resources are fixed, and, while we can maybe add some additional resources, there is a limit to how far we can extend provision, but I want to see that we have, as far as possible, a uniformity of provision across Northern Ireland. The audit that we have now completed and that will hopefully pass on to the Committee in the very near future will enable us to proceed with that work.

We are looking closely at the issue over the next number of months. We are looking in particular at what happens regarding disability employment to ensure that we have the support available, so there is a review of the disability employment service offer. There is also the wider issue about what we do with young people, which cuts across Departments. I am happy to lead on my own aspects and the aspects that interface with other Departments, and I have no doubt that my colleagues in the Executive feel likewise.

**Mr Principal Deputy Speaker:** As Mr Paul Givan is not in his place, I call Mr Samuel Gardiner.

### University of Ulster: Crèche Facilities

6. **Mr Gardiner** asked the Minister for Employment and Learning whether he agrees that the lack of crèche facilities at the University of Ulster at Magee will limit study options for parents. (AQT 66/11-15)

**Dr Farry:** I thank the Member for his question and understand the concern that he has expressed. It has been shared by a large number of other MLAs, but I need to stress to Members that this is a matter for the University of Ulster to take forward. While the Department funds the universities to a large extent and sets the high-level policy direction, they are autonomous bodies. They are not NDPBs as such or arm's-length bodies; they are autonomous from the Department, and it is for them to set their own policies. My understanding is that there was limited demand for those facilities and that can be met through other means, but it is something that, no doubt, Members will wish to keep under review and to push the university on as well.

The other aspect that we will be concerned about relates to any funds that have been allocated, whether recently or in the past. If it is appropriate, we will seek to claw those back if they are no longer being used for the purpose for which they were originally allocated.

**Mr Gardiner:** I thank the Minister for his response. How is the Minister working alongside the Office of the First

Minister and deputy First Minister to ensure that the childcare strategy takes account of parents who are studying in further or higher education?

**Dr Farry:** I thank the Member for his question. Again, it touches on a much wider issue relating to childcare. He rightly identifies that OFMDFM takes the lead on a childcare strategy, and I understand that it is at a very advanced stage in that process. My Department is keen to collaborate with it on that, and we have a distinct role to ensure that we are upskilling the workforce in that regard.

I also highlight the fact that we have a commitment to widening participation in further education and higher education. That includes ensuring that people from a range of backgrounds can access the choice of courses that are available, and childcare is obviously a dimension to that.

**Mr Principal Deputy Speaker:** That ends the period for topical questions. We now move to the questions for oral answer that have been listed for the Minister.

2.15 pm

### Apprenticeships: North Down

1. **Mr Dunne** asked the Minister for Employment and Learning what plans he has to increase the number of apprenticeships in local businesses in North Down. (AQO 4560/11-15)

**Dr Farry:** There are currently 337 individuals on the ApprenticeshipsNI programme in the North Down local government district, and that ranks North Down ninth of the 26 local government areas in respect of apprenticeship numbers. I encourage all businesses in Northern Ireland to consider employing a young person and have them participate in the ApprenticeshipsNI programme.

An apprenticeship provides a unique combination of work and on- and off-the-job training, all of which is relevant to business needs. It is a cost-effective way for a business to grow a loyal and productive workforce supported by my Department, which funds the off-the-job training through a network of training providers including the six further education colleges.

It is the business that creates the employment required for an apprenticeship. To raise awareness of ApprenticeshipsNI among businesses, my Department conducted an advertising campaign earlier this year, with another burst in July ahead of the main recruitment period. That campaign focuses on the benefits of employing an apprentice.

In Northern Ireland, there are almost 9,000 apprentices on the programme, and that represents about 11 apprentices per 1,000 workers. That is well below other developed economies in Europe. Switzerland, for example, has four times the equivalent number of apprentices in its workforce. That is one of the reasons why I launched the major review of our policies on apprenticeships and youth training in February. Key aspects of that review include how to encourage small and medium-sized enterprises (SMEs) to engage with apprenticeships; how to expand apprenticeships into other sectors, such as the professions; and the role of higher apprenticeships. The outworkings of the review, which will report through a series of high-level strategic statements in the autumn, are expected to result in future policy proposals that will

culminate in more businesses offering apprenticeship opportunities across Northern Ireland, including North Down.

**Mr Dunne:** I thank the Minister for his answer. Does he recognise the value of apprenticeships in developing skills and knowledge in young people? Does he recognise apprenticeships as a credible alternative to going to university?

**Dr Farry:** Absolutely, and I dare say that we could use the Member to help us to sell this model of training. It is important to recognise that, at times, apprenticeships can be a very efficient way of training because there is a much closer match between supply and demand. They are good for companies, in that they will secure workers who are trained in the particular needs of that business, and for the young people, who will know that they have skills that are bankable in a very competitive job market and, therefore, have a better chance of holding down and sustaining a job.

The Member is also right to highlight the opportunity for higher-level apprenticeships. We need to get away from the notion of some sort of hierarchy, with an apprenticeship seen as a secondary option and something that you do if you do not do so well in your A levels or cannot get into university. We have to have parity of esteem — if I can use that phrase — between apprenticeships and higher education. People must be able to make informed choices based on good careers advice about what best suits their area.

It is interesting to note that some companies now offer parallel routes that reach more or less the same destination. Some companies take people at A level and train them up, and others take graduates and do a little bit of training. Both approaches essentially reach the same point. There are a lot of interesting experiments going on out there. We are keen to reinforce that apprenticeships — in particular, higher-level apprenticeships — are a plausible alternative to traditional higher education. By the same token, we do not rule out apprentices and will encourage them to seek to get a higher-level qualification as part of their training.

**Mr Cree:** According to DEL's statistical bulletin, the number of ApprenticeshipsNI starts fell in the years 2010, 2011 and 2012. Minister, do you agree that, if you are serious about apprenticeships, you really have to address that decline?

**Dr Farry:** I thank the Member for pointing that out. The fact is that not enough apprenticeships are offered in Northern Ireland. That is an absolute fact, and it is one of the main reasons why we have launched this major review. I would dare to suggest that the particular figures that he mentioned are a product of the economic cycle at some of the more difficult times of the economic downturn.

I stress that an apprenticeship is a job and is dependent on employers coming forward and offering places. One of the things that we will seek to do with the review is to make it easier for employers to hire apprentices. The Member will know that we have a predominance of SMEs in our economy, and, at times, SMEs, in particular, are nervous about the perceived risks of taking on an apprentice.

We want to see what type of models we can put in place, whether some sort of financial incentive or a means by which we can spread or manage the risk, to enable more

SMEs to engage with that type of training, which will be beneficial to companies.

**Mr Dallat:** I thank the Minister for his answer, and the whole House applauds him for his efforts to break down the difference between academic and vocational education. If I am correct, I picked the Minister up as saying that there are four times as many apprentices in Switzerland. Bearing in mind the high unemployment rate among 16- to 25-year-olds, has the Minister sufficient funds to offer places on apprenticeships, and, if not, is it his intention to make a bid in the October monitoring round?

**Dr Farry:** I thank the Member for his question and his comments on the context. It is worth noting that those countries in Europe that have the strongest footprint of vocational apprenticeship training, such as the Germanic countries, also have the lowest levels of unemployment, including youth unemployment; I am sure that that is no coincidence. There are lessons to be learned. It strays into the notion of having a much more efficient means of matching supply and demand in the economy.

The Member is also right to stress the need for additional resources as we move to expand our apprenticeship offering further. The pressure will come in two areas. First, if we move to higher-level apprenticeships, training may be more expensive than the current offer. Secondly, we may see an increased demand for the number of apprenticeships to be funded. One source of funding is the European social fund, and we are consulting on the new programme for 2014 onwards. Within that, we sought to highlight the potential for the increased funding of apprenticeships. There may be circumstances in which we need to look for more, whether from reallocations in my Department or elsewhere in the block grant. We will keep that under review.

**Mr Lyttle:** I thank the Minister for the update on his work on apprenticeships. What creative modes of delivery is he exploring to improve the apprenticeship offering, such as consortium delivery?

**Dr Farry:** I thank the Member for his question. This goes back to my earlier point about how we can best encourage SMEs to engage in the process. Realistically, there will not be a situation in which every company in Northern Ireland is offering apprenticeships. I will return to Mr Dallat's point. Even in Switzerland, perhaps only some 30% of companies offer apprenticeships, and there is a skewing towards bigger companies, but there is, nonetheless, greater participation from small and medium-sized enterprises than in Northern Ireland.

Part of the difficulty is that companies may see taking on an additional pair of hands and paying the wage as too much of a risk. They may see, or be concerned about, a distraction with training, or they may be uncertain as to what they can offer when the apprenticeship finishes. A number of different models are available for us to look at on how we can spread and manage the risk. One such model could be an interim body that is the employing agency for apprentices, rather the company employing them directly. Those issues are all under consideration at present, and we still have to make a final judgement as to what is most suitable for Northern Ireland.

**Mr Principal Deputy Speaker:** Question 5 has been withdrawn and will receive a written answer.

## ICT Skills

2. **Mr McCarthy** asked the Minister for Employment and Learning to outline the recent initiatives to address skills issues in the information and communication technology sector. (AQO 4561/11-15)

**Dr Farry:** I thank the Member for his question. Information and communication technology (ICT) is a priority sector for my Department. In June 2012, I published an action plan to address the specific skill issues in the sector. That plan, agreed by the ICT working group, which includes representation from employers, colleges, universities and other Departments, is a living document and continues to be adapted to meet the changing needs of employers. Progress has been significant and has coincided with an increase of over 24% in applications to IT-related degrees at our local universities.

New initiatives continue to be taken forward. In the past month, I have announced new pilot academies in data analytics and cloud technology, which will offer training and work placement opportunities to 34 participants. A second cohort of the successful public-private ICT apprenticeship scheme is in motion, with around 50 places available; and a further cohort of over 100 students has enrolled on MSc courses for non-IT graduates in our local universities. Furthermore, this month, a new software and systems development A level was introduced in Northern Ireland.

Those developments build on the high level of existing activity that is being delivered as part of the ICT action plan. That includes a third cohort of 32 participants in the Software Testers Academy, who commenced training this month; a higher level apprenticeship in ICT, which is being piloted at South West College; and the wider review of apprenticeships, which will be of direct relevance to the ICT sector.

**Mr McCarthy:** I thank the Minister for his very positive response. I am sure the Assembly will welcome the recent initiatives that he has taken. However, we cannot rest on our laurels. What are the next steps to make further progress on this issue?

**Dr Farry:** I thank the Member for his comments and question. I will highlight a number of points. First, we have launched a number of pilot academies, which I have no doubt will be very successful. They are in cutting-edge areas such as data analytics and cloud technology. We will want to mainstream those in due course and, indeed, expand them where appropriate.

I have touched on the review of apprenticeships. I think that that offers new opportunities, on a much bigger scale, for the ICT sector. We can also look to the forthcoming review of careers services, because, in many ways, those represent the foundation stone on which much of our economy is built, and we need to see what more we can do to encourage young people to consider careers in this flourishing sector in Northern Ireland.

Finally, the Member will note that we have seen a very significant increase in the number of applications to universities, which we welcome. There comes a point, however, when physical capacity and staffing issues come into play. We are in discussions with the universities to see what more we can do to take their offerings to the next level.

**Mr Campbell:** The Minister outlined the availability of ICT schemes and courses. Does he accept that, in some hard-to-reach communities, it is about more than merely making those classes and courses available? It is about proactively seeking out people who will need qualifications to make themselves available in the job market? What is he doing to promote that?

**Dr Farry:** I thank the Member for his question. He raises the need to maximise participation. We need to find people to go into ICT careers. We have to address the gender balance, encourage people who, perhaps, have not thought about ICT as a career and, indeed, address the needs of people who are facing particular barriers. A lot of good work has been done with communities in that regard. Obviously, when we talk about essential skills, that is not just literacy and numeracy; it is ICT. This month, we are mainstreaming LEAP across Northern Ireland. That is a community-based project that will engage with people.

A number of projects within the not in education, employment or training (NEET) strategy, Pathways to Success, and under the collaboration and innovation fund, which aim to engage with vulnerable young people or those who are facing barriers, are based around ICT. So, there is a focus on trying to touch the communities that Mr Campbell identified.

**Mr Eastwood:** Is the Minister confident that enough places are being offered in the north-west region to meet demand or to attract all the jobs that we want in the ICT sector?

**Dr Farry:** I think that the straight answer to the Member is that more can be done in this area, particularly in the north-west. Later this evening, we are having a debate about Magee and the potential of that university campus. I encourage much more attention to be given to the intermediate-level skills — the technical skills — for which particular demand is being voiced by employers, including those in the ICT sector. The Member will also note that, in support of the One Plan skills directorate, we recently appointed a member of my staff to act as a liaison officer. That was to provide much more focused attention on skills in the north-west.

**Mrs Overend:** I thank the Minister for his responses. He referred to the ICT action plan that was launched in June 2012. Will the Minister outline the alterations that he has made to that action plan since then, considering the economic climate?

## 2.30 pm

**Dr Farry:** I thank the Member for her question. She, rightly, identifies that the action plan was never meant to sit on a shelf or be fixed in stone. We have periodic reviews of the action plan at which we bring the stakeholders together. As and when we come across a need for new initiatives, or when new initiatives are happening, we will update the plan accordingly.

I will give the Member a few examples of that. We are in a new context in which the A level is in place, which means that attention now shifts towards encouraging schools to offer that A level. At present, only a handful of schools make that choice available to young people. We have also developed a much greater focus on certain specialities, such as data analytics and cloud technology, which were mentioned earlier. That illustrates that this is a fast-moving industry and that new types of expertise can be required at

relatively short notice. So it is important that we continue to have the flexibility to respond to the needs of overseas investors and indigenous companies. Those issues will be reflected in the action plan as we update it regularly.

## Teacher Education Infrastructure

3. **Dr McDonnell** asked the Minister for Employment and Learning for an update on the second stage of the study of teacher education infrastructure. (AQO 4562/11-15)

11. **Mr McGimpsey** asked the Minister for Employment and Learning for an update on the progress of the second stage of the study of teacher education infrastructure. (AQO 4570/11-15)

**Dr Farry:** With your permission, Mr Principal Deputy Speaker, I will group questions 3 and 11.

Members are aware of my previous statements to the Assembly and my plans to review the teacher training infrastructure in Northern Ireland before putting forward options for further consideration. Yesterday, I announced that I had appointed Dr Pasi Sahlberg to chair an expert panel of international standing in the field of higher education and with the professional expertise to meet the objectives of the review.

Dr Sahlberg is currently director general of the Centre for International Mobility and Cooperation in the Finnish Government's Ministry of Education and Culture. He has a long track record in education and development and has been an active figure in promoting educational changes in Finland and beyond. He brings high-level strategic expertise and advice to this review. Dr Sahlberg will be supported by four other panel members, and I will make a further announcement about the other members in due course. I have placed a copy of yesterday's press release in the Assembly library.

The panel will have scope to develop its own methodology for taking the initiative forward, which, I envisage, will include engagement with representatives of the five teacher training providers. The final output from this assignment will be a report setting out the options for the future shape of initial teacher training in Northern Ireland. That will allow my officials and me to enter into further dialogue with the various institutions, with the intention of finding an agreed way forward.

**Dr McDonnell:** I thank the Minister for his answer. Has the Department made any projections or are there any indications to the Department of any possible adverse impacts of the study on future needs? Will future needs be in any way be threatened by the line that the Department is pursuing?

**Dr Farry:** I thank the Member for his supplementary. I can assure him that there is no danger of that in any shape or form. The Department of Education controls the teacher demand model, and it will set the numbers required.

My concerns are largely to do with the nature of the infrastructure itself. We have a multiplicity of providers for 1.8 million people, which goes against the trend in other jurisdictions; hence the need for an international perspective on what we do. We have looked at financial projections for the teacher training colleges in particular, and it is clear that they are not sustainable. Even if we do nothing, they will not be sustainable, but, in the event that



other policy priorities change, that situation could come to a head even sooner. So the only responsible thing to do is to take forward this review. We will always ensure that we train teachers to meet the needs of the local market. If anything, at present, there is a surplus of trained teachers, and good efforts are being made to put some of them to good use in the area of literacy and numeracy. There is still a surplus, and we want to ensure that we invest in the right needs of our economy.

**Mr McGimpsey:** I, of course, am keen to know where we are as far as the status of Stranmillis University College is concerned. It was my understanding that, before the summer, you appointed an expert to advise you. I now hear that this expert is the chairman of a panel that is yet to be appointed but will be "in due course", after which it will engage in a long discussion. But when I hear words like "not sustainable" and I hear about this long process, you will understand how anxious I am to find out exactly what your proposals are for Stranmillis college.

**Dr Farry:** Again, I thank the Member for his question. We are taking a deliberative, evidence-based approach to this. I intend to appoint the rest of the panel within a matter of weeks. We simply have to confirm participation with the panel before we proceed to announce the names. We have to have a degree of caution in that regard. It is intended that the panel will report on this issue in spring 2014.

I do not think that we are taking it slowly. If anything, the mood of the Assembly was against the potential merger of Stranmillis and Queen's University. That was placed on the table by my predecessor, the colleague of Mr McGimpsey, but it was very quickly apparent that the appetite was not there to simply address the future of Stranmillis through the lens of a potential merger with Queen's. Hence, there was a need for a much wider review of the infrastructure so that we can explore all the issues, including some of the equality issues that have been raised as matters of concern by Members.

**Mr Sheehan:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Gabhaim buíochas leis an Aire as ucht a fhreagra. I thank the Minister for his answers so far. Does the Minister intend to move forward on the basis of agreement with the institutions in question? If no agreement can be reached, does he intend to impose change?

**Dr Farry:** I can understand why the Member is asking that question, but it is probably premature to raise that issue. My preference would obviously be to work on the basis of consensus with the various institutions. Obviously, we respect them, and they all have long and proud histories.

It is important that all the institutions engage with the review, but they must also recognise that the status quo of the system is simply not sustainable. Change is inevitable. It is better that we address change on the basis of consensus, and I believe that this process will allow for that opportunity. If people are not prepared to engage, we will have to see what happens. Even if we sit back and do nothing, the situation will change adversely as far as the future interests of the various stakeholders are concerned.

**Mr Wilson:** I understand the importance of the various institutions involved in teacher training, but does the Minister accept that it is imperative not to keep training teachers for unemployment? Young people are being enticed into teacher-training courses only to find that there are no jobs for them at the end. Does he accept that, if

this review is to be effective, the total number of teachers required is also an important factor to be considered when making any decisions?

**Dr Farry:** Again, I thank the Member for his question. I look forward to being grilled by him from the Back Benches over the months to come. I suspect that he has a major advantage over most other Members as he knows the ins and outs of a lot of the financial arrangements of the various Departments. No doubt, he will be forensic in his analysis of the various issues.

Having a more shared and integrated system for teacher training would be much more sustainable and would have a much higher tolerance for shifts in the numbers of teachers being trained in Northern Ireland. At present, there is a sense that the numbers being trained are as much a reflection of the need to keep institutions sustainable as they are of the needs of the economy as we move forward. To put it into very sharp focus: we are spending more money on training a teacher in Northern Ireland, when arguably we are training too many, and less on training an engineer, when arguably we need more engineers for our future growth.

**Mr Allister:** No doubt, the Minister will say that the panel has been appointed to look at infrastructure; but nothing in education is free-standing. Is it not the case that his choice of chair, Dr Sahlberg, is a person who, from his writings, is clearly an avowed opponent of selection, an avowed opponent of any form of standardised testing and an avowed opponent even of parental choice in education? Is there an agenda here that the Minister is following with the Education Minister?

**Dr Farry:** I am happy to give the Member an absolute categorical assurance that none of the issues that he outlined is part of the terms of reference for the stage two of the review either officially, unofficially or in any other way, and that there is certainly no conspiracy afoot regarding this being a Trojan Horse for any of those other issues. The House is well familiar with those issues, and there will be separate processes for discussing those and agreeing changes, if any. However, with regard to what the Member is concerned about, he has nothing to fear whatsoever.

## Apprenticeships

**4. Ms McGahan** asked the Minister for Employment and Learning for an update on discussions between his Department and private sector representatives to improve the provision and success of apprenticeship schemes. (AQO 4563/11-15)

**Dr Farry:** In the main, discussions between my Department and private sector representatives to improve the provision and success of apprenticeship schemes have been within the context of the review of apprenticeships that I announced in February 2013. However, discussions have not focused solely on private sector representatives. I instructed DEL officials to engage with a wide range of stakeholders, including young people, the voluntary and community sector, sector skills representatives and training providers.

I established an expert panel, which includes employers and education and skills providers, to advise on the work of the review. That has now met three times regarding

apprenticeships and once focusing on youth training. Alongside that, my officials have met individual businesses and sector skills councils, and have worked with partners, including the CBI and the Federation of Small Businesses, to engage directly with that sector.

I recently facilitated a series of stakeholder forums for employers, learners and providers, which have provided an opportunity for key stakeholders to help shape the review. A call for submissions on the review of apprenticeships was launched on 4 September. There will be a similar call for submissions on the review of youth training.

**Ms McGahan:** I thank the Minister for his response. It is my understanding that Electrical Training Trust students are unable to enrol in regional colleges to pursue apprenticeships, and that that is having an impact on their potential careers. Is the Minister planning to factor that into his review of apprenticeships?

**Dr Farry:** I thank the Member for her supplementary question. She touches on one aspect of a much more multifaceted problem, and a number of MLAs have been in touch with me in recent months to highlight that. At times, the rules around the current model of apprenticeships can be somewhat stifling, and sometimes they may be perceived as being slightly illogical and may frustrate people's opportunities and their chances for progression. I assure the Member that, with regard to the current review, every single aspect of apprenticeship policy is on the table. Although we talk about the broad sweep regarding the headline changes that we want to make, we also want to look at the particular rules around apprenticeships that have caused some frustration, not only for Members but for young people across Northern Ireland.

**Mr Newton:** Does the Minister agree that, given the very high number of people who are unemployed in this potential apprenticeship group, there is virtually a social responsibility on many of our medium to large companies, particularly those in receipt of, in many cases, large amounts of financial support from DEL, to take up that social responsibility and provide an opportunity for training places?

**Dr Farry:** I fully agree with the Member. To give a specific example: there is now a much greater use of social clauses, which include aspects of engagement with apprenticeships, in public procurement contracts. The broader point stands, in that companies have a duty to invest in the future of the economy as a whole, and that includes investing in young people. Sometimes you will see some companies overtraining in the sense that they have an expectation that they may not hire everybody in due course, but that they will be available for the rest of the sector or, indeed, their supply chain. However, I would not wish employers to simply see this as a social responsibility. Hiring an apprentice adds to the bottom line of a business. Depending on the complexity of the training needs, an employer may well break even on productivity after a year. In a more complex area, that may be two years. However, an employer will get a productivity gain directly from employing an apprentice. So, they can employ an apprentice out of a sense of corporate social responsibility, but they can also do so in their own direct economic interest.

2.45 pm

## Health, Social Services and Public Safety

**Mr Principal Deputy Speaker:** Again, we will start with topical questions. Mr Fra McCann was listed first, but he contacted the Business Office within the appropriate time and withdrew his name, so I call Mr Seán Lynch.

### Children in Care

2. **Mr Lynch** asked the Minister of Health, Social Services and Public Safety whether he agrees that his Department has failed children in care and whether he intends to hold an inquiry into children in care here. (AQT 72/11-15)

**Mr Poots (The Minister of Health, Social Services and Public Safety):** The blame for the circumstances that we find ourselves in lies first and foremost with the perpetrators, not the Department. The blame should always lie first and foremost with the perpetrators of sexual or any other kind of violence.

Over the past number of years, the Department asked Barnardo's to produce a report and paid for that report to be produced in 2009 because we recognised that there was a risk. Subsequently, we took a series of actions, including establishing the Safeguarding Board for Northern Ireland.

Not all the responsibility lies with the Department. The police and the Department of Justice have a role. When young people themselves do not believe that they are the victims of violence or sexual violence, you have a great difficulty. Many of those young people wrongly perceive that they are being appreciated and shown some kind of care and attention when they are really receiving malign attention from people who have evil purposes.

So, let us be very clear about where the blame lies. It lies with people who go after young, vulnerable people. It is not just children in care, because 80% of children who are targeted by child sexual exploiters are not in care, and we need to get the appropriate messages out.

**Mr Lynch:** Go raibh maith agat. Gabhaim buíochas leis an Aire as an fhreagra sin. Can the Minister assure the public that children in care today are safe?

**Mr Poots:** It is important to indicate that children in residential care homes are in homes. That is why they are not locked up: it is to be a home, not a prison. Therefore, young people have the ability to exercise some discretion and free will. We identified that those young people who were most vulnerable, and who, for a variety of reasons, we took to secure accommodation, quickly reverted to how they behaved previously. Clearly, locking up young people does not work.

It is a difficult situation. We will highlight repeatedly to young people the issues and problems that can come to them as a result of engaging with the wrong types of people, how to avoid them, what to watch out for and when to seek support. We will also continue to work with the police. It is important that we recognise that, in all of this, I am sure that we can move things forward and improve things. The care of young people has improved over the past 10 years and over the previous 10 years. I have no

doubt that we will be doing things in future years that will be better than today. We need to ensure that we pay heed to everything that comes to our attention and that we act on it. That is what we seek to do daily.

### Care Homes: Admissions Policy

3. **Mr Allister** asked the Minister of Health, Social Services and Public Safety whether he will give statutory residential care homes for the elderly a chance and an opportunity to prove their viability by doing a U-turn on his policy of restricting new admissions. (AQT 73/11-15)

**Mr Poots:** The policy of restricted admissions is something that a number of trusts applied but not all. Last year, for example, the Western Health and Social Care Trust had an open admissions policy. Eighty per cent of people in the Western Trust area chose not to use statutory residential homes and opted for private residential homes, so Mr Allister's point does not resolve the issue. With residential care homes for the elderly, we need to look at the widest range of options for our elderly population and seek to meet their needs. The person, not the facility, should be front and centre of all those things — the needs of that person and where best their needs are met. If their needs are best met in a statutory residential care home, I am not opposed to that.

**Mr Allister:** The Minister likes to hide behind the trusts on the issue. However, his policy is to restrict admissions. On 9 October 2012, when he introduced Transforming Your Care, he told the House that there would, therefore, be a restriction on new admissions to statutory care homes. That is starving homes of the oxygen of occupancy that makes them capable of working. Take, for example, Pinewood Residential Care Home in my constituency. It is a 36-bed unit that has been starved of admissions to the point that it now has nine residents. Is the Minister not, quite clearly, clinging to a policy that is designed to close those homes? Why does he fear lifting that ban to let those homes prove themselves?

**Mr Poots:** In case Mr Allister takes the Assembly down the wrong line, he will find that there are more than nine residents in Pinewood, albeit that there are nine permanent residents. Many people use the facility for respite care. I just want to clarify that matter. Had Mr Allister had his way and the trust made its recommendations, does he honestly think that a direct rule Minister would have stepped in as I did? The truth is that Mr Allister's policy would have ensured the closure of Pinewood Residential Care Home. [Interruption.]

**Mr Allister:** You went through the Northern Trust 100%. You sat on your hands over it.

**Mr Poots:** Mr Allister does not like the truth. He does not like the facts. That is why he is behaving as he is.

**Mr Principal Deputy Speaker:** Order.

**Mr Poots:** I wish that Mr Allister and, indeed, anybody else in the Assembly would visit some of the new facilities that we have developed. Recently, I opened one in Downpatrick. I visited one in Carrickfergus, which is not very far from Mr Allister's constituency. I urge people to gain a little knowledge on the subject about the standards of care that we might be able to offer our elderly population, which is a higher standard of care than is currently in place. Talk to the residents, staff and families,

who will say that those facilities are much better — [Interruption.] — rather than unnecessarily hyping up and scaring elderly people in residential care homes.

**Mr Principal Deputy Speaker:** Listen: if you ask a question of the Minister, you should have the manners to listen to the answer.

### Organ Donation

4. **Mr Ross** asked the Minister of Health, Social Services and Public Safety, given the continued coverage of the issue of organ donation, whether he will provide an update on the survey work that his Department is carrying out about public attitudes toward organ donation in Northern Ireland. (AQT 74/11-15)

**Mr Poots:** Over the early summer, the Public Health Agency team conducted a face-to-face survey of the public, with a representative sample of 1,012 individuals, which is fairly large. That was done on the basis of age, gender, social class and local government district, so it was widespread. Focus groups and stakeholder engagement also took place with health service staff, the BMA, charities, recipients, those on waiting lists and donor families. That work has now concluded, and I understand that the team has finalised a report on its findings. Some interesting views on organ donation are emerging. There is a lot of work to be done with the public on the issue to ensure that we can move and advance forward to ensure that more organ donation takes place in Northern Ireland with the support of the public.

**Mr Ross:** Will the Minister confirm that that report will be published? Will he indicate to the House when he anticipates that that will be done? Are there any early findings that would be of particular interest to the Assembly?

**Mr Poots:** I understand that the all-party group on organ donation meets next week. We would be very happy to make the report available to that group, and I think that that meeting would be an appropriate opportunity to do so. I have no doubt that the Public Health Agency team will make itself available to make a presentation if requested to do so. I appreciate the public and political interest in this issue. If it is not possible for the all-party group to receive the report next week, I will endeavour to have it published in the very near future. I think that the public need to know what the responses were, and we need to give attention to what the public say on these issues. As the survey was of a representative sample, it will indicate very clearly where the Northern Ireland public stand on the issue.

### Legal Cases: Use of Public Funds

5. **Mr Lyttle** asked the Minister of Health, Social Services and Public Safety why he is using scarce public funds for legal cases against blood donation and adoption when his responsibility is to deliver a system that assesses the health and safety of blood donation and decides whether parental placements are in the best interests of a child. (AQT 75/11-15)

As this is my first topical question, I wish to extend my thanks to the staff of the Committee on Procedures, who undertook to develop my proposal to introduce topical questions. I also extend my gratitude to my Assembly researcher, Gareth Scott, whose idea it was to proceed

down this route. I think that it is worth putting that on the record.

**Mr Poots:** I thank the Member for his modesty. *[Laughter.]* There is an old saying: "Self-praise is no recommendation".

On the issues that the Member raised, I was not aware that I went to court with anyone. However, when someone takes you to court, you have to respond; it would be quite foolish not to do so. It is very interesting that public money is being used by the Northern Ireland Human Rights Commission, which is a publicly funded body, in taking the Government to court, and legal aid is being used. We await the outcome of one of those cases in the not-too-distant future. Let us just see what happens.

On the issue of gay adoption, let us be absolutely unequivocal: I am just after saying that we need to pay attention to the public when they speak. When the direct rule Minister held a consultation, it revealed that over 95% of the community was opposed to gay adoption. It strikes me that some Assembly Members would prefer the courts, as opposed to this House, to make decisions. With respect to the courts, the Assembly is elected to represent the people of Northern Ireland, and it is a crucial part of the democratic process. We would do well to pay attention to the democratic will, and that is exactly what I am doing. I have to say that my stance was further strengthened last week when a piece of Queen's University Belfast research on looked-after children was published by the British Association for Adoption and Fostering. The longitudinal report, started in 2003 and published only last week, found that 99% of children who had been adopted here had stability — 99% of children in adoptive circumstances in Northern Ireland find stability.

**Mr Principal Deputy Speaker:** I remind the Minister that the two-minute rule applies.

**Mr Poots:** I am very sorry, Mr Principal Deputy Speaker.

That was because — the report included this — of the rigorous assessment process that takes place. So I make no apologies for not repairing something that is not broken in the first place.

**Mr Lyttle:** I thank the Minister for his response and his emphasis on the need for rigorous assessment. How can the public be confident that he is using public funds in a responsible manner when he continues to lose legal proceedings on these issues?

**Mr Poots:** That is a matter for the courts in the decisions that they make and the arguments that are put. Let me be absolutely clear: the European Court of Human Rights has found that there is no human right to adopt. Let us just nail that at the outset. This is not about adopters; it is about the children.

### 3.00 pm

In Northern Ireland, we are in a different circumstance from the rest of the United Kingdom, in that we do not have as many children on the waiting list for adoption as is the case in England, Scotland and Wales. Northern Ireland has a very robust adoption system, and I would have brought and am prepared to bring adoption legislation to the House to upgrade and improve it. However, because others decided to rush to court, that has been delayed. That is damaging to democracy, and I would have thought that Mr Lyttle should be a defender of democracy instead

of trying to do down democracy. He may wish to do things through the courts; I would rather do things through the ballot box.

**Mr Principal Deputy Speaker:** That is the end of the period for topical questions. We will now move on to questions for oral answer.

## Care Home Provision

1. **Mrs McKevitt** asked the Minister of Health, Social Services and Public Safety for his assessment of the total number of elderly people who will be living in statutory and private care homes in three, five and ten years from now. (AQO 4573/11-15)

**Mr Poots:** It is not possible to make exact predictions of that nature. Demand for residential and nursing home care is dependent on a range of variables, including levels of disability, the prevalence of conditions such as dementia and the availability of alternative forms of support such as domiciliary care. Moving forward, I fully support the general principle that home should be the hub of care for older people. I want a shift away from the provision of care in institutional settings to the provision of treatment, care and support closer to home. As the policy takes effect, I expect more of our older people to be supported to maintain their independence in their own home.

In August 2013, the Health and Social Care Board, as part of its project titled Improving Services for Older People — A New Process for Consulting, Engaging and Implementing Change, published a project initiation document on the future of statutory residential homes. As part of that project, the board is in the process of developing criteria that will likely include a measurement of the demand for statutory residential care that could be applied locally at trust level. The criteria will be subject to public consultation in the near future. However, I want to provide an assurance that that does not mean that residential and nursing home care will not be available in the future. I fully recognise that, for some people, support in their home may not be the best option, and HSC will work with providers in the independent and voluntary and community sectors to ensure the continued supply of residential and nursing home care.

**Mrs McKevitt:** In the absence of statutory homes, how does the Minister intend to provide vulnerable elderly people with the level of care that they require?

**Mr Poots:** In a range of ways. First, we should always seek to give people the option of staying in their home by providing appropriate and adequate support. Direct payment can be one means if people have strong support from families and can utilise that as a much more flexible service than the one we offer from the statutory sector.

Secondly, we need to ensure that we look at the option of providing supported living facilities, and that is a growing trend. I mentioned the very successful example in Downpatrick, which is in the Member's constituency. I urge her to visit that facility because I think that she would be wholly impressed by the service provided there.

Finally, we have the option of the private sector and, as things stand, the option of the statutory residential sector as well.



**Mr Campbell:** Fionnuala McAndrew from the Health and Social Care Board was interviewed last month, Minister, and, when questioned, she indicated that no elderly residents would be forced to leave their home. Can the Minister reassure residents, such as my constituents in Thackeray Place in Limavady, that that is the case and refute those who are party politicking and using elderly residents for their own ends?

**Mr Poots:** Thackeray Place is one of the strongest homes and one of the homes with the strongest cases for remaining open well into the future because it is very heavily occupied, with some 27 or 28 of 32 permanent places filled. That facility is clearly very popular in the local community. In these situations, you often look at what alternatives are available, and I do not believe that an alternative is available in Limavady town itself. All those issues are taken into account.

We are engaged in a process. The other process was flawed — I want to be clear about that — and that is why I stopped it. The process that we are engaged in is not about forcing people out of their home; it is about improving the lives of older people and giving them a wider range of options. In doing that, it is important that we take steps that will allow us to make that investment in providing better options for older people in the future, but, at the same time, it is critical that we treat those older people who are currently in residential care with the greatest respect and decorum. I accept that that did not happen, and I do not wish for that failure to happen again.

**Mr Beggs:** As a Back-Bencher in 2009, the Minister fought for the retention of statutory residential homes, yet his current policy proposes their closure. How will the Minister ensure that residential care homes remain affordable and locally accessible to family and friends? How does he explain his U-turn?

**Mr Poots:** That is something for the Health and Social Care Board. It is doing work that is looking at what is available to older people and what the best options are. I have had the opportunity to look at the supported-living model, and it is something that, I believe, will deliver a much better service for older people; one where they can retain a greater degree of independence and have the support that is necessary. I can give an example of an elderly couple, one of whom develops dementia. They do not need to go into a home; they can move into a supported-living facility. As their need increases, the support for them will increase. That couple would be able to stay together, as opposed to one of them having to move into a residential care home while the other stays in their own home.

If Members think that that is not a good thing, and that that policy is wrong, I would love to hear them state that belief clearly. I believe that the policy is right, and I believe that we need to go down this route of doing things in a very structured way, unlike the Member's colleague who did things in an unstructured way and closed six or seven residential homes in his period as Health Minister, without any opposition from Mr Beggs.

**Mr McCallister:** Has the Minister had any discussions with the Secretary of State for Health in England or the Finance Minister here about the effect that a cap on residential funding, such as that paid by people in England, would have on the Budget here if he were to introduce it?

**Mr Poots:** I have not had direct conversations with the Health Minister on that. Normally, these things are dealt with through the Department for Social Development, and it is not my role to stand on other Ministers' toes. It will have an impact on me, so there would have to be contact with my Department if the Department for Social Development were to do anything. I would express an opinion on that when it would come to me.

**Mr Principal Deputy Speaker:** Question 2 has been withdrawn and referred to DSD for written answer.

## Transforming Your Care

3. **Ms Boyle** asked the Minister of Health, Social Services and Public Safety what analysis, linked to multiple deprivation indicators, is undertaken to monitor the effects of Transforming Your Care on people in deprived areas. (AQO 4575/11-15)

**Mr Poots:** Although we have seen many improvements in the health of our population, those who are disadvantaged in our society do not have an equal chance of experiencing good health and well-being. Health and Social Care alone cannot fully address the issues associated with multiple deprivation; it requires joined-up working across government. One of the key principles underpinning Transforming Your Care (TYC) is a commitment to a focus on prevention and tackling inequalities. Changes to service provision through TYC, such as improved integration of care through the implementation of integrated care partnerships and the provision of enhanced services locally through primary and community care, will improve the health and well-being of all of our population and contribute to overall progress in respect of deprivation indicators.

TYC is a key element of our wider, holistic approach to tackling inequalities. We already have a wide range of activities under way to target the vulnerable and disadvantaged across Northern Ireland, including strategies and action plans with a wide range of associated indicators in respect of smoking, teenage parenthood and sexual health, mental health promotion and suicide prevention, obesity, and alcohol and drug misuse, as well as the forthcoming new public health strategic framework. We must all work together to ensure that we optimise life chances for everyone in Northern Ireland.

**Ms Boyle:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Will an equality impact assessment (EQIA) be conducted for specific services of Transforming Your Care, and is there a timescale for that?

**Mr Poots:** Our Department, as always, will follow all the guidelines related to equality issues, but let me talk a little bit about equality. If we want to truly change where we are, we have to go back to the starting point: the starting point is when a young person is born. I am very committed to ensuring that we give young people the best possible chance in life. I hope that Sinn Féin will be equally committed in the Departments that it has responsibility for to ensuring that those young people have the best opportunities for life, unlike the circumstances in west Belfast and the Shankill, where I had to step in because funding was not being supported by the Department of Education, which is led by a Sinn Féin Minister. It took a DUP man to sort out the people on the Falls Road.

**Mrs D Kelly:** What are the Minister's thoughts on the health action zones, which many recognise as having been a success in directing cross-departmental work in deprived areas? Does he have any replacement model in mind for the future?

**Mr Poots:** In all these things to do with deprivation, we have to first identify the nature of the problem and then seek to address it in a very focused way. I do not think that having Northern Ireland-wide policies, as such, does that, so the advantages of health action zones are fairly obvious in that instance. They give you a local perspective, and then you can deliver a local response.

In all that we do, we will seek not to have a broad brush approach to tackling these issues. Anti-smoking and such activities, for example, will cross the Province. In determining the nature of the problem of school truancy, for example, we know that it impacts on young people's health. If you have high levels of truancy in one area, we can focus on that and target what is going on. People smoking during pregnancy is a much greater issue in some areas than in others, so you have a particular focus on that. It is absolutely crucial that we seek to get as much qualitative information as possible to tackle inequalities in a very focused way that makes best use of the limited resource.

**Mr McCarthy:** How can the Minister use such honeyed words about domiciliary care when he presides over a Department that has deprived a number of elderly people in isolated rural areas of community meals? The criteria have been lifted so high that thousands of people do not get one meal a day.

**Mr Poots:** More money and hours are being spent on domiciliary care. That will continue to be the case. We will invest further in domiciliary care in the years ahead because it is absolutely critical to ensuring the well-being of people who require such care.

**Mr McCarthy:** What about the community meals, Minister? Starvation.

**Mr Principal Deputy Speaker:** Order, please.

## Paediatric Cardiac Surgery

**4. Mr P Ramsey** asked the Minister of Health, Social Services and Public Safety, following the British Congenital Cardiac Association's endorsement of a network model to ensure the implementation of standards and the successful development of service, to outline what meetings have taken place with Irish Government Ministers and officials in relation to the establishment of an all-island network of paediatric cardiac surgery. (AQO 4576/11-15)

**Mr Poots:** Members will be aware that I met the Republic of Ireland's Minister for Health, Dr James Reilly TD, on 8 May 2013 to ask that he give consideration to a two-centre model potentially providing paediatric congenital cardiac services (PCCS) in Belfast and Dublin. A further meeting of officials and clinicians took place on 23 May to determine whether such a model would be feasible. There has been ongoing engagement since then between clinicians and officials North and South. I had a further meeting with Minister Reilly on 12 September to discuss the issues, and the discussions are likely to continue over the next few weeks. I will inform the Assembly of the outcome when I announce my decision on the future

commissioning of that service, which I hope to do as soon as possible.

**Mr P Ramsey:** I thank the Minister for his response. He will appreciate that this is a hugely important, sensitive and emotive subject for so many parents across Northern Ireland. Is he minded to give a commitment to ensure that the network model endorsed by the British Congenital Cardiac Association that is working in Canada and America could be workable in Northern Ireland and could give peace of mind to parents who are so worried about their children?

**Mr Poots:** That is certainly the model that I am pushing for. I need cooperation for that to happen. Minister Reilly has been very cooperative when we have looked at all those things. We have a more challenging issue with officials in both Departments to get this one over the line, but I am very determined that we should exhaust every possibility that exists here and give it every effort to ensure that we get a network facility that retains surgery in Belfast. I should say that we are in a better place than we were some time ago, when the proposal was that we went to England and when we had the potential to lose our cardiology services. I believe that we can ensure that the cardiology service stays without any issue, and the English model has now largely been dismissed, with the exception of the level-4 children who have to go to England for the most complex of surgery. So, it is a battle that continues, but I assure the Member that that is the model that I am pursuing.

## 3.15 pm

**Ms Brown:** What are the key factors that are required to make the Belfast-Dublin network work? Is he aware of arrangements such as the single network serving Toronto and Ottawa?

**Mr Poots:** Yes, I am aware of that network. We are looking at the fact that, on the island of Ireland, more than 500 operations are currently taking place. Ideally, Dublin does not want to go to fewer than 400, and, ideally, Belfast needs 200 to enable us to offer a 24/7 service, with 50 adult congenital cardiac procedures taking place. So, getting to the optimum is difficult, as I do not think that the border counties alone would bring us up to 200. Therefore, you would have to go deeper into the South of Ireland for that to work as well as you would like it to.

The other element of it is that it will be absolutely critical that our surgeons, anaesthetists and theatre teams have the opportunity to engage in surgery in Dublin so that their skills are right up there at the very highest level. That would make it more attractive for young surgeons to come to Belfast. I met the surgeons, and they do not believe that it is impossible to recruit, so there is some hope there. Our cardiologists are very highly respected for the care that they provide and the way that they do it, and we have something to offer the Republic of Ireland on the cardiology service. It is excellent, and we can support people in the border counties in that respect.

**Mr Swann:** I thank the Minister for his words, and I declare an interest in that I have a seven-month-old son still waiting for cardiac procedures in Belfast. I endorse the Minister's words in speaking so highly of the surgeons and the staff in the Royal Victoria Hospital.

Minister, perhaps it is anecdotal, but parents I talk to daily and weekly seem to be sending children to England for routine operations. I have asked for statistics comparing that with the number that we now send to Dublin. Can you explain to me why restrictions are still in place on performing some paediatric cardiac procedures in Belfast when they have been deemed safe to be performed there and why we still send children across to England?

**Mr Poots:** I understand that criteria were applied by the HSCB and the Public Health Agency (PHA) in conjunction with others that led to certain surgical procedures not taking place in Belfast. I understand that, subsequent to that, there was an independent assessment of that decision, which indicated that it was wrong. So, that very question has been asked of the relevant bodies only this week. When I get an answer from the bodies involved on why they have not changed that decision, I will be happy to bring it back to the House.

### Age Discrimination

5. **Mr Boylan** asked the Minister of Health, Social Services and Public Safety whether he plans to undertake an age discrimination review of all aspects of health and social care in preparation for the introduction of the Programme for Government commitment to introduce age discrimination legislation in respect of goods, facilities and services. (AQO 4577/11-15)

**Mr Poots:** My Department continually reviews all of its policies and standards for health and social care services to ensure that they do not unreasonably discriminate against any group. The fundamental principle is that access to health and social care services must be on the basis of prioritised, assessed health or social care needs. As the policy intentions and scope of the proposed new age discrimination legislation become clearer, we shall, of course, include them in our review processes to ensure that they are properly reflected in core policies and standards for health and social care.

**Mr Boylan:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Gabhaim buíochas leis an Aire as an fhreagra. I thank the Minister for his answer. In view of the commitment under Transforming Your Care to ensure that people can remain in their home for longer, does the Minister not agree that a review now would be even more relevant?

**Mr Poots:** We have a Northern Ireland Executive, and issues of equality fall within the remit of the Office of the First Minister and deputy First Minister. Age discrimination appropriately falls to that Department, so, in some respects, the simple answer is that it is above my pay grade. However, to be more serious and less flippant, we want to ensure that elderly people receive the appropriate support and care. It is incumbent on us to ensure that that is the case and that, throughout government, we work closely with one another to ensure that all the checks and balances are in place so that it will be less likely that anybody — in particular, older people — is discriminated against or gets unfair treatment from government.

**Mr Weir:** I thank the Minister for his answers so far. Will he give us an update on the older people's service framework?

**Mr Poots:** The aim of the service framework is to improve health and well-being for older people, their carers and their families by promoting social inclusion, reducing inequalities in health and social well-being and improving care. The framework for older people sets standards relating to person-centred care; health and social well-being; improvement; safeguarding; carers; conditions more common in older people; medicines management; and transitions of care. The OFMDFM strategy for older people, Ageing in an Inclusive Society, has been developed to update the direction of travel for older people's services, and the service framework for older people reflects and reinforces the core principles of that strategy. Those will shape and guide implementation.

### Health Inequalities: Family Support Hubs

6. **Mr McCartney** asked the Minister of Health, Social Services and Public Safety how health inequalities and objective need will be used to decide the location of the 10 new family support hubs. (AQO 4578/11-15)

**Mr Poots:** Family support hubs are a multiagency network of statutory, community and voluntary organisations providing coordinated referral services for families needing early intervention services. Hubs facilitate access to services in a particular locality; they do not provide services directly. The outcomes group in each health and social care trust area assesses the needs of its resident population, including health needs, and the locality planning groups are responsible for determining the number and location of hubs to respond to identified need in their area. Outcomes groups and locality planning groups operate under the regional Children and Young People's Strategic Partnership.

Hubs accept referrals from a range of agencies on behalf of families in need of early intervention support services, and they use their knowledge of local service providers and the regional family support database to signpost families to appropriate services. The Delivering Social Change hub signature project will support the existing network of hubs and develop 10 new ones. The initial priority is the establishment of hubs in areas in which none currently exists.

**Mr McCartney:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Gabhaim buíochas leis an Aire as an fhreagra. In the location of hubs, will the Minister give due consideration to the recent child poverty statistics, particularly in the constituencies of Foyle and North Belfast?

**Mr Poots:** I think that we have already done that. I am sure that the Member is aware that there are hubs in Creggan, Shantallow, Waterside, Strabane and the Dry Arch, which provide excellent services. Four hubs are under development to cover north, south, east and west Belfast. In all that, we recognise that there are families who find things very tough and need a lot of support and help. If we are truly to avoid children ending up in residential care homes, we need to step in at that very early point in their life and provide support to the families. Indeed, in some instances, we need to step in to remove a child from a family if they are at risk. The hubs will help us to provide that necessary support, whilst the other arm, the enforcement side, will be used in other areas. The hubs will provide support to ensure that as many children as possible stay in their own home.

**Mr D McIlveen:** Will the Minister give the Assembly an update on other work that the Department is leading under the Delivering Social Change model?

**Mr Poots:** The Public Health Agency leads a parenting support programme that has five distinct elements, namely the Strengthening Families programme, infant mental health training, Parenting Your Teen, Incredible Years and Triple P — very trendy names, I might add. Four of the programmes are in train, although at different stages of development. The Triple P programme has been delayed due to difficulties in identifying a suitable provider organisation, so consideration is being given to whether to proceed with commissioning that programme or to divert funding to an alternative parenting programme. We have links with, for example, Sure Start, the CAMHS teams, family centres, Barnardo's, Action for Children, the NSPCC, health visitors, social workers and others to ensure that the families who need support are able to access relevant information easily.

**Mr Dallat:** Does the Minister agree that, while there are indices to identify areas of serious and obvious social deprivation across Northern Ireland, there are people even in the most affluent areas who experience impacts? What does the Minister intend to do to ensure that those people are not slipping through the net?

**Mr Poots:** The Member is right to identify that there are people living in more affluent areas in households with a fairly high degree of poverty. Many of those people are in employment but are not well paid. Many of them acquired properties during the boom and have excessively high mortgages that leave them with very little money for day-to-day spending. It is incumbent on all of us to support groups such as the citizens advice bureau, which we do; to give people quality information and as much advice as possible through our constituency offices; and to be able to point people to appropriate services, including free school meals. People who have issues should not be embarrassed to take free school meals, because it is in the best interests of their children and may well open the door for other funding that they would not otherwise find available.

## Health Inequalities

7. **Ms Ruane** asked the Minister of Health, Social Services and Public Safety to outline the work undertaken with local government and others to improve service delivery and tackle health inequalities. (AQO 4579/11-15)

**Mr Poots:** Partnership working is vital if we are to tackle health inequalities effectively. The Public Health Agency and, before that, the health boards and trusts have worked effectively in partnership with local government and others for many years to improve health and well-being and to reduce inequalities in health through initiatives such as Investing for Health partnerships, health action zones and other issue-specific partnerships. A recent review of joint working arrangements resulted in refreshed endorsement from the PHA and the Society of Local Authority Chief Executives (SOLACE) to build on local joint working arrangements in the strategic context of the new public health framework and the reform of local government 2015. Examples of ongoing areas of collaboration include tobacco control, through direct support for council enforcement officers to protect people from exposure to

tobacco smoke and encourage businesses to promote smoke-free environments and prevent the sale of cigarettes to children; the accident prevention programme, including a home safety check scheme; and physical activity programmes, through, for example, referral programmes, walking programmes, outdoor gyms and other changes to the physical environment. In addition to and in support of this work, the PHA currently funds approximately 156 voluntary and community organisations to deliver health improvement activity, with some 270 contracts supporting 600 to 700 community-based initiatives.

**Mr Principal Deputy Speaker:** There is just about enough time for a quick supplementary question.

**Ms Ruane:** Go raibh maith agat, Principal Deputy Speaker. Gabhaim buíochas leis an Aire as an fhreagra sin. I was surprised to hear the Minister, in an earlier answer, pass his equality duties over to another Department. My question was about health inequalities. In the light of his section 75 duties, will models to track outcomes and impact now be developed as part of Transforming Your Care? It worried me slightly that you were dismissing your duties in relation to age.

**Mr Poots:** The Member must have heard only part of the answer or else she was just not listening: I indicated that the Department would ensure that it met all the equality standards. I hope that she did that when she was Education Minister. The Buddy Bear Trust, for example, which seeks to help children with profound physical difficulties did not receive any support from the Member when she was Minister. When we talk about equality, that should apply to everyone, including profoundly disabled children.



3.30 pm

## Committee Business

### Regional Library for Northern Ireland

*Debate resumed on motion:*

*That this Assembly recognises the economic, cultural, social and educational benefits that a regional library for Northern Ireland would provide; and urges the Minister of Culture, Arts and Leisure to engage with Executive colleagues and other partners to pursue Belfast central library's redevelopment plan to create a regional library as part of the overall Library Square project. — [Miss M McIlveen (The Chairperson of the Committee for Culture, Arts and Leisure).]*

**Mr Hilditch:** I rise as a member of the Culture, Arts and Leisure Committee to support the motion. While I welcome the attendance of the Culture, Arts and Leisure Minister at today's debate and look forward to her response and contribution, I also take the opportunity to acknowledge the work of the Department for Social Development to date, as it endeavours to progress the Library Square public realm scheme as part of the northside urban village, and the key opportunity that that presents to Belfast city centre.

I say this early on, as it puts the tenor of the motion in context. If the project is to be developed, a number of Departments, agencies and public bodies will have to step up to the plate in terms of delivery. I am neither a city councillor nor an MLA for the area, and I will give way to those with a greater knowledge and responsibility for the area, but, having attended our Committee meeting in Belfast central library on 27 June, together with being one of the few Committee members who visited the newly revamped Liverpool central library, I am aware of what we have on site and what can be achieved. Indeed, one can quickly see the similarities with Liverpool and how a very historical building, co-joined with a fit-for-purpose building could become an iconic anchor building in the refurbished, stunning Library Square, becoming a focal point in the local business community, a community asset and a cultural tourism must-see. However, we are a considerable way off the vision of the motion. Indeed, the presentations to the Committee at the end of June may have gone some way to help the development out of the starting blocks. It was also an opportunity to look at issues and concerns as well as the aspirations of the project.

The pre-Committee meeting tour was beneficial, as it gave members a chance to see some of the difficulties faced by the staff there and the provision of service at the central library. While it was great to see the many resources, collections and artefacts that are spread throughout the ad hoc mishmash of current buildings, my sympathies go to the hard-working staff, who are attempting to provide an adequate front line service to the public while having to endure very poor conditions in the non-public areas that are used for stock and storage. It really has to be witnessed, and how it works is a credit to the staff there.

A further area of concern that should be flagged at an early stage is the emerging project costs. I understand that, originally, the cost for the development was possibly

in the region of £20 million. However, from the presentation to the Committee, it would appear that the figure is now probably in the region of £30 million. Considering the financial difficulties surrounding similar projects in Northern Ireland, particularly by this Department, a close scrutiny of the evaluation is required, and I understand that a business case will be submitted by Libraries NI shortly. While a regional library for a shared future will be a capital project, Members should note the work carried out in trying to sustain local libraries and how any annual revenue budgets might be affected or looked at in the future.

Finally, I return to the need for collaboration between stakeholders. I had a little concern listening to the presentations on the day of the visit and got a feeling that much more needs to be done. There needs to be a greater understanding of one another's position and enhanced communication. Creating a regional library as a flagship building for Library Square will involve every Department in this place working with other bodies, including Belfast City Council, the Northern Ireland Tourist Board and neighbours such as the Metropolitan Arts Centre, the University of Ulster and many other agencies and partners.

I support the motion, and I look forward in the years ahead to the Library Square project incorporating the special services of a regional library. To coin a well-known local phrase, we will witness the glory of the old made new.

**Ms McCorley:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Ba mhaith liom tacaíocht a thabhairt don rún seo. I support the motion, which calls for support for the redevelopment of Belfast central library as a regional library for the North. Libraries NI is updating a business case to be submitted to DCAL for a regional, state-of-the-art, 21st-century library located in Library Square in Belfast.

Belfast central library is one of the oldest historic buildings in the city. It was built in the late 1880s and has been awarded grade B listed status. Ach mar atá rudaí ag an pointe seo, ní féidir leis an leabharlann an gnó s'aici a chomhlíonadh. However, as it stands, the library is unable to fulfil its remit. The building is in need of major refurbishment and is no longer fit for purpose. It also falls far short of the required floor space. Níba luaithe i mbliana, tharla cruinniú seachtainiúil an Choiste sa leabharlann lárnach, agus bhí sé soiléir le feiceáil go raibh na háiseanna srianta ó thaobh soláthair agus féidireachtaí fairs de.

Earlier this year, the Committee's weekly meeting took place in the central library, and we were able to see at first hand how the facilities restricted service provision and expansion. The Committee heard how the redevelopment of the central library's facilities to give it the status of a regional library would provide a more fit-for-purpose setting to display its resources, collections and artefacts. That development will also allow the public to have much easier access to its specialist services.

The redeveloped library would be a very fitting flagship building for the Library Square redevelopment. This project will witness a merging of old and new, as the plans will seek to create a new, modern facility that will blend easily into the brickwork of the old, historic building. Beidh sí seo ina saoráid phoiblí nua-aimseartha a bheas ar fáil don phobal áitiúil i gCathair Bhéal Feirste agus níos faide anonn. It will be an ultra-modern public amenity that will

reach out to the whole local community, the whole city of Belfast and further afield — it will be a facility for the entire North of Ireland. It will provide a range of modern, 21st-century library services, including a regional media tech centre that will give access to social history films, home movies, television programmes and a local film archive collection. In that context, I support the motion, which calls on the Minister to engage with her Executive colleagues and other parties to seek the redevelopment of Belfast central library in Library Square.

**Mr Humphrey:** I support the motion so ably proposed by my colleague and the Chair of our Committee, Michelle McIlveen.

The concept of a regional library for the city of Belfast is exciting and innovative and should be supported by the entire House. Recently, the Committee visited central library and was greatly impressed by the work that is done there, albeit that it is done in a building that is of its time and is now clearly outdated.

Libraries Northern Ireland has made some great progress despite budgeting constraints and the economic downturn that has faced our United Kingdom. The financial position that our nation finds itself in has provided opportunities for a joined-upness that perhaps would not have been taken otherwise. One prime example is the Grove Wellbeing Centre in my constituency of North Belfast. Footfall in that facility has increased exponentially, as local residents visit not just to use the library but for doctor's appointments, health trust appointments and, of course, to use facilities managed by Belfast City Council. That collaborative approach is to be commended. The share of the burden of funding between the ratepayer, the taxpayer, Libraries NI, the Belfast Trust and the city council is the way forward. As a Member for North Belfast, a member of Belfast City Council and a proud son of this city, I fully support the development of a regional library at the central library, particularly given the University of Ulster's decision to relocate to north Belfast.

As the House knows, tourism is a growing facet and an increasingly significant contributor economically to the Northern Ireland exchequer. Cultural tourism accounts for more than 50% of tourists who travel the world, so a collaborative approach on this venture across the Executive Departments at Stormont, along with the Northern Ireland Tourist Board, Belfast City Council and Visit Belfast, is essential.

Our rich and diverse history and cultural traditions were once seen as divisive and negative. Today, diversity is a strength, and, although much progress needs to be made on tolerance and respect, we have come a long way. In my view, Belfast central library would be a key element in the tourism offer of Northern Ireland and the city of Belfast, nationally and internationally. The complete transformation of Liverpool city library, witnessed by the Committee during its recent visit, is a perfect exemplar.

Belfast central library was opened in 1888, a very historic year for the great city of Belfast because, in that year, Queen Victoria gave Belfast its city status. I warmly welcome and support the redevelopment of the historic institution of the central library. The Committee, during its visit, saw at first hand how facilities no longer met the demands and needs of today. The development of Library Square, the relocation of the university that I mentioned

and the creation of a new purpose-built library fully complement investments in the Cathedral Quarter and the north-west section of our city.

I represent a part of the Shankill in this place. A couple of years ago, I attended the opening of the revamped Shankill library. It is an open, bright and accessible building, now widely used by the local community and schools across the age ranges. I remember being taken there as a pupil of Glenwood Primary School to join, and I have been a member ever since. It is a valued part of my community, greatly valued by my constituents and, I am glad to say, very well used by them. Investments in local libraries are essential and welcome. For reasons articulated by others in the Chamber, the development of a regional library in Northern Ireland is a must.

I support the motion and believe that a regional library is needed and wanted by the people of Northern Ireland, not just for education but for tourism, academia and the revitalisation and rebuilding of the great city of Belfast.

**Mr D Bradley:** Go raibh míle maith agat, a Phríomh-LeasCheann Comhairle. Éirím ar an ócáid seo le tacaíocht a thabhairt don rún atá os ár gcomhair. I also support the motion in favour of a regional library here.

In a region that hopes to develop a knowledge economy, grow the creative industries and attract more and more tourists, it is imperative that we have regional library facilities that support all those activities and, indeed, more. The role of the library has changed radically in recent years with the growth of the internet and the use of various digital devices. Although traditional book transactions are still an important part of library business, the means of accessing knowledge and information have been revolutionised by the computer and digital age. To my mind, it is important that all the modern advantages and technologies that are now a part of library services should be matched by facilities and buildings that can adequately house all the book collections and other artefacts, as well as providing a modern setting in which people can gain access to information through communication technologies and do so with ease and comfort.

I also had the opportunity to visit the central library during a previous session of the Assembly, and I saw very clearly that the existing facilities were no longer adequate.

I am not suggesting for one minute that we should abandon the heritage building that we have there, but that we support the central library's proposal to merge the existing building with a new modern build that would fulfil all the needs of a 21st century library, in keeping with the various legislative requirements.

### 3.45 pm

The Committee for Culture, Arts and Leisure has visited a number of locations where traditional libraries in city centres have been transformed in such a way as to create impressive iconic buildings. I was particularly impressed by the transformation of the Liverpool central library, which has brought an impressive iconic building to the centre of that city. It is a building that meets the needs of library users and staff and adds to the regeneration of that city centre.

The new Liverpool central library is a good example for Belfast to follow. It is a welcoming and bright space,

which meets all the needs of the changing information technologies. It has high-tech solutions, Wi-Fi, improved lending services, open access to stock and a dedicated children's library. That is part of the proposal that Belfast has made. The Belfast proposal also includes creative lab facilities, a business library, an accessible facility for fine book collections, as well as a learning centre and a community meeting space. Other Members have mentioned additional facilities that the library will have.

I believe that the central library proposal is an exciting one. I think that we need a regional library here. We need to highlight all of our culture and to support our business, and that includes the creative and information industries. We also need to continue to support numeracy and literacy, and I think that an iconic, new library in the centre of Belfast would be a very strong indication that we want to move in that direction.

Ar an ábhar sin, a Phríomh-LeasCheann Comhairle, tá an-áthas orm tacaíocht a thabhairt don rún atá ós ar gcomhair agus tá mé cinnte go mbeidh an tacaíocht chéanna ó na comhaltaí uile anseo. Thank you very much, Mr Principal Deputy Speaker. I support the motion, and I am sure that all Members will do likewise.

**Ms Lo:** Thank you, Mr Principal Deputy Speaker. I am sorry that I was a bit late coming into the Chamber, but I had a miscalculation of timing.

I support the motion. My party and I have long been supportive of our local libraries, which provide a vital service to the communities in which they are situated. In my constituency, I have worked closely with local councillors to try to maintain library services across south Belfast, particularly with our 3 Steps to Help campaign, through which we encouraged greater use of Cregagh library, which was threatened with reduced hours.

**Mr McCarthy:** I am very grateful to the Member for giving way. Will the Member join me in congratulating the local people from Killyleagh in my constituency who were threatened with the closure of their library, which, thankfully, at this time, has been saved? We hope that it will continue to offer the service that they need.

**Ms Lo:** Absolutely; thank you.

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

**Ms Lo:** Thank you. Although our libraries are often the hub of the communities, providing a lifeline for many people who live around them, it is essential that they adapt to maintain their relevance in the 21st century. Many libraries have started to do that already with the inclusion of computer and internet provision or community meeting places. A couple of years ago, I supported the Ormeau Road library's silver surfer initiative to encourage older people to learn to use the internet.

I agree with Birmingham library director, Brian Gambles. He said that the whole concept of the library needs reinventing and that libraries can no longer just be about books, if we are to encourage people to continue to use them in a manner which means they are sustainable.

I welcome the plans for the redevelopment of Belfast central library, the plans to create a regional library and the technology that it will include and how it intends to move beyond just books and embrace social history.

The inclusion of a dedicated children's library, as other Members mentioned, is an excellent step, which will encourage children to take an interest in reading from a young age and to use the library. My own two children used to love a trip to the local library. I registered them both at our local library, would you believe, at five months and five weeks old.

**Mr McCarthy:** They could not read at that time.

**Ms Lo:** Yes, they loved the picture books. My youngest son would stay in the bathtub to read the coloured plastic books and would not get out. You instil a love of books in them, and I am glad to say that they continue to like to read.

I would also like to see provision in libraries for the major ethnic minority communities here, such as literature in Polish and Chinese. Many years ago, I assisted a number of local libraries in Northern Ireland to stock Chinese books and magazines, which are very well used.

I encourage the Minister and the Executive to pursue these plans as best they can. The plans sit well with Belfast City Council's objective to make Belfast a learning city and will contribute hugely to the regeneration of the north side of the city as well as greatly complementing the expansion of the University of Ulster's Belfast campus. Of course, it also links with the Cathedral Quarter, which provides a thriving cultural scene.

We have only to look at examples from around the world to see the impact that a well-resourced modern regional library can have. The newly opened library in Birmingham, as many Members mentioned, had over 10,000 visitors on its first day. When looking at examples from the UK and further afield such as Seattle, which is widely regarded as one of the first libraries to integrate the internet and the revolutions that it has made in the publishing sector into the library, we must learn from what has worked there and embrace the technologies that they have implemented.

I would add a note of caution, as a number of protestors in Birmingham did, that although a regional library would be a wonderful asset to our city and, indeed, to all of Northern Ireland, it is essential that local community libraries are not forgotten about. That being said, we have a rich literary history in Belfast and across Northern Ireland. I believe that a well-resourced, beautifully designed, inclusive and interactive regional library as laid out in Belfast central library's redevelopment plans would be a fitting and appropriate way to celebrate that history.

**Ms Ni Chuilín (The Minister of Culture, Arts and Leisure):** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Tacaím don rún seo. I support the motion and welcome the fact that nine Members contributed, along with the usual intervention from Kieran McCarthy.

**Mr McCarthy:** Hear, hear.

**Ms Ni Chuilín:** Hear, hear, Kieran. All politics is local.

I believe that it is an indication of the interest that has been shown in the motion. I welcome the Committee for Culture, Arts and Leisure's motion and the opportunity to debate some of the issues that have been raised around the redevelopment of Belfast central library.

At the outset, I state my broad support for the motion. I believe that Belfast central library in particular has served its local community and the city well. I grew up beside the

library and it was where I obtained the first library card that I ever had. I had many enjoyable Saturdays and evenings after school there and I got a lot of help. I have a big grá and a lot of respect for libraries.

I am pleased that many members of the Committee, in particular, spoke about their visit to Belfast central library in June this year and saw at first hand the range of issues that the library faces. As many have said, those need to be addressed urgently.

Following an earlier visit to Belfast central library, I asked my officials, through Libraries NI, to take forward an up-to-date outline business case that would set out a range of options, particularly around redevelopment. Many Members commented on one of the figures and, like many figures for capital and infrastructure development, that figure has been there for some years and needs to be updated. I expect that information to be returned to me no later than the end of October. However, I am mindful of the fact that substantial public money will be needed, so if it takes more time, then so be it.

I am delighted that every Member who spoke detailed the importance and value that they place on libraries and, indeed, on the library service. I think that it is really important for Libraries NI and its partners that that was recognised in a very positive way today.

Members said that libraries are not just about borrowing books. We have heard about formal and informal lifelong learning, the way in which libraries reach out to communities and help to address issues such as social exclusion, tackle inequalities and build good community relationships. They also promote creativity and the creative industries. Indeed, I think that we had a previous debate that alluded to the promotion of romantic interludes in libraries. However, Jim Allister is not here and it would be unfair to speak about him in his absence. I will just leave that one with you.

I want to outline my vision for the Belfast central library and the services provided in that facility, particularly given that there will be other major developments around Belfast city centre and in what has become known as the Library Quarter. It is important that the status of the central library in the provision of fit-for-purpose services is maintained and developed. We need to look at the provision of the central library in the same way that we did with public records. Indeed, the MAC was mentioned as another example of a recent infrastructure development with DCAL money. I am mindful of the Department for Social Development's (DSD) plan to regenerate Library Square in Belfast, and I recognise the potential that that could yield in conjunction with the development of the Ulster University campus there.

My particular focus has been on looking at libraries as a way of tackling poverty and social exclusion. It was on that basis and for those reasons that I sought to keep the libraries that were under threat. That was much to the disappointment of the other two members of the DCAL family, which lost out in their budgets. That is certainly something that I am mindful of.

Michael McGimpsey, David Hilditch and Ms Anna Lo made the point that, although we all support the need for a central library, we cannot lose sight of the fact that libraries in the community are just as valuable and important. I have visited really good examples of redeveloped libraries

on the Falls Road and at the Grove Wellbeing Centre, and William Humphrey was at the opening of the new library on the Shankill Road. I also visited redeveloped libraries on the Whiterock Road, in Dungiven and in many other places. You can see the value that the citizens and residents place in their libraries and the strong emotional attachment that they have to them.

Libraries are a place for people to meet. People feel that they can go through the doors of a library, and there is absolutely no discrimination. Everybody goes through the same door, and whatever services they access beyond that door are handled in a very confidential way. Libraries work with preschool, primary school and post-primary school children and with those who are involved in lifelong learning through computers and e-learning. They also look at things like those I have just alluded to, which, I suppose, come under the promotion of better mental health and well-being. Libraries NI is involved in many initiatives that give you a bigger sense of libraries, rather than being just a place where you can borrow books.

I do not think that the fact that the central library has been there for 125 years is lost on anybody. However, the fact that the library was extended in a very ad hoc manner in the 1920s, 1960s and 1980s to ease storage problems has made it quite a miserable place for some of the staff who work in those conditions. Despite the beauty of the old building and its heritage and culture, it is not good if you are stuck in a storeroom trying to provide a 21st-century facility in conditions that are not fit for the 21st century.

#### 4.00 pm

Members spoke about the stock in Belfast central library, and, as I said, there is insufficient space. Librarians have to go physically up and down stairs to fetch books when they are requested, which takes time. Indeed, we are worried about access, and accessibility is an issue.

I have absolutely no doubt that, when Libraries NI provides the business case for a central library, which it is preparing, all the concerns that it knows about and those that were raised during the debate will be factored in. I believe that the business case will be objective on costs, and the benefits for refurbishing the existing building must be evaluated against the cost of locating the library elsewhere. I believe that the cost will be in the tens of millions of pounds, a figure that has been mentioned today. It could be £30 million-plus, which is a substantial amount of money. Given these times, I am certainly not taking that figure lightly. However, I recognise the need to maintain library services.

For us, the balance always has been and always will be providing regional infrastructural developments and, at the same time, trying to strike a balance and provide community provision. Providing services, particularly services such as libraries, will not be any mean feat, but I am certainly going to try to meet that challenge, as will Libraries NI.

I am delighted that the motion was tabled. It will give support and reassurance, particularly to Libraries NI, about how much its services are valued and will continue to be valued. Although I am not making excuses for my predecessor, it is certainly not easy for anybody, I imagine, to close any public service. At the same time, it is difficult to try to maintain an argument for funds for public services



when we are also trying to justify the need. With places such as the Grove Wellbeing Centre, I can see the value of placing a library in conjunction with other services, as the number of people using the library has increased. That is what we mean by enhancing opportunities for access. We need to make things a lot easier for people rather than putting obstacles in their way, particularly for those who go through obstacles to get to a location in the first place. We need to open it up.

There is a wonderful opportunity for the central library in line with what DSD is bringing forward for the redevelopment of Library Square and the university. I hope that the ambitions and wishes for a library can be fulfilled. Another exciting thing would be the development of social clauses, which would certainly help with local employment, apprenticeships and so on. So, although vast amounts of public money are being directed towards public services, opportunities are also being created for employment, particularly for those who are long-term unemployed and for apprenticeships. That, in itself, would be part of the legacy.

I am delighted to support the motion, and I look forward to receiving the up-to-date outline business case from Libraries NI. I give a commitment to do what I can to help to realise this vision of a new central library for Belfast.

**Mr Irwin (The Deputy Chairperson of the Committee for Culture, Arts and Leisure):** I support the motion. I thank all the Members who took part in today's debate. Their comments add considerable weight to the case for Belfast central library being redeveloped as a regional library for Northern Ireland. I will reflect on some of the themes of the debate later.

It has been said, but it worth repeating, how important a regional library is for the continuing development of people in Belfast and Northern Ireland. Such a library not only would be a valuable resource, providing information, education and community space, but would allow a much greater proportion of the central library collections and artefacts to be put on show. The Committee saw how effectively that was done in Liverpool, and we are all aware of the stunning new library in Birmingham.

The library in a redeveloped form would offer a real hub for learning and education, and a place where communities could come together. It would provide a valuable boost to the regeneration of that part of Belfast and be a source of civic pride. As has been said, the redevelopment of Belfast central library as a regional library for Northern Ireland would provide a range of economic, social and educational benefits. The existing library building is severely limited in space and by its age. It cannot provide the range of services that it could if it were better housed. That is not to say that the library and its staff do not do a good job, but they could do much more with the right building and facilities. It would also provide a fitting flagship building for the Library Square redevelopment.

Members spoke about how a redeveloped central library would contribute to a number of priorities in the Programme for Government. It also makes sense to turn the library into a communications and learning hub as part of the regeneration of the area, which includes the Library Square redevelopment and the development of the new University of Ulster campus, with 15,000 students. Libraries NI's proposal will benefit all the people of

Northern Ireland and should attract visitors from outside the Province, complementing our existing cultural facilities, such as the Public Record Office of Northern Ireland, the MAC and the Ulster Museum. The redevelopment plan would allow considerable support for the creative industries, providing a range of economic benefits for numerous sectors.

Important social benefits would come from the library's redevelopment, with the building contributing significantly to the Together: Building a United Community strategy, which outlines a vision for a united community based on equality of opportunity, good relations, reconciliation and celebration of cultural expression. The library's collection of cultural heritage artefacts, local and national, can support and enrich the community's understanding of the past and its role in shaping the present and the future. We all know the importance to our communities of shared space where people can come together and reflect on each other's cultural heritage.

The current library building is limited in the new technologies that it can support, which is badly damaging its ability to move with the times. Redevelopment of the library would allow cutting-edge technology infrastructure to be put in place, which would bring a host of benefits. It would help to support people who are unemployed by assisting them to gain the skills necessary to improve their employability. Children would also have a learning space and a place where they could develop a love of reading.

Libraries NI is expected to submit a business case to DCAL at the end of October, seeking financial support for its vision for a regional library for Northern Ireland. We urge the Minister and the Executive to support that vision.

I want to reflect on Members' contributions to the debate. Rather than give an account of what each Member said, I will highlight the themes that were raised. Members talked a great deal about the library's limitations in showing its collections. That means that people cannot see or use a number of the materials that the library has. Members were keen that the central library be redeveloped and made fit for purpose. Members reflected on the fact that better facilities would attract more than the current 400,000 visits annually. There was a great deal of discussion about the redeveloped library being a key part of the regeneration of that part of Belfast.

Some Members expressed concern that the new library would threaten community libraries. That is not the Committee's intention. Rather, the Committee sees community use of the library as vital to its function. A number of Members reflected on how the new library would complement the nearby expanded University of Ulster campus. Additionally, a new library would become a beacon for tourists, with many more of the library's assets on exhibit.

Some Members have stressed how the library will provide a multifunctional space. Others talked about the redeveloped library's role as a communication and information hub.

The library must meet the challenges of the digital age, and to do so redevelopment is needed.

Other Members said that people in Belfast deserve the best modern facilities that can be provided. Again, Members reflected how Liverpool and Birmingham have

used the redevelopment of their central libraries to help the economic regeneration of those cities. There has been a clear feeling that the library is essential to provide a neutral space that reflects our shared heritage and culture.

Another theme was that libraries must adapt in order to stay relevant. There was also a suggestion that a new library would deliver Belfast City Council's commitment to be a learning city.

I thank the Minister for responding to the debate. I also thank her for offering her support to the motion. She acknowledged the challenges that the Belfast central library faces and that they need to be addressed. She hopes to see the business case before the end of October and will give it serious consideration. The Minister agrees with Members that the central library must be fit for purpose.

In conclusion, I thank all Members who contributed to the debate, Libraries NI and the DSD for helping to prepare for the debate, and the Committee staff. I commend the motion to the House.

*Question put and agreed to.*

*Resolved:*

*That this Assembly recognises the economic, cultural, social and educational benefits that a regional library for Northern Ireland would provide; and urges the Minister of Culture, Arts and Leisure to engage with Executive colleagues and other partners to pursue Belfast central library's redevelopment plan to create a regional library as part of the overall Library Square project.*

## Private Members' Business

### Emergency Services: Day of Recognition

**Mr Principal Deputy Speaker:** The next item on the Order Paper is a motion regarding a day of recognition for the emergency services. The Business Committee has agreed to allow up to one hour 30 minutes for the debate. The proposer of the motion will have 10 minutes to propose and 10 minutes to make a winding-up speech. All other speakers will have five minutes.

**Mrs McKevitt:** I beg to move

*That this Assembly recognises the valuable and life-saving work of the emergency services; and calls on the Minister of Health, Social Services and Public Safety and the Minister of Culture, Arts and Leisure to set aside an annual day of recognition, beginning with Michaelmas Day on 29 September 2013, in order to create a lasting legacy of the World Police and Fire Games 2013.*

I thank the Minister of Health for being in attendance for the debate this afternoon.

The motion before the House is a wonderful opportunity to recognise and honour all the brave members of our emergency services and put in place a lasting legacy of the very successful World Police and Fire Games. The games featured almost 7,000 competitors across 56 sports at 41 venues, with 3,500 volunteers who ensured that all ran smoothly. The games have been quite accurately described as the friendliest games ever. They had great support from all in our community who came out across the North to support the events.

As I watched the numerous events, it was evident to me that the people who came out in support were not just merely there to shout for one team over the other or to cheer for a particular country: they were there in admiration of the roles that the participants — retired or current members of the emergency services — had in society and their sacrifice and unselfishness in saving lives.

I believe that all of us will need to make that 999 call at some point in our lives, be it because of a road accident, an accident at sea, someone taking ill suddenly or even a fire. It is comforting and reassuring to know that there are teams of people on hand who are qualified and keen to provide a lifeline in emergency situations.

The 999 emergency service celebrated its seventy-sixth birthday this year. The service was launched in the UK on 30 June 1937. The number of 999 calls has increased from more than 1,000 in the first week of the service to an average of 597,000 calls a week across the UK.

Of all the calls that are passed to the emergency services, 52% go to the police; 41% go to the Ambulance Service; 6% go to the Fire and Rescue Service; and 1% goes to the Coastguard. An estimated 8,000 to 10,000 emergency calls are made in Northern Ireland weekly.

*(Mr Speaker in the Chair)*

**4.15 pm**

We in the Assembly know more than most about the cost of those calls. More importantly, we have heard in great detail about the cost of bogus and hoax calls, which not

only place a major burden on our finances but put lives at risk by tying up resources. The other negative aspect for emergency responders is the number of attacks on their personnel. Ambulance personnel, firefighters, police and even paramedics have been attacked while attending or being lured to emergency locations. I believe that both those abuses could be reduced or eliminated by promoting and celebrating our emergency services' work. The dedication of a special day in honour of and tribute to all dedicated and brave emergency workers, combined with a campaign to highlight the obscenity of making a hoax call or attacking responders, will help to educate anyone capable of such an offence.

When considering tabling the motion, I felt myself slipping back in time to my schooldays, and I asked myself the questions that I know a certain form teacher would have asked me: who, what, when, where, why and how?

Who are we honouring? Members of the Northern Ireland Police Service, Fire and Rescue Service, Ambulance Service, the Coastguard — collectively, the emergency services — the RNLI, mountain rescue and all other search and rescue bodies will be recognised on this day, so there should be support for the services of all the main groups of responders.

What are we celebrating? We are celebrating and honouring the dedication and sacrifice of everyone who devotes their life to protect others, as well as the legacy and success of the World Police and Fire Games.

When will we commemorate it? On 29 September, which is Michaelmas Day. As protector and defender against evil, St Michael is often seen as the patron saint for law enforcement and is one of the most common icons used on police uniforms. He is also recognised by all the emergency services already.

Where will we celebrate? Across the country, in every city, town, village and hamlet. After all, it is those areas that are being covered.

Why? Because we need to show our appreciation to active, retired or other members and to those who have lost their lives saving others; to show that we do not take them for granted; and to mark the great success of the World Police and Fire Games.

Maybe most importantly: how? As per the motion, I expect a number of Departments to adopt and support the proposal of a special day. It will also create a great opportunity for support groups, charities and the organisations themselves to promote their message.

Given that we are celebrating emergency responders, I even came up with a special name for this day — "blue-light day". I envisage the public purchasing and wearing a blue-light badge or emblem with pride, with proceeds going to support worthy emergency causes. I did not know whether to be disappointed or honoured when I later discovered that a few counties in the UK already celebrate a blue-light day. Nonetheless, I seek unanimous support to have our own blue-light day on Michaelmas Day on 29 September 2013.

**Miss M McIlveen (The Chairperson of the Committee for Culture, Arts and Leisure):** I welcome the opportunity to speak on today's debate. At its meeting on 10 September, the Committee agreed that it would support today's motion

calling for a day of recognition for the emergency services. I thank the proposer for tabling the motion.

The World Police and Fire Games were a success in many different ways, aside from what happened on the track, in and on the water, on the ice or even up and down the stairwells of buildings. The people of Northern Ireland welcomed its visitors with open arms and generous hospitality, and the volunteers created the foundation to make the games the best that the competitors had attended, which they were often heard to comment. I am pleased that the Minister of Culture, Arts and Leisure last week committed to making volunteering a legacy of the games.

This motion, however, offers the Minister of Health, Social Services and Public Safety the opportunity to add to that legacy, and I thank him for making himself available for today's debate.

Members will offer their personal reflections on the valuable and essential role of our many emergency services and their positive contribution towards our safety, health and well-being. There can be no doubt that they are indispensable. The professionalism and dedication of our emergency services is tested daily, and I am sure that Members will agree that this group of largely unsung heroes deserves some level of recognition and celebration for the work that they do. It is right that, in the spirit of the World Police and Fire Games, this recognition extends to those who have served as well as those who are serving.

The president of the World Police and Fire Games described this summer's Belfast games as the friendliest and best games ever, and all our emergency service competitors and many volunteers can take pride in that. The games should not only provide a tremendous showcase for what Northern Ireland has to offer, they should also provide a lasting legacy for the emergency services here. A fitting part of that legacy would be a special day to celebrate the work of the emergency services. A dedicated day would have the added benefit of highlighting that work to young people, inspiring them to go into these professions and offering members of those professions the respect that they deserve. There are those in our emergency services who do not receive that respect from certain parts of our society, and, on a personal level, I feel that that needs to be addressed. If passed, the motion would send out the message to those in those services that we, in wider society, appreciate what they do for us at all times, in all weathers and in all manner of hazardous conditions. Some things that they have seen and had to deal with as part of their daily job do not bear thinking about, and it is right that we express our thanks in some way.

I appreciate the proposer's reasoning behind the choice of Michaelmas as the suggested day to mark the work of our emergency services, and, if a day had to be chosen, I understand the symbolic nature of 29 September. However, it is perhaps ambitious for this to be in place by next weekend. I hope that Members engage in the debate in the spirit in which the motion was intended. This issue should transcend party politics. I support the motion.

**Mr Ó hOisín:** Go raibh maith agat, a Cheann Comhairle. Ba mhaith liom cúpla focal a rá leis an rún seo ar dtús. The motion, on the face of it, is a valuable one that praises those who take risks and go into communities to deal with road traffic accidents, suicides, house fires, drownings and the like. The motion might bring up a useful discussion

point about the definition of an emergency service and an essential service, because there might be some lack of clarity on that count. The proposer of the motion put forward as emergency services the police, the Fire Service, the Ambulance Service and the Coastguard. I talk to paramedics, and they told me that some parts of the Ambulance Service feel that they are an essential service rather than an emergency service. The debate might bring out some clarity on that, and I would welcome that.

I do quite a bit of sea fishing in my spare time, and one of my favourite points is a place called Shamrock Pinnacle, which is about 10 miles north-west of Rathlin. If I got into bother out there, I would like to see a lifeboat coming to get me. So there are a lot of other people who may not be recognised in the emergency service but play a part in it. Likewise, I do a bit of hillwalking, and we have to pay tribute to the volunteers in the mountain rescue service, as Mrs McKevitt did when she spoke.

Three years ago, when I was mayor of the borough of Limavady, we had a snap storm at the end of March. Within about an hour, the Glenshane Pass was blocked, and some 400 people were trapped in their vehicles. It was a very sudden event, and the heroes of that day were the local community and councils and the Department for Regional Development's (DRD) Roads Service. It is easy to see how this could broaden to include everyone who delivers a service. I was proud of and pleased with the people who delivered that help. We were able to open all our leisure centres and get hot food. The community rallied round and local farmers and so on were there. Likewise, we had a number of incidents of heavy flooding last summer, and people such as those in the Rivers Agency came out and did their essential bits and pieces.

There is a whole discussion to be had as to what constitutes the emergency services or, indeed, essential services. I would welcome the Minister of Health, Social Services and Public Safety and others coming forward to give some recognition to the people who supply those services. I agree with the Chair of the Culture Committee that it is ambitious to try to get something in place for 12 days' time. It is something that we might look at in the medium to long term. However, I know where she is coming from and I agree with the symbolism, although I think that St Florian is the patron saint of the fire service.

As for the lasting legacy of the World Police and Fire Games, the connection is a little tenuous in that the World Police and Fire Games was restricted to a certain extent to some services, and retired members of the services there were not recognised either. There is a bit of an issue there.

I welcome the debate; I think that it is a worthwhile one. The motion could have been slightly better worded, but we will take what we have. I support the motion.

**Mr Gardiner:** I doubt that anyone in the House would be churlish enough to withhold praise and admiration for the emergency services here in Northern Ireland. The work that they do is so valuable that it would be difficult to put a price on it. I am sure that no one would disagree with the sentiments of the motion, which seeks to establish an annual day of recognition for the emergency services along the same lines as Armed Forces Day, for example.

There is one matter that I would like to raise, which I am quite sure is at the back of the minds of most Members of this House; that is the way in which the Ambulance

Service and Fire and Rescue Service staff are attacked by mobs when they come into certain communities to give assistance to members of those communities. It totally escapes me how people can do that. It would be quite wrong of us to talk today about having an annual day of recognition for the emergency services without raising this issue. There has been a falling off of mob attacks over the past 11 years, largely due to education programmes that emphasise the way in which the emergency services help communities.

There have been incidents of highly-charged atmospheres in the summer that has just passed, although the overall trend of mob attacks is downward, both in their number and their intensity. Such mob incidents are not confined to Northern Ireland alone. In Scotland, there were 80 incidents of attacks on Fire and Rescue Service personnel in 2012-13. That represented a decline of 32 incidents on the previous year, so the pattern of decline exists in Scotland too. The number of West Midlands Ambulance Service staff assaulted while working has also fallen by 16% in a year. Physical attacks on staff fell from 210 to 175 between April 2012 and March 2013.

It is not just a question of attacks by rioters. Attacks are made on the emergency services by the very people they are coming to help. The London Ambulance Service has a register of 226 addresses where staff are believed to be put at risk of physical violence, while the North East Ambulance Service has a list of 236 such addresses. Figures show that around 163 staff across the NHS are attacked by patients or relatives every day. An annual emergency services day would help us to raise awareness of the physical assaults that emergency staff often face. I welcome and support the motion.

#### 4.30 pm

**Mr McCarthy:** The legacy of the World Police and Fire Games is certainly a most powerful one for Northern Ireland. Many people have, quite rightly, dubbed them "the friendliest games". The games served as an excellent showcase for the economic, social and cultural potential of Northern Ireland. They demonstrated the natural hospitality of all the Northern Irish people to the world. That can be only a good thing. The games also have another important legacy that lies in focusing our minds around the much wider contribution and service made by the men and women of the various emergency services, whose sporting prowess we directly acknowledged in the games. I take this opportunity to thank Karen McKevitt and Dominic Bradley for bringing this very important motion to the Assembly this afternoon.

The World Police and Fire Games should not be the only or initial trigger that leads us to recognise the critical role played by all our emergency services. Unfortunately, we have had plenty of evidence and reasons for reaching those conclusions, especially over the past number of decades and perhaps even not so far back. However, if it finally takes the success of the World Police and Fire Games to bring us to this conclusion, so be it. In doing so, we should be mindful of the very particular context that exists in Northern Ireland in which the emergency services operate and how they have served all in this community for so long.

Sadly, there were times when they were unable to get on with their lawful and essential work due to the reckless



actions of others. Our colleague Sam Gardiner has just spoken about when the emergency services have shamefully been attacked by evil people. As the Assembly will, no doubt, resolve to pass the motion later, we should nevertheless be conscious that, at times, some in the Chamber or in leadership positions in Northern Ireland and elsewhere in this society may not have made things easy for our emergency services through their lack of leadership or in being dilatory in standing up for the rule of law.

Moving from the situation on the streets, we must recognise that attacks sadly continue to occur against key workers, particularly in our health service in places such as accident and emergency departments, GPs' surgeries and the like. Society has a collective duty to stand up against that and, at the very least, not to make life any more difficult for those who are operating in very challenging or stressful situations. We must continue to support a zero-tolerance approach to that behaviour. We must also be conscious that, in the transformation of our health and social services, the roles played by the members of the emergency services are changing. I have in mind the functions that are carried out by our paramedics, all of which we fully appreciate. Surely part of the agenda of respect and acknowledgement is giving highly trained individuals the opportunity to fully deploy and utilise their skills and training.

We should perhaps reflect on how grateful all of us are whenever we or our families and friends fall into situations that require the intervention of the emergency services, whether the police, the Fire and Rescue Service, the Ambulance Service, paramedics, coastguards, lifeboat personnel, air and sea rescue, mountain rescue and many more. We salute the dedication and bravery of the individuals in our society who literally risk their own lives to save others. On behalf of the Alliance Party, I fully support the motion.

**Mr D McIlveen:** I also welcome the opportunity to speak on this matter. I thank the Members for bringing the issue to the Assembly today. I have to concur with other Members that the principle of this motion is very good. Obviously, creases will have to be ironed out, as they have to be, at times, with these things.

It is very appropriate, especially given the full success of the World Police and Fire Games here in Northern Ireland, that we recognise our emergency services and give them the credit that they are due. The Member for Strangford just mentioned that it had had the ambition to be the friendliest World Police and Fire Games, and I am glad that that was achieved. Indeed, Mike Graham, the president of the World Police and Fire Games Federation, acknowledged that that was the case. So, I believe that Northern Ireland delivered in that event, and the people who organised it and the people who volunteered should be very proud of themselves. In particular, the participants should be very proud of themselves. I had the privilege to spectate at a number of the events, and I also had the privilege to distribute medals at one of the events. I am glad that I was spectating and not competing. Seeing how fast some of the cyclists could get up that hill was phenomenal; there really were top-class athletes here for that event. I certainly can recommend it to anyone.

We have to accept the fact that our emergency services this year, probably more than any year, have not had to go looking for problems. Our police force in particular has,

this year, found itself caught in the middle of a lot of high-profile and high-risk situations. The G8 was one of them, and, again, it passed off very successfully. Obviously, there have been parading and flags issues, which the police have also found themselves caught in the middle of. Whilst it is fair to say that no side of this House could say that they have not disagreed at times with our police force, we have to accept that the police find themselves in a very difficult situation. Therefore, it is very fair that we should recognise the danger that they find themselves in.

It is not just our police force. We read in June that, in Glengormley or Newtownabbey, an ambulance crew was attacked by a man with a meat cleaver. When you see innocent health service workers being put in that position, you have to wonder whether a day of recognition is enough gratitude to show these people. They do put themselves very much on the front line.

So, we support the motion wholeheartedly. Obviously, we hope that the World Police and Fire Games model will be mirrored on the day that we recognise our emergency services in that the games were open to retired police officers and retired members of the emergency services. When it comes to ironing out the details of the day of recognition for our emergency services, I hope that that will be the case.

I also hope that it will send out a ripple effect and that we will take the work of our emergency services seriously. I hope that, when our emergency services come to this place and ask for help and assistance, they will be given, where possible, the help and the assistance that they are asking for and that we will treat them with the respect that they deserve. I also hope that, from an education point of view, our children and young people can appreciate better the work that our emergency services do.

To comment on what Mr Gardiner said, I believe that there is work to be done in that regard. Recently, I was involved in taking a Sunday school class and was using as one of my props a fire engine. I asked the children for the first thing that they think of when they see a fire engine, and a little four-year-old boy put his hand up and said, "Throw stones." Although that is, in some ways, humorous, we have to educate our children and young people that these faithful public servants are here to help and that we should be giving them the respect and courtesy that they deserve. I welcome the principle of the motion, and I look forward to seeing what the day will look like when it comes through. I will leave the rest to the Minister.

**Mr Dallat:** As someone who was rescued from the sea many years ago, I hope Members will forgive me for being a little prejudiced towards coastguards. Apart from rescuing me — I am not sure that everybody thinks that was a good idea — they have saved hundreds of lives along our coast, and in our lakes, rivers and mountains. Let me say immediately that all our emergency services are important, and it is good that the Assembly has come to the stage at which it can debate a motion such as this and give it unanimous support.

Those people who make up the emergency services make enormous sacrifices to deal with life and death issues. I can think of nothing more noble than being involved in saving the lives of other people who, for whatever reason, find themselves in distress and totally dependent on others to live or die. Speaking on the motion affords me the

opportunity to give thanks that we still have a coastguard service in Belfast and at Malin Head. Members will recall that there was a proposal to centralise the Belfast coastguard service in, I believe, Liverpool. Thankfully, that plan did not go ahead, and the Assembly can claim some credit for that. More recently, the Irish Coast Guard service based at Malin Head was also scheduled for relocation in Dublin. Again, common sense eventually prevailed, and both coastguard services, which work in seamless partnership, continue to coordinate the rescue services that we so heavily depend on.

Sadly, last weekend, there was a tragedy on the north coast, leaving one person missing and presumed dead and another fighting for his life. Again, as always, the two coastguard services were involved, not only in the coordination but in the provision of helicopter services to assist in the search and rescue operation. That is noble, and it is a perfect example of cross-border cooperation.

Unfortunately — this has already been touched on — I believe that there is a lack of knowledge of the work of our emergency services, certainly in the case of coastguards. I hope that agreeing the motion will mean that the public can be better informed of the work of all those — police, fire, ambulance and others — who are involved in providing essential support in emergencies. That most definitely includes the coastguards, who have been doing that work for the best part of 200 years. Quietly and modestly, the men and women of HM Coastguard and the Irish Coast Guard have worked together, well away from politics or division, and have modestly saved hundreds of lives of men, women and children who are alive today thanks to the knowledge that they have of the sea, our coastlines, the tides, the currents, the winds and everything that is essential to successful rescues. That sort of thing could not have been provided either in Liverpool or in some industrial estate in Dublin.

Let us have a lasting legacy of events around the World Police and Fire Games, but let us make sure that we include the coastguards. Let us also rededicate ourselves to ensuring that never again will either coastguard service become the victim of centralisation, be that in Britain or in Dublin.

Our coastline is not only beautiful but is part of our tourism and recreation, our leisure and our opportunities, perhaps to simply stand and stare. What greater comfort can we have than the knowledge that there are people working 24/7 to coordinate any emergency that may come along at any time of the year, be it on our shores, out at sea or, as I said, in more recent times, in our lakes, rivers and mountains?

**Mr G Robinson:** The debate is about a small recognition for the emergency services that have saved lives, endangered their own lives and, in some cases, lost their lives to protect the general public. In some cases, the very same emergency services, such as ambulance crews and A&E staff, take a lot of abuse from the public. It is a small gesture to acknowledge, with sincere thanks, today's heroes and those heroes of yesterday. Those in our elite emergency services have specialist skills and a dedication that is surely worthy of acknowledgement. Many of us have reasons to be grateful to emergency personnel from all the services. I believe that it is only correct that their dedication be publicly applauded and recognised.

#### 4.45 pm

Police, fire, ambulance, sea rescue and coastguard services are our protectors, rescuers and, indeed, lifesavers. Sadly, this past weekend, my constituency saw one life lost, and one left hanging in the balance. That is a side of the work of emergency personnel that is not often acknowledged. To deal with such incidents is traumatic, and none of us can imagine the psychological pressure that emergency personnel are under. It is also harrowing for the families, who are in our thoughts at this difficult and traumatic time.

With a successful World Police and Fire Games behind us, it is appropriate to consider public acknowledgement of their actions. I support the motion and commend it to all Members.

**Mr Hussey:** I begin by paying tribute to all who serve in our emergency services, whether that be the Police Service of Northern Ireland, the Northern Ireland Fire and Rescue Service, the Ambulance Service, the Royal National Lifeboat Institution, the Coastguard and, of course, others such as Lough Neagh Rescue — recently in the news because of the rescue operation that it undertook — the Lisburn rescue service and, of course, the one we have, Foyle Search and Rescue.

When this debate was first mooted, I looked up St Michael. I did not discover Marks and Spencer, but I did discover that St Michael is seen as the patron saint of all emergency services, which leads to the choice of Michaelmas Day, 29 September. Unfortunately, I have a problem with that. The last Sunday in September is National Police Memorial Day. Next year, National Police Memorial Day will be held in Belfast. It is a United Kingdom event; this year it is in Cardiff. We have to bear in mind that the proposed day should not clash with that. We do not want to take away from it; we want this to be seen as a united approach to all our blue-light forces. Therefore, I ask for the date to be reconsidered.

I declare that I am a member of the Northern Ireland Policing Board. As such, I would like to see our Police Service recognised. We know the number of police officers we lost in the past: over 300. We have lost officers since the formation of the Police Service of Northern Ireland, including four in south Down in a tragic accident, and one in Londonderry in a tragic accident. Fire officers are out there in the worst of times. In my time in the Police Service, I was present with the Fire Service when the nights were so cold that balls of ice as big as snowballs formed on the coats of the firemen and women. They are prepared to go out in conditions that mere mortals will not. They go into situations that we would find difficult. I would find it impossible to put on a breathing mask, yet they can do that, and they do their work effectively and save lives. They are the bravest of the brave. In many cases, they are volunteers. We still have part-time firefighters. We still have part-time police officers. The RNLI lifeboat men are part time. Those volunteers deserve to be recognised for the work that they do and have done for this community.

Much reference has been made to the World Police and Fire Games, which brought all the various police forces and fire services to Northern Ireland for the friendliest of events. During the games, a service was held on 4 August at St Anne's Cathedral to commemorate brave men and women who had fallen. I suggest that, if we are going to

consider a date and try to associate it with the games, why not the first Sunday in August, to continue what has been started? During that event, the Assistant Chief Fire Officer said:

*"We want to join with the relatives, friends and colleagues of the fallen Officers to show that their commitment to protecting their community has not and will never be forgotten. The Fire, Police and Prison Services in Northern Ireland work so hard to protect our local community and keep people safe ... I hope that members of the public will join us in a poignant tribute to remember our fallen colleagues."*

I suggest that the format taken for that is a formal recognition here in the city of Belfast, in whichever cathedral one would want to use, to remember those who were prepared to make the ultimate sacrifice.

Many fire officers, prison officers and police officers were injured in the course of their work. In the past year, there were nearly 100 attacks on staff in the A&E department of a hospital. Those people deserve our recognition. There are also people who go out in ambulances in all sorts of weather, and we have seen ambulances involved in collisions as they try to make their way from one area to a hospital.

I fully support the motion and the concept, and I put on record again my thanks to those people who are prepared to go out and help us. My only problem is with the day and the date. I ask for that to be looked at, but I have no hesitation in supporting the basics of the proposal.

**Mr McCallister:** Like other colleagues, I support the motion. Like everyone in the Chamber, I recognise the tremendous sacrifices that all our emergency services make.

The proposer of the motion and I share the same constituency. We would probably say that we have it all in South Down; mountains and coastline. However, it also means that we have inherent risks with those things. We have the Coastguard, the lifeboat, the mountain rescue, the police, the Fire Service and the Ambulance Service, and most of us, on some occasion, have needed some of those services.

One of the words used most in today's debate is probably the word "respect". I think that is a hugely important word to use. We should have respect, but we should also respect the rule of law. Every Member of the House should support the rule of law, because we legislate and make the law. I warn Members not just to be fair weather friends to the emergency services, not just to condemn attacks in hospitals and then think that attacks are all right on the streets against our police force. We need to respect both. If it is right to respect our emergency services in hospitals, it is right to respect our police force on the streets. You cannot have some Members condemning attacks in hospitals, rightly so, and then equivocating on attacks on our police service. You cannot have people saying that attacks in hospitals are wrong, yet supporting those on flag protests who turned away medics or people with medical supplies who were having bother getting through to our hospitals. There is too big an inconsistency in that argument. You either support them all and support the rule of law or do not get up in the Chamber and be a fair weather friend to some of the emergency services. Do all or do nothing.

I will not be found wanting. I will condemn anyone who attacks medical staff in hospitals and I will condemn those who riot and attack our police.

The motion talks about the success of our World Police and Fire Games. Does everyone remember the headlines as we were all going to bed on the last night of our World Police and Fire Games or the headlines the next morning? It was not that we had successfully hosted the most successful World Police and Fire Games: it was that we had rioting in Royal Avenue in the very centre of our capital city. That was what the headline was, and that is what we should be reflecting on. This House should be condemning wholeheartedly attacks on all emergency services, from throwing stones at police officers and at the Fire Service, wherever it is. We should stand, united in one voice in the Assembly, supporting the rule of law and condemning all — all — attacks on the emergency services.

**Mr Wells:** I think that we all are totally agreed in our support for the motion. I have worked with the rescue services in Northern Ireland on many different issues, and I have nothing but the utmost respect for the work that they do. However, I maybe come at this from a slightly different angle. Not only are these men and women — I am glad to say that there is an increasing number of women — dedicated, brave, hardworking and diligent but they have to face some of the most difficult situations imaginable.

I will give three examples from South Down that have happened since I was elected. A car crashes on Newcastle Street in Kilkeel. Four young men are in the car: two are dead already; one is very close to death and has to be cut out; and the other is in absolute agony, screaming at the top of his voice and pleading to be cut out of the vehicle. Can you imagine the thoughts going through the minds of the police, the fire brigade and the Ambulance Service members who arrive on that scene? They have to make life-and-death decisions about who to cut out and who to leave. They are human beings. They are people who, after a day's work, have to come home to their families and remember all that.

In another case, which I will simply say occurred in South Down, a young couple fell out, and the boyfriend decided to commit suicide by pouring petrol on himself and setting himself alight. I spoke to the ambulance officers who came across that scene. Can you imagine the incredibly difficult situation that that was for them personally? They are not people who can go home, switch off and forget about such incidents. They take it home with them. They deal with situations that, frankly, most of us simply could not deal with because of the trauma.

One of the most poignant tragedies that has happened since I have been an MLA for South Down was the loss of the Tullaghmurray Lass. That trawler went down off Kilkeel, leading, sadly, to the death of a grandfather, a father and a son. The rescue divers had to go down and retrieve the bodies, which had been in the sea for several days. Again, can you imagine the trauma that they faced when they came across that sunken trawler?

Those are terribly difficult situations for all concerned, and I pay tribute to the men and women who deal with them. They deserve our full support. They certainly do not deserve to be stoned, spat at or vilified when they go into housing estates.

A few years ago, I went into A&E at Craigavon Area Hospital unannounced at 2.00 am one Sunday. I sat and observed the waiting room, which was absolutely packed. It suddenly dawned on me that the only sober people in that room were me and the triage nurse, and I think that she was being driven to drink by what she was having to face. Everybody else in that room had alcohol on them. Indeed, the reason why the vast majority were in A&E was that they were intoxicated — they had fallen or been in fights or car accidents etc. I remember two members of the emergency services having to physically sit on top of a young woman who was so intoxicated with drink and drugs that she was uncontrollable. She was swearing, kicking and spitting at the emergency services members who were trying to restrain her. That is what those men and women have to face.

Frankly, as Mr McIlveen and Mr McCallister said, one day is not enough to recognise what those people do. Sometimes, particularly in the Fire and Rescue Service, they sit for long periods of inactivity, and then the phone goes and it is a mad dash to save lives.

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

**Mr Wells:** I certainly will.

**Mr B McCrea:** I join the Member in his condemnation of the attack on the A&E staff, and so on. However, does he agree with Mr McCallister that anybody who attacks the emergency services, whether with swords, stones or anything else, ought to be completely and utterly condemned? Does he also agree that what all Members need to do is join in supporting our brave police, Ambulance Service, fire brigade and air-and-sea rescue, and that there should be no equivocation on the point that anybody who attacks our emergency services deserves to have the full rigour of the law brought upon them?

**Mr Speaker:** The Member will have a minute added on to his time.

**Mr Wells:** I do not think that anyone in the Chamber would disagree with what the honourable Member said. Those people are carrying out their duties. It can sometimes be unpleasant, and it can sometimes be unpopular. We have every right to complain to the Chief Constable or to write to the Police Ombudsman and say that we disagree with certain tactics that have been adopted. However, the scenes that were alluded to brought no goodwill for the community in Northern Ireland. It was a disgraceful set of circumstances. Before Christmas, there was a very ugly incident in the Royal in which someone attacked staff working in A&E. I was heartened that, when the case went before the courts, the judge, quite rightly, handed out a lengthy custodial sentence. He drew a line in the sand and said, "Enough is enough. If you come before the courts for attacking the emergency services, you will go down." That has to be the rule from now on. We cannot countenance this any further.

#### 5.00 pm

Unfortunately, I was ill at the weekend and went to Daisy Hill Hospital A&E. I noticed that the Southern Trust was paying security staff to make certain that the A&E area was safe for staff. When we have so much difficulty getting the money to buy medicines and carry out surgery, what a waste of resources it is to have to pay to provide security to medical staff.

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

**Mr Wells:** That cannot be allowed to continue.

**Mr Poots (The Minister of Health, Social Services and Public Safety):** I would like to say how much I welcome the opportunity to pay tribute to and recognise the work of our emergency services: the firefighters, police, Ambulance Service and paramedics who serve the public of Northern Ireland.

The timing of this debate is very appropriate, given a particular incident that took place in my constituency. Last Sunday was the anniversary of the incident involving the Spence family. I recently talked to the father of one of the fire officers, and he told me that his son could, very often, still taste the slurry, as he had given mouth-to-mouth resuscitation to members of that family.

When the emergency services are called out, they will do everything that they can to save the life of others. In 2012-13, for example, 46,000 responses were made by the staff of the Northern Ireland Ambulance Service to life-threatening situations. I am sure that my appreciation would be echoed by everyone in the House who has not had the opportunity to speak today and by the individuals who received that vital and timely service, and their families and friends.

I am sure that the Assembly and the public of Northern Ireland equally appreciate and value Fire Service personnel. They attended each of the 3,000 major fires that occurred in Northern Ireland during 2012-13 and rescued 214 people as a result.

The World Police and Fire Games were a tremendous showcase of what we have to offer. There have also been, and continue to be, significant wider benefits and legacy aspects to those games, such as a greater appreciation of the benefits of volunteering, as Miss McIlveen pointed out, increased community involvement in sporting activity and future major international events being attracted to Northern Ireland.

My Executive colleague with responsibility for the Department of Culture, Arts and Leisure, which delivered the games, is committed to taking forward new initiatives inspired by the games to create a lasting legacy and positively impact on the lives of local people.

We need to use sport as a way to inspire young people, particularly those who are disengaged and who, perhaps, throw stones at fire tenders and ambulance personnel. DCAL officials are exploring ways to further the relationships that were built between schools, communities and the services during the games. The aim is to provide a new generation of sports ambassadors and to champion grass-roots sports.

Our police, firefighters, prison officers and customs officers who took part in the World Police and Fire Games events demonstrated that they are on a par with service personnel from across the world.

Recognition for the very valuable contribution that our emergency services provide already exists in several forms. For the Northern Ireland Fire and Rescue Service, we have the Long Service and Good Conduct Medal and the Queen's Fire Service Medal; for the Northern Ireland Ambulance Service, we have the Queen's Ambulance Service Medal and the Ambulance Service Medal for non-



emergency staff; and, for police officers, we have the Chief Constable's Commendation and High Commendation and the Policing with the Community awards.

In Northern Ireland, we are in the unique position of having an integrated healthcare system.

Westminster looks positively at our model, and Ministers from other devolved legislatures value our experience and actively seek to learn from our experiences.

I want to acknowledge the very worthy sentiments of the motion, but I believe that it is somewhat restrictive in terms of whom and what deserves recognition. That has already been pointed out by Mr Ó hOisín, Mr Dallat and others who wish to recognise the Coastguard. That is something that we need to look at.

I want to fully recognise and place on record my appreciation to all of the staff involved in the daily delivery of emergency services, but I believe that there is an opportunity to consider further the recognition of front line staff working in health and social care. I am aware of the recent, well received, NHS Change Day initiative in Great Britain, and I know of the interest expressed by local health care professionals. I believe that a similar local Health and Social Care initiative may be worth consideration. That could showcase the very valuable services delivered by our front line staff through our integrated health and social care system on a day and daily basis.

Formal appreciation across multidisciplinary and multidelivery organisations is a complex issue, requiring full consideration. Unfortunately, I do not believe that the timescale suggested in the motion allows for that level of consideration at this time. So, although I am supportive of the thrust of the motion, I think that we need to give a little more consideration to all of the issues that have been raised in the House today. Consequently, I do not think that we will deliver it for 29 September of this year, but it is certainly something that we should aspire to in a reasonable time frame.

**Mr Speaker:** I call Dominic Bradley to conclude on the motion. The Member has 10 minutes.

**Mr D Bradley:** Go raibh maith agat, a Cheann Comhairle. Gabhaim buíochas leis na Comhaltaí uilig a ghlac páirt sa díospóireacht shuimiúil a bhí againn inniu. I thank all the Members who contributed to this interesting debate. In particular, I thank Mrs McKevitt. It was mainly at her instigation that the motion was tabled.

I believe that it is a very good and timely motion. Perhaps it needs to be pared, refined and redefined in some areas, but, as most Members who spoke agreed, the principle at the heart of the motion is a good one. The time frame is probably not achievable this year, but, as the Minister said, we should give due consideration to this day being celebrated in the very near future; if not in 2013, then, hopefully, in 2014.

Most Members who spoke agreed that the idea of setting aside a special day to pay tribute to the work done by the police, the Fire and Rescue Service, the Ambulance Service, the Coastguard and the various voluntary services, such as St John Ambulance, the Order of Malta, mountain rescue services, the RNLI and the Lough Neagh services — all of those groups; we are not trying to be prescriptive in any way — was a very good one, and they supported the idea.

Most Members took the opportunity to pay tribute to the emergency services, and they underscored the fact that their work saves lives and makes our homes, roads and, indeed, workplaces safer.

Once again, Members emphasised the fact that, quite often, the emergency services face horrific scenes in the course of their work and have to deal with highly stressful and highly distressing situations as they strive to save lives. Indeed, that was graphically illustrated by Mr Wells in his contribution, and the Minister referred to the incident in which the Spence family members lost their lives.

Other Members mentioned the fact that emergency services personnel work around the clock and are available to go anywhere at any time whenever the call comes in. As public representatives, we must always do our best to support them and ensure that they have the best available resources and support to carry out their important work. A day of recognition for the emergency services and allied services would be an empty gesture if those services did not have those resources and that support. From the contributions of Members here today, it is obvious that they have that support from all sides of the House.

As I said, Members agreed that setting aside a special day would not only recognise the work of the services but would, in some cases, provide an excellent vehicle to highlight some of the issues around the services. The day would be an opportunity to raise awareness of the work of the services through events in communities, schools, youth clubs, churches, and so on. It would also be an opportunity to remember those members of the services who have lost their lives in the line of duty. It could also highlight safety issues such as the provision of fire alarms, the reduction of speed on our roads and many other pertinent matters.

Unfortunately, as Mr Gardiner pointed out, we still have those misguided people who think that it is all right to attack members of the emergency services. Perhaps a day of recognition will provide an opportunity to press home the important message that we will not tolerate such attacks.

Mrs McKevitt saw the special day as an important legacy of the World Police and Fire Games. That sentiment was echoed by many contributors, not least among them the Chairperson of the Committee for Culture, Arts and Leisure, Michelle McIlveen. All contributors underscored the life-saving role of the emergency services. Mrs McKevitt mentioned the who, what, where, when and why of the special day. Michelle McIlveen underscored the success of the World Police and Fire Games and said that they were the friendliest and the best to date. She described the members of the emergency services as unsung heroes. Perhaps the special day would give us an opportunity to sing their praises. That sentiment was echoed by Mr Wells and others.

Cathal Ó hOisín mentioned the fact that there was a distinction between emergency services and essential services. As I said, we do not want to be prescriptive in our sentiments; we want to be totally inclusive. If it is not possible to have this event on 29 September — it would seem that it is not — we have the time to redefine some elements of the motion and ensure that it is inclusive of all those who should be included in such a day.

Mr McCarthy underlined the importance of standing up for the rule of law. He said that there should be zero tolerance for those who attack emergency personnel. David McIlveen of the DUP said that he saw a few creases in the motion but thought that they could be ironed out. As I said, we do not disagree with him on that point. John Dallat admitted that he was a little biased towards the Coastguard because on one occasion that service snatched him from the sea and, thankfully, saved his life. He welcomed the fact that the Malin Head and the Belfast coastguards, which were to be moved to Dublin and Liverpool respectively, were permitted to stay in their home locations. He hoped that this House would, in future, oppose any move towards the centralisation of those services.

#### 5.15 pm

Other Members who contributed to the debate included George Robinson, who supported the motion and Ross Hussey, who cautioned against clashing dates and gave a very eloquent eulogy on the emergency services. John McCallister underlined the support for the rule of law. He said that we should not just be fair-weather friends to emergency personnel but should support them at all times.

As I said, Mr Wells referred to a number of actual circumstances in which emergency personnel had to make life-or-death decisions on the spot. He also referred to the fact that the post-traumatic impact of those decisions stays with those emergency personnel, and said that we should support them in whatever way we can to come to terms with those horrific situations.

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

**Mr D Bradley:** Sure.

**Mr Wells:** In the time allowed to me I wanted to say that the other very difficult task that the emergency services have to do is to go to the homes of the deceased and tell parents or loved ones that someone has died in terribly tragic circumstances. I would find that enormously difficult, yet these men and women have to do it all the time.

**Mr D Bradley:** I thank the Member for his contribution.

I would like to thank the Minister for his attendance today and his contribution to the debate. He mentioned that there were 46,000 responses by the Ambulance Service. He also said that the Fire and Rescue Service dealt with 3,000 major fires, and I think that he said that its personnel rescued 140 —

**Mr Poots:** It was 214.

**Mr D Bradley:** They rescued 214 people. Thank you. The Minister said that —

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

**Mr D Bradley:** — he had some minor problems with the wording and definition of the motion, but that he was willing to work with us. Hopefully, a special day will be set aside in 2014 for the purposes outlined in the motion.

*Question put and agreed to.*

*Resolved:*

*That this Assembly recognises the valuable and life-saving work of the emergency services; and calls on the Minister of Health, Social Services and Public*

*Safety and the Minister of Culture, Arts and Leisure to set aside an annual day of recognition, beginning with Michaelmas Day on 29 September 2013, in order to create a lasting legacy of the World Police and Fire Games 2013.*

**Mr Speaker:** I ask the House to take its ease as we move into the Adjournment debate.

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

Motion made:

*That the Assembly do now adjourn. —*

[Mr Deputy Speaker.]

## Adjournment

### University of Ulster: Magee Expansion

**Mr Deputy Speaker:** The proposer of the topic for debate will have 15 minutes in which to speak, the Minister will have 10 minutes to respond, and all other Members who are called to speak on this occasion will have seven minutes.

**Ms Maeve McLaughlin:** Go raibh maith agat. I welcome the opportunity to bring this Adjournment debate to the House. I suppose that it is a direct follow-on from the Public Petition on the expansion of the University of Ulster at Magee that was presented to the House in June.

It is important to put the expansion issue into context. The city's One Plan was developed and launched in 2011 through a very lengthy participative process and one that the city and region had probably not seen before. It involved hundreds of individuals and groups from across the public, private, community, voluntary and political sectors as well as individual residents from across the city and region. The result was a mission statement that placed equality at the heart of regeneration.

The final One Plan featured a range of interdependent catalyst programmes for the economic, social and physical regeneration that is required to target the needs and inequalities that exist in the north-west. To fulfill the economic, social and physical regeneration ambition of the One Plan, the explicit institutional targets for higher education expansion in Derry need to be met by 2020.

I welcome the Minister's intervention to date and, indeed, the progress that has been made to attain the interim target of 1,000 extra maximum student number (MaSN) places by 2015. Thankfully, we are well on our way to meeting that interim target. However, the project needs additional momentum, collaboration and focus to ensure that the scale and timeline of the One Plan's objectives for Magee are met in full. Those objectives are 9,400 full-time students, including 6,000 full-time undergraduate students.

The consultation and engagement that I referred to, and the findings of the One Plan process on higher education (HE) expansion, are robust. However, there is a need to reinvigorate and strengthen the coalition around the One Plan action for university expansion. The imperative now is to deliver that which was agreed during the process.

A Magee implementation body is to be set up to provide the impetus needed to deliver the agreed 9,400 objective. It is right and proper that the implementation body is led by the University of Ulster in partnership with the local authority. The implementation body will not be stand-alone; it will be constituted as a subcommittee of the city strategy board, which will, therefore, provide the democratic legitimacy and the policy oversight for the project. It will report directly to the city strategy board and will be scrutinised by it.

The implementation body's objective is to carry out the economic analysis, and there has been much debate over

recent months about the merit of the economic analysis or business case that may be required. The implementation body will look at the economic analysis/business case preparation and business planning work required to support the implementation of the agreed vision for the expansion of the University of Ulster at Magee, including the attainment by 2020 of the following milestones: 9,400 full-time students, including 6,000 MaSN students; a viable portfolio of courses reflective of the needs of the 21st-century economy; the establishment of a teaching and research foundation for a medical school in conjunction with Altnagelvin/Western Health and Social Care Trust; an enhanced research portfolio providing a foundation for teaching excellence, local and inward spin/outward investment as an attractor to mobile academic and research staff; and, of course, access pathways, through further education for those disadvantaged and vocational students who might otherwise be excluded from higher education.

The Minister for Employment and Learning, in a response dated 18 July 2013, stated:

*"If a proposal were to be taken forward to expand the Magee campus in line with the vision set out in the One Plan, then a full economic appraisal would be required."*

As a city, we welcome that clarity, and we ask the Minister for Employment and Learning to support the new implementation body in commissioning the business case. We seek the Department's engagement on the implementation board, and we also seek that its departmental delivery plan will include the expansion of the university at Magee.

**Mr P Ramsey:** In many regards, we welcome the debate; we welcome any debate that highlights and promotes the importance of Derry as an appropriate university city. It is important that the Minister for Employment and Learning is here. Clearly, it is not solely the responsibility of the Minister for Employment and Learning. As the Member outlined, we have the One Plan to lead the way and to prioritise the needs of the region. As the Minister is fully aware, one of the main priorities is the expansion of Magee to almost 10,000 full-time students. The mayor has convened a meeting on Friday with Richard Barnett and the key parliamentarians in the city to discuss a way forward. The sponsoring body for the One Plan is the Office of the First Minister and deputy First Minister (OFMDFM) and it has a clear duty and responsibility. It signed up to that plan but not to the delivery mechanism that is so important in delivering it.

At times, we strongly champion and advocate the cause of the present Minister for Employment and Learning. In Committee or at Question Time, I share his frustration at times when we are lobbying for certain things. However, there is a shared responsibility and duty. If the priority in the One Plan is for the expansion of the Magee campus within the University of Ulster, and it is the economic driver of the One Plan, the Office of the First Minister and deputy First Minister has to come up to the mark.

There is no point in Sinn Féin coming in here and making demands of the Minister for Employment and Learning. Peter Robinson and Martin McGuinness have a job to do. They signed off on the One Plan, which is the economic driver of the regeneration of the city in terms of jobs.

We have to be honest with ourselves, mindful that the provost of Magee went on Radio 5 recently to say that Sinn Féin claimed that it had delivered on student numbers in 2011 during an election when it failed to do that. The question that has to be put to Sinn Féin is this: will it accept the responsibility that the First Minister and deputy First Minister have in their duty of care to deliver on this at the Executive? They are only people who can deliver this project.

Without going over the history of what everyone has seen in the city — why Derry was ignored in the 1960s, and why John Hume entered politics in 1966 — it was discrimination that the status of a university went to Coleraine and not to the second city. Derry has borne a hurt and a wound since that occasion, and we are continually reminded of that.

Derry is going through a vibrant time. I have never seen the people of the city feeling so good about themselves or taking such an immense sense of pride in what is happening there. However, there is a consequence to that. We want to ensure the legacy and opportunities of that for the coming generation of our young people, namely the economic regeneration driver of 10,000 students at Magee.

We were all disappointed on both occasions when the MaSN cap was relaxed. We do not have to rehearse the arguments. Queen's was informally contacted to make sure that it entered a bid in the first round. How those student numbers were distributed is still a hurt and a sore. Although the University of Ulster is clearly claiming that any increase in MaSN numbers will go to Magee, we have to be absolutely sure. We were all disappointed — I raised the matter with the Minister recently — that the University of Ulster made a fundamental decision by removing the crèche facility at Magee. We are trying to encourage further participation in third-level education, yet that decision was made. At a time when we are trying to create an environment for 10,000 students and get the most marginalised into full-time education, that decision was wrong, Minister. It was as wrong in Derry as it was at Jordanstown.

After this debate, we have to be absolutely sure. The only people who can deliver this project for Derry and the region are the Executive, not solely the Minister for Employment and Learning. He is certainly the guider and leader on this issue but we have to demand that the Executive listen and heed what they agreed in the principles of the One Plan and its main economic driver. We should not shy away from that. Regardless of whether Members who speak in the debate are party colleagues, Martin McGuinness has to take a much stronger lead in delivering this for his own city.

### 5.30 pm

**Mr McCartney:** Go raibh maith agat, a LeasCheann Comhairle. First, I want to congratulate Maeve McLaughlin for tabling the Adjournment topic. I think that most of us who live in Derry do not see this as particularly a Derry issue. I notice that other colleagues, particularly from West Tyrone, East Derry and, indeed, South Belfast, have remained in the Chamber because they have some interest in the expansion of the Magee campus.

There is absolutely no doubt that for as long as most of us can remember, the issue of the university in Derry has been very much part of the political agenda. Indeed, if it can be encapsulated in a small way, I think that when you look at other cities on the island of Ireland and how many university students they have, it is very telling. Dublin has 53,000 students, Belfast, 32,000 and Cork has 19,000. I accept that those cities are bigger than Derry. However, Galway has 17,000 students and Limerick has 12,000. Those cities are smaller than Derry, yet Derry has only 4,000. Coleraine has around 8,000 student places. It is a smaller town than Derry. In many ways, that encapsulates it for me.

There is always a tendency that people in Derry are accused of not speaking with one voice. There was a serious attempt by the One Plan to bring all those voices together. It was a long, drawn-out process. Sometimes, Pat Ramsey indulged himself — although not today, when we are speaking with one voice — but that is understandable in the cut and thrust of politics.

The One Plan is part of the Programme for Government. If today is a day for saying that Martin McGuinness should do A, B, C and D, Sinn Féin will not be found wanting in telling the Executive that they have to do A, B, C and D. My party has told them that with the One Plan. Quite rightly, in the past, the Minister reminded us that if there is no business plan, it is difficult for him to deliver. Sometimes, we have to learn that lesson. We learned it with the City of Culture in particular. People in the city were calling from a distance. We needed money for the City of Culture, and we were told that we needed a business plan. The business plan was then submitted, and the Executive, through Martin McGuinness and Carál NiChuilín, were not found wanting. Therefore, if we make the demand and present the business plan properly, and we do not take shots at one another, perhaps, we can deliver.

Pat Ramsey gave a glowing tribute to John Hume and his entry into politics through the university. Nobody doubts that. However, it would be cheap of anyone to say that the SDLP had the Department for Employment and Learning for a number of years. Was there an expansion of Magee then? Were resources put towards Magee? The answer is no. I will not say that that was the fault of Sean Farren, the SDLP, or Mark Durkan because he was the joint First Minister at the time. However, I will say that they, possibly, could not do it because we had not presented the plan properly.

Maeve McLaughlin outlined today, and I think that there is acceptance, that even with it being in the One Plan and being a Programme for Government commitment, there is a need for a re-energised focus. That is the reason why a task force has been set up. If we put all of our energies into a task force, which brings in people from across the political spectrum, civic society, business and the community and voluntary sector, to refocus and redirect our energies, we will ensure that when we present the case for it, the Minister or anybody else cannot say that it is weak. Let us ensure that our case is strong. When it is strong and we have to go to the door of the Executive, Sinn Féin will not be found wanting. We knocked at the Executive's door for the City of Culture and we delivered. We have absolutely no doubt. That was our commitment. I do not know whether the provost of Magee said it with regard to what we said in 2011. We said that the expansion



of Magee would be guaranteed. We will guarantee its expansion as we go forward.

**Mrs Overend:** I thank the Member who raised the Adjournment debate. I am pleased to participate in it not only because of my interest in upskilling people throughout Northern Ireland and in the west, but because I was a very happy student of the University of Ulster at Magee College some time ago.

Indeed, it is the case that Northern Ireland has the lowest number of university places per head of population of all the UK regions. Under-provision is at its highest in the north-west, which is why it is important to ensure that we increase provision at Magee. The University of Ulster has been lobbying for that for quite some time, and it is clear that there is considerable support for it to be taken forward. I believe that all six Foyle MLAs support the expansion, and, indeed, the Ulster Unionist Party firmly supports it.

The expansion of the Magee campus is seen as the central plank of the wider plan to regenerate Londonderry and, indeed, the north-west region over the next decade. If the 9,400 undergraduate target is reached, it is believed that that could generate about 2,800 jobs. Therefore, the economic potential of the expansion cannot be underestimated.

In December 2011, the Employment and Learning Minister, Dr Stephen Farry, announced an additional 322 undergraduate places and, in November 2012, a further 250 places for the university in STEM subject areas. The university allocated all those additional places to Magee, and, as a result, all pre-registered nursing courses are being provided on the campus. I understand that a new school of Irish language and literature has also been established in the faculty of arts at Magee.

I draw particular attention to the science, technology, engineering and maths courses. I believe that if Northern Ireland is to compete globally and to increase exports, the STEM sector is vital. We need to ensure that there are skills to match demand, and our universities are a means of doing that.

I believe that, in November 2011, the university also paid a deposit to Foyle and Londonderry College for the option to buy its lands once the school relocates from its current site in 2016. That represented another important step forward in the expansion plans. Therefore, it is clear that some work is under way, and I commend all those involved for that.

Indeed, the university is on course to deliver 1,000 new undergraduate courses by 2015, with 572 secured already. However, there is, of course, an appetite for things to move quicker, and some have claimed that the university needs to be more proactive. Indeed, the Member who proposed this topic said that university bosses need to step up to the plate and produce a robust business case for the expansion, claiming that a failure to do so is what is holding up the expansion.

However, the Minister has said that no business case is needed, and the Magee provost, Dr Heenan, also said that detailed costings are not being sought. So, we need to have clarity on the expansion. We in the House are all aware that budgets are stretched throughout all Departments, and the higher education budget, I am sure, is no different.

I am particularly pleased to see the Employment and Learning Minister here today to respond to the debate. I trust that he will outline the work that has been done, the scale of expansion that is expected in this budgetary period and the work outstanding that the University of Ulster needs to take forward.

**Mr Eastwood:** Given what Mr McCartney said, I am reluctant to get too combative, because it is important that we speak with one voice on Magee. In fact, we have been speaking with one voice on the 'University for Derry' campaign since 1964, when unionist and nationalist leaders came up here to protest against what was a very unjust decision. It is important to put it in that context, because the people of Derry have been living with that decision since then. I think that they understand very clearly the importance of education and the link that that has to developing an economy.

We have made a tremendous effort in Derry this year to prove that we are not going to allow our past to determine our future. I stood and watched the largest loyalist march in Northern Ireland go through the city centre of Derry with no problems whatsoever. The very next day, we had the all-Ireland fleadh and the greatest celebration of Irish culture in the world. So, I think that Derry knows well what its job and responsibility are to deliver on the economy.

However, it is very difficult for all us whingers — as the Enterprise Minister would have us called — to deliver on those promises when the fundamentals are not right. The road system is not right, and the higher education system, clearly, is not right.

I remember the day that the One Plan was launched because I happened to be mayor. I spoke alongside the First Minister and deputy First Minister, and 9,400 places by 2020 was the headline figure. I want to make it clear that 9,400 was our compromise, because we recognise — Mr McCartney gave the figures — that cities of a comparable size need a much greater number than 9,400 full-time students. However, we took that for starters. Mr Ramsey is right to say that the One Plan included that commitment, but, unfortunately, that was never really followed up in the Programme for Government. I made the point at the time that the Programme for Government said that we would "develop" the One Plan. There was no specific target for or commitment to the most important part of the One Plan, which was the Magee expansion, and there was no specific commitment in a number of other areas.

That was one of the major failings of the last period. The SDLP was not the party that changed the "speaking with one voice" phrase or put up posters saying that Magee was guaranteed. If you do that, you have to be prepared to help to deliver it, and we will engage and commit to any process that brings people together to try to deliver on that promise. We will not let the Executive away in the smoke either, because the University of Ulster has a commitment and the Minister has a commitment. However, we really need the whole Executive to say, "This is our commitment now. We want 9,400 students in Magee, and this is how you do it." I think that everybody would come up to the mark. That is the spirit in which we approach the issue. We will engage in any process to try to help to deliver it, and I am happy to see and support economic plans and cases being made. The economic case is as clear as day: an expanded university with the right courses at Magee

would make a massive difference to the economy of Derry, Donegal, Tyrone and all the surrounding areas. So we will support anything that will help to make that easier, but it has to be pointed out that the case has already been made — it has been made repeatedly.

It is difficult for us to see the University of Ulster committing to a £200 million project in Belfast. We do not begrudge Belfast a £200 million university project, but people in Derry see that and do not see anywhere near an equivalent commitment to our city. However, we are here to be positive and supportive. We hope that the Minister will get the support from his colleagues around the Executive table to deliver this, but a political will needs to come from every single part of the Assembly and Executive to make it happen. If we do not deliver, in 50 years' time, people will not thank us, because this mistake was made 50 years ago and still has not been corrected.

**Dr Farry (The Minister for Employment and Learning):**

I thank Maeve McLaughlin for securing the debate. Despite all the attention given to the issue, this is the first formal debate on the Floor, and I welcome it. I should also acknowledge the contributions from everyone else and the work that was carried out on the development of the One Plan, which, amongst other things, sets out an ambitious vision for the expansion of higher education in the city and region. I am, of course, convinced that investing in higher education helps to bring about future economic growth. Indeed, the Executive's economic strategy recognises that skills are the bedrock of an innovation-based knowledge economy.

Northern Ireland already has a strong track record in participation in higher education, albeit with some pockets of under-representation that we are addressing through Access to Success, our strategy for widening participation. However, we export many of our young people out of Northern Ireland, and I certainly want to offer many more opportunities locally. That would significantly increase the prospects of graduates building their careers here and contributing to the local economy.

**5.45 pm**

When I took up office in May 2011, there were no plans and no resources allocated to allow for any expansion of undergraduate places in Northern Ireland, never mind in Derry specifically. Nevertheless, I have focused on expanding higher education across Northern Ireland because I believe that it is an investment that must be made. To date, I have been able to secure an additional 1,350 undergraduate places, all of which are in science, technology, engineering and mathematics subjects. The Programme for Government has a commitment to achieve 700 additional places, and, hopefully, we will have delivered around twice that number, if not more, by 2015. The first tranche of places was secured as part of the wider tuition fee settlement agreed by the Executive in September 2011 in order to manage increased demand for local places that arose from that. The second tranche of places was secured in November 2012 as part of the jobs and economy initiative in order to further invest across Northern Ireland in higher-level skills relevant to our local economy.

I point out that the delivery of 700 additional STEM places is the only commitment relating to higher education contained in the Programme for Government. The key and

only commitment relating to the One Plan that is in the Programme for Government is to:

*“develop the ‘One Plan’ for the regeneration of Derry/Londonderry, incorporating the key sites at Fort George and Ebrington”.*

However, as I have said, the Executive have acknowledged the crucial role played by higher education in its economic strategy.

Leaving undergraduate places aside, I have also been able to increase the number of PhD places being funded through the public purse. From a baseline of 495 places, I have made funding available to increase this to 845 places by 2015-16. Our higher education strategy Graduating to Success has a target of increasing the number of such places to 1,000 by 2020. We are well on the way to achieving that, and we are optimistic that that target will be met in advance of 2020, with 60% being met by 2015.

I am committed not only to expanding higher education but to delivering it. However, in doing so, I recognise that the benefits of expanding higher education must be felt across Northern Ireland, and I have deliberately followed a policy of expansion at all higher education providers at every possible opportunity. Progress is steady and higher education provision in further education colleges and both universities has benefited. The University of Ulster is receiving 652 of the places, and it has undertaken to allocate all of them to its Magee campus. One of the outcomes detailed in the One Plan is a targeted increase of 1,000 undergraduates by 2015, and we are well on the road to achieving that. I am optimistic that I will be able to fund the 1,000 places by 2015, and I remain committed to seeking opportunities to make additional funding commitments over the months and years ahead. I welcome the undertaking that the University of Ulster has given to allocate to Magee those places that it receives.

I wish to place on record the fact that I understand the importance of the expansion of the university to the city and wider region of the north-west through the additional local spending that would come from additional students, an increased pool of graduate labour, and an enhanced labour research base. However, to go beyond 1,000 places will require resources that I do not presently have. In the current year, both universities will receive £177 million in recurrent grant, and I have a total capital budget of £16 million available for higher education. These resources are insufficient to accommodate the estimated annual costs in the One Plan for the expansion of the Magee campus of £28 million capital and £36 million in recurrent funding over the period to 2020. The scale of the investment required to deliver the One Plan's vision is therefore substantive and well beyond the scope of the current budget.

We must also consider future Northern Ireland Budgets. There is some uncertainty over the future of the current level of funding for the higher education sector. As Members will know, the freezing of tuition fees locally was not factored into the block grant and we have to fund that commitment from making our own choices on public expenditure priorities. It is important that the freezing of fees does not come at the cost of the higher education offering. It is also important to stress that additional undergraduate places need to be baselined into the Budget.

I understand and recognise the fact that an implementation group is to be set up to commission a business case for the expansion of Magee along the lines envisaged in the One Plan. I await the outcome of that work with great interest. However, I would counsel the implementation group to be realistic about the outcome that it will achieve. For sure, the development of a business case would, in all likelihood, show that higher education expansion in Derry would benefit the city. However, I will need to be satisfied that the expansion there will be in the best interests of Northern Ireland as a whole. Any business case would need to show that the impact of additional places will be stronger in Derry than elsewhere in Northern Ireland. We also need to consider the issue of whether investments in other aspects of the skills agenda would achieve a greater impact than undergraduate places, whether we are talking about the north-west specifically or Northern Ireland as a whole. Also, any investment on the scale envisaged by the One Plan will require the approval of not only my Department but the Department of Finance and Personnel. Assuming that the business case receives all the necessary initial approvals, its existence does not guarantee that funding will be made available for it. Indeed, DFP approval may be contingent on that funding being available.

I want to address the specific issue of whether a business case is, indeed, required. In the context of a specific proposal on a stand-alone basis to expand Magee, we would need a business case for that purpose. For what we have adopted to date, which has been a policy of incremental growth of university places that adopts a pan-Northern Ireland approach, albeit, I have to confess, with a certain skewing towards the University of Ulster and Magee, we do not need a business case to proceed because we have the backing of existing departmental strategies. I stress that, without a business case, incremental growth can still continue.

The 1,000 target in the One Plan should not in any way represent the ceiling of our ambitions. I have no intention of stopping opportunities to find additional resources for higher education once we hit that 1,000 target. I am committed to moving beyond that if we can do so. It is also worth stressing that it remains open to the university to reallocate places across its campuses. In addition, I highlight that part-time study is becoming more prevalent. As the nature of participation in higher education evolves, our funding models will also need to change. We are committed to reviewing the maximum student number (MaSN) system. There is also potential for a considerable increase in the number of international students, who are outside the MaSN financial control. Building on the success of the City of Culture, the all-Ireland fleadh and other events, Magee will surely be best placed in that regard to attract students from other parts of these islands, elsewhere in Europe and internationally.

I thank everyone for participating in the debate. I am acutely aware of the great level of interest, demand and potential associated with the expansion of the university in Derry. We are delivering for the university through the incremental approach that we have adopted to date. I am committed to continuing that. Although we are not actively seeking a business plan — I have explained the context behind that — we will certainly give proper consideration to any business plan that is forwarded to us.

*Adjourned at 5.53 pm.*





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# Northern Ireland Assembly

**Monday 23 September 2013**

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

*Members observed two minutes' silence.*

## Executive Committee Business

### **Marine Bill: Royal Assent**

**Mr Speaker:** I inform the House that the Marine Bill received Royal Assent on 17 September 2013. It will be known as the Marine Act (Northern Ireland) 2013.

### **Local Government Bill: First Stage**

**Mr Durkan (The Minister of the Environment):** I beg to introduce the Local Government Bill [NIA 28/11-15], which is a Bill to amend the law relating to local government.

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

## Assembly Business

**Mr P Ramsey:** On a point of order, Mr Speaker. I think that I am the only Member who does this, traditionally. Due to the excessive heat in the Chamber this morning, would you be minded to relax the guidance on the wearing of jackets?

**Mr Speaker:** Yes; certainly. If Members are feeling the heat of the moment, removal of jackets is appropriate, so long as that is all that Members remove. *[Laughter.]*

## Executive Committee Business

### Northern Ireland (Miscellaneous Provisions) Bill: Legislative Consent Motion

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

*That this Assembly agrees that the provisions contained in the schedule to the Northern Ireland (Miscellaneous Provisions) Bill, as introduced in the House of Commons on 9 May 2013, which deal with court rule-making procedures in the County Courts, the Magistrates' Courts and the Coroners' Courts, should be considered by the United Kingdom Parliament.*

The Northern Ireland (Miscellaneous Provisions) Bill, as its name suggests, deals with a wide range of matters relating to Northern Ireland. It makes a number of reforms in the excepted field, for example relating to donations and loans for political purposes, ending dual mandates between the Northern Ireland Assembly and the House of Commons, and improvements to the administration of elections in Northern Ireland. This legislative consent motion (LCM), however, is concerned with only a very small number of minor technical amendments included in the schedule to the Bill that deal with court rule-making powers.

By way of background, court rules are a form of subordinate legislation that regulate the procedures that are to be followed in courts. They may specify, for example, how applications are made, requirements for service of documents or time limits. Generally, they are made by rules committees, each of which is composed differently but all of which include members of the relevant tier of the judiciary and representatives of the legal professions.

The role of my Department and the procedure for making court rules is dependent on the court tier to which a particular set of rules applies. My Department, for example, must allow or disallow County Court rules whereas it must agree Coroners' Court rules and is a consultee for those for the Magistrates' Courts. In addition, rules for the High Court and the Crown Court are subject to the negative resolution procedure while others are not. The Justice Committee commented on those variances during the passage of the Justice Bill in 2011, and, as a result, my Department undertook to introduce amendments to the relevant legislation to align the procedures for making rules across all the different court tiers.

It would not, however, be possible to make amendments to all court rule-making procedures in an Assembly Bill, because rules may deal with both excepted and devolved matters. In various cases in which rules deal with an excepted matter, the Lord Chancellor rather than the Minister of Justice has responsibilities, or the Westminster Parliament, not this Assembly, has powers. Making amendments to the procedures for making rules that deal with excepted matters would, therefore, be outside the legislative competence of the Assembly, but it was nonetheless recognised that equivalent amendments should be made to the procedures for making both types of rules to ensure consistency. Theoretically, this could be done by splitting the provisions across an Assembly Bill and a Westminster Bill, but this would have been potentially confusing for the end user. From a legislative

point of view, it would be complicated, could carry drafting and choreography risks and could lead to consequent delays in implementation. I therefore consider that it would be preferable to have the amendments carried together in a single Bill at Westminster, and Members will have seen that the Justice Committee's report on the LCM endorses that view.

It is intended, therefore, that the Northern Ireland (Miscellaneous Provisions) Bill will include all the necessary amendments, both making court rules for which my Department has responsibility subject to the negative resolution procedure before the Assembly and making those for which the Lord Chancellor has responsibility subject to annulment in Westminster. It will also make my Department's role or the Lord Chancellor's, as appropriate, an allowing one for Magistrates' Courts and Coroners' Courts rules, when such a role does not already exist.

I appreciate that the Assembly's preference is to legislate on Northern Ireland matters when possible. That is well known to be my position also, which is why we are here as a legislative Assembly. However, in this instance, it seems sensible to keep these provisions together and not to split them. For the reasons that I outlined, I ask that the Assembly endorse the position of the Department and of the Justice Committee and support the contents and terms of the LCM.

**Mr Givan (The Chairperson of the Committee for Justice):** I am pleased to speak in the debate, given that the LCM will bring about changes to the court rule-making procedures, which will provide greater accountability to the Assembly and which is a result of the work of the first Justice Committee. The Minister of Justice outlined the purpose of the LCM and the changes that will be made to court rules.

I pay tribute to the first Justice Committee, which, during its consideration of what is now the Justice Act (Northern Ireland) 2011, questioned why some court rules, such as the County Court and Magistrates' Court rules, are not subject to any formal Assembly procedure. When advised that the reason for the varying approaches to scrutiny was largely historical rather than based on logic or principle, the Committee took the view that changes to make all court rules subject to the negative resolution procedure would be a logical and consistent approach. The Committee, therefore, wrote to the Minister of Justice regarding harmonising court rule-making procedures so that the same level of scrutiny would apply to all court rules, and the Minister undertook to make the necessary changes to primary legislation.

Earlier this year, the Department wrote to the Committee setting out two options that it had identified for making the required changes. The first option involved an Assembly Bill and a separate Westminster Bill. Using two Bills, however, had the potential to create drafting and choreography difficulties. The second option involved including the entire provisions in a Westminster Bill, which would require a legislative consent motion. Although the Justice Committee is of the view that, when possible, legislative changes should be taken through the Assembly, on this occasion, it agreed that an LCM that would allow the entire provisions to be carried in the Northern Ireland (Miscellaneous Provisions) Bill would minimise the risk of error, avoid drafting and choreography problems and enable the provisions to be commenced as soon as

possible. The Committee, therefore, supports the Minister of Justice in seeking the Assembly's endorsement of the legislative consent motion.

**Mr Ford:** I am grateful to all Members who took part in the debate for their detailed and lengthy contributions.

On a very serious point, at times like this, we debate some fairly narrow and arcane measures, which do not result in significant debate on the Floor, but I am conscious of the amount of work put into them by the Committee, working with my officials, as it considers a report on an LCM. It is another positive example of the engagement between the Department and the Committee. I am grateful to the Chair and other members of the Committee for the work that they put into this, even if it has not resulted in a lengthy debate this afternoon. I commend the proposals to the House.

*Question put and agreed to.*

**Resolved:**

*That this Assembly agrees that the provisions contained in the schedule to the Northern Ireland (Miscellaneous Provisions) Bill, as introduced in the House of Commons on 9 May 2013, which deal with court rule-making procedures in the County Courts, the Magistrates' Courts and the Coroners' Courts, should be considered by the United Kingdom Parliament.*

## Committee Business

### Licensing of Pavement Cafés Bill: Extension of Committee Stage

**Mr Brady (The Deputy Chairperson of the Committee for Social Development):** I beg to move

*That, in accordance with Standing Order 33(4), the period referred to in Standing Order 33(2) be extended to 13 December 2013 in relation to the Committee Stage of the Licensing of Pavement Cafés Bill.*

Go raibh maith agat, a Cheann Comhairle. The Committee Consideration Stage of the Licensing of Pavement Cafés Bill began in June and is due to conclude on 1 October. A call for evidence came on 1 July and ended recently, on 13 September. Some 24 submissions were received. Although the Committee is broadly supportive of the Bill, more time is required to give adequate consideration and receive oral briefings from stakeholders. With that in mind, the Committee agreed to table a motion to extend Consideration Stage to 13 December 2013. On behalf of the Committee, I, therefore, move the motion.

*Question put and agreed to.*

**Resolved:**

*That, in accordance with Standing Order 33(4), the period referred to in Standing Order 33(2) be extended to 13 December 2013 in relation to the Committee Stage of the Licensing of Pavement Cafés Bill.*

## Private Members' Business

### Human Trafficking and Exploitation (Further Provisions and Support for Victims) Bill: Second Stage

**Lord Morrow:** I beg to move

*That the Second Stage of the Human Trafficking and Exploitation (Further Provisions and Support for Victims) Bill [NIA 26/11-15] be agreed.*

I am very glad to have the opportunity to bring the Human Trafficking and Exploitation (Further Provisions and Support for Victims) Bill to the House today.

In August last year, I launched an eight-week consultation, which closed on Anti-Slavery Day. I wanted to make it as meaningful as possible for consultees, so, rather than merely consulting on some ideas, I took the unusual decision to consult on a draft Bill. That gave consultees the opportunity to respond to a concrete proposal and suggest similarly concrete amendments where they thought them necessary. It was an extremely useful exercise that has enabled me to significantly enhance the Bill. I am very grateful to all those who engaged with the consultation process and helped me to make the Bill the really robust legislation that I believe it is today. I should note at this point that, in June, I published a full response to the consultation process, and that is available on the website.

In my contribution today, I will provide an overview of what the Bill seeks to do and why it is so necessary. Like all Members of the Assembly, I believe that human trafficking and slavery are abhorrent crimes that offend against the inherent dignity of human persons. I believe that we need to take every step we can to tackle those crimes across our Province. To my mind, it is imperative that we have the best legislation in place to do so. That is the major reason why I decided to introduce a private Member's Bill. I want Northern Ireland to be a world leader in legislation on human trafficking and slavery. I want vulnerable men, women and children who are trafficked and exploited to be supported effectively, and I want the perpetrators of these horrendous crimes to be caught and punished.

I want the Assembly to lead the way. I want other countries to look with envy at our legislation and practice in this area. Too often, Northern Ireland has simply copied the legislation and practice of the rest of the United Kingdom. I want us to make use of the opportunities afforded by devolution to bring in the best legislation that we can possibly have.

**12.15 pm**

I note the importance of the European directive on preventing and combating trafficking in human beings and protecting its victims. As many Members will be aware, I am not the greatest fan of the European Union. However, on this occasion, I have to acknowledge the value of this directive. In my opinion, it makes a number of effective proposals, which, if we choose to put them into law, would have a positive effect for vulnerable victims. Many of the proposals in the Bill directly seek to implement the directive into our law. In certain areas, the Bill deliberately goes beyond the directive, for reasons that I will explain a little later.

It is important to say at the outset that I understand that we do not have to do everything in a directive to avoid infringement proceedings. However, the choice that we face is whether to adopt a minimalist approach to the directive, doing the bare minimum necessary to avoid infringement proceedings, or whether to adopt a maximalist approach, where we seek to follow the spirit and the letter of what is a very good directive. I strongly take the view that, in this Province at least, we should seek fulsome implementation of the directive and, indeed, the Council of Europe Convention on Action against Trafficking in Human Beings and the recommendation of the treaty monitoring body, the Group of Experts on Action against Trafficking (GRETA), whose report I drew to the Assembly's attention in a debate last December.

I give credit where credit is due to the Minister of Justice. It is no secret that he and I disagree on the best way forward on human trafficking and exploitation. However, I thank him for introducing two measures in the Criminal Justice Act (Northern Ireland) 2013 referring to human trafficking and for his decision to create the effective NGO engagement group and to introduce an annual action plan. I acknowledge that. Those are all good measures, which I fully support. However, I must say that I do not believe that the Minister of Justice has gone far enough in this area. To my mind, he has been too timid, following his ministerial counterparts in England and Wales rather than leading the way. Indeed, where clauses 13 and 14 of my Bill are concerned, Northern Ireland has actually fallen behind England and Wales, which changed the law in those areas to become compliant with the directive.

The Bill that I am introducing consists of 19 clauses. Some additional clauses have been introduced following the consultation process. In my contribution, I will briefly outline what each of the key clauses seeks to do and some of the rationale behind them. Other Members will, I am sure, go into greater detail on particular clauses.

Clause 1 defines a human trafficking offence and a slavery offence. It is important to note that the Bill does not create new trafficking offences but rather works with the human trafficking offences that already exist. Human trafficking offences involve the intentional arrangement or facilitation of movement of people for exploitation. The slavery offence outlined in section 71 of the Coroners and Justice Act 2009 makes it an offence to hold:

*"another person in slavery or servitude"*

or to have them "perform forced or compulsory labour". The inclusion of the slavery offence in part 1 of my Bill occurred as a result of the consultation process.

Clause 2 sets out when consent shall be deemed to be irrelevant for victims of human trafficking or slavery offences. The rationale for the clause lies in the fact that human traffickers or perpetrators of slavery offences may attempt to argue that the individual concerned gave their consent to the offence being committed against them. The Bill outlines a list of factors, such as the victim being a child, that would make evidence of consent or agreement irrelevant. The clause implements article 2.4 of the EU directive and article 4b of the Council of Europe convention against human trafficking.

Clause 3 considers the issue of aggravating factors with regard to the sentencing for human trafficking for sexual



offences, forced labour and slavery offences. It will ensure that a judge, when sentencing an individual for the criminal offence of human trafficking or slavery, is mandated to consider certain aggravating factors. As a consequence of the consultation, a number of additional aggravating factors were introduced. The clause seeks to fulfil the requirements of article 4 of the directive and article 24 of the convention.

Clause 4 is a new clause introduced as a consequence of the consultation process. It sets out that there should be a minimum sentence of two years in prison for offenders convicted of any type of human trafficking or slavery offences. This would be the case unless exceptional circumstances justify a judge not implementing such a sentence. I decided to include this clause because I believe that it sends a strong signal that human trafficking and slavery offences are deemed to be serious crimes. To my mind, two years is a sensible level at which to set a minimum sentence for such a heinous act.

Clause 5 amends section 4 of the Asylum and Immigration (Treatment of Claimants, etc.) Act 2004 so that additional definitions, including forced begging, are included in the Act to reflect article 2 of the EU directive. In its 2013 report, the anti-trafficking monitoring group highlighted a concern about the use of children for forced begging and benefit fraud in Northern Ireland. This clause will ensure that there is complete transparency of what is covered by the law, and, as a result, ensure that these forms of exploitation are addressed.

Clause 6 has been the focus of the vast majority of news coverage of my Bill. I have found that to be deeply frustrating because some of the media commentary has effectively pretended that my Bill is a single-clause Bill rather than consisting of 19 clauses. At the outset, I acknowledged that although article 18 encourages member states to take action to address demand for trafficking, this clause deliberately goes beyond the requirements of the European directive, in the sense that there is no express requirement to criminalise paying for sex. This clause substitutes a new article 64A of the Sexual Offences (Northern Ireland) Order 2008. At the current time, it is illegal in Northern Ireland to buy sex from someone who is coerced. This recent amendment to the law was a positive move. However, problems have been encountered in attempting to prove coercion, which is resource intense and must be done within a very tight time frame. There has not been a single successful conviction under this offence in Northern Ireland, which suggests that it has not been effective. I understand that the Minister of Justice is proposing lifting the time bar on this offence from six months to three months. Although, that might —

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

**Lord Morrow:** Not just at the moment.

**Mr Ford:** Mr Speaker, I think that the Member would wish to say three years not three months, as he has just said.

**Lord Morrow:** Right.

Although that may make the offence more workable than it is currently, to my mind, it is likely that it would not deal with the root of the problem that we face. As Finland has also demonstrated, caveated offences in this area are ineffective. Therefore, I believe that we need to go further and criminalise those who seek to purchase sexual

services. To my mind, criminalising paying for sex would simplify the current law and make it easier to secure convictions that send a clear message to traffickers. This offence has worked on a practical level in other jurisdictions such as Sweden, Norway and Iceland. The logic behind the clause is clear. It seeks to reduce demand for sexual services, which has been a major driver for human trafficking in our Province. I will leave it to other contributors to the debate today to speak in detail on this clause, but I believe that it is a vital measure if we are to tackle human trafficking and exploitation effectively.

That approach was recommended by the all-party Justice Committee in the Oireachtas in its recent comprehensive report on prostitution. It is also supported by groups right across Northern Ireland.

I should add at this point that I was very pleased that Sinn Féin, at its recent ard fheis, voted to back the Turn Off the Red Light campaign in the Republic of Ireland, which has, as its central objective, criminalising the purchase of sexual services; I very much welcome that. I also pay tribute to Sinn Féin's Pádraig Mac Lochlainn TD and other members of that party for their role in taking a lead on this key objective in the Oireachtas Committee and beyond.

Clause 7 requires the Department to provide suitable training and tools to ensure effective investigation and prosecution of human trafficking offences. I believe that there would be no point in having effective legislation to tackle human trafficking and slavery if investigators and prosecutors lack the requisite tools and training to identify victims and prosecute perpetrators. The 2013 Anti-Trafficking Monitoring Group report raised concerns about the low number of prosecutions brought in Northern Ireland. It recommended improved PSNI training to identify all forms of trafficking, especially forced labour and child trafficking, and that it should be ensured that training is mandatory for all police officers. Legislation is an effective way of ensuring that this happens and is recommended by article 9 of the European directive.

Clause 8 would ensure that no prosecution would be taken forward of victims of trafficking if they commit a criminal offence associated with trafficking under duress or if the victim were a child at the time. It seems apparent that if we fail to enshrine this provision in statute, we run the risk of potentially compounding one great injustice with another. As every Member here will acknowledge, victims of human trafficking already suffered gross mistreatment when they were made to work as modern-day slaves. It is utterly wrong that one of the first things that they experience once they have been identified by the authorities is prosecution for committing offences as a consequence of what they were forced to do by their traffickers. Some here may argue that guidance in this area is sufficient. I am not convinced that that is the case; I do not believe that it is sufficient.

It is important to note that even when the guidance for prosecutors on human trafficking is published and recommends not pursuing convictions in such situations, such guidance might not be followed, as has been demonstrated in England. The 2013 Anti-Trafficking Monitoring Group report states:

*"It remains the case in the UK that trafficked children are prosecuted for crimes they are forced to commit"*

*while being exploited and under the control of traffickers, while their traffickers go unpunished."*

The GRETA report that I mentioned quotes evidence from the Law Centre about the prosecution and detention of victims of trafficking in Northern Ireland before it was established whether their participation in criminal activities was subject to coercion. All those pieces of evidence give me cause for concern about the treatment of victims of trafficking if they are charged with any offence that they were compelled to carry out. This clause will ensure that a trafficking victim arrested for a crime committed as a result of being trafficked will be protected from further investigation and prosecution.

Clause 9 uses the terminology first introduced at Westminster in 2012 to define a victim under the national referral mechanism so that it is possible to refer to victims in later clauses. A person is a victim of trafficking if there are reasonable grounds to believe that they are a victim of trafficking using the definition of trafficking in human beings in the European Convention on Action against Trafficking in Human Beings and there has not been a conclusive determination that they are not. This clause does not effect any practical change to the national referral mechanism but allows the Bill to refer to services and other support that should be available for trafficking victims.

12.30 pm

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

Clause 10 outlines requirements for assistance and support. This clause is one of the areas where there has been a meeting of minds between the Minister and myself. The Minister has indicated that he is supportive of legislation and will await the outcome of the Bill. I am glad that he sees value in this clause, and I am happy to work with him to ensure that we get the right support and assistance to victims through clause 10. The clause is necessary as a consequence of the fact that although services are currently provided by Migrant Help and Women's Aid, they are not required by law, and without such protection, they exist simply at the pleasure of the current Administration. I know that the current Minister wants to keep this financial support available, but we do not know whether his successors in the post will also hold that view. It seems apparent that having a legal obligation to supply assistance and support for victims of trafficking makes it more likely that effective assistance and support is and will continue to be provided. It is also worth noting that the provision of proper assistance and support for victims of trafficking, including translation and interpretation services and legal counselling and representation, is one of the key emphases of the GRETA report to which I referred previously.

Clause 11 in my Bill is due to article 17 of the EU directive. That article sets out that victims of trafficking must:

*"have access to existing schemes of compensation to victims of violent crimes of intent."*

Clause 11 requires that the Department of Justice must, by order, set out how that is to be achieved and what assistance to do so is available. Having clear compensation procedures in line with the directive will help to ensure that victims of human trafficking will be able to

discover easily how to claim compensation for what has happened to them. As many of us know, compensation for victims of crime can be incredibly valuable. Although it never makes up for what has happened to a victim, it provides some level of recognition for victims and helps them to get their lives back on track. It is vital for victims of human trafficking that it is clear how they can go about claiming compensation.

I appreciate that some in this Chamber believe that such a clause is unnecessary, but I believe that the evidence indicates that it is very much needed. Current measures have proven inadequate as, so far, very few victims have been successful in their claims. The sums involved are not vast. Last week, in response to a question for written answer, the Minister reported that one victim in Northern Ireland was awarded £30,000 in 2009 and another £22,500 in 2013. I hope that Members note that only two victims have received compensation from the Northern Ireland criminal injuries compensation scheme. In its most recent report, the Anti-Trafficking Monitoring Group said:

*"the current compensation avenues are ineffective in securing compensation for trafficked persons and do not fulfil the spirit of the requirement for compensation in the Convention or Directive."*

The fact that only two victims have received compensation speaks for itself.

Clause 12 requires that child trafficking guardian be appointed as soon as a child is identified as a possible victim of trafficking, if there is no suitable person with parental responsibility available, and that meets the directive's requirements in articles 14(2) and 16(3). In essence, what a child trafficking guardian should do is safeguard the child's best interests and work for a long-term solution for the child. The responsibilities of a child trafficking guardian, set out in the Bill, reflect the UNICEF recommendations for that role. A key recommendation from GRETA is the provision of legal guardians for potential child victims of trafficking.

In the original Bill, I used the phrase "legal advocate" to describe that role. However, given the current debate around that role, I decided that it would be better if the term "child trafficking guardian" were used.

Trafficked children are particularly vulnerable and have no one person speaking for their best interests, which leaves them at risk of re-trafficking. In answer to an Assembly question that I submitted, the Minister of Justice reported that, between January 2009 and September 2012, eight trafficked children were cared for by a health and social care trust. Six of those children were allocated a guardian ad litem. However, it was found that three of them had gone missing. It is, undeniably, a much smaller problem here than in the rest of the United Kingdom, but the fact that three trafficked children, or 38% of those who had gone into care in our Province, have gone missing is a matter of huge concern to me. I am sure that every Member will agree when I say that every single child matters and that it is imperative that we do everything we can to protect these vulnerable children and young people.

Currently, children can be passed from government agency to agency, thus from official to official and, therefore, have to repeat their painful story over and over again. For the children concerned, that can be

disheartening, exhausting and depressing, and it can be a factor in increasing their vulnerability to re-trafficking. The child trafficking guardian proposed in the Bill will provide a single point of contact, an advocate, for the child's best interest in all his or her interactions with the state, such as the health and social care trust, immigration authorities, and in any court proceedings.

The proposal for a child trafficking guardian does not come only from international organisations. In recent months, the introduction of a child trafficking guardian has been recommended by the Joint Committee on Human Rights at Westminster and in the 'Still at risk' report, which was published by the Children's Society and the Refugee Council.

Clause 12 clearly sets out who can be a child trafficking guardian, their function, and states that they should be recognised by relevant agencies that work with the child. That recognition is vital if the guardian is to fulfil his or her role effectively. Given the low number of trafficked children in Northern Ireland, the cost of that provision would be low. Moreover, although clause 12 makes provision for paid child trafficking guardians, it also allows for trained volunteer child trafficking guardians. Such guardians would require fewer resources. I do not believe that the cost should prevent us from introducing such a change. It is important to note that, regardless of whether guardians are paid, they will receive equal training and will, therefore, be of equal quality and impact for the child.

I should add that I am very grateful to the Health Minister for his support with regard to clause 12. A few drafting changes might be required, but I am proud of the fact that, if the clause is passed into law, Northern Ireland will be the first part of the United Kingdom to introduce child trafficking guardians.

Clause 13 is a similar measure to regulations 3 and 4 of the Trafficking People for Exploitation Regulations 2013, which were introduced to make England and Wales compliant with the anti-trafficking directive by the April deadline. Any of us who have met victims of human trafficking will know that they have already been through a horrendous ordeal when they engage with investigators and prosecutors. Clause 13 seeks to protect victims — children and adults — from further stress and anxiety during the investigation and prosecution process by regulating the environment and the nature of the questioning they will receive. It is my understanding that the Department of Justice is keen to follow England and Wales in that regard and to introduce similar legislation in Northern Ireland. As is the case with clause 10, I am happy to work with the Minister to see this legislation implemented in the Province.

Clause 14 will ensure that all victims of human trafficking, whether for sexual or other forms of exploitation, are supported and protected during criminal proceedings against traffickers. In Northern Ireland, vulnerable witnesses are eligible for so-called special measures. Under the Criminal Evidence (Northern Ireland) Order 1999, victims of sexual offences are automatically entitled to such protection. This clause seeks to extend the provisions to victims of trafficking or other types of exploitation. Providing victims of trafficking with special measures in trial scenarios will make it much easier for them to act as witnesses in criminal trials.

Last year, the Minister responded to the proposal for the extension of special measures to victims of other forms

of trafficking in my draft Bill by suggesting that it was not desirable or necessary. I am glad that, in light of the Westminster Government's decision, the Minister has changed course, and there will be equal treatment for all victims of human trafficking.

Clause 15 requires the Department of Justice to publish annually a strategy on:

*"raising awareness of and reducing trafficking ... and slavery offences".*

I appreciate that the Minister of Justice recently published an action plan on human trafficking, which, I understand, is to be updated annually. That is a positive step forward, especially considering the fact that the Minister introduced his action plan only after I proposed one in my draft Bill. However, it is still very welcome. It would have been better had it been placed on a statutory basis rather than simply relying on the whim of whichever Minister of Justice happens to be in post. Such a strategy would help to ensure that Northern Ireland is compliant with article 18 of the European directive and would be helpful in keeping the Department of Justice focused on tackling human trafficking and slavery and holding it to account if it fails to take effective action on this issue.

As a consequence of the consultation process, this clause now states that the annual report should be produced:

*"in co-operation with non-governmental organisations and other relevant organisations."*

That will tie in effectively with the excellent NGO engagement group that the Minister set up last year through his Department.

Clause 16 is an entirely new clause that was introduced as a result of the consultation process. This clause requires the Department of Justice to set up a new:

*"independent body to report to the Assembly on the performance of this Act ... and on related matters."*

Since I introduced my Bill, the UK Government have announced that they will look to introduce what is described as a modern slavery commissioner, whose remit could extend to cover Northern Ireland as well as England and Wales. I acknowledge that if the UK Government follow through on that commitment, it may provide a better way forward than having a Northern Ireland-specific rapporteur. I am very glad that they seem to have changed direction from their original stance that the work of the interdepartmental ministerial group was sufficient to provide effective scrutiny of the response of government agencies in this area. However, at present, no Bill has been published by the Westminster Government so I am minded to retain this clause until the UK Government clarify what they are seeking to do and specify the time frame in which they will do so.

I want to thank very much those who supported me in developing the Bill. I am particularly grateful to the Joseph Rowntree Foundation, the Northern Ireland Law Centre and the women's movement, particularly Gunilla Ekberg, Women's Aid and Ruhama. I am also very grateful for the support of the faith-based organisations that have backed the Bill, especially Cardinal Brady, CARE and the Evangelical Alliance. I particularly want to thank those who have been brave enough to come forward and tell their

stories and encourage me to press on. Their input has been the most valuable, and they are the people whom the Bill is all about. The Bill is for them. For all those people and organisations and the many others I have not been able to mention, I am extremely grateful.

**12.45 pm**

In closing, I want to be very clear that I do not naively move the Bill in the hope that it will be a magic wand. I do not believe in magic wands or silver bullets — I live in the real world. I move the Bill because I strongly believe that it will help to improve Northern Ireland's response to the heinous crimes of human trafficking and slavery. Although it certainly will not make things perfect, it will make things better. In so doing, it will also give us the most sophisticated legislative framework in the United Kingdom with which to fight these evils and make us a beacon of best practice, beyond that which is worth striving for.

I warmly commend my Bill to the House, and I will stop there. I look forward to hearing what others have to say. I think that we are in for an interesting debate.

**Mr Givan (The Chairperson of the Committee for Justice):** I am very pleased to speak on behalf of the Committee for Justice on what is a most important issue for Northern Ireland. At the outset, I commend Lord Morrow on his work and perseverance in developing this important legislation and congratulate him on its introduction to the Assembly. Human trafficking is a heinous crime that devastates lives and communities. It needs to be tackled from every possible angle.

I know that Lord Morrow has made this an issue of huge personal importance. It drives to the very core of what he wants to achieve in politics, which is, ultimately, as he has said to me, social justice for the most vulnerable.

I want to put on record my thanks and the thanks of my party for the endeavours that Lord Morrow has made to bring the Bill to the point that it is at now. I trust that the Assembly, as it takes on the responsibility for scrutinising the Bill, will take on the same personal perseverance and conviction that Lord Morrow has brought to it to this point.

The Committee for Justice received briefings on human trafficking and considered the issue regularly over the past 18 months, and it takes the issue very seriously indeed. When looking at the Criminal Justice Bill, the Committee made it very clear to the Minister of Justice that it wanted the strongest possible legislation on human trafficking introduced in Northern Ireland. When considering that Bill's provisions for dealing with human trafficking, the Committee was very concerned about the possibility that a conviction for human trafficking offences would attract a sentence of fewer than six months or a fine, and it felt very strongly that neither reflected the gravity of the offences. The Committee, therefore, pressed the Minister to make changes, and an amendment was tabled to make human trafficking offences indictable only, meaning that offences would be heard in the Crown Court, where the maximum term of imprisonment is 14 years. The Committee was satisfied that that position more adequately reflected the seriousness of the crime and was pleased that the Assembly supported the amendment. That should go some way to making Northern Ireland a more hostile place for traffickers, but much more can be done.

In the evidence received during Committee Stage of the Criminal Justice Bill, it was clear that a number of the voluntary organisations felt that the Department had missed an opportunity to put into legislation additional human trafficking measures, particularly on the protection and assistance of, and support for, victims, including children; training; a requirement for an independent rapporteur; and the availability of proper investigative tools. In fact, one of the main criticisms of that Part of the Bill was that the Department adopted a minimalist approach in implementing the EU directive on human trafficking. As we have heard, that view is echoed by Lord Morrow, and he wants to change that approach through his Bill. The Committee recognised that there may be merit in making further legislative provision in these additional areas. Aware that Lord Morrow was consulting on a Human Trafficking Bill that covered such issues, the Committee agreed to give further consideration to additional legislative provision when his Bill came forward.

On 12 September, the Committee received a detailed briefing from Lord Morrow on the principles of the Bill and its various provisions. Departmental officials also attended the meeting and outlined the Minister's position on the Bill, which, disappointingly, appears to be somewhat negative to say the least. Lord Morrow outlined to the Committee why his Bill is necessary to protect some of the most vulnerable men, women and children.

As he said today, he wants Northern Ireland to lead the way and for other countries to look at us as a model for tackling the scourge of human trafficking. He also wants — *[Interruption.]*

**Mr Principal Deputy Speaker:** Excuse me. Someone's mobile phone is disrupting the proceedings. It interferes with the electronic recording, so would you please switch it off immediately?

**Mr Givan:** Thank you, Mr Principal Deputy Speaker. I was attempting to persevere, hoping that it would switch off a little bit sooner.

As Lord Morrow said, he wants Northern Ireland to lead the way and for other countries to look at us as a model for tackling the scourge of human trafficking. He also wants us to adopt a maximalist approach that is in line with the spirit, and not just the letter, of the EU directive. Both objectives are admirable and deserve the Assembly's serious consideration.

The briefing provided Committee members with an opportunity to discuss the Bill's principles and provisions. Although a range of issues were covered, members spent some time discussing clause 6, which, as Lord Morrow highlighted, has attracted a great deal of attention already. I feel that Lord Morrow and his advisers put forward strong and compelling arguments and evidence on the adoption of clause 6, which would make it an offence to purchase sexual services. On the other hand, the Department of Justice's objections to that approach appear to be based on the need for further research and evidence, which is something that officials could have initiated over a year ago when they first saw Lord Morrow's proposals. They chose not to do so until now, which appears to me to be a move to try to kick this particular clause into the long grass. I will come back to that when I am speaking in an individual capacity.



Having said that, I am very pleased that, at its meeting on 12 September, the Committee agreed that it would support the Bill's getting beyond Second Stage. That will allow the Committee to get down into the detailed scrutiny of the Bill.

I have no doubt that, assuming that the Bill passes its Second Stage, the Committee will receive many comments and views on clause 6. I assure you, Mr Principal Deputy Speaker, that the Committee will look at every clause in the Bill, because every clause requires and is worthy of the scrutiny that a Committee in this place should give to it. So, we will look at every clause in close detail. Members have specifically indicated that they are keen to meet the Oireachtas Joint Committee on Justice, Defence and Equality to discuss its report on a review of legislation on prostitution, in which it recommended adopting an approach that is similar to the Swedish model. That would be very helpful for the Committee's consideration.

I am sure that the Committee will want to undertake detailed scrutiny of the rest of the Bill, with the aim of ensuring that we put in place the strongest possible legislation in Northern Ireland on human trafficking.

I will now make some comments as an individual MLA. This is a moment for the Assembly to tackle what is one of the big issues for our society. This place is often criticised for not rising to the challenge. I believe that this is an opportunity for the Assembly to deal with those who are the most vulnerable in our community and to put into being a piece of legislation that will make a fundamental difference to how those vulnerable people are cared for and that, very importantly, will prevent people from being put into the positions that they have been put into through human exploitation of various forms.

It is a matter of social justice, and that is what is driving Lord Morrow and this party. It is about social justice and protecting those who are the most vulnerable in our community. In my maiden speech in this place, I indicated that those who are the most disadvantaged in our society would get the most attention from me, regardless of the spectrum that that disadvantage came from, whether it is poverty, education or health. Here is an opportunity for the Assembly to deal with those who are exploited, both through labour and sexual exploitation, and to do something for the most vulnerable.

We can treat the symptoms of what drives human trafficking, and it is right that we want to ensure that the best care is provided for victims and that we opened the SARC centre in Antrim so that those who have been raped can get the best services that we can provide. All those endeavours are the right things to do, but, in all of them, we are treating the symptoms. Alternatively, we can get down to preventing people from ever being victims in the first place. That is what clause 6 will do. Lord Morrow said earlier, and it is worth repeating, that, without clause 6, you are treating only the symptoms of human trafficking and sexual exploitation. Clause 6 is what will make the fundamental difference to tackling that heinous crime.

In hearing evidence from the Department on why we could not have the clause, I was disappointed with its attitude. For a Department with a budget of £1.4 billion, some reasons given were as pedantic as this: the Department would be concerned about the cost implications, stating that it would need to find an unresourced allocation of £1.2 million or £1.3 million. The issue causes the Department

concern. We can find tens of millions of pounds to plug a legal aid gap, yet £1.2 million or £1.3 million when it comes to dealing with something that would help the most vulnerable and exploited in our community is a problem for the Department.

I also found the commentary around the need for research concerning. The Bill was published a long time ago. Rightly, the Minister looked at it and said, "That is a good idea of Lord Morrow's. Let's have an annual strategy to deal with it, because that is a good thing. It is right that we put it into statute so that we are not dependent on the benevolence of the Minister of the time." That was welcome, but more needs to be done.

The justification that I hear from the Department and the Minister for why the issue is premature alarms me. We dealt with the Criminal Justice Bill. We put forward an amendment to make these types of offences indictable only. Lord Morrow published his private Member's Bill. The Committee indicated that it wanted the strongest possible legislation, not a minimalist approach to be taken. However, still today, some 18 months later, we hear that it is premature and that we need more research and evidence.

Why did they not do the research and seek the evidence when the Bill was published? I think that it is because they want to stall on tackling clause 6. This is what it is about: let us drag this out. If we drag it out, however, what happens? We lose the only legislative vehicle that will allow the Assembly to deal with the issue in this mandate. Perhaps the Minister will indicate later that he will introduce another Bill and have the time to bring it through the Assembly, but all the indications that I get are that there is no more time for the current amount of legislation that needs to come through.

When will the research that the Minister sought to bring to the attention of the Committee and the Assembly be completed? It will not be completed in time for the Committee to carry out its scrutiny of the Bill. In the absence of the new research, which will somehow indicate that Northern Ireland deals with such issues differently from the rest of the world, there is a mountain of research and evidence, and unless the people of Northern Ireland are somehow different from those in Sweden, Norway, across Europe and across the world when it comes to dealing with the sexual exploitation of women, children and men, why are we waiting? The evidence is there, and we need to move on with the issue.

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

**Mr Givan:** I will.

**Mr B McCrea:** Does the Member feel that there is sufficient evidence already present to support clause 6? Is he confident that the information is to hand? While he is at it, I ask him why he thinks that Northern Ireland should take a different stance from the rest of the United Kingdom on sentencing.

**Mr Givan:** Yes, I do think that the evidence is there. We need only to look to our nearest neighbour, the Irish Republic. There is an all-party report with a huge amount of evidence that was signed off unanimously. That is why the Committee for Justice is keen to meet with that Committee. This issue does require an all-Ireland approach, and I am quite happy for us to deal with that and take things forward.

Let it be clear, however: Northern Ireland is here to lead the rest of the United Kingdom and the Irish Republic. We should not be following on this issue. Lord Morrow made a compelling case for that when he was before the Committee. We have an opportunity to step forward so that others can come with us. If we want to take a stand that says that we do not tolerate any form of sexual violence against women, men and children, let the rest of the United Kingdom follow our position on that. I am quite happy for Lord Morrow to lead on that with his Bill.

**1.00 pm**

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

**Mr Givan:** I will.

**Mr Wilson:** Will he also point out that evidence in the country where this has been tried indicates that, first of all, the percentage of men who purchase sex has fallen considerably from 13.8% to 8.8% and, secondly, that the number of people who are involved in the industry has also fallen quite significantly? Therefore, there is real, tangible evidence that the law works. That is one of the reasons why the Irish Republic is also looking at such a change.

**Mr Givan:** The Member makes the powerful point that where this has actually been enacted, in Sweden and Norway, it is delivering results.

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

**Mr Givan:** I will make some progress on these issues. I will give way later in my speech, but not on this point.

The Member makes the valid point that where the legislation has been enacted, it has made a difference. In Northern Ireland, we know that our current legislation is not effective. When the Policing and Crime Act 2009 was implemented, there was a new offence of coercion. Not only has there been no conviction based on that legislation, but not even a single prosecution has been taken forward based on it. Therefore, the status quo is not working. In other countries, where they have developed a more progressive system to deal with the issue, legislation is having an effect.

**Mr Humphrey:** I am grateful to the Member for giving way. He will be aware, as I am as a member of the Committee for Justice, that the difference between this part of the United Kingdom and others is that we have a land border with another member state. It was very clear in evidence given to the Committee that if we do not follow the action that the Republic of Ireland will, potentially, take through its all-party Oireachtas group on the issue and put in place legislation to protect people from human trafficking, what will happen is that, as in Scandinavia, the problem will be dumped over the border in Northern Ireland because we will have failed to act. The Republic of Ireland will be ahead of us.

**Mr Givan:** To echo that point — and it is not usual protocol — Rachel Moran is in the Gallery. She is the author of a book. She became involved in prostitution at the age of 15. Last week, she spoke powerfully to our party on the issue. She made the very same point that should the Irish Republic proceed with what now seems to be its intention, Northern Ireland will be exploited by those involved in human trafficking and the sexual exploitation of women in the Republic of Ireland. They will just move their business here. It was a powerful point that was well

made. I encourage Members who have not met her and who, perhaps, take a different view, to meet someone who is a real victim; read the book and hear evidence from someone who has actually been involved in that type of activity.

I am disappointed not only by the Department's response to that, but by that of the Police Service. Through Detective Superintendent Philip Marshall, the Police Service made highly unconventional and unwarranted interventions in the debate. I am pleased that Assistant Chief Constable Drew Harris clarified the position over the weekend, because some of us were worried that the Police Service was sending out a very dangerous message that the issue was not a concern to it and that, in fact, it would legalise elements of what Lord Morrow seeks to address. I am glad that that issue has now been taken into hand. I trust that the PSNI, like the Department, will hear evidence as the Committee carries out its scrutiny work that will actually change the police's position, because I do not believe that they are a million miles away from where Lord Morrow wants the place to be in his Bill. However, they should recognise that we do not tell the police how to carry out their operational activities, nor do we tell the judiciary whether to find someone guilty. Therefore, the police will not tell us, as legislators, what type of legislation should come through the Assembly. That is a matter for the elected politicians who represent the people of Northern Ireland. Let us do that in the way in which we should do it, based on the evidence that already exists.

The other issue that, I think, is important to address is the fact that the primary motivating factor for human trafficking, and the offences around it, is the sexual exploitation of victims. In 2011-12, 73% of the victims rescued were sexually exploited. That is why clause 6 is so important to the Bill, because the primary victims of human exploitation are those who are then put into sexual servitude. That is why we need to deal with this point.

Now is the time for Members to act, to step up and to take — yes — big decisions based on the sound evidence that there is and exists, or they can baulk at the opportunity that is presented to them and put forward the flimsy excuses that the Department has put forward so far as a reason to try to block elements of the Bill. However, I trust that we will actually step up, that we in Northern Ireland will lead the United Kingdom on this and that we will also deal with the Irish Republic on it in a way that will, ultimately, make the island of Ireland unattractive to organised crime gangs that are profiteering from the abuse and misery of men, women and children through sexual exploitation and other forms of human trafficking.

I support the Bill.

**Ms McCorley:** Go raibh maith agat, a LeasCheann Comhairle. Cuirim fáilte roimh an díospóireacht inniu. I welcome today's debate.

The Bill seeks to make further provisions to the human trafficking legislation that already exists. If there are gaps in that legislation, we should fill them to improve upon the measures that are in place and, where possible, to strengthen the laws.

Má tá bearnaí sa reachtaíocht arbh fhéidir iad a líonadh agus biseach a chur ar an rud atá ann cheana féin, ba chóir dúinn na bearnaí sin a líonadh agus an dlí a dhaingniú más féidir.

Make no mistake about it: human trafficking is an obscene practice and is one of the gravest abuses of human rights in the modern world. It is absolutely right that we use our best efforts to stand firmly against any form of violence and exploitation of people in our society, particularly women and children who, in the main, are the victims of human trafficking. Whatever we can do to eradicate it, we should do as comprehensively as possible.

As things stand, we can support the general principles of the Bill, the aim of which is to ensure that our framework for dealing with human trafficking is as robust as possible. We seek to address the crime of human trafficking via a three-pronged approach: prevention of the offence; protection of the victims; and prosecution of the offenders. A good amount of work has been done to address those issues, some of which has been legislative, and some of which has been done via administrative measures. There have also been campaigns aimed at awareness-raising among the public. We should always seek to improve our laws, whenever and wherever we can, to ensure that they are fit for purpose. We must remember that the nature of human trafficking is not static. The picture can be a rapidly changing one, making it very difficult to detect and to prove, so we need laws that have the flexibility to adapt to changing circumstances.

It is clear that more information and consultation are required on aspects of the Bill. Clause 6 in particular, which seeks to criminalise payment for the sexual services of a prostitute, has provoked an intense debate. There are some very different views and opinions — all of them passionately felt — within and beyond our society on the issues raised by that clause. Some question the inclusion of a clause on prostitution in a human trafficking Bill, saying that although they are often related, they are, nevertheless, two separate issues, that it is wrong to conflate them, and that they deserve to be treated to separately. Others, however, see them as part and parcel of the same thing, saying that it is right to join them together.

The truth is that we do not really know the actual extent or range of prostitution in the North of Ireland. We need to know what the implications are, particularly how it impacts on the women involved. We need to understand what it will mean for women involved in prostitution if they have to leave that form of labour. We need to ensure that we are putting protections in place to support women in every way. We need much more information on the issue —

**Mr Wilson:** Will the Member give way on that point?

**Ms McCorley:** I will give way.

**Mr Wilson:** I am bit surprised at the way in which the Member has couched her argument that, before giving support to clause 6, she and her party want to see what impact the Bill is likely to have on the women, whether it would require them to give up their work and what alternative there might then be for them. Is she saying that if it turns out that the only way of women earning a living is through prostitution, whether it is forced or not, her party will then oppose clause 6?

**Ms McCorley:** We will await the outcome of the research and the consultation, and, when we are in an informed position, we will come to a position on that. We want to state clearly that vulnerable women and children need to be protected in our society, and we will always support

that. We are always against the exploitation of women and children and will always remain in that position.

As I said, we need much more information on the issue to make an assessment on whether changing the law on it will have the effect of reducing the demand for human trafficking. Some are convinced that it will and draw on evidence from places such as Sweden, whereas others disagree. We have evidence that says that the changing of the law in Sweden has dramatically changed the amount of human trafficking that takes place there, but there is also evidence that contradicts that. It is not a clear picture. We need to listen to all the evidence and not just one side of the argument. We have a responsibility to do that.

As a Committee, we clearly need to listen to as many views as possible on clause 6 and all other aspects of the Bill so that we come to a fully informed position. We will take evidence from a wide range of stakeholders and organisations so that we fully understand all the issues raised, and, throughout that process, we will put forward amendments, where required, to ensure that any legislation that might arise will be robust and appropriate. We have also been informed that the Department has commissioned research on prostitution, as has already been mentioned by other Members. We welcome that work and take the view that it will be valuable in helping to inform the debate. However, we need to ask this question: will criminalising payment for the sexual services of a prostitute help in the prevention of human trafficking? That is the vital question, because that is what the Bill claims that it will do, and we need to listen to all the views on that. We need to have evidence that it will have the desired effect.

I welcome today's debate and look forward to the Department's research on prostitution. We will listen to all the stakeholders when taking evidence at Committee. Éistimid leis na grúpaí uilig agus muid i gcionn fianaise a ghlacadh ag an Choiste. We will make whatever amendments are necessary to make this good legislation, if that is how it turns out. Ultimately, we want to ensure the maximum protection and support for women, children and anyone who is or has been a victim of human trafficking. We are also determined to see laws in place that will ensure that we will see the prosecution of those guilty of this heinous crime.

**Mr McGlone:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. I welcome the private Member's Bill and the opportunity to debate this important issue in the Chamber today. The trafficking and exploitation of human beings is a degrading practice, and we have a duty to do all that we can to bring those responsible to justice. It is clear that human beings are being trafficked into and through the North by organised criminal gangs for exploitation here and elsewhere. That exploitation takes the form of sexual exploitation, the exploitation of labour and domestic servitude. It is also clear that those organised criminal gangs responsible have largely been able to evade justice. Although around 100 victims of human trafficking have been reported as having been rescued in the North in the past five years, there have been few successful convictions of traffickers. The criminal gangs responsible operate internationally, and any attempt to disrupt them and bring them to justice needs a joined-up approach involving a number of Executive Departments and agencies here and throughout these islands.

**1.15 pm**

The measures in the Bill to support victims of trafficking are certainly welcome. There needs to be a strong framework of assistance and support for victims to encourage them to engage with the criminal justice system and help bring those responsible for trafficking to court. However, it would have been helpful if the required resources identified by the proposer had been included in the Bill. Although those measures and the associated provisions to ensure that no prosecution will be brought against victims for an offence committed as a result of their trafficking are welcome, another aspect of the Bill, which has been mentioned, is contentious.

The much-publicised clause that makes it a criminal offence to pay for sexual services has been highlighted ahead of this debate, and I am sure that it will be the focus of many contributions. It is, as the Bill's proposer has stated elsewhere, a significant change in our approach to prostitution, but it is not clear whether the stated objective of the clause — to reduce trafficking for sexual exploitation by reducing demand — would be achieved. Sweden is often cited by supporters of that approach; indeed, it has been cited today. Similar provisions have not been implemented in Scotland due to the concerns of the police and others that it could be counterproductive. Concerns have recently been reported of senior PSNI officers who deal with human trafficking and organised prostitution here about the potentially negative impact that the new approach could have, should it be adopted. In short, we need to be cautious when implementing any significant changes in our approach to any matter. Such a change in approach must be firmly based on all the evidence available and subject to very careful consideration. I need to hear much more and to listen to all the arguments, for and against, before coming to a final view on clause 6.

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

**Mr McGlone:** Yes.

**Mr Allister:** Does the Member accept that there is a nexus between human trafficking and prostitution? If so, would it not logically follow that if you make prostitution more difficult by making it a criminal act to be a user, you are, in consequence, placing a hurdle in the path of human trafficking?

**Mr McGlone:** I hear and listen to the logic that the learned Member has advanced. It is just that I am not in a position to have heard all the evidence, for and against, and I want to be in that position, as I am sure that he would expect me to be, and —

**Ms Lo:** Will the Member give way?

**Mr McGlone:** Sorry. I will listen to those points and policy decisions as we further scrutinise the legislation. Yes; the Member wishes to make a point.

**Ms Lo:** Thank you very much. Do you agree with me that the possibility of banning prostitution would only drive it underground in Northern Ireland or drive the problem elsewhere to our neighbouring countries?

**Mr McGlone:** Indeed. Likewise, I have heard that argument, too. For the same reasons I have given, I want to hear a full, comprehensive, evidence-based approach to the Bill before arriving at any considered opinion. The last thing that we want to do is to drive further underground

noxious practices that have led to the abuse of human beings. So, on this —

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

**Mr McGlone:** Yes. OK, Basil.

**Mr B McCrea:** Does the Member also accept that the evidence on the Swedish model that is cited by the proposer and supporters of the Bill is contested, that there are differing views on the efficacy of the action that is proposed, and that it is really important that, before we reach any particular decision, we have the full facts in front of us, and research is required?

**Mr McGlone:** Absolutely. I thank Mr McCrea for his intervention. That is precisely the point that I made earlier and I thank him for supporting that view. With that, I conclude my comments on the Bill.

**Mr Elliott:** Mr McGlone summed up some of the issues with the Bill. We are discussing the principles of the Bill today, and I welcome the work of Lord Morrow and the experts who assisted him in bringing forward the consultation. The consultation and its responses were very detailed. A number of people who have significant knowledge of this field assisted in developing the Bill to the stage that it is at today.

Human trafficking is one of the most concerning types of organised crime, given the nature of what is involved. That is illustrated through the four main reasons for trafficking: sexual exploitation; forced labour; domestic servitude; and organ harvesting. The extent of human trafficking is difficult to judge, but it has been estimated to affect between two million and four million people globally. I am informed that 97 victims have been recovered in Northern Ireland between 2009 and 2013, and that over half of them were trafficked for the purposes of sexual exploitation. Increased awareness is vital, and initiatives such as the Blue Blindfold campaign aim to address that. The fact that the Bill has brought a renewed focus on this area is to be commended.

Some concerning conclusions have been reached about trafficking in Northern Ireland. The Department of Justice's research paper from January 2011 states that Northern Ireland is both a destination country and a transit country for women who are being trafficked with a view to prostitution. A report compiled by Barnardo's and the NSPCC concluded that Northern Ireland was being used by human traffickers as a gateway to Great Britain and the Republic of Ireland. That is even more concerning in light of the decision by Sinn Féin and the SDLP to block the operation of the National Crime Agency in Northern Ireland. The agency was specifically established to offer expertise in tackling organised crime such as human trafficking.

**Ms Ruane:** Will the Member take an intervention?

**Mr Elliott:** Quite happily.

**Ms Ruane:** I am very concerned at the abuse of our position on the National Crime Agency. The focus needs to be on women and children who are being trafficked and affected by violence. I am very concerned to hear the Member's speech.

**Mr Elliott:** The Member may not like what she is hearing, but those are the facts. The Member may not like to deal in facts, but that is what I am dealing in.



I believe that the National Crime Agency has a huge part to play in stopping and prohibiting organised crime. Human trafficking is part of that organised crime, not only for sexual exploitation. There are also wider issues that concern not only women and children but all human beings.

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

**Mr Elliott:** I am happy to give way to the Member.

**Mr Wilson:** Does the Member agree that it is not surprising that Sinn Féin would be embarrassed about the issue being raised? Since human trafficking is an international crime, only an agency such as the National Crime Agency can get to grips with the way in which the issue crosses international boundaries. If Sinn Féin was really concerned about the exploitation of women and children, it would not block the operation of the National Crime Agency in Northern Ireland.

**Mr Elliott:** Yes, I believe that there has been some politicking by the nationalist parties in this process, which is, to say the least, concerning and disappointing. The PSNI will not be able to draw on the expertise that is available to other parts of the United Kingdom, so human traffickers will see Northern Ireland as a good place where there is an opportunity to do business.

Doing nothing is not an option. The minimalist approach taken by the Department of Justice in complying with European directives thus far is not a way to tackle the issue robustly. The fact that the Minister proposed only two primary legislative changes in response to the 2011 European directive on preventing and combating trafficking in human beings and protecting its victims shows an unwillingness to take the initiative and lead.

Some clauses would, undoubtedly, improve the fight against human trafficking. I think specifically of clause 11, which sets out a requirement for compensation for victims. Clause 12 would introduce a guardian for child victims of trafficking if they were not in contact with a parent. That would certainly help to improve the situation of vulnerable trafficked children. Clause 13 mirrors articles 12 and 15 of the European directive in avoiding what might amount to secondary victimisation during police interviews. I am sure that anyone who is aware of the ordeal and trauma that trafficked victims go through will agree that unnecessary questioning and repetition should, of course, be avoided.

There has been opposition, not least from the police and the Department of Justice, to some aspects of the Bill. I hope that the vast majority at least accept, as we are here to debate today, the principle of the Bill. The argument from Lord Morrow is that it is necessary to combat the demand for sexual services. He cites Sweden as a jurisdiction in which similar measures are in place. As we have heard today, some of the arguments are up for debate. I, like others here, am quite happy to have that debate. We need to get that evidence base through the Committee and establish the proper facts of all aspects. We can then make a proper and reasoned judgement on which clauses might be unnecessary and where more amendments might strengthen Lord Morrow's Bill, particularly on the issue of people having only six months to bring a case of an alleged incident. We would like that period to be extended.

I would be grateful to hear the number of arrests made and the number of convictions secured under the current legislation dealing with sexual offences. Perhaps the Minister has that information. If the numbers are small, why does the legislation not work? Would this Bill improve it? If so, we need to implement it. If there are other aspects or amendments that can improve it, let us bring them forward. That is the idea of a Bill: we have a debate, we table amendments if we feel that they improve it, and we hopefully get to a conclusion.

Do we need further legislation in the area? My answer is yes, I believe that we clearly do. I hope that the Minister and the Department of Justice accept that as well. Do I support the broad principles of Lord Morrow's Bill to provide a more robust legal framework for tackling human trafficking? Yes, my party and I support that. However, there are concerns and a requirement for more evidence and information. I am happy to have that debate and discussion. Hopefully, we will progress improved legislation and an improved framework to help victims of human trafficking and sexual exploitation.

**Mr Dickson:** Although the headlines in the media today will be primarily about prostitution, this is a human trafficking and exploitation Bill. It has already been referred to by one media outlet today as a Bill on human trafficking and prostitution. That is regrettable, not least because it has the effect of taking the focus away from human trafficking in its totality. Human trafficking is a global issue that encompasses many other elements, such as forced labour, slavery, servitude and the extraction of organs and tissue. Those elements need to be considered in equal detail by the Assembly. They should not be clouded by an important issue that deals with prostitution. We would be doing a great disservice to those who are trafficked if this whole debate were about prostitution.

### 1.30 pm

I pay tribute to party colleagues who have done a great deal of work over many years to address and raise awareness of the wide-ranging nature of human trafficking. That includes my colleague Anna Lo for the efforts that she has put in to setting up the all-party group in the Assembly and for the work that she has done through that group. I also pay tribute to Naomi Long MP for keeping the issue very much on the agenda at Westminster, and to the Justice Minister for the actions that he and the Department of Justice have taken already in the Department and through legislation and awareness campaigns to deal with these iniquitous problems. We welcome that Lord Morrow shares many of the concerns of Anna Lo, David Ford, Naomi Long and the Alliance Party as a whole. We also welcome that we can have this detailed debate about this issue in the Chamber and in Committee.

Most, if not all, of us who are standing up in the Chamber today will be wearing clothes or will be in possession of household goods that may have been produced by forced or slave labour, perhaps not in Northern Ireland or the United Kingdom, but wider afield. Human trafficking is a global issue that requires a global response.

My party colleague Anna Lo will deal specifically with clause 6, and, therefore, I wish to focus on a number of the other clauses that are in the Bill. Alliance is concerned that clauses 3 and 4 will have an adverse impact on judicial discretion. The Assembly has debated mandatory

minimum sentences before, and I remain unconvinced of their effectiveness. When we remove judicial discretion, we are at greater risk of inappropriate outcomes. Our judges are best placed to take full account of the potentially broad scope of circumstances in each individual case. We already have —

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

**Mr Dickson:** I will.

**Mr Allister:** I think that the Member knows that I am not one who is an enthusiast for minimum sentences, but, in fairness to the Bill, clause 4(2) preserves the right of the court to take a contrary view. It is not a mandatory minimum sentence; it is a discretionary minimum sentence in the sense that the court, if it thinks that there are exceptional circumstances to do otherwise, can use it. So, is that not quite different from a mandatory minimum sentence?

**Mr Dickson:** I welcome Mr Allister's comments. I think that they prove the need for the detailed scrutiny that we will have in Committee on those issues. Where amendment is needed, we will have it, and explanations such as that which Mr Allister gave to us will be of great benefit. I am sure that a lot of that will be delivered to us by way of submissions.

Nevertheless, I believe that we already have sentencing guidance that makes it clear that anyone who is found guilty of human trafficking offences can expect to go to prison. In each case, a judge needs to be free to make the most appropriate ruling based on his or her assessment of the particular offender, crime, victim and circumstances. Even with an exemption for exceptional circumstances as contained in the Bill, mandatory minimum sentences allow for little or no such discretion. The use of sentencing guidelines are a more flexible and comprehensive way of allowing each individual case to be judged, and, on those rare occasions where there is a public belief that the sentence is too low, we are aware of the appeal mechanisms that exist to allow for referral for reconsideration of sentencing.

In addition to our concerns about the effect of minimum sentences, we are concerned about clause 4's equal treatment of children and adults. Children should —

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

**Mr Dickson:** Yes.

**Mr Wilson:** I do not know whether he is seeking some excuses on behalf of the Alliance Party for not supporting the Bill, but he keeps referring to his concerns about mandatory sentences. Maybe, in preparation for the debate, it would have been useful for him to have read the Bill. It has already been pointed out to him that clause 4(2) states quite clearly that:

*"The court shall impose a custodial sentence for a term of at least two years ... unless the court is of the opinion that there are exceptional circumstances relating to the offence or to the offender which justify its not doing so."*

So, why does he keep wittering on about his concern over mandatory sentences? Is it just an excuse?

**Mr Dickson:** Far from it. What I am trying to emphasise is that it should be at a judge's discretion, rather than the

discretion of the House, to set the sentence requirements in the Bill.

I am equally concerned that the Bill provides for equal treatment of children and adults. Children should not be subject to the same sentences as adults. We have a sentencing framework for children to assist the judiciary, and that framework is compatible with the United Nations Convention on the Rights of the Child. We are concerned that clause 4 is not in the "best interests of the child", as demanded by article 3 of the convention.

The overriding consideration of any change to the law must be to support the rights of children who are caught up in such horrendous circumstances, whether those children are stitching clothes, harvesting vegetables or working for unscrupulous and criminal gangmasters. It is vital that we look at those issues in more detail, and I look forward to dealing with those clauses in more detail in the Justice Committee.

We have concerns about the proposed limitation of judicial discretion in clause 8. We do not think that blanket immunity from prosecution for victims is wholly appropriate. There may be cases in which someone who has been trafficked gets involved in illegal activity, including the trafficking of others and the distribution of drugs. If that person has become involved in organised crime and has created more victims, it would be extremely irresponsible to deny a judge the option of considering that case on its own, individual merits. Current arrangements allow prosecutors the discretion not to prosecute when it is considered to be in the public interest, and in the interest of vulnerable individuals, where the discretion of the court and the Public Prosecution Service can direct them to a wide range of support services. Cases can be considered in the light of their specific circumstances. Clause 8 would remove the ability to do so in very difficult and complex cases, and it therefore demands more detailed scrutiny.

Turning to clause 16, it is absolutely vital that all relevant Departments and agencies be held accountable for how effectively they address and respond to human trafficking. We welcome the recognition of that in the Bill. We also welcome the news that the Home Secretary is planning to bring forward a modern slavery Bill, which would, among other things, establish a UK-wide anti-slavery commissioner, who would likely fulfil the role of an independent national rapporteur. We will need to see how that can and will be developed in Northern Ireland.

Organised crime is primarily addressed in the United Kingdom by a United Kingdom-wide agency. One of the reasons for that is the increased global nature of organised crime and a recognition that those issues are more effectively dealt with through international and national structures, with comprehensive local input. It is therefore a matter of deep regret that there are parties in the House that cannot see and will not sign up to the wider benefits of the proposed National Crime Agency. That is an issue that I will push strenuously, in order to make every tool available to us to combat the evils of human trafficking. It is irresponsible of others to tie our hands.

**Ms Ruane:** Will the Member take an intervention?

**Mr Dickson:** Yes.

**Ms Ruane:** Does the Member believe that there should be accountability arrangements for anyone serving in

the Police Service in the North of Ireland? The National Crime Agency does not stand up to the standards of accountability.

**Mr Dickson:** If the Member were a member of the Justice Committee, or if she had read the responses by the Chief Constable in that Committee last week, she would know that those measures of accountability are there and were vouched for by him.

**Mr A Maginness:** Will the Member give way?

**Mr Dickson:** Yes.

**Mr A Maginness:** The Chief Constable did not say that. He said that he was aware of the accountability issues that had been raised and that those issues need to be worked through. As I understand it, those issues are still being worked through. A satisfactory level of accountability has not yet been reached.

**Mr Dickson:** He gave us further assurance on that, but we will have that debate in the Justice Committee.

Human trafficking is an element of organised crime, and a global issue. Arguably, it would be more effectively dealt with by local Departments, agencies and groups feeding into a structure that has a national resource, an international reach and an international perspective. Further, we have concerns about the compatibility of the functions of the model proposed under clause 16 with proposed UK-wide structures. Again, that is something that will require detailed scrutiny at the next stage.

Finally, today, Alliance is content to see the progress of the Bill at Second Stage, but we look forward to the detailed scrutiny that will follow in the Justice Committee.

**Mrs Hale:** I am very grateful for the chance to contribute to today's debate. I warmly welcome the proposal and commend Lord Morrow for all his work and diligence in bringing the Bill to the Floor of the Assembly. I wholeheartedly support the entirety of the Bill. I strongly believe that it sets out an effective package of measures to support victims of human trafficking and exploitation in our Province and to punish perpetrators of those heinous crimes.

Today, I will focus on one particular clause: clause 6. The provision of clause 6 in the anti-trafficking and exploitation Bill is absolutely pivotal for the simple reason that, according to the figures from the National Referral Mechanism, the single biggest reason for trafficking to Northern Ireland is, sadly, the demand for paid sex; 73% of all identified victims in 2011-12. If that demand did not exist, the rationale for trafficking people here would be much more limited. To have an anti-trafficking Bill for Northern Ireland that did not address this principal would be to present a Bill with a massive hole in it.

At this point, some may say that they agree that we need to tackle the demand but that we are already doing so through article 64A of the Sexual Offences (Northern Ireland) Order 2008, which states that it is an offence to pay for sexual services if the person in prostitution is subjected to force. That covers the demand for paid sex from anyone who has been trafficked and, indeed, the demand for people who have been pimped out but not trafficked. However, I am afraid that that provision has clearly proved ineffective. We have not had a single conviction under this legislation since 2009, although the

recent trafficking prosecutions show that people have been forced into prostitution since then.

I do not deny that the 2009 change in the law was intended to be a positive step towards tackling the problem of trafficking and prostitution at the time, but we need to recognise that it has not worked. The offence has failed for two key reasons. First, it requires proof that the person from whom an attempt was made to pay for sex was coerced. That has proved difficult to prove. Secondly, the offence provides only a very short time within which to prove coercion. I understand that the Minister of Justice has indicated that he would like to raise the time bar for proving coercion from six months to three years. Although that would certainly be better than the current situation, it does not address the problem of making the offence easier to prove. Such caveat offences have proven ineffective in practice, as has clearly been illustrated by the experience in Finland. Consequently, I believe that it is incumbent upon us as legislators to put into law a statute that will simply make it an offence to purchase sex.

At this point, some might respond by saying that, while it may be true that the single biggest reason for trafficking to Northern Ireland is the demand for paid sex, many people in prostitution in Northern Ireland have not been trafficked. That point is raised as though it were a moral problem for the Bill, on the basis that it is supposed to be about just trafficking. However, that has never been the case. It is the Human Trafficking and Exploitation Bill. The slavery offences that it includes, for example, pertain to forced labour where there is no element of trafficking.

Where the sale of sex does not pertain to trafficking, it most certainly pertains to exploitation. Consider the facts. It has been illustrated that many individuals working in the sex industry enter before they have reached the age of 18 or even the age of consent. That is evidenced by a study conducted by Eaves, which involved interviews with 114 women working in the sex industry in both on- and off-street prostitution. The study found that 32% of those interviewed had entered the sex industry before the age of 18. Home Office figures reveal that homelessness, living in care, debt and substance abuse are all common experiences prior to entering prostitution. Research also shows that many of those in prostitution have suffered abuse or violence in the home, with as many as 85% reporting physical abuse in the family home. A staggering 80% to 95% of women involved in street-based prostitution are addicted to class A drugs. The Eaves study of women involved in both on- and off-street prostitution, which I referred to earlier, found that 83% of interviewees disclosed current or former problematic drug or alcohol misuse. Moreover, pimps often use drug dependency as a form of control. Professor Roger Matthews writes that street prostitutes frequently report that they work to support not only their own habit but that of their boyfriend, pimp or partner. In some cases, male drug users and dealers will seek out female prostitutes as partners since they make good customers and providers.

#### 1.45 pm

Prostitution is one of the most dangerous occupations in the world. The men, women and children involved risk physical assault, sexual violence and verbal abuse every day. At least 65 women in prostitution in the UK have been murdered in the past 18 years. I do not quote those figures

to suggest that there are not people who would say that they choose to be in prostitution, but it is very clear to me that they are in the minority. Some people in this category are very articulate and are able to make their voices heard, but we should not forget those who do not receive the same level of publicity.

We face a choice: do we want a law that is defined out of primary regard for the privileged minority who charge very large sums of money or do we want legislation defined out of primary regard for the vulnerable majority? I am very clear: we must prioritise the latter, which is precisely what clause 6 does.

Clause 6 is what we need in this area. It gets right to the heart of the issue, and it does that by addressing the demand for human trafficking for sexual exploitation by making the payment of sexual services an offence. Trafficking is a business and, like any other business, it is built on the model of supply and demand. If we are truly concerned and wish to make a difference to the number of people being trafficked and exploited, it is paramount that we reduce the demand for paid sex.

In 2009, the Swedish national rapporteur stated:

*"It has been discovered through wire tapping and surveillance that traffickers consider Sweden a bad market."*

That comment was supported by Swedish estimates that between 400 and 600 women are trafficked there every year. Whereas, it is estimated that, in Finland, between 10,000 and 15,000 are trafficked into that country every year. Those statistics make clear that the Swedish approach of making it an offence to purchase sexual services is a powerful combatant to the evil of human trafficking. That power resides equally in clause 6 of the Bill. Lauren Hersh, who is New York director of Equality Now, argues:

*"To combat trafficking effectively, we must shrink the market, holding buyers and traffickers accountable".*

Clause 6 addresses that demand directly, and it will make a real difference to the lives of vulnerable women, men and children in Northern Ireland. Carolyn Maloney, who is a Democrat member of the United States House of Representatives succinctly remarks that:

*"the abuse will continue as long as we fail to address the demand side of the equation."*

The abuse of men, women and children in Northern Ireland will continue if this House fails to address the demand side of the equation. We must have the courage to act now. Indeed, we are duty-bound to protect the most vulnerable in our society. I commend the Bill to the House.

**Mr A Maginness:** Human trafficking is a modern day form of slavery and, if William Wilberforce were to reappear in our society, he would recognise it as such and would be appalled at the extent to which human trafficking takes place throughout the world today. We are not immune to that as a society, and this island is not immune to that as an island. Quite properly, the European Union issued the anti-trafficking directive of 2011 to deal with that issue. It is commendable that Lord Morrow is trying to build on that directive and trying to create the best practice that we can have here in Northern Ireland so that we can be

an exemplar in combating human trafficking. Therefore, the SDLP supports the principles of the Bill, and we look forward to it going to Committee where we can thoroughly scrutinise the individual provisions that Lord Morrow has drafted. It does not mean, of course, that we will agree with everything in the draft Bill, but we will seek to try to be as supportive as we can.

It also builds on the work of the Council of Europe, which has done great work on anti-trafficking. The convention of 2005 was an important milestone for that approach. So, a number of European bodies are dealing with the issue.

We should be supportive of trying to get the best possible legal framework in Northern Ireland. The basic principles of the Bill — the prevention of trafficking, support for victims of trafficking and tackling the demand for trafficking — are worthy aims. I hope that the Bill can be successfully legislated by the House to support, deal with and address those aims.

I commend the sponsor Lord Morrow, in particular for the emphasis that he has placed on victims of human trafficking. The Bill, if it is implemented, will do much to advance the interests of victims. In particular, the special measures for victims who have to appear in court to give evidence will help and will give them the special measures enjoyed by other victims of crime in Northern Ireland. That is a very important step forward.

It is all very well for us to say that we support and have sympathy for victims, but we have to translate that sympathy into action. We have to be supportive of victims, because they are some of the most vulnerable people on the face of this planet. We have to show real compassion, but that compassion has to be translated into practical measures to support victims. The thrust of Lord Morrow's Bill attempts to do that, and that is very important.

We have to be robust on the prosecution of traffickers. There has been mention of clause 4 and the minimum custodial sentence. We have to look at that carefully. Mr Allister has said that it is not mandatory. I think that it falls between mandatory and permissive. We have to look at that to see if it can be better tailored. Nonetheless, we have to take a robust view of sentencing for trafficking. People who traffic commit the foulest of crimes. They must be deterred, and they must be punished when they exploit the most vulnerable people on the earth.

On the issue of reporting and compiling reports, it is important that we have a discrete Northern Ireland rapporteur who will report on what happens in our jurisdiction; that would be a good thing. It is all very well to say that there could be a national rapporteur or whatever, but it would be immensely valuable to have a local person to deal with the issues. That is contained in clause 16, and it is an important contribution to our efforts to understand and monitor what happens to the victims of human trafficking and the level of human trafficking in this jurisdiction. A local person dealing with that would be much better value than somebody at national level.

I move to some of the comments made by the Chair of the Committee and the Justice Committee meeting that took place the week before last on the matter. The Committee is very serious about dealing with the Bill in detail. Everybody has shown their willingness to try to reach a common view on the Bill. I hope that that works, because it is much better that we work together on this rather than divide.



It would be useful if we had at least some conversation with those involved in the Oireachtas Justice Committee's consideration of the issue of prostitution.

That leads me to clause 6, which is probably the most contentious element of the Bill. I have said in Committee that my party and I have an open mind. We will address this issue seriously. We want to hear the evidence and to understand how other people feel about it. We want to hear from organisations that have a particular interest in the clause, and we will consider it on the basis of those arguments. We do not have a closed mind on it. It will be valuable for all of us to listen carefully to those arguments so that we do not prejudge things.

Lord Morrow puts forward a robust point of view, and I understand that. People must remember that the Bill is not simply about human trafficking but about the exploitation of the weakest and most vulnerable in our society.

I will conclude there, Principal Deputy Speaker. It might be a timely conclusion from your point of view. I commend the Bill, and we support its principles. We look forward to scrutinising it and working with all parties to reach consensus.

**Mr Principal Deputy Speaker:** As Question Time begins at 2.00 pm, I suggest that the House takes its ease until then. The debate will continue after Question Time, when the next Member to be called will be Mr Basil McCrea.

*The debate stood suspended.*

*(Mr Speaker in the Chair)*

2.00 pm

## Oral Answers to Questions

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

**Mr Speaker:** I remind Members that we have topical questions, which will last up to 15 minutes. Following those, we will move to questions that appear in the Order Paper. I remind Members that it is one enquiry, whether it be topical questions or questions for oral answer. I also remind Ministers of the two-minute rule. I can understand that, on occasions, because of the nature of a question in the Order Paper, Ministers will want more time, and it is a matter of Ministers indicating to the House that they need more time because of the nature of a question. If that is clear, we shall proceed.

#### Maze Project

1. **Mr Allister** asked the Office of the First Minister and deputy First Minister to give an assurance, particularly to innocent victims who were greatly relieved by his U-turn on the implementation of the Maze project, that that stance will not be traded or diluted, either in the Haass talks or anywhere else. (AQT 81/11-15)

**Mr P Robinson (The First Minister):** I seem to recall the Member, on a previous occasion, indicating that the Democratic Unionist Party had already traded this issue, and that was why it was taking the position that it had. Now that we have clearly shown that that is not the case, can I make it very clear to him that I would not characterise the position I have adopted as a U-turn? The Ulster Unionist Party placed the peace centre in the Maze complex. I have indicated that it would be unwise for Northern Ireland to proceed with a peace centre, which itself was going to be a cause of division, and that it is necessary to have a broad base of cross-community support for any such project. That remains my position.

**Mr Allister:** The First Minister must be one of the few people who does not see it as a U-turn. I do not think that there is any shame in that; doing the right thing is never something to be ashamed of. Can the First Minister shed any light on this: if the £18 million that was previously to be squandered on the Maze is not now to be squandered there, what is the thinking about where that money might be more beneficially and usefully used?

**Mr P Robinson:** Of course, it will be a matter for the Special EU Programmes Body to look at what projects can use any money that might be available. I do understand that the Member has some sympathy for U-turns, because this is the same Member who comes in here, week after week, and the man from Mars would think that he was breathing fire on republicans. He chides me for doing business with republicans, but then secretly and outside of the House, the Member, as the executor of a will, is selling land to republicans in County Fermanagh to benefit his own family. So, it ill becomes him to — *[Interruption.]*

**Mr Allister:** That is an absolute —

**Mr Speaker:** Order.

**Mr P Robinson:** So, it ill becomes him to come to the House beating his chest as if he —

**Mr Speaker:** Order.

**Mr P Robinson:** — is going to be tough on republicans.  
[*Interruption.*]

**Mr Speaker:** Order.

**Mr Allister:** [*Interruption.*]

**Mr Speaker:** Order. The Member —

**Mr Allister:** [*Interruption.*]

**Mr Speaker:** Order.

**Mr Allister:** — which he knows to be true —

**Mr Speaker:** Order. The Member must take his seat.  
Order.

**Mr Allister:** I am not the executor. That is a damnable lie.

**Mr Speaker:** Order. I must ask the Member to take his seat. Order.

## Social Enterprise Northern Ireland

2. **Mr Beggs** asked the Office of the First Minister and deputy First Minister what conversations and discussions it has had with Social Enterprise Northern Ireland following its establishment and the creation of 10 social enterprise hubs about a year ago. (AQT 82/11-15)

**Mr P Robinson:** I personally have not had any discussions. Obviously, as soon as we produce proposals that have various aspects of overarching responsibility, it becomes a matter for the Minister and the Department who have the job of taking the project forward to deal directly with its implementation. So, that is probably a question that could more directly be asked to the Minister responsible.

**Mr Beggs:** Does the First Minister agree that Social Enterprise Northern Ireland is the expert in this area, with knowledge of social enterprises in the United Kingdom and elsewhere? Why has it not been consulted to date?

**Mr P Robinson:** This, of course, is a matter for the department for Social Development (DSD), and this is one of the difficulties with topical questions. As I understand it, DSD has identified the locations for those and will be bringing them forward. If the Member wants more information, he needs to put his questions to the Minister for Social Development.

## Ilex

3. **Mr McCartney** asked the Office of the First Minister and deputy First Minister to provide an update on the recent appointments to the Ilex board in Derry. (AQT 83/11-15)

**Mr P Robinson:** There have been some controversial issues with the Ilex board. Of course, it is important, from the Office of the First Minister and deputy First Minister's point of view, that this important body moves forward. A new chair and three new board members were appointed to Ilex on 16 September for a three-year term. Philip Flynn was appointed chair, and Gerry Mullen, Henry McGarvey and Aaron McElhinney were appointed non-executive directors. All appointees, prior to their appointment,

indicated that they had not undertaken any party political activity within the past five years.

A competition to recruit a chair to the Ilex board was undertaken in 2012 but did not provide a wide enough pool of candidates, and, therefore, a further competition commenced earlier this year.

**Mr McCartney:** Go raibh maith agat, a Cheann Comhairle. Gabhaim buíochas leis an an Chéad-Aire as an fhreagra sin. I thank the First Minister for that answer and congratulate those who have been newly appointed to bring the necessary leadership to Ilex. Given the need for the recent appointments, has the Office of the First Minister and deputy First Minister any indicative time frame for the appointment of a much-needed chief executive?

**Mr P Robinson:** It is wrong for us to get into the business of giving precise dates. In the Office of the First Minister and deputy First Minister, Ilex is a fairly frequent topic of conversation, given the deputy First Minister's particular interest in it. All I can say to the Member is that we will certainly appoint a chief executive as soon as possible. There is no dragging of feet or delay on the part of OFMDFM or its officials.

## Haass Talks

4. **Mr Anderson** asked the Office of the First Minister and deputy First Minister what is its expectation of the process and outcome of the Haass talks by December, given the First Minister's reported comments on their challenging nature and scope. (AQT 84/11-15)

**Mr P Robinson:** I know that some people have sought to indicate that I was overly negative. We need to remember, first, why Dr Richard Haass and Meghan O'Sullivan are carrying out this facilitating role. These are matters that we have spent many years discussing in the Chamber and in our parties outside it. The deputy First Minister and I were engaged in discussions on parades right back to the Hillsborough Castle talks. Indeed, before that, all parties in the Chamber discussed these matters but failed to reach any conclusions during previous negotiations.

Over the past 18 months to two years, there have been intensive discussions at the all-party committee that was set up by the deputy First Minister and me. Although a wide range of issues was agreed, three matters were found to be too difficult to reach agreement on at that time. The deputy First Minister and I committed ourselves to setting up a working group of some description, attempting to continue to work at these matters and trying to resolve them.

By their very nature, these are difficult issues that, thus far, we have been unable to resolve. I do not want to put any undue pressure on Richard Haass and his team by raising expectations. However, from our conversations with Dr Haass, it is fairly clear that he is absolutely determined to do what he can to facilitate agreement. I am glad that all parties that entered the discussions said that they did so in a positive manner. I can give an assurance that, as far as this party is concerned, that is the way that we will approach them.

**Mr Anderson:** I thank the First Minister for that comprehensive answer. Some parties have indicated that if no consensus can be found in the panel, Dr Haass will put

forward his own proposals. What is your view on that approach?

**Mr P Robinson:** The Alliance Party and the SDLP in particular seem to have indicated that, if it was not possible to reach agreement in the talks, Dr Haass should bring forward proposals himself.

I would neither want to fetter in any way how the Haass talks should operate nor suggest what might happen in the event of failure. I think that we have to approach the talks on the basis of doing everything that we can to make them succeed. However, I think that we all know that if we want anything to stick in Northern Ireland, it is necessary for agreement among the parties. I see little advantage in Dr Haass putting forward his views if he was unable to get agreement on them during the talks process. However, he may find that approach advantageous if he runs out of time but, in an attempt to get a solution, sees areas where further work could be carried out and things could be looked at in more detail.

**Mr Speaker:** Question 5 has been withdrawn.

## Racial Equality Strategy

6. **Ms Boyle** asked the Office of the First Minister and deputy First Minister when the new racial equality strategy will be published. (AQT 86/11-15)

**Mr P Robinson:** Mr Speaker, with your permission, I will ask my colleague junior Minister Jonathan Bell to answer that question.

**Mr Bell (Junior Minister, Office of the First Minister and deputy First Minister):** We have put a lot of work into the racial equality strategy, and our officials have been liaising directly with the racial equality panel and with wider representatives of the sector. The purpose of that was to refocus and refine the racial equality strategy. Following the last meeting of the racial equality panel, we are now at a stage when the draft strategy is nearing completion, and we intend to commence the public consultation exercise as soon as possible thereafter.

**Ms Boyle:** Go raibh maith agat. I thank junior Minister Bell for his response. When will the proposed crisis fund or emergency fund, which was promised in addition to tiers 1 to 3 of the minority ethnic development fund, be in place?

**Mr Bell:** In line with the recommendations from an evaluation of the minority ethnic development fund, we have, as the Member indicated, given an agreement in principle for a crisis fund element. That crisis fund element will be in addition to the £1.1 million annual budget. The size of that crisis fund is being examined and still to be decided. It is envisaged that the crisis fund will be delivered by a third party.

## National Asset Management Agency

7. **Mr Buchanan** asked the Office of the First Minister and deputy First Minister for its assessment of the performance of the National Asset Management Agency, given that there have been a number of media reports of the First Minister's criticism of that organisation. (AQT 87/11-15)

**Mr P Robinson:** I saw some headlines that would have suggested that I was critical of the National Asset Management Agency (NAMA). In actual fact, I think that, according to its own guidelines, NAMA has performed

exactly as one might have expected. It has been very helpful where Northern Ireland is concerned, in that it could have gone for a fire sale of assets here at an early stage. That would have been vastly damaging to the construction industry in particular and to our property market.

My complaint with NAMA was not about the organisation but about the fact that banks in Northern Ireland principally, but NAMA and the Presbyterian Mutual Society, are all holding on to very considerable assets that could be developed and, therefore, bring jobs to the construction industry. The fact that they are holding on to those assets is understandable from their point of view, in that they hope to maximise the amount of revenue that they might receive from their sale. However, it is considerably damaging to our ability to grow our economy and to get it moving again. That was my point. It was not a criticism of NAMA; it is doing exactly what one would expect with its fiduciary responsibility. We have to recognise that the banks, NAMA and the Presbyterian Mutual Society holding on to assets freezes development in Northern Ireland.

## 2.15 pm

**Mr Buchanan:** I thank the First Minister for his response. Will he outline what he believes the solutions to the challenges could be?

**Mr P Robinson:** One of the solutions is for NAMA to do a little more of what it had been doing with one or two of the developments, where it introduced some of its own funding to develop a project. It is doing that with an office block in the Oxford Street area, and it is doing it with a housing estate in Dundonald. That allows NAMA to get a higher revenue return for the assets and ensures that the development takes place. It would be helpful if the banks were to do more of that. The other option, of course, is that some financial institutions or other organisations could come in, buy the assets off those organisations — the banks, NAMA or the Presbyterian Mutual Society — and build them out.

**Mr Speaker:** That ends the period for topical questions. We now move to oral questions.

## New York Investment Trip

1. **Mr McKay** asked the First Minister and deputy First Minister for an update on their recent investment trip to New York. (AQO 4588/11-15)

9. **Mr Clarke** asked the First Minister and deputy First Minister what plans they have to continue to encourage inward investment. (AQO 4596/11-15)

14. **Mr Anderson** asked the First Minister and deputy First Minister to outline the key meetings they attended during their recent visit to New York and the resulting potential to help the economy. (AQO 4601/11-15)

**Mr P Robinson:** Mr Speaker, with your permission, I will answer questions 1, 9 and 14 together. Given their nature, I trust that you will allow me sufficient latitude to give the House as complete an answer as possible.

The deputy First Minister and I travelled to New York city on Monday 9 September to undertake a number of engagements to promote the Northern Ireland business message in advance of the economic conference that will

take place on 10 and 11 October. We had been invited to be the keynote speakers at the Wall Street 50 awards dinner, which honours some of the most successful financial services executives in the United States. Around that invitation, we built a programme of meetings that allowed us to engage with existing and potential investors and to meet other key individuals. We met our good friend from Citigroup, Bill Mills, the chief executive officer in North America, and John Healy, Citigroup's IT senior group manager. Citigroup came to Northern Ireland back in 2004, with an original plan to create 375 jobs by 2009. The company now employs in excess of 1,200 people, and the Belfast facility is one of only four centres of excellence in the world, and the only one that Citi has in the United Kingdom.

We also met Duncan Niederauer, chief executive officer of the New York Stock Exchange (NYSE). Duncan, like Bill Mills, is a good friend of Northern Ireland and a significant supporter of our inward investment drive. The NYSE employs some 300 people at its Belfast facility. Like Citigroup, the NYSE is a blue chip, internationally recognised company. Both companies confirmed that they would act as advocates for Northern Ireland at the October conference.

We called with Mayor Bloomberg at City Hall, where we discussed the investment conference and encouraged him to use his influence to seek participation by his contacts in corporate America.

We also met potential investors, and I am sure that Members will understand that I am unable to reveal their names for commercially sensitive reasons. We used that time to underscore our personal interest in developing relationships with investors and assured the companies' senior management teams of the Executive's continuing commitment to the economic development of Northern Ireland. We were delighted to receive a behind-the-scenes tour as guests of the World Trade Center memorial, where we met Marcus Robinson, the Belfast-based award-winning documentary film-maker, who has produced a work on the rebuilding of the centre following the 9/11 tragedy. We had the opportunity to meet Larry Silverstein, the New York businessman who is imaginatively developing the World Trade Center site.

Following the theme of regeneration, we visited Brooklyn Navy Yard to meet executives at Steiner Studios to look at opportunities to promote collaboration and film production in Northern Ireland. At the Wall Street 50 event — one of the most prestigious in the New York financial sector calendar — we addressed an audience of 250 financial services executives, highlighted the benefits of doing business with Northern Ireland and promoted the October investment conference. It is worth noting that the combined employment figure for the companies represented in that room exceeded 300,000.

In summary, the visit allowed us to extend an invitation to the economic conference to a wide range of business executives. Furthermore, it provided an opportunity to strengthen relationships with existing investors and begin relationships with new ones. It is our intention to continue to build on the good work that Invest Northern Ireland is doing in the US when we visit Boston and Chicago next month. Plans are also at an advanced stage for our visit to Japan before the end of the year at the invitation of the

Japanese Prime Minister, whom we met during the G8 summit.

**Mr McKay:** I thank the First Minister for his comprehensive answer. What he outlines is the great success that we have had in OFMDFM's work with New York as a city. That was possible only because of the saving of the air passenger route to New York. That shows what success can gather from —

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

**Mr McKay:** — successful air passenger duty policy. Is it not time that we dealt with air passenger duty in its entirety so that we could have more success stories such as New York throughout Europe as well as in America and ensure that we boost our tourism sector and local airports?

**Mr P Robinson:** The issue of air passenger duty would not have been addressed had it not been for the visit that the deputy First Minister and I had with the chief executive of United. During that visit, it became clear what the intention of United was had that matter not been dealt with. Happily, the then Secretary of State and the Chancellor acted promptly and, at our behest, gave us a dispensation. If any further dispensation is to be given, I hope that it would be UK-wide so that we would not have to carry the cost of it. Voices are being raised across the United Kingdom urging the Chancellor to look at this issue because of the additional hardship that it creates.

**Mr Clarke:** The answer that the First Minister gave to the first question about the trip underpins the importance of trips to New York and other such places. What foreign direct investment will come to Northern Ireland as a result of his recent trips?

**Mr P Robinson:** We have been enormously successful, and I pay credit to Invest Northern Ireland and the Minister of Enterprise, Trade and Investment, Arlene Foster, who has just returned from South Africa where, I believe, she got a very good hearing from a number of companies. It is clear that if you are not out there fishing, you will not catch anything, to use a term of the deputy First Minister.

Northern Ireland has been going out much more than ever and has gained the reward for that. That was recognised by 'The Economist' and in other statistics that showed that Northern Ireland is doing better than any other part of the United Kingdom in relation to the size of its population as far as foreign direct investment is concerned. It is recognised in us being able to bring more foreign direct investment into Northern Ireland than at any time in the history of Northern Ireland. That shows the value of devolution. We are, under devolution, able to bring more investment into Northern Ireland than those who acted as our proxies under direct rule.

It is not just a case of going out to find new investors, although we were talking to new and potential investors on this occasion. During those conversations, however, we build up the relationship that we have with companies that are here. We talk to companies already based in Northern Ireland about their plans to see what role we may play in them. During a conversation with one company, and I will not mention its name, we touched on a subject that it had not been aware of our expertise in, and discussions have started on the potential for us being a base for that company's work in that area.



It is important to have the network, build the contacts and have friends in those businesses with access at the highest possible level, so that if there are issues that they need addressed, they know where to go to get that done.

**Mr Anderson:** I thank the First Minister for his responses so far. I will continue the theme of attracting as many jobs as possible to Northern Ireland. To what extent will the New York trip and visit impact next month's investment conference in Belfast and help to promote Northern Ireland as a good place to invest in and grow business?

**Mr P Robinson:** We got commitments from certain people who will be coming, if you like, to give testimony during the investment conference. On previous occasions, we found it hugely successful not to make the argument ourselves. It is far more appealing to a potential investor to hear what those who have already invested have found. A good example is a company like Allstate. It started with a small number of employees, built itself up and now has several thousand in Northern Ireland. It has reinvested over half a dozen times. If 70% of the companies that invest in Northern Ireland reinvest, that gives people a very clear indication that this is a place to come to. Here, there is a good message that we have a competitive regime with regard to costs for labour and property and also that we have a skilled and loyal workforce. That means that investors will have people who stick with them for long periods. The churn rate is such that there are considerable savings to their overall bottom lines.

**Mr Dallat:** I thank the First Minister for his answer. Did the Ministers have an opportunity to minimise the impact of the summer disturbances on potential inward investors?

**Mr P Robinson:** Any unrest in the backcloth of Northern Ireland is clearly unhelpful to bringing investment here. I have to say that maybe it was because we set out in those discussions to indicate our view on those matters before people asked questions that the issue was never raised with us. That was probably because we caught the ball before it bounced. We indicated that there is massive stability in Northern Ireland compared with many countries and towns and cities in North America. If you were to compare the crime rate in Northern Ireland with that of major US cities, you would see that Northern Ireland comes out of that very well. It is the nature of the kind of violence and unrest that we have that gives it the news headlines. However, clearly, any unrest, violence, rioting, killing or injury is unhelpful to the message that Arlene Foster, the deputy First Minister and I have to pass to potential investors.

**Mrs Overend:** I thank the First Minister for all that information. Maybe he could outline the interest there is in the economic conference here in Northern Ireland and any targets that he might have for that conference.

**Mr P Robinson:** I think that it will be a very successful economic conference. Of course, the success of an economic conference is, I suppose, measured on its outcomes. The outcomes are not always known on the days of a conference or for some time afterwards. However, there is considerable participation and interest and many indications of willingness to take part in the various sessions of the conference and of people who will attend. Of course, it arises out of a very successful G8 conference in Northern Ireland. We have asked the embassies of each of those countries to give us

assistance. I have to say that we have been helped very well, obviously through DETI and Invest Northern Ireland, by what was the Department of Trade and Industry in the United Kingdom as a whole and through its embassies. It is a joint enterprise. As Members know, the Prime Minister will be involved directly in the conference. That adds to its prestige, importance and attractiveness to people.

**Mr McCarthy:** I thank the First Minister for his progress report on the Ministers' recent trip. Does he not recognise that it is quite unsustainable to keep presenting a united front when abroad and presiding over divisions and disunity when at home in Northern Ireland?

**Mr P Robinson:** We are part of a five-party mandatory coalition. I think that we need to be a little more mature about issues. We are not going to agree on every issue round the Chamber. There will be differences. What is important is that we manage those differences and that we recognise that that can be done only on the basis of respect for each other's position.

## 2.30 pm

Of course it would be nice if we could agree on every single issue and could do so promptly, but that is not the case. When we go out to market Northern Ireland to the wider world, it is important that we sing from the same hymn sheet. That is not hard, because we both believe in exactly the same thing: we want to grow our economy, to encourage people to come here, to provide jobs and to ensure that the economy in Northern Ireland grows. There is no reluctance on my part or on the part of the deputy First Minister to exploit that to the full where we have common ground.

## United Youth

2. **Mr McGimpsey** asked the First Minister and deputy First Minister for a breakdown of how the United Youth programme will be rolled out annually. (AQO 4589/11-15)

**Mr P Robinson:** The process of designing the United Youth programme is being taken forward by a design group specifically established to research and detail the proposals and costs for implementation. That will include how the programme will be rolled out. Officials from the design group have already engaged with stakeholders, and that process will increase over coming weeks. I am pleased to say that the proposal has been widely welcomed, and there is significant interest in and excitement about its potential. The design group has already undertaken considerable work and is expected to conclude in the next few months. The report will inform ministerial decisions on the way forward.

**Mr McGimpsey:** Bearing in mind that around 46,000 young people are without employment and that 10,000 places are being offered, can Mr Robinson indicate what the decision-making process is on the criteria for awarding those places? Will he also confirm that his office will take the lead in this matter?

**Mr P Robinson:** First of all, it was because of our recognition that very considerable numbers are unemployed — he indicated that there are 46,000, but, as he will understand, that is a moveable feast — that we decided that this was an appropriate programme. Indeed, that is why we specifically indicated that the places should

go to those in the not in education, employment or training (NEET) category.

I have to say that not everybody is as convinced as he and I might be about the number of people from that category who will want to take part. Indeed, some of the discussion has been about whether there should indeed be a further revision of who is entitled to take part in the programme if all the places are not taken up by those in the NEETs category.

The Department obviously has the overarching responsibility, but we are not a delivery Department to that extent. Therefore, we will look to other Departments that are more directly involved and that have staff available to look after the implementation.

Of course, the programme has three elements. The first element — this directly involves giving young people the opportunity to get jobs in the future — is a placement with a business enterprise so that they might become accustomed to getting up in the morning, going out to a place of work and seeing how business operates.

The second element provides more of a civic function, as they will become involved with some charitable, community or other organisation so that they can become better citizens.

The third element is that cross-community element. Unfortunately, many young people do not have the degree of interaction with people from a different community background. The programme will allow them to have that interaction, giving them a better understanding of the other people with whom they share this piece of territory.

**Mr Spratt:** This has been a massively popular proposal. Will the First Minister outline the positive impacts that a programme of this nature and scale can have overall?

**Mr P Robinson:** I am grateful to the Member for his view on the positive nature of the programme. I have to say to him that, as this is a new project with very ambitious numbers, it may be that we will end up with a choice between a longer lead-in period, if we immediately go for 10,000 places, and a shorter lead-in period, if we want to scale it up and phase it in. Whichever is the case, I am pretty sure that it will be beneficial. It is beneficial to young people because they will have the opportunity to become engaged and involved in work, making them better rounded human beings. An employer will look at it as a positive element in anybody's CV, just as the Peace Corps, for instance, is viewed in the United States. If they see that somebody has gone through this programme, they will recognise that he or she is a more rounded individual. Of course, from a cross-community and good relations point of view, the fact that they have gone through a programme on the good relations aspect of our work is beneficial to the community as a whole.

**Mr Eastwood:** Can the First Minister provide more detail on some of the major companies that will support the programme?

**Mr P Robinson:** I cannot give him that type of detail. The design group will bring us a report on that. I have gone out and about since the programme was announced and talked to the leaders of various organisations. For instance, the Confederation of British Industry indicated that it will positively support the programme and will encourage people in that organisation to do so. I have talked to people in community organisations who are

very interested in the opportunity to get people involved in the work that they are doing and to get some help for that work. It is self-evident that the work on good relations will be helpful. Until the design team comes back with proposals, I cannot give him any further detail but I will do so when that is available.

## Victims and Survivors

3. **Mrs Hale** asked the First Minister and deputy First Minister to outline the resources that have been allocated to support victims and survivors. (AQO 4590/11-15)

**Mr P Robinson:** Mr Speaker, with your permission, I will ask junior Minister Jonathan Bell to answer that question.

**Mr Bell:** Since devolution, we have tripled the funding that is available for victims' and survivors' services and needs. In addition, we have undertaken a significant fundamental reform of provision and support for the sector, and that has been completed. That included agreeing a 10-year strategy, establishing the Victims' Commission, the subsequent creation of a victims' forum, the commissioning and obtaining of the new comprehensive needs assessment from the commission, and the establishment of a new streamlined delivery mechanism in the victims' service.

The new programme in place through the service addresses issues including health and well-being, social support and individual needs. It covers a wide range of key activities, such as help with chronic pain, disability support and education. Individuals will have a package of assistance tailored to their particular assessed needs. Additionally, the service is currently reviewing funding allocations with officials and the Commission for Victims and Survivors, based on information from recent needs-based assessments and from monitoring returns. That review will ensure that the service moves forward to the second year of its programme with appropriate funding allocations that are based on actual assessed needs of victims and survivors. Through the service, we are absolutely dedicated to ensuring that victims and survivors get the best help that we can provide.

**Mrs Hale:** I thank the junior Minister for his answer. Has support for groups also been increased or does the funding represent an increase to individual victims only?

**Mr Bell:** I am pleased to say to the honourable Member that support for both individuals and groups has been increased. As I said, our focus was on ensuring that we had a tailor-made service that directly met the needs of individual victims. Many of those needs differ. Many people want an individual service, but we also know that victims' groups have done excellent work and demonstrated really good practice in helping and supporting victims. Therefore, I want to take a moment to pay tribute to those who have worked collectively in a group format with victims because, in many cases, that group format has facilitated a level of community support and allowed people who have experienced similar circumstances, difficulties and trauma to meet and share their experiences in a group setting. That group support has helped them to lead better and more productive lives and to deal with the trauma that they should never have had to endure in the first place.

**Mr Lyttle:** Will the junior Minister account for the delays and difficulties experienced by some victims in their

applications for assistance from the Victims and Survivors Service?

**Mr Bell:** The Member's premise is difficult. I find it hard to find something negative when we have tripled the funding that has gone into the sector, but that may be the case in his mind. We wanted to ensure that we had a responsive service that could look to the needs of individuals who wanted to meet and be assessed comprehensively in an individual setting. We also wanted to look together at the support that groups have received.

Anybody who looks fairly at what the programme has done in its three strands in the past, and what it will do in the future, will see a victim support programme that, particularly with health and well-being, to which £8.5 million has been allocated directly, contributes to the health and social care of victims and survivors through individual courses of treatment and/or care. The social support programme, to which £7.3 million has been allocated with the aim of supporting and maintaining the resilience of our victims and survivors, will assist in addressing the legacy of the past and building a better and a shared future.

The service has also been allocated £3.6 million to provide direct financial assistance to those with identified needs. Research and capacity building were also allocated £300,000 to ensure that the best possible service is provided to people who need it most.

**Mr Attwood:** I know that the junior Minister will accept that, in addition to resources, many families, survivors and victims still seek truth and accountability. Will he confirm whether, in addition to the due process of criminal investigation, he is in favour of truth and accountability mechanisms that see those in command and control of state organisations and paramilitary organisations being held to account for their actions?

**Mr Bell:** Of course I am in favour of bringing justice to innocent victims. Victims deserve justice, and in many cases, they have been failed by the justice system. That is because 60% of all the death and murder was attributed to republican terrorists, 30% to loyalist terrorists and only 10%, which is the matter that the Member seems focused on in his question, were deaths related to the state. We should deal with the 90% of those who caused the difficulties. We need to find out where the terrorists kept their records of their command and control structure. We need to find out who in the terrorist organisations directed and sent out people, whereby innocent people found themselves in a situation in which they were murdered. The 90% need to be held to account, as well as, when there is evidence, bringing to account anyone within the state who is responsible for death.

However, the Sutton index is clear: 60% of deaths were carried out by republican murderers, 30% by loyalist terrorists and only 10% by the state. It is time for the terrorists and their organisations to step up to the plate to tell us the truth of what they know. I have to say that I do not have a lot of confidence, because the Gerry "I was never in the IRA" Adams does not inspire me.

## Undocumented Irish

4. **Mr Rogers** asked the First Minister and deputy First Minister whether, during their recent American visit, they

held any discussions with senior American government officials about the undocumented Irish, in relation to the forthcoming US immigration reform legislation. (AQO 4591/11-15)

**Mr P Robinson:** The focus of our visit to the United States earlier this month was economic development. We had the opportunity to meet a wide range of business executives, and we used those meetings to promote inward investment and to encourage participation in the October investment conference. Senior American government officials are based in Washington, DC. We were in New York, so we neither sought nor had the opportunity to raise any issues with them.

**Mr Rogers:** Thank you, First Minister. Given that the immigration Bill will come to the House of Representatives soon, are there any plans to go to Capitol Hill to lobby on behalf of the undocumented, who come from all parts of our community?

## 2.45 pm

**Mr P Robinson:** I always enjoy it when people use the English language to gentrify something that might be considered differently. Of course, we are talking about illegal immigrants rather than the "undocumented" Irish, and I do not think that it is a job for me to make representations — it is for the Irish Government to deal with Irish passport holders — nor do I think that it would be right for me to persuade the Congress or Senate of the United States in these matters. It is, after all, a matter for the United States to decide whom it allows to enter or stay, although I have no doubt that many of those whom the Member described as "undocumented" have made a contribution over many years there. Doubtless, if the politicians there are looking at categories, they may well find favour with those who have made a contribution rather than those who are in the United States to see what they can get out of the United States.

## Environment

**Mr Speaker:** We move to questions to the Minister of Environment, and, again, we start with topical questions. I will take the opportunity to welcome the new Minister to the Chamber and wish him well in his new appointment. I know that I speak for the whole House when I say that.

## Planning Service: Enforcement Powers

1. **Mr Wells** asked the Minister of the Environment whether he believes that the Planning Service, for which he is responsible, has adequate enforcement powers. (AQT 91/11-15)

I concur, Mr Speaker, in congratulating the honourable Member for Foyle on his appointment. I understand that I have the privilege of being the first Member ever to ask him a question, which I relish. I could have asked him about his policy on Reeves's muntjac, the conservation of the great skua or whether he will sign the Aarhus Convention, but I did not.

**Mr Durkan (The Minister of the Environment):** Thank you, Mr Speaker and Mr Wells, for your kind words of welcome and encouragement.

Planning enforcement, and the perceived lack thereof at times, are a great source of frustration to all of us as elected representatives, as they are to the general public. Enforcement is a key priority for the Department, and a number of its enforcement powers have been enhanced over recent years through a series of legislative amendments. Changes include the increased use of improved IT management systems to monitor performance; the use of weekly management reports by officers to ensure the proactive management of individual cases and identification of trends; the delivery of staff training; and the fact that all area offices now have a dedicated enforcement team.

My predecessor, Minister Attwood, convened an enforcement summit to consider compliance and enforcement functions, specifically what measures are currently deployed in dealing with enforcement and how they could be improved. I intend to follow up on those discussions to ensure the delivery of an enforcement system that will be more robust, more adequately resourced and operate as an effective deterrent to environmental and planning crimes.

**Mr Wells:** That is all very interesting, but, if the newly crowned Minister happened to delve into his files, he would find a very thick one marked “Finnebrogue venison”. He will find a litany of letters from me and many residents about that case. I see the honourable Member for West Belfast smiling because he is a world authority on Finnebrogue venison. What that case showed —

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

**Mr Wells:** — is that, if a developer is prepared to run a coach and horses through the legislation, he can do so, and the only reaction from Planning Service is, “Well, what do you expect us to do about it? It is already there.”

**Mr Durkan:** I know that Finnebrogue venison is very “deer” to Mr Wells’s heart. *[Laughter.]* However, I am not sure that the analogy of a coach and horses is appropriate when discussing a meat-processing plant.

I am aware of the protracted enforcement history on this site. On a number of occasions, it involved formal enforcement action by the Department in response to the carrying out of unauthorised development. That goes as far back as 2000, when planning permission was first granted for a game-handling plant. I can confirm that the current development on the site has received approval. However, with that approval came 12 planning conditions, and I have instructed planning officials to monitor the site and ensure that they are complied with.

## Statutory Transition Committees

2. **Mr McAleer** asked the Minister of the Environment whether the 11 statutory transition committees have been established under the terms of the July 2013 statutory transition guidelines. (AQT 92/11-15)

**Mr Durkan:** I thank the Member for that question. All bar one of the statutory transition committees (STCs) have been established. The one that has not been established is that in Belfast, and that is more down to issues in Lisburn and Castlereagh councils rather than in Belfast. There have been some well-documented issues with the establishment of transition committees right across the

council areas. Some councils have chosen to ignore the guidelines that the Department issued on the selection of members for the STCs.

**Mr McAleer:** Go raibh maith agat. In situations where councils have ignored the guidelines, does the Minister have the power to intervene and reappoint committees?

**Mr Durkan:** I have issued a directive to my officials to research and find out what exactly I can do on that. They are drawing up regulations that will, hopefully, empower me to direct the councils to rerun the selection process using one of the three approved methods — d’Hondt, Sainte-Laguë or single transferable vote — to secure proper and proportionate representation on the STCs. That has to be run in accordance with the vote at the most recent council elections in 2011 to fully reflect the democratic will of the people in those areas. I am disappointed at councils that continue to fail to apply those procedures, as failure to do so is basically a blatant flouting of the democratic will of those people.

## Exploris

3. **Ms Lo** asked the Minister of the Environment whether he would consider intervening in the attempt to close Exploris on the grounds that there has been no equality impact assessment (EQIA), no public consultation and no financial impact study. (AQT 93/11-15)

I welcome the Minister to his first Question Time. I wish him well for his term of office.

**Mr Durkan:** I thank the Member for her congratulations and welcome. I look forward to working with Ms Lo in her capacity as Environment Committee Chair.

I understand that a final decision regarding the future of Exploris will not be made until Wednesday night, so it would be premature to comment until then. I have, however, asked my officials to meet council officials after Wednesday night’s meeting to discuss the details. I have received quite a bit of correspondence on this issue over the past few days. The impact of the closure will be keenly felt by not only the thousands of schoolchildren who attend for educational visits every year but the local economy, with a great loss to businesses. That will be the case not just where the aquarium is situated but in Strangford.

**Ms Lo:** I thank the Minister for his answer. Without proper consultation by Ards Borough Council, does the Minister accept that this is a case of maladministration and ask for a deferral of the decision?

**Mr Durkan:** Again, I will have to wait until the outcome of Wednesday night’s meeting and the discussions between my officials and council officials. I do not believe that intervention should fall solely on the Department of the Environment. I mentioned the number of educational visits that take place to the Exploris aquarium. The Strangford ferry also relies on visitors to the aquarium. I believe that we could look at a collaborative cross-departmental approach or intervention. Again, however, all that is pending the outcome of Wednesday night’s meeting.

## Arc21: Recycling Targets

4. **Mr Humphrey** asked the Minister of the Environment what progress is being made regarding Arc21 and recycling targets for Northern Ireland. (AQT 94/11-15)



I, too, welcome the Minister to the Dispatch Box, and I wish him well as he carries out his work for the people of Northern Ireland.

**Mr Durkan:** I thank the Minister — I thank the Member for his question.

**Mr Wells:** Not yet. Give him time.

**Mr Durkan:** He is not the Minister yet. Hopefully, he will be some day so that I can ask him a question that he cannot find the answer for. *[Laughter.]* Arc21 is in the process of seeking a new proposed location.

There were difficulties around its planning application on the previous site. However, negotiations are now ongoing with my Department to find a suitable site for its gasification plant. Being from the Foyle constituency, I am well acquainted with the arguments and debate that surround such waste infrastructure. Unfortunately, however, I am also all too aware of the need for such infrastructure to help us to deal with the ongoing problems facing us as we attempt to deal with waste and reduce the amount of waste produced and then sent to landfill.

**Mr Humphrey:** Thank you very much, Minister. If the progress that you envisage is not made in the timescale that you envisage, will there be infractions for Northern Ireland, and at what level will they be?

**Mr Durkan:** There is a degree of urgency with how those applications are processed, and that is due to the threat of infractions and the resulting fines coming from Europe. That is why it is incumbent on us all to work together to address the concerns of those who are objecting to the plants before we face the prospect of real and extremely significant fines. I do not have the exact figures here, but they will have a significant impact on our ratepayers.

## Arc21: Investment

5. **Mr Beggs** asked the Minister of the Environment whether he has been briefed by Arc21 on new infrastructure investment. (AQT 95/11-15)

I also congratulate the Minister on his appointment.

**Mr Durkan:** I have not yet had a meeting with Arc21. I have met its counterpart that is dealing with the plant in my constituency, the North West Region Waste Management Group. I expect to meet Arc21 in the not-too-distant future, and I have spoken to other elected Members on the situation there.

**Mr Beggs:** Does the Minister agree that it is vital that the value-for-money aspect of any proposal be carefully looked at, that the location be carefully selected and that, in determining its capacity, the site be of an appropriate size, given the changing consumer values and new processes that are coming in, so that we do not pay for something that is excessive to our future needs?

**Mr Durkan:** Yes, I agree. It is imperative that those plants represent value for money. Although I have spoken of the danger and the real risks that are involved through the fines that are coming from Europe, with which we do not want to saddle ratepayers, it is important that we do not saddle ratepayers with a white elephant either.

## Cottonmount Landfill, Mallusk

6. **Ms Brown** asked the Minister of the Environment for his assessment of the Cottonmount landfill site at Mallusk given ongoing residents' concerns over odour pollution. (AQT 96/11-15)

I also welcome the newly appointed Minister to his position, and I look forward to working with him in my capacity as the new Deputy Chair of the Environment Committee.

**Mr Durkan:** I thank the Member for her question and congratulate her on her appointment as Deputy Chair of the Environment Committee. I look forward to working with her in that capacity. Unfortunately, I am not fully apprised of the detail of that specific issue. However, I will be happy to meet the Member and discuss it further at a later date.

**Ms Brown:** Thank you, Minister, for that answer. I am seeking assurance for the residents of Mallusk that the inspections and monitoring of the Cottonmount site will be increased in the future. Therefore, I look forward to meeting you to discuss that subject.

**Mr Durkan:** I assure the Member that this site will be subject to the full rigours of Northern Ireland Environment Agency enforcement and monitoring to reduce or eradicate any detrimental impacts that this will have on residents in the area of the site.

**Mr Speaker:** Mr Allister is not in his place to ask question 7.

## Flags: Designated Days

8. **Mr Lyttle** asked the Minister of the Environment whether he would be minded, as part of local government reform, to introduce a standardised regional policy of Union flag flying on designated days at all council buildings. (AQT 98/11-15)

I also extend my congratulations to the Minister.

**Mr Durkan:** I thank the Member for that question. My predecessor raised flags — the issue of flags — at the political reference group meetings, in the context of the local government reform process. At its last meeting, in June, members commented that it would be sensible to give the First Minister and deputy First Minister's proposals — which are now the Haass talks — space to develop and see what happens about flags in the wider cultural context.

3.00 pm

**Mr Lyttle:** I thank the Minister for his response. In the event that the Haass talks process does not identify an appropriate solution, will the Minister then be minded to consider introducing a policy?

**Mr Durkan:** It is certainly something that I will look at. However, I think it is important, at this early stage, when we are already facing difficulties in the establishment of statutory transition committees and trying to ensure harmonisation in the new STCs, that we do not bring an issue as divisive as that to the table unnecessarily.

**Mr Speaker:** That concludes the topical questions. We now move to oral questions to the Minister of the Environment.

## North/South Ministerial Council: Environment

1. **Mr Brady** asked the Minister of the Environment what issues he will table for discussion at the next meeting of the North/South Ministerial Council. (AQO 4602/11-15)

**Mr Durkan:** The next meeting of the North/South Ministerial Council (NSMC) in environment sector is scheduled for Wednesday 30 October, and work is continuing to finalise and agree the agenda for that meeting. It is too early in that process to confirm what that agenda will look like. However, I can reiterate what I said at the Environment Ireland conference in Croke Park a few weeks ago. Environmental issues such as water quality, waste management and air pollution — and their impacts — have no boundaries, and we must take a strategic all-island approach to harness mutual benefits both North and South.

The final agenda for the meeting in October will focus on those issues, and I am very much looking forward to working with Minister Phil Hogan to build on the good work that has already been achieved by the collaboration between the two Administrations.

**Mr Brady:** I thank the Minister for his answer, and I too add my congratulations on his appointment. Will he detail the cooperation between North and South on road safety?

**Mr Durkan:** Road safety is obviously an extremely important issue, but it is not something that would come up in the environment sector of the North/South Ministerial Council; it is for the transport sector, and it is something that I will raise at the transport sector meeting in November. I am currently working on the Road Traffic Safety (Amendments) Bills Nos 1 and 2. Those will look towards the mutual recognition of penalty points in both jurisdictions, which, again, is another step towards good, safe roads on this island, because, as we share our air and our water, we also share our roads. It is vitally important that we work together to ensure that accidents, casualties and fatalities on our roads are kept to a bare minimum, if not eradicated altogether.

**Mr McKinney:** I too congratulate the Minister. Will he provide the house with an update on the tyre survey report?

**Mr Durkan:** I thank the Member for his question and welcome it very much. Quite a lot of work has been done on tyres. It is imperative that we take all the steps we can to deal with waste tyres. I know that quite a bit of work has gone on between the jurisdictions, looking at how tyres can be recycled and reused to prevent them entering the waste stream, if you like. One such reuse would be for carpet underlay. It is incumbent on us to look at creative ways of doing things and that we do so together. It is also important that we tighten up enforcement and ensure that, for those who are disposing of tyres illegally — be they from the North and doing so in the South, or vice versa — there are severe and strict penalties to discourage such illegal behaviour.

**Mr Cree:** I also congratulate the Minister and wish him well. I pay tribute to the outgoing Minister, who I always found to be very fair and sincere. Last week in the Assembly the Agriculture Minister came under repeated criticism for the lack of content in her statement and her responses. Minister, will you tell us the importance you place on enforcing all available law on the smuggling of fuel across the border? Are you satisfied that enough is being done, and, if not — or perhaps as well — will you include that in the NSMC meeting at the end of next month?

**Mr Durkan:** That is a relief. I thought I was going to come under criticism for the lack of detail in my responses.

Fuel laundering is not one of the areas mandated for discussion at the NSMC environment meetings, but it is an issue that I take very seriously. Just before he left office, Alex Atwood announced an extra £1.5 million of funding to pursue waste and fuel laundering criminals. I am making sure that that money is targeted at the worst offenders. It is vital that we face down organised crime on the island of Ireland, and by doing so protect our clean and green environment. The extra money will mean that we will have more people on the ground visiting sites, checking waste movements and investigating hauliers using illegal fuel, including looking very closely at their financial practices and computer records. It is important that criminals and organised crime gangs know that we are going to be looking for them.

## Wind Farms

2. **Mr Boylan** asked the Minister of the Environment to outline his Department's approach to planning applications for wind farms in areas of outstanding natural beauty. (AQO 4603/11-15)

**Mr Durkan:** Go raibh maith agat as an cheist sin agus déanfaidh mé mo dhícheall freagra a chur uirthi anois. Policy RE1 of Planning Policy Statement 18 (PPS 18), which is on renewable energy, does not distinguish between areas designated for their significant landscape value, such as areas of outstanding natural beauty, and other undesignated landscapes. Nonetheless, the policy requires that all renewable energy development, regardless of whether it is proposed in a designated or undesignated area, should not result in an unacceptable adverse impact on the visual amenity or landscape character of that area.

To assist the Department in the consideration of wind energy applications, PPS 18 is accompanied by best practice guidance and supplementary planning guidance (SPG) on wind energy development in Northern Ireland's landscapes. The SPG provides broad, strategic guidance in relation to the visual and landscape impacts of wind energy development for 130 landscape character areas (LCAs) across Northern Ireland. Within each LCA, the key landscape and visual characteristics are identified. In relation to the scenic quality of an area, the LCA will identify whether any part is subject to designation as an area of outstanding natural beauty. An assessment is also made as to the overall sensitivity of the landscape to wind energy development. The SPG advice is taken into account by the Department as strategic guidance in processing planning applications for wind energy developments across the whole of the North.

**Mr Boylan:** Go raibh maith agat, a Cheann Comhairle. Gabhaim buíochas leis an Aire as ucht a fhreagra. I thank the Minister for his answer and wish him well in his new position. Has he any particular concerns about the number of applications in the system for wind farms in the Sperrins and how those would impact on the landscape, tourism, jobs and amenity of the area in general?

**Mr Durkan:** Go raibh maith agat as an cheist sin agus déanfaidh mé mo dhícheall freagra a chur uirthi anois. There are indeed, looking purely at statistics, a disproportionate number of wind energy applications

in that area. Of course, that can be attributed to the landscape itself, which lends itself to greater wind speeds, and to the increased rurality, I suppose, of that area, which makes it more attractive to this sort of development; ie, there are fewer residents and, therefore, maybe fewer people to object. I think that there are currently applications in the system for 16 wind farms. Eight of those are in the west Tyrone area, with quite a few in east Derry as well. That is something that really does need looked at. We are very supportive of renewable energy. We have Programme for Government targets to meet, and I think it important that we work together and with communities to meet those targets and reduce our greenhouse gas emissions.

**Mr Wilson:** I also welcome the Minister to his post.

In the interest of transparency, would he perhaps reveal to the House what support his party obtains from the renewable energy industry, so that we can ascertain whether the despoiling of the countryside by wind farms, which was the mark of his predecessor, is because of ideology or because of some other sinister motive?

**Mr Durkan:** Not for the first time in this House, Mr Wilson is tilting at windmills. I am unable to clarify any support that my party or any other party receives from the renewable energy sector. However, it is incumbent on all of us, as elected politicians, to support that sector where possible. However, we should not run roughshod over the wishes of residents, and each application should be assessed on its merits.

**Mr Rogers:** I, too, congratulate my colleague and acknowledge the hard work of the previous Minister. Will the Minister outline his approach to planning applications for single wind turbines in populated areas?

**Mr Durkan:** The approach to single wind turbine applications is very much akin to the approach to wind farm applications. They have to go through the same strenuous tests, including environmental impact assessments and so forth. Currently, there are over 700 live applications to deal with individual turbines, and, unfortunately, these do not just generate electricity, they generate objections, sometimes rightly so, from residents. However, over the past three years, there has been a marked increase in the number of applications for single turbines. On average, there have been 900 applications each year for the past three years, whereas, in 2009, there were only 600 applications.

**Ms Lo:** Given the fact that 40% of wind turbines that have been approved or are in the pipeline for approval are in the west Tyrone area, do you think that there is a need for a more strategic approach to planning overall, for example, such as zoning areas, so that the building of wind farms will be absolutely concentrated in one area that has a lot of wind?

**Mr Durkan:** I thank the Member for that question and suggestion. It might be something that is worth looking at. We do not want areas completely destroyed by a proliferation of wind turbines and wind farms. The Member referred to the number of approvals. That is another issue that we need to look at. There are approvals granted for turbines and farms, and, some years later, they have not been able to be constructed due to a failure to get a grid connection. Sometimes, that gives a skewed impression of what is there on the ground and in the sky.

## Air Quality

3. **Mrs Overend** asked the Minister of the Environment whether he has agreed terms of reference with his counterpart in the Republic of Ireland for the study on all-island air quality. (AQO 4604/11-15)

**Mr Durkan:** The terms of reference for the study on all-island air quality were agreed between my predecessor Minister Attwood and my southern counterpart, Minister Hogan, and received North/South Ministerial Council approval in July this year. A procurement process is under way to secure consultants to carry out the research, and I would expect to have an update on that process at the October meeting.

**Mrs Overend:** I, too, join with others in congratulating Mr Durkan on his ministerial position. Can the Minister outline why this is concentrated on issues around smoky fuel, including smoky coal, but it does not deal with other fuels, including peat?

**Mr Durkan:** The research study is being jointly commissioned, funded and overseen by my Department and by the Department of the Environment, Community and Local Government to assess the current levels of air pollution on an all-island basis. It will examine the significance of residential heating and solid fuel burning, such as smoky coal, and, hopefully, that will be extended to peat. However, it is important that we take into account the social and economic implications of anything that might come out of these meetings, and those will also help to dictate and form future policy options.

## 3.15 pm

**Mr Campbell:** The Republic of Ireland proposes to build a massive wind farm in the midlands of that country to assist with the UK's energy profile. Has the Minister had or will he have any discussions with his counterpart in the Irish Republic to see whether that will have any impact on meeting our element of the UK's percentage target for renewable energy?

**Mr Durkan:** I thank the Member for his question. I have not had any such conversation to date. I will put that on my ever-lengthening to-do list and get back to the Member in writing when I have further information.

**Mr Agnew:** I congratulate the Minister on his appointment and on a sterling performance so far. Does he agree that it is important that we have an evidential base measure of our air quality so that, should something like fracking go ahead, we have a baseline with which to compare any impacts?

**Mr Durkan:** Solid evidence is extremely important, and I will use it to inform any decision that I make on any issue. You touched on fracking, on which I am collaborating with my counterparts across the border. We are sharing information and knowledge. It is vital that that is done before any decision is made on how we go forward.

**Mr McElduff:** Go raibh maith agat, a Cheann Comhairle. Does the Minister agree that any move to ban smoky coal will be politically difficult because cleaner forms of fuel are more expensive? I wish the Minister every success with his portfolio.

**Mr Durkan:** Any move to ban smoky coal would probably lead to my election posters being burned instead. It would

indeed be politically difficult. However, there is science on this matter. Fuel is more expensive here than in Britain, and poverty levels are higher. People are burning smoky coal in smokeless areas to try to combat that. However, investigations by my officials and right across the board show that, while smokeless coal is slightly more expensive than smoky coal, there is scientific evidence that smokeless coal burns longer and with a higher heat output, which actually negates any perceived extra cost. It is important that we not just enforce this but educate the public on the matter.

## Review of Public Administration

4. **Mr Girvan** asked the Minister of the Environment what additional moneys there are within his Department's budget to help councils with transitional arrangements for implementing the review of public administration. (AQO 4605/11-15)

12. **Mr McGimpsey** asked the Minister of the Environment to provide up-to-date figures on the full cost of implementing local government reform. (AQO 4613/11-15)

**Mr Durkan:** With your permission, Mr Speaker, I will take questions 4 and 12 together.

Earlier this year, my predecessor successfully bid for additional moneys from the Executive to meet some of the transitional costs of local government reform. While local government will benefit from the reform process in the long term, there are a number of one-off costs that will not be met through the greater efficiencies that will result, post 2015.

The funding package of £17.8 million is intended to meet inescapable costs associated with various elements of the transition process during the 2013-14 and 2014-15 financial years. That funding includes £5.2 million to establish and run the councils in shadow form; £3.5 million for a councillors' severance scheme; £0.6 million for staff induction; £3 million for capacity building; £1 million for change management; £0.5 million for winding up councils; and £4 million to cover borrowing for information and communication technology.

There is also an Executive commitment of up to £30 million for rates convergence following the creation of the 11 new councils in April 2015. My Department has no additional moneys available in its own budget. Any additional costs will have to be met by local government.

At the inaugural meeting of the regional transition committee on 25 April 2012, a range of key reform, funding and finance issues were identified for inclusion in the finance working group's programme. One of the finance working group's key tasks is to develop an up-to-date and accurate analysis of the full costs and benefits of the reform implementation programme. To do that, local government has developed a template and accompanying guidelines for individual councils and transition committees to accurately estimate the costs of reform. The returns are being examined and analysed to validate the data. That will provide an up-to-date estimate of the full cost of implementing reform of local government.

**Mr Girvan:** I thank the Minister for his answer. I also congratulate him on his elevation to the post. I appreciate that some councils have been attempting rates convergence among themselves and will probably be

penalised for that. I appreciate that good practices have been demonstrated in some council areas. What message is going out to ensure that the STCs actually engage? They have known for some time that there will be 11 councils. Some of them have been sitting in the background doing absolutely nothing until now, whereas others have been engaging. What message is going out to those councils to ensure that they engage?

**Mr Durkan:** I thank the Member for his supplementary question. About a fortnight ago, I issued guidelines to the STCs, and they contained guidance on financial management and convergence procedures. I take the Member's point on board. Some councils and transition committees seem to have buried their heads in the sand and hoped that the day and hour would not come when they had to cough up and put money into the pot. It has now begun to dawn on them that they must do so. My Department and I will have to work with transition committees and councils to ensure that they do so, and we will enable them to do that.

**Mr McGimpsey:** I also wish the Minister well in his new post. I understand from his answers that extra costs will not be met by his Department's budget but must be met by local government. We should bear in mind that local government means ratepayers, for whom there will be extra costs with this exercise. Will the Minister give us an up-to-date estimate of costs? All we have to work on at the moment is the PricewaterhouseCoopers report, which is now some years out of date.

**Mr Durkan:** I thank the Member for his supplementary question. I take his concerns on board. Unfortunately, at this stage, I am not in a position to give a fully up-to-date report on projected costs. It is important that we monitor costs as they spiral and continue to work with the transition committees and councils to make sure that costs do not spiral too far and that we direct the councils about how best to manage them.

**Mr Flanagan:** Go raibh maith agat, a Cheann Comhairle. Gabhaim buíochas leis an Aire as a fhreagraí go dtí seo agus comhghairdeas dó as a phost nua. I thank the Minister for his answers, and I wish him well in his new role. Will he give a figure as to how much of the £30 million for rates convergence will be set aside for the problem in Fermanagh and Omagh? Will he at least give me an assurance that a substantial proportion of the total figure will go down to that area?

**Mr Durkan:** Go raibh maith agat as an cheist sin. The further commitment of the estimated £30 million for rates convergence, following the creation of the 11 new councils in April 2015, will essentially protect those whose rates bills may have experienced a significant increase as a result of merging with councils where rates are at a higher level. That will apply wherever it applies. I do not think that it is particular or unique to the area that Mr Flanagan mentioned. However, I give him an undertaking that funds will be directed to that area as well as to other places that need it.

## National Park

5. **Ms Lo** asked the Minister of the Environment for an update on the development of a national park. (AQO 4606/11-15)



**Mr Durkan:** My predecessor, Alex Attwood, met a wide variety of interested parties, both those in favour of and those opposed to national parks, in his efforts to promote the concept. Like Alex, I believe that national parks have much to offer us, but I am conscious of the significant opposition to them. It is clear to me that a national park should not be imposed on any area, so I want to take time to consider carefully the issues involved to see whether it is possible to proceed with enabling legislation at this time.

**Ms Lo:** Given the economic, environmental and tourism benefits of a national park, as evidenced elsewhere on these islands, would the Minister be prepared to champion one in Northern Ireland?

**Mr Durkan:** I am fully aware of the benefits of national parks that Ms Lo outlined. However, as outlined in my original answer, I think that it would be wrong and unproductive to impose parks in areas that do not want them. As Minister, I intend to work with those in favour of parks and those against parks. In the absence of enabling legislation, should I choose not to proceed, it is important that we work with all stakeholders to maximise the benefits of our natural and built heritage — the things, which, in some people's eyes, make this an ideal place for national parks — and develop our tourism product with it.

**Mr Weir:** I join others in welcoming the new Minister and wish him the best.

In light of the level of opposition, I am, in many ways, surprised that the issue has not been buried by this stage. Given that the principal thrust of the opposition comes most fervently from the farming community, what meetings does the Minister intend to have with its representatives in the near future to discuss the issue further?

**Mr Durkan:** As I said, my door is open to meetings with those in favour of national parks and those opposed to national parks. I do not believe that I have a date in my diary to meet farmers on this matter, but I am pretty determined to do so. They were very vociferous in their opposition, and it is important that they are listened to. However, it is also important to outline the potential benefits of a national park to those opposed to them so that their position will be a bit more informed. There was quite a bit of scaremongering at the time, and there needs to be a balanced public debate on the issue as well.

**Mr Beggs:** Does the Minister accept that there are already many restrictions in the areas identified for national parks? It is not just the agricultural community that is opposed; many in the hospitality community are opposed because of fears of additional burdens that will fall on them. Will he confirm that, in many of those areas, there are fears and concerns among many small businesses and communities about the loss of employment in agriculture and hospitality?

**Mr Durkan:** Yes, I recognise that the concern is not only from farmers but is shared by others. That is why I think it important to have a more full public debate, as I said to Mr Weir. There was a lot of public opposition last year, when there were attempts to bring this forward, but I do not think that we heard enough from those in support of parks and those extolling their benefits. Only with that information can one make a balanced decision on how this should proceed, or otherwise.

## Review of Public Administration

6. **Mr Lynch** asked the Minister of the Environment to explain the key elements in his Department's circular on the establishment and operation of statutory transition committees. (AQO 4607/11-15)

**Mr Durkan:** The Department has issued two sets of guidance for the purpose of assisting councils to establish and effectively operate their statutory transition committees. The first tranche of guidance was aimed at establishing the committees and includes direction on convening the first meeting to establish the new committees; explaining the size of membership of each committee; electing members using proportional representation; supporting female representation to improve gender balance; promoting governance and procedures through model standing orders; advising on corporate plans, business plans and budgeting; providing for premises and elections to the posts of chair and vice-chair.

The second tranche of guidance focuses on operational finance arrangements; systems of internal financial control; advice on assets and liabilities; utilising support staff with particular operational skills; publishing corporate and business plans; and information sharing across existing councils and committees.

All elements of the guidance are key to the statutory committees driving convergence between the merging councils and discharging their responsibilities under the reform programme.

### 3.30 pm

**Mr Lynch:** Go raibh maith agat, a Cheann Comhairle. Gabhaim buíochas leis an Aire as a fhreagra. I thank the Minister for his answer. I was going to congratulate him, but I remembered that I met him at the Fleadh Cheoil. I will give him my best wishes anyhow.

What plans are in place for similar regulations for the operational role of the 11 new councils?

**Mr Durkan:** I am sorry; could the Member repeat the question?

**Mr Speaker:** I ask the Member to repeat the question.

**Mr Lynch:** Fadhb ar bith. No problem whatsoever. What plans are in place for similar regulations for the operational role of the 11 new councils?

**Mr Durkan:** I thank the Member for his question. I heard it the second time, but I am still lost. I do not have that information to hand right now. If I can get back to the Member in writing I will do so.

**Mr Speaker:** That concludes questions to the Minister of the Environment.

## Assembly Business

**Mr Allister:** On a point of order, Mr Speaker. First, I apologise for missing my topical question to the Minister of the Environment. I have no excuse to offer other than it slipped my mind, and I am sorry about that.

On the issue that arose during my topical question to the First Minister, what protection exists for a Member in this House when they are the victim of a malicious falsehood such as I was today, when the allegation was made that I, as executor of a will, had been involved in the sale of land, I think it was put, to republicans? The truth is that I am neither the executor nor the beneficiary of any such will, nor am I involved in any such land sales. What protection exists for Members so that they are not subject to such false allegations?

**Mr P Robinson:** Further to that point of order, Mr Speaker —

**Mr Speaker:** Let me deal with the point of order first. First, I did not hear what was said by the Member initially when the issue was raised. Secondly, let me read Hansard. I am happy enough to come back to the Member directly.

Let me say also to the Member that — I do not care what the issue might be in this House for Members — it is wrong for any Member to try to shout down the Chair. I asked the Member on several occasions to take his seat, knowing that I would allow him in on a point of order after Question Time. So, all Members should be very careful in trying to shout down the Chair, especially when, under Standing Orders, it is clear that, when the Speaker or Deputy Speakers rise in their place, Members should take their seats. I remind all Members of the conventions in this House when it comes to asking Members to take their seats.

**Mr P Robinson:** Further to that point of order, leaving aside the slightly incidental issue of whether he was executor or whether he was the person influencing the decision, he is dancing on the head of a pin if he tries to distinguish between being the beneficiary and benefiting from — everyone knows he benefited from. Indeed, further to the remarks that I made earlier, it is particularly sad that a member of the family wanted to buy the land and was turned down because the family decided to sell it to a republican. It ill becomes him to come into this House and chide the rest of us for dealing with the republicans when he is doing it.

**Mr Allister:** Further to that point of order —

**Mr Speaker:** Order. I really must insist; I intend to cut this now. *[Interruption.]* Order. I intend to take no further points of order on the issue. *[Interruption.]* Order. Let us move on.

**Mr Allister:** That is most unfair.

**Mr Speaker:** Order. The Member has had ample opportunity to put the record straight to this House, and he should leave it there. I have said to the Member that I will read Hansard and that he should let me come back to him. I will come back to him.

**Mr Weir:** Further to that point of order —

**Mr Speaker:** Order. I am not taking any further points of order on this issue, and we really should move on.

**Mr Weir:** It is semi-related. As the Speaker indicated, it was very difficult to make out precisely what was being

said. There was a somewhat hysterical reaction. When he is checking Hansard, will he also check to see whether any unparliamentary language was used when the Member was talking and whether there was any defiance of the Chair?

**Mr Allister:** On a non-DUP point of order, Mr Speaker. Is that possible? Is it possible for somebody who is not from the DUP to make a point of order?

**Mr Speaker:** Order. That particular point of order was around procedures. I have already said to the Member that I will come back to him directly, or even to this House, when I have read Hansard. Let us move on.

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

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

**Mr Attwood:** It is not related to that matter.

**Mr Speaker:** OK. *[Laughter.]* We will certainly take the point of order.

**Mr Attwood:** It is a similar point of order. While you are reviewing Hansard, I request that you also review the comments that were made from the Back Benches by Mr Wilson on planning approvals for wind farms and wind turbines. I ask you to make a ruling about whether, on this occasion, he kept just on the right side of transgressing parliamentary good practice or whether he crossed that line, as I believe others have today.

**Mr Speaker:** Order. Once again, let me read Hansard. There will be quite a bit of night-time reading around all these issues. Let me do that and come back to the Member directly.

## Extension of Sitting

**Mr Speaker:** Before we return to the Bill, I wish to inform the House that Mr Stewart Dickson and Mr Peter Weir have given notice of a motion under Standing Order 10(3A) to extend the sitting beyond 7.00 pm.

*Resolved:*

*That, in accordance with Standing Order 10(3A), the sitting on Monday 23 September 2013 be extended to no later than 9.00 pm. — [Mr Dickson.]*

**Mr Speaker:** The House may sit until 9.00 pm this evening.

## Private Members' Business

### Human Trafficking and Exploitation (Further Provisions and Support for Victims) Bill: Second Stage

*Debate resumed on motion:*

*That the Second Stage of the Human Trafficking and Exploitation (Further Provisions and Support for Victims) Bill [NIA 26/11-15] be agreed. — [Lord Morrow.]*

**Mr B McCrea:** I regret that I am unable to make a point of order. I will just move on and deal with the business in front of us.

Absolutely nobody can support human trafficking in any shape or form or for any purpose, whether it be for sex, servitude or other activity. The question that the Assembly is faced with is whether the proposed legislation will be useful in tackling this heinous crime.

The proposer of the Bill, who introduced it as a private Member's Bill, has suggested that he is deeply unhappy. I presume, with the existing legislation and that it is not working. In comments that he and others made, they were critical of the Minister of Justice.

At this stage of the Bill, it is for the Assembly to determine whether there is in fact a problem with the legislation and, if so, whether the Minister of Justice has been negligent in addressing the issues. If the answer to those two questions is yes, it is right and proper that we consider the proposition in front of us. However, it is not a decision to be made lightly. To bring forward legislation is extremely costly to Assembly time, Committee time and the time of those who will consult on it. An awful lot of time and effort will be put into this. The Assembly, ever mindful of the demands on the public purse, will want to establish, at this stage, whether it is worth continuing with scrutiny of the Bill. In that regard, it will no doubt be guided not only by the contributions in the Chamber but by the official record of the Justice Committee, where the matter was discussed.

In the past, we have discussed whether there is a need for an official opposition and whether somehow we need to look at legislation not through rose-tinted glasses. I have to say that I am a little surprised by the indications from some Members around the Assembly that, despite their reservations, they are prepared to let the Bill move forward. I have not made my argument yet; I am just listening to their arguments. Some Members said that they have profound difficulties with clause 6, while others said that they want more information, as the available information is insufficient. From my consultations, it appears that there is deep disquiet from, among others, the PSNI, which was mentioned by Members opposite; the Department of Justice, in its formal submission on the Bill; the Public Prosecution Service (PPS), when it was asked about the various positions; the judiciary, in its published judgements on the matter; and the Minister himself. When you have a Bill where concerns have been raised by all of those people, you have to ask this question: are we sure that we are going about this in the right way?

Perhaps we will look at the impact of some of the current legislation. I tried to intervene on those points for clarification but, unfortunately, was unable to do so. A

number of Members said that the legislation was failing or was not up to the job. I am aware of the case of Regina v Matyas Pis. That was the first opportunity that the courts in Northern Ireland had to sentence somebody for human trafficking and is, therefore, of particular interest to our discussion today. This is a definitive ruling by Judge Burgess.

The defendant pleaded guilty to four counts; two of intentionally controlling the activities of another for the purposes of prostitution — article 63 of the Sexual Offences Act; one count of assisting in the management of a brothel; and one count of trafficking two persons for the purposes of sexual exploitation contrary to section 57(1) of the Sexual Offences Act 2003. This is a definitive case coming forward. However, what was particularly interesting about the case — in the public record — is that there was no suggestion of coercion or corruption. There was no suggestion that the two women were brought in against their will or were required to work as prostitutes against their will. In fact, when I read the case notes about this, I picked up the fact that, in the statements of fact accepted by the Court, the defendant drove the women from Dublin to Belfast, and they paid him his petrol money. When you talk about human trafficking, I am not sure that this is really the type of offence that you are looking at. These were three Hungarian nationals who had come to an arrangement, had been brought into Dublin, then up to Belfast, and then did whatever it says in the judgement that they did.

Despite the lack of aggravating factors, his honour, Judge Burgess, made it clear that the offences were serious and that anybody convicted of such charges could normally expect a custodial sentence. Despite the lack of aggravating circumstances and the pleas of guilty, the judge determined that a sentence of three years was appropriate for human trafficking, with additional judgements for the other counts. That does not seem unduly lenient when you read the facts of the case. What was really interesting was that, as this was the first time a Northern Ireland Court had the opportunity to pass sentence on human trafficking, the judge was asked to set out guidance for the other courts until the Court of Appeal could provide definitive guidelines. In his extensive notes on the matter, Judge Burgess stated:

*"I can see no reason why these offences, which take place in an international context, should attract different sentences in Northern Ireland to those in place in other parts of the United Kingdom."*

What struck me, in what was a very detailed and considered judgement with much reference to other cases, was the diversity of the other cases considered and the complexity of the factors that the judge must take into consideration. Having read about the case, I was left with the very strong impression that mandatory sentences are not appropriate. Each and every case must be considered on its own merits. When you look at the details in this, you will see that the judge had to take into account all sorts of reasons and issues — issues that I do not think we are able to consider in this forum.

That was not the only case to come forward. We have had a second case that went to the Court of Appeal but did not receive a judgement. It was the case of Regina v Rong Chen, Simon Dempsey and Jason Owen Hinton, and it was heard by Mr Justice Stevens.

This may be considered a more conventional case of human trafficking in that at least two of the four victims were coerced into prostitution and trafficked against their will. There was violence, threats and a range of bad environmental issues. It was what the man or woman in the street may consider to be a classic human trafficking case.

### 3.45 pm

It was not a small case. This was a large-scale business with a turnover of over £250,000 in just over a year. What is of interest to our discussions is that the victims in that case were not trafficked from abroad. They were trafficked from within the United Kingdom by the expediency of placing misleading adverts in Chinese newspapers in England. There were five brothels: three in Belfast; one in Londonderry; and one in Newry. There was significant interviewing of the victims and witnesses to see what further information we could gather.

The honourable Mr Justice Stephens, sitting in the Crown Court, made the point that he was bound to consider the guidelines, but he said:

*"The courts in Northern Ireland, taking into account the particular needs in Northern Ireland, have in a number of cases imposed sentences which are greater than those imposed in England and Wales. However no reason was advanced before me as to why the sentences in respect of the offence of trafficking should be different in Northern Ireland from England and Wales. ... At present I cannot conceive of any geographical or societal reason why this offence should attract a different sentence in Northern Ireland than in England and Wales."*

That is one of the points that I wish to make to the proposer of the Bill: here he has significant members of the judiciary on two accounts affirming that it is for the judiciary to try each case on its merits. It is also for the judiciary to issue guidance to the courts until the Court of Appeal will hand down a definitive judgement. This is an important point: it is not that it should be for just this House.

**Ms Lo:** I thank the Member for giving way. I wonder whether he is aware that the average sentence given to perpetrators of human trafficking in the whole of the UK is about 4-6 years. That is definitely higher than just two years.

**Mr B McCrea:** I thank the Member for her intervention. She obviously had sight of the same response in the House of Commons, I believe it was, to the question on that matter, that sentences range from nought to 14 years but, as the Member indicated, it is at the higher end of the sentences that come forward.

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

**Mr B McCrea:** When I finish this point. For the offence of trafficking, Rong Chen received a sentence of seven years' imprisonment in this jurisdiction. The interesting point, however, because there were other co-accused for different offences, is that Simon Dempsey received a sentence of nine months for aiding and abetting the control of prostitution, and Jason Owen Hinton, who was, I believe, the husband of the first defendant, was ordered to carry out 220 hours of community service.

The judge went to great lengths to explain against a whole range of other sentences in England and Wales, while taking on board the specific issues of Northern Ireland, how he arrived at those sentences. The sentences were appealed and went, I think last week, to the Court of Appeal, but it was not proceeded with so we still do not know.

I will make another point before I take the intervention from Mr Wilson. When people say that this law is not working, this law is working. This law is passing down really significant sentences. In the first case, there was no need for coercion or any form of corruption and, in the second, there were aggravating factors that were dealt with seriously in a proper and considered manner.

**Mr Wilson:** There a number of ways to ascertain whether the law is working. One is about what happens to people once they are caught. Another, and this is the most important one, is whether they are caught in the first place. Do they ever get before the courts? It would be interesting to hear what the Member has to say about that because his argument is not quite as strong there.

It seems to be that he is defending the judiciary. He has talked about the length of sentences, the fact that the minimum sentence here is two years and the independence of the judiciary, which I do not actually subscribe to totally because I think that, sometimes, judges are a bit out of touch with the rest of society. However, leaving that aside, what is wrong with a Bill that says, first of all, that there shall be a minimum sentence of two years and, secondly, that allows judges discretion because it indicates that if, in the courts, the opinion is that there are exceptional circumstances, the two-year sentence does not have to apply? Therefore, for the really hard core cases, there can be sentences of more than two years, as the Member argues. It is not mandatory. The judge can still exercise an amount of discretion.

**Mr B McCrea:** Because the issue is important, I am quite happy to take interventions from people and will continue to do so. However, Mr Wilson raised an objection to something that I had not said yet but that he assumed I was going to say. He might have waited until I had finished and said it, when I would, of course, have taken his intervention.

On the point that he took, when he got round it, about what is wrong with a mandatory two-year sentence, it is that it destroys the fundamental aspect of our relationship with the judiciary, which is that there is separation between the legislator and the judiciary. When one reads the cases, which are available online for Members to read, they will, I believe, be impressed by the amount of work, the rationale and the intellect that was applied by both Judge Burgess and Judge Stephens. In due course, they will be tested, I am sure, by the Court of Appeal. That is the right way in which to go about things. Mandatory sentences are not the right way because they end up forcing judges to do things that are not really appropriate in particular cases. There is mere surmising of exceptional circumstances. However, what does that actually mean in law? I think that that was raised by the Alliance Party. It is somewhere in between. Either you give judges responsibility to deal with the matter, or you do not. As I understand it, we are in a democracy where the judiciary makes those decisions. That is why I am against —



**Mrs Foster:** Will the Member give way?

**Mr B McCrea:** Yes.

**Mrs Foster:** Will the Member accept that the judiciary adheres to guidelines that it is given?

**Mr B McCrea:** There is absolutely nothing wrong with giving people guidelines. That is different. In fact — perhaps, the Member will want to read it — there was a specific discussion by Mr Stephens about the difference between sentencing policy and adherence to guidelines. In fact, he said that he felt that there were certain deficiencies in the guidelines because they imposed a starting time limit of the two years that have been discussed. He said specifically that that did not seem to him to be appropriate and that he actually preferred to take full cognisance of what was presented before him and to reach his conclusions accordingly. What he is actually saying is that that is a proper, considered judgement by people who are well versed in the ways of the law. I think that those members of the judiciary or legal profession should think quite carefully about what they are saying here when they take on that challenge. Read the judgements, and I challenge you to come to a different conclusion to that which was put forward by two senior judges.

**Mrs Foster:** I am an elected politician, not a judge.

**Mr B McCrea:** I will — *[Interruption.]*

**Mr Speaker:** Order. Allow the Member to continue.

**Mr B McCrea:** I have already indicated it to you, Mr Speaker, but for the record, I am quite happy to take interventions. Members do not need to speak from a sedentary position. If they have something to say, I am more than happy to take it, including from the Chairperson of the Committee for Justice. I will, however, come to his contribution later. He may want to wait for that particular bit.

I will say for those Members on the other side of the Chamber who consider themselves British and pride themselves on their unionist credentials that I wonder why they would want to break parity with the rest of the United Kingdom. I heard in earlier submissions — I think that it was Mr Givan who said it — that, in this case, there will be an all-Ireland approach because of what the Oireachtas has said. However —

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

**Mr B McCrea:** I suppose that I had better. *[Laughter.]*

**Mr Weir:** That is very decent of the honourable gentleman.

I have to say that the Member opposite seems to misunderstand what parity means. Parity is about maintaining, particularly from a financial point of view, the same levels of benefits and entitlements that other parts of the United Kingdom have, so that, for example, social security benefit is the same. It is not about slavishly following every item of legislation. If that were the case, there would be no legislative powers for the Assembly. We would simply accept direct rule and everything that comes from that. I think that the Member opposite is misusing the term “parity”.

It is also the case that, on this issue, we could be ahead of the rest of the United Kingdom. If we can be more progressive than other parts of the United Kingdom and set an example to them, surely that is a good thing.

**Mr B McCrea:** I thank the Member for his intervention. If we carry on like this, it could take me some time to get through my contribution.

For clarity, I will quote Mr Justice Stephens, because this is the key terminology. He said:

*“At present I cannot conceive of any geographical or societal reason why this offence should attract a different sentence in Northern Ireland than in England and Wales.”*

Neither can I, and neither can Judge Burgess. The previous Member to intervene is or was a member of the Bar. He was certainly in the legal profession. That is for him to consider in light of his professional training. All I can tell you —

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

**Mr B McCrea:** No. I have given you a go. You can come in a minute, but I have to get through some of this, otherwise 9.00 pm may not be late enough, Mr Speaker.

As unionists, I am not sure that you are going down the correct road. I checked the Westminster parliamentary libraries, which cover in great detail the amendments that were made to enable the directive to be taken on board. Many of those amendments were brought through the House of Lords, of which the proposer of the motion is, of course, a Member. No doubt, he made a contribution in those important debates.

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

I now move to my second point, which concerns the Department of Justice submission. Frankly, it was quite astonishing, and I understand why Members opposite stood up to ask, “Is this really what the Department of Justice believes?” If it is, I am surprised that the Minister of Justice is not opposing the Bill in its entirety. That is a question for the Minister to answer. I will just go through some of the points that were put forward. The Department stated that:

*“the Minister’s strong view is that if the Bill proceeds beyond Second Stage significant amendments would be needed to mitigate against any such negative impacts.”*

If he is saying that, his party should be telling us what is wrong with this, and fighting tooth and nail against it. The Minister has argued that clause 6 should not stand part of the Bill, and that:

*“The provision to criminalise paying for the sexual services of a person is neither principally an issue concerning human trafficking nor adequately evidenced.”*

I guess that that is Department speak for, “You have not made a very good case, and you have not backed it up with any evidence.”

The Department also says that the policy behind the proposed measure is one-dimensional in that it is focused entirely on reducing incidence of trafficking into the sex industry. Although the Department has not yet seen the full consultation responses to the Bill, it is aware that a number of agencies, including the police — it is the Department that introduced the police — have concerns about such

a fundamental change to the law. Why, then, Minister of Justice, is your party not opposing the Bill at this stage?

People have argued that there is not enough information and that there has been no engagement with women working as prostitutes. In their submissions, only one out of 18 groups expressed unreserved support for clause 6. Yet, Christian Action Research and Education (CARE), which the proposer of the Bill made special mention of because of its contribution to the Bill, said in its first point in its briefing to MLAs on clause 6 that any Northern Ireland Bill on human trafficking that did not address the demand for sexual services would not be fit for purpose. No clause 6; no Bill. I hear from Sinn Féin, the Minister and others that clause 6 will not be accepted, yet it is fundamental to the Bill. So if you take clause 6 out, you need not really worry about the rest of the Bill. That is the position.

#### 4.00 pm

CARE goes on to state in its submission to MLAs that the current law is not working. However, the two cases that I cited earlier clearly do not give that impression. It states that it requires proof of coercion as well as proof of an attempt to buy sex, but that was clearly not the case in *Regina v Matyas Pis*.

**Mr Givan (The Chairperson of the Committee for Justice):** Will the Member give way?

**Mr B McCrea:** Give me one moment, please.

It states that countries such as Sweden that have simply criminalised all purchases of sex have seen clear results. That is not borne out by the data, but I will deal with that point later.

**Mr Givan:** I am grateful to the Member for giving way. Given that the new offence in the Policing and Crime Act 2009 to prosecute people who have coerced people as victims of sexual exploitation through human trafficking has resulted in neither a conviction nor a prosecution ever being taken under that offence, does the Member believe that men, women and children who are trafficked into this country and internally trafficked to be exploited sexually are not coerced by the serious criminal organisations that use and abuse them?

**Mr B McCrea:** I will outline the law as it stands. It is an offence to obtain for payment the sexual services of a child under 18 years of age or to pay for the sexual services of a prostitute who has been subject to force. That is a strict liability offence that renders it irrelevant whether the person has any knowledge of force being used. It is illegal to solicit for the services of a prostitute in a public place, such as kerb-crawling. Those who control prostitution for gain or who keep a brothel are involved in illegal activity and can face sentences of up to seven years. Traffickers will face charges of trafficking for sexual exploitation with a maximum sentence of 14 years. It is an offence to allow a child over four and under 17 to be in a brothel. There is a plethora of legislation dealing with these issues, and my reading of it is that the law is up to the task of controlling this heinous crime. The evidence is before us, and the evidence from the Swedish model, which I will deal with in more detail later, is contested and does not stack up. We have all said around here that we do not have enough information. If we do not have enough information and cannot get to the bottom of the seriousness of the issue

and what we should do about it, why on earth are we introducing primary legislation at this time? Surely it is better to do proper research, get the conflicting views around the table, do a proper amount of scrutiny and an inquiry to find out what is going on and come up with the best possible solution.

I will return to the Department of Justice (DOJ) submission. The aggravating factors in clause 3 are already set out in detail by the sentencing guidance, and it is argued — I think that I agree with this — that it is a more appropriate and flexible vehicle for responding to emerging case law. I dealt with clause 4, which is about minimum sentences for human trafficking and slavery offences. Mr Justice Stephens and His Honour Judge Burgess indicate how inappropriate such a restriction of judicial discretion is. The separation and independence of the judiciary is an essential element of our democratic freedoms. The Department argues that clause 7(1) is seen as unworkable and adds no value to existing arrangements and that clauses 7(2) and 7(3) reflect only what is already in place. Clause 8 is about non-prosecution of victims of trafficking in human beings. Blanket immunity is wrong; every single case should be judged on its merits. There will be circumstances in which it is appropriate that no action be taken and other times when that is not the case. The PPS Northern Ireland policy already takes such matters into account and, indeed, has already been brought forward in a number of cases. There is no need for that clause. I could on, but, so far, the Department considers clauses 3, 4, 6, 7 and 8 unworkable or wrong and wonders what we are doing talking about those issues. There is not much left of the Bill. I could go on through the rest of the clauses that say, "We want to add in a little bit here or there." As far as I can see, the Minister of Justice has said that he will take proposals on board and enact them as soon as possible.

I am surprised that the Minister of Justice is not going to stand up and be counted. I also ask other Members to say that we should stop the Bill at this stage. By all means, bring in different legislation or have a different inquiry, but this is not the right way forward.

I have no doubt that Lord Morrow is sincere in his attempt to deal with human trafficking. He has said that, if the Assembly passes this law, Northern Ireland will lead the way in combating trafficking in the UK and become the first country to have a focused human trafficking Bill. However, he said in his submission to the Justice Committee, and he made similar comments in his opening remarks, that it is hard to know exactly how many people are trafficked into Northern Ireland. He says that, because of the problems associated with measuring trafficking, this is probably only the "tip of the iceberg". How does he know? All the information that we hear indicates that there is no information. We do not know whether this is the right way to go forward. We should surely do the research first and then decide what to do. I use the word "cavalier" to describe this attitude of trying to get the facts to fit an argument that you want to make. That does not provide a service for anybody. The dangers of doing this are that you will make matters worse, not better; that you will drive prostitution underground; and that you will make it more difficult to get people to talk about what is happening to them for fear of all sorts of other issues. One of the key elements that we have in fighting this particularly heinous crime is intelligence, and we need to get that from all sorts of sources.

The proposition put to me at this stage, although Lord Morrow will, no doubt, address this in his summing up, seems to be rather long on personal opinion and somewhat short on hard evidence. It appears to me to be designed to be seen to be doing something, to send a message, rather than to try to tackle a very real problem.

I will move on to the Justice Committee. The Chairman of the Committee was eloquent when making his remarks at Committee and when talking about Lord Morrow today. I know that Lord Morrow is a senior member of the DUP, and it may well be that Mr Givan supports him in what he is doing, but I would have hoped that the Chair of the Justice Committee would approach the Bill with a certain rigour. Given that he is the Committee Chair, I had hoped that he would ask penetrating questions, try to keep a balance and do things properly. What the Assembly needs is proper oversight and proper accountability. It is absolutely right that Committees ask probing questions to challenge the evidence put forward. I am sorry, but I did not see that from the Justice Committee, particularly the Chair. We have to decide whether this is the right way forward. The Bill could pass because when you stand up and oppose things, people come along and say, "Oh, this person is for prostitution" or "This person is for human trafficking". That is not so. This person is trying to work out what is the best way to stop human trafficking and the best way forward. If it is a problem, let us deal with it properly.

I am not absolutely convinced by the Swedish model. We heard some contrary evidence from Ms Ekberg. We heard that the Swedish model has been hailed as a great success, including by the groups and organisations in Australia that are agitating for its adoption. Ekberg claims that street prostitution has declined, that most purchasers of sex have disappeared and that the law is an effective deterrent to the purchase of sex and trafficking of women. The Skarhed report was somewhat more muted. It said that the ban on purchasing sex was an important instrument in preventing people trafficking and combating prostitution.

While claiming that street prostitution has halved, the best that could be said by this government report is that, unlike neighbouring Nordic countries, there has been no increase in prostitution. It is not that prostitution has declined, it is that there has been no increase. This particular statement brought out by Anna Skarhed in an evaluation report of 1999 to 2008 should be seen alongside the October 2009 Swedish Government publication that stated that it is very difficult to monitor the extent of prostitution in Sweden because it is practised discreetly and existing figures are "very uncertain".

The Swedish National Board of Health and Welfare, to which the monitoring of this particular legislation was passed, was just as circumspect when it said in its 2007 report:

*"it is impossible to form a precise picture of prostitution and its extent, regardless of the chosen method."*

Similarly, the Swedish Government publication states that Kajsa Wahlberg, the national rapporteur of the National Police Board, has acknowledged in her reports that there is:

*"a general lack of knowledge concerning the extent of trafficking for sexual purposes in Sweden."*

Given these admissions from the Swedish Government, it is very difficult to see how Ekberg and other proponents

of the Swedish model could possibly claim that the law has been successful in reducing the number of women involved in prostitution and the incidence of trafficking.

It may well be of interest to Members on the Benches opposite to hear that, in terms of effectiveness, in June 2009, 'The Christian Science Monitor' reported that when the Swedish public radio services:

*"posted fake ads for sexual services on websites in May, they were swamped with almost 1,000 inquiries."*

There is a considerable list of learned reports that cast doubt on the veracity of the claims made about the Swedish model.

I will go on, however, because others mentioned it. The Joint Oireachtas Committee met on Thursday 27 June, and the Committee Chair, David Stanton TD, said:

*"The Committee finds persuasive the evidence it has heard on the reduction of demand for prostitution in Sweden since the introduction of the ban on buying sex in 1999."*

However, I have here a Eurojustice report from earlier this year that asks: what does the evidence actually show? The Swedish police published a report into their own ability to investigate the offences of purchasing sexual services and sex trafficking. The report includes statistics on such offences from the Swedish National Council for Crime Prevention, which show no evidence of a downward trend. There is a table, and there are reports. They set out all the figures, and analysis states:

*"But it's surprising to see significantly higher numbers for the most recent years, if the law really has the deterrent effect claimed by its supporters."*

If the law really has the deterrent effect as claimed by its supporters those figures should not be getting bigger.

The data also look at the particular crime of human trafficking. Analysis of page 13 of the report states:

*"The figures themselves show no pattern, going up and down and up and down again; it is, once more, simply impossible to draw any conclusion from them about the law's impact on sex trafficking into Sweden."*

Another table on the same page records the instances of what the Swedish call "pandering", which is a lesser offence. Analysis of the report states:

*"It is relatively common for prosecutors to choose the crime of pandering instead of sex trafficking."*

In other words, the numbers for sex trafficking could be higher or lower, or the Swedish police might just be getting better at detecting the crime or doing something about it. However, these figures do not support it, and all the evidence from the people on the Benches on the other side is, "trust in the Swedish report, and you will be OK". You will not be OK. These figures are unreliable in an academic sense. They do not support the contentions put forward, and they have not been adopted by the majority of countries in western Europe.

So, the position of the Turn Off the Red Light campaign and the Oireachtas Justice Committee claim is that the numbers have actually decreased. If the evidence of this decrease exists, why is it not reflected in the data held

by the Swedish Council for Crime Prevention, which is the body that is responsible for keeping track of trends in criminal activity? What is the alternative information that the Committee and the campaign are relying on? I cannot find any evidence that supports that contention. To add even more to the point, the Swedish police cast doubts on any such claims, because they make it clear that they have no real idea about what is going on in the world of internet prostitution, which is now believed to be the biggest sector in the sex trade. That is the real issue. Since Swedish law was changed in 1999, there has been a huge change in the availability of mobile phones and the internet and in the way in which people conduct their business. The evidence put forward by the Swedish model simply does not support the contention advanced by the proponents of the Bill.

#### 4.15 pm

The official data on sex trafficking and purchasing sex in Sweden gives no indication that either offence has decreased and/or continues to decrease since buying sex was criminalised. The Swedish police admit to being unaware of the extent to which commercial sex is being transacted online. It may still be true, but nobody knows. Therefore, we do not have an evidence base for this particular course of action. Morally, people may feel that it is the right thing to do. It may of course sound like it will be a good thing. However, the evidence does not suggest that.

**Mr Givan:** I am grateful to the Member for giving way. Does he not recognise that, initially, the Swedish police force was opposed to the legislation but that the chief of police for Stockholm has now said that it is the most powerful tool that they have to tackle this particular heinous crime? Interestingly, some politicians who opposed the legislation at the time have since been prosecuted under it.

**Mr B McCrea:** I would have found the Member's intervention more convincing if, as Chair of the Committee for Justice, he had asked those questions and taken issue with the evidence brought forward. I looked at the official record and saw no such evidence of that. However, perhaps I misread it, or perhaps there is more to come.

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

**Mr B McCrea:** I will give you a chance. Just give me a minute to say a few more bits.

This is a challenge to all of us in the Assembly. There are members of the Justice Committee who have a legal calling and have been members of the Bar. Some may still be members of the Bar. How do they feel about judicial independence? How do they feel about mandatory sentences? How do they feel about evidence that does not actually support the contention that has been put forward? Surely it would be better for those people to reject the legislation and then deal with the issue properly through the Minister of Justice. It is too big an issue. The real problem with clause 6 is that it is a Trojan Horse, in that it tries to conflate prostitution and human trafficking. In so doing, it ignores many of the issues to do with human trafficking.

Human trafficking is not just about sex, although that is an issue. It is also about forced labour, slavery and all the other issues. Of course it is right that we should seek to try to minimise the demand for those services and protect

those involved, but many of those issues are already in hand. I looked in some detail at Westminster's proposals and at the arguments that happened in the House of Commons and later in the House of Lords. They are not dealing with it in some cavalier manner, for there are people in those places who really care about how we deal with trafficking. The idea that Northern Ireland is going to say that it knows how to do it better is destroyed by the fact that you bring forward an offence of sexual activity without defining what it means. Does it extend to strippers? Does it extend to clubs? Does it extend to Page Three? What makes up the whole issue about purchasing sexual services? Those issues need to be carefully considered.

The most telling thing about the legislation is that the Department of Justice is opposed to it. The PSNI is opposed to it. The judiciary does not appear to require it. The PPS says that most of the provisions are already in train. The Minister of Justice says that he has a better way of doing it. If you really want to do deal with prostitution, do that by all means, but do it in a separate Bill. Do not conflate the two issues. Do not bring together human trafficking and prostitution. It looks as though you are trying to use one to get to the other. This is not the right way forward. By all means have an open and frank discussion.

These matters are so important and so fundamental that the right process is not to bring them forward in a private Member's Bill. The right way to do this is for colleagues around the Executive table to prevail upon the Minister of Justice to introduce the appropriate legislation in the appropriate way so that we build consensus in the proper way, are able to provide a united front, and do not use it as some form of moral crusade and tit-for-tat point-scoring. The issue is far too important for all of that.

In conclusion, if ever this Assembly needed to know why we need an opposition, it is because we need people who are prepared to stand up and say that this legislation, however well-intentioned, will not produce the desired result. It will be counterproductive, and it is not good legislation. In this place, we seem to sway between having no legislation and bad legislation. *[Interruption.]*

**Mr Deputy Speaker:** Order.

**Mr B McCrea:** I urge Members to really exert their democratic mandate, to really think about what they are saying, to really say no to this legislation and to come forward with genuine, concrete ways of improving the situation.

**Mr Buchanan:** I am most grateful for the opportunity to participate in the debate, and I wholeheartedly support the Bill. I commend Lord Morrow, who has prepared and presented this much-needed legislation. I do not understand why some Members still appear not to have an appetite to support legislation to protect victims of such a horrific crime that is being carried out in Northern Ireland today. It really baffles me why there are those who do not have the appetite to support such legislation.

In my participation in the debate, I will focus on three clauses in Part 1 of the Bill. They are clauses 2, 3 and 4, which are related to how the offence is considered and sentenced. The purpose of these clauses is to protect those who have been treated in most despicable ways and to ensure that the perpetrators are dealt with in a just manner. Clause 2 outlines that consent for a victim of



human trafficking or slavery offences becomes irrelevant and is negated because of:

- “(a) threats, the use of force or other forms of coercion,*
- (b) abduction,*
- (c) fraud,*
- (d) deception,*
- (e) the abuse of power or of a position of vulnerability,*
- (f) the giving or receiving of payments or benefits to achieve the consent of a person having control over another person; or*
- (g) the victim was a child when the offence took place.”*

This clause fully implements article 2(4) of the European directive on preventing and combating trafficking in human beings and protecting its victims, and article 4(b) of the Council of Europe Convention on Action against Trafficking in Human Beings.

As seen in the response to Lord Morrow's consultation published in June, the vast majority of respondents supported the inclusion of a list of circumstances outlining when evidence of agreement to travel and be trafficked is irrelevant. Outside of those who have experience of being trafficked, it is nearly impossible to imagine the full horror of what it is. It is nearly impossible to comprehend the ability of someone with power over another, ready to use violence or false promises and manipulation to coerce an individual into giving consent to be trafficked and enslaved. It seems obvious that, in these circumstances, a deceived or threatened person needs to be helped and protected. It should not matter what evidence the perpetrator can muster to show that the victim gave consent. Being trafficked or enslaved as a result of threats, fraud or deception is not openly and happily choosing such a path. We must not send out such a message to the public of Northern Ireland. This clause has been created to protect individuals who are in a position of vulnerability, people who have no real or acceptable alternative but to submit to abuse. Let us strive to that end in the House today. The clause has been introduced to ensure that situations like those reported in the Anti-Trafficking Monitoring Group's 2010 report do not occur. It reported on a case where authorities concluded that, since the victim agreed to come to the UK for work, they could not have been trafficked, despite the fact that the deception and abuse involved should render such consent irrelevant.

With regard to clause 2, I believe that there is some concern from Members that a list of circumstances in the legislation will limit the flexibility to deal with individual cases or may restrict the prosecution if a factor outside of the list was to emerge. I want to make it clear that that will not be the case since it does not exclude other factors but makes clear that those factors are to be considered as voiding consent. I agree with Lord Morrow that it is better for that to be outlined in legislation rather than leaving it to guidance.

Clause 3 deals with what must be treated as aggravating factors when a court is considering sentencing someone convicted of a human trafficking or slavery offence. Such aggravating factors are as follows: if the offence was committed by a public official in relation to the

performance of his or her duties; if the offence was committed by a family member of the victim or by a person of trust; if the offence was committed against a child or vulnerable adult; or if the offence was committed by the use of serious violence or caused serious harm to the victim. Clause 3 has been included to require judges to take into account certain factors that increase the severity of the crime of human trafficking.

The vast majority of respondents to Lord Morrow's consultation agreed that there should be circumstances that require a judge to lengthen a human trafficking sentence. Why do we support that? Simply because, as a society, we need to make it absolutely clear that trafficking is a serious crime that will be met with a serious punishment so that anyone tempted to involve themselves in such practices will think again. The clause will be a signal to the public, showing that the House is unequivocal in its view that human trafficking and slavery offences are despicable and deserve serious punishment, and that those crimes that meet the criteria of aggravating factors deserve a longer sentence.

I know that having such a clause is unusual, but there is a precedent for including aggravating factors in legislation. I cite 4A of the Misuse of Drugs Act 1971, as introduced by the Drugs Act 2005, as evidence for that claim. I understand that the Minister has deemed clause 3 as unnecessary as it duplicates the 2007 England and Wales sentencing guidelines on the Sexual Offences Act 2003, which were applied to cases of human trafficking in Northern Ireland by Judge Burgess in the case of *R v Matyas Pis*.

I stress that the specific aggravating factors referred to by Judge Burgess are not the same as those included in the Bill. The aggravating factors in the clause are largely different from those covered by his judgement. In addition, his judgement applied sentencing guidelines with respect to sexual offences, not to offences related to trafficking for forced labour or the forced labour offence under the Coroners and Justice Act 2009. Moreover, as guidelines, they were not binding, and so cannot guarantee the kind of consistency and transparency of offence for which the Group of Experts on Action against Trafficking (GRETA) is rightly pressing, and which would be provided by the clause. That is why we need the clause passed into law.

Clause 4 provides for a minimum custodial sentence of two years for human trafficking and slavery offences. Like clause 3, it serves the very important purpose of making it absolutely clear just what serious offences human trafficking and slavery are for the purpose of making anyone tempted to get involved in those areas think again. Although some in the Assembly may be wary of the clause because maximum sentences tend to be more commonplace than minimum sentences, I think it is more important to be clear that provision for minimum sentences does in fact already exist in our legislation. In article 70 of the Firearms (Northern Ireland) Order 2004 there is a mandatory minimum sentence for the unauthorised possession of certain prohibited weapons and the purchase, possession or acquisition of a handgun. Therefore, it should be clear to Members that minimum sentence provisions are not unheard of. They are rightly rare in law and reserved only for particular crimes. To my mind, human trafficking and slavery offences should be categorised in this way.

**4.30 pm**

As all Members will agree, involvement in human trafficking and slavery is a serious crime. Human trafficking and slavery offend against the inherent dignity granted to each and every human and are some of the worst offences that take place in our society.

**Mrs Foster:** Will the Member give way?

**Mr Buchanan:** Yes.

**Mrs Foster:** I thank the Member for drawing the House's attention to the fact that mandatory sentences of a minimum value are not unique to the Bill. The previous Member who spoke spent quite a considerable time talking about the fact that we are interfering with how the judiciary could view cases and what have you. In fact, in drink-driving cases, there is always the mandatory disqualification of a licence, and the judge can look at it under exceptional circumstances, as is the case in this Bill. Does the Member agree that the Bill is very much in keeping with the law in Northern Ireland? Indeed, there are many other examples, and the Member has mentioned one in relation to firearms. So, the Member who spoke previously was incorrect when he talked about that being a special feature of this Bill.

**Mr Buchanan:** I thank the Member for her intervention. I hope that the previous Member who spoke, who made quite a lengthy contribution, was actually listening, because he may have learned something. I say that a serious crime warrants a serious punishment. I challenge the House to think of a situation where an individual had participated in human trafficking or slavery and did not deserve at least a two-year sentence.

It is appropriate to note that clause 4(2) allows the court to consider exceptional circumstances relating to the offence or the offender that would justify a lower sentence. I understand that the Minister of Justice has argued, on the basis of the *R v Matyas Pis* case, the first sentence for trafficking offences in Northern Ireland, that such a clause should not be introduced because His Honour Judge Burgess indicated a two-year starting point for the involvement at any stage of the trafficking process into the United Kingdom or six years if the victim was coerced, on the basis of the England and Wales Sentencing Council guidelines for sexual offences. Those kinds of guidelines, however, were not produced for Northern Ireland. As guidance is, in any event, not binding, it cannot guarantee the kind of consistency of application and transparency of offence that is championed by GRETA and that would be delivered by this clause.

Moreover, if that is not a sufficient reason for recognising that guidance is not enough, it is important to bear in mind that in the *R v Chen* case Judge Stephens was very clear that he rejected the 2007 guidelines in relation to the use of a starting point. I note that the recent consultation on sentencing guidelines on trafficking for sexual exploitation in England and Wales would allow a custodial sentence of 26 weeks and 18 months as its starting points, if the individual's involvement was minimal and the harm involved in the offence was minimal. Given the ambiguities of how the 2007 England and Wales sentencing guidelines apply in Northern Ireland, as cited in *R v Chen*, and the fact that those sentencing guidelines apply only to trafficking for sexual exploitation, the Assembly should back clause 4.

As I conclude today, I remind Members that human trafficking is a very real problem in our Province. In the past couple of weeks, Members from across the House may have heard the testimony on 'Good Morning Ulster' of a young Romanian girl who had been trafficked into Northern Ireland so that she could be sexually exploited. I was horrified by her story. I believe that we must take further action to ensure that such crimes do not occur in our Province.

Since 2008-09, 97 victims of human trafficking have been recovered in Northern Ireland. A total of 68 had been trafficked for the purpose of sexual exploitation, 19 for forced labour, two for domestic servitude, and eight for unknown reasons. It is widely accepted by the PSNI and the NGOs in Northern Ireland that this is just the tip of the iceberg. As William Wilberforce famously said when speaking about slavery in the British Empire to the lawmakers of the country:

*"You may choose to look the other way but you can never say again that you did not know."*

In this Assembly today, we can choose to look the other way if we wish, but the one thing that we can never say is that we did not know, because the evidence has been clearly brought out before the House today. Now that this House has been informed of the horror that occurs in our country, we can never again say that we did not know. Instead, we must act firmly to eradicate modern-day slavery and human trafficking in our Province. For that reason, we want to ensure that there is a suitable criminal justice framework to deal with these offences.

I urge Members to see the great opportunity that we have before us in the form of this Bill. We have a chance to make serious strides in tackling the problem of human trafficking and slavery, providing greater clarity and transparency on those offences and making their definition sufficiently robust. If it is absolutely clear that trafficking and slavery offences are very serious, it will concentrate the minds of any who might be tempted to engage in those depraved activities. We have the opportunity to provide safety and protection for those who desperately need it. We have the opportunity to ensure that sufficiently robust sentences are given to those who deserve them so that those considering such crimes will think again. It is time for this Assembly to step up to the mark and to do that which is right. I highly recommend clauses 2 to 4 to be passed into law, along with the entire Bill.

**Ms P Bradley:** I welcome the opportunity to speak in today's debate. I would like to begin by congratulating my colleague Lord Morrow on introducing the Bill and on the very thorough way in which he conducted and responded to his consultation process. He has certainly set the standard for the future by consulting on a draft Bill, which, as other speakers have noted, is much more useful for consultees than simply consulting on abstract ideas or vague principles. His consultation response document, published in June, is a very thorough and accomplished piece of work.

From the outset, I want to make it clear that I wholeheartedly support the entire Bill. However, in the time available to me today, I want to concentrate my comments on clause 6. As we have heard, the single biggest factor driving trafficking to Northern Ireland is the demand for paid sex, and that is why this clause is so central to the

Bill. An anti-trafficking Bill that did not address the single biggest source of demand for trafficking would not be fit for purpose. While the current offence of paying for sex with anyone who is coerced technically covers the problem, in practice it has completely failed because of the difficulty of proving coercion in a tight time frame. That should not come as a surprise to those who have studied different approaches to tackling demand abroad. Finland went down that very reasonable sounding path a few years ago and has suffered a very similar fate. It has secured a few convictions over a longer time span, but proving coercion is very hard, and the traffickers know that, in practice, the Finnish law is no obstacle to their trade.

It is estimated that between 400 and 600 women are trafficked in Sweden every year. A comparison of those figures with those in neighbouring Scandinavian countries, which are similar to Sweden but where buying sex is legal, shows that the law clearly seems to have reduced trafficking. In Denmark, at least half of those in prostitution — between 5,500 and 7,800 — are said to be victims of trafficking. Finnish criminal intelligence estimates that between 10,000 and 15,000 women are trafficked there each year. While those countries have experienced an increasing trend in the number of women trafficked, Sweden has not. Given the success of the policy in Sweden, it is time for us to consider its applicability to prostitution and trafficking in Northern Ireland.

In 2009, the Immigrant Council of Ireland produced 'Globalisation, Sex Trafficking and Prostitution: The Experiences of Migrant Women in Ireland' — the Kelleher report — which reveals many shocking statistics about the extent of trafficking and prostitution in the Republic of Ireland. The Kelleher report found that 800 women are advertised for prostitution in Ireland on any given day and that only 3% of those are stated to be of Irish identity. The majority are from mainland Europe, but many are from Latin America and the Caribbean.

A former sex worker relayed that:

*"girls who are post-puberty by only a year or two are routinely lusted after, sought out, highly prized and then abused for enough years [until] they've lost much of their commercial value".*

Another former sex worker who reported to the Oireachtas's Joint Committee on Justice, Defence and Equality as part of its recently completed review of legislation on prostitution detailed that sex work:

*"is a hard cruel life filled with lies, beatings and rape. In the end you feel like a toilet."*

Most notably, the Joint Committee, which reported in June, concluded that there should be a ban in Ireland on the buying of sex.

It would be foolish and naive if this House did not believe the situation to be just as dire in Northern Ireland and that similar action is needed here. The House has a duty of care to the people living in Northern Ireland. To ignore the need for such measures to be taken would be to neglect the responsibilities granted to us by our office.

The Irish Committee was told that as many as 90% of women in prostitution would leave it immediately given the means and the opportunity. We cannot allow for this exploitation to continue. The current measures are not

enough. The same Committee also heard that one in 15 Irish men pay for sex. That has great consequences for us as a society. Ms Jacqueline Healy of the National Women's Council of Ireland expressed that view strongly:

*"The system of prostitution perpetuates patriarchal views on women's sexuality and legitimates male domination in society. As long as it is tolerated, it is an obstacle to equality between women and men. A society that tolerates prostitution cannot achieve gender equality."*

In a House in which gender equality is strived for earnestly and talked about with such passion and vigour, we would commit the greatest hypocrisy if we ignored this industry's degradation of women in our community. Furthermore, it is not only gender inequality but racial inequality. The Oireachtas Committee heard that:

*"because prostitution in Ireland is carried out predominantly by migrant women, its continuance tends to reinforce ethnic marginalisation and inequality."*

Is that the sort of country that we wish to live in, one in which gender and racial inequality are permitted? We must also remember that prostitution is a big-money business. That is the case for the pimps and gangs who run it but not for the prostituted individual. Superintendent Fergus Healy of the gardai, one of the Republic of Ireland's leading officers in seeking to tackle organised crime, stated in his evidence to the Oireachtas Committee that:

*"a large percentage of the moneys generated from the industry is being redeployed into organised crime groups, domestically and internationally".*

The Organised Crime Task Force, in its most recent annual report and threat assessment, states that international organised crime groups (OCGs):

*"continue to be involved in 'human trafficking exploitation' ... A growing industry offers high profits for unscrupulous OCGs but leaves victims' lives devastated."*

We must do all that we can to end this situation. Clause 6 will be fundamental in doing so. Targeting the demand for prostitution in Northern Ireland will reduce the number of those trafficked here to fill the demand and, therefore, reduce the number of crimes committed on our doorstep.

Quite apart from anything else, anyone who thinks that we can go it alone and not criminalise the purchase of sex while the practice is criminalised in Southern Ireland needs to ask themselves whether they want Northern Ireland to become a major destination for sex tourism, as people cross the border from the South to buy with impunity from the North. The opposite would pertain if we criminalised paying for sex and the Republic of Ireland did not.

#### 4.45 pm

I am aware that some Members might be concerned by suggestions that criminalising paying for sex will drive prostitution underground. The experience of Sweden and Norway, which introduced a similar Bill in 2009, illustrates that this is not the reality. As the Swedish national rapporteur on human trafficking, who is also a detective inspector for the National Police Board, puts it:



*"In Sweden there is relatively little prostitution."*

The perception that this is because prostitution has gone underground is absolutely wrong.

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

**Ms P Bradley:** Absolutely.

**Mr Weir:** Those who claim that prostitution will be driven underground miss the point. For prostitution to work, there must be a client base and a certain level of publicity so that those who avail themselves of the service know about it. Consequently, there is a limit to how far underground it can go. Clearly, if the client base is aware of prostitution, the police should also have some intelligence of it, so a false argument is being used.

**Ms P Bradley:** I thank the Member for his intervention and agree wholeheartedly with him. Prostitution cannot go underground because the buyers need to be able to find the women. Prior to the law prohibiting the purchase of sexual services, pimps could easily send women out to look for buyers. Nowadays, they have to advertise and make arrangements, which means that the risk of getting caught increases. Any Member concerned about that point should also carefully scrutinise the evidence given to the Justice Committee by the former adviser to the Swedish Government on trafficking and prostitution, Gunilla Ekberg, on 12 September.

It has been further argued, in some quarters, that criminalising the purchase of sexual services makes working in prostitution more dangerous. That has not proved to be the case in Sweden. In 2003, the National Board of Health and Welfare in Sweden stated:

*"Police who have conducted a special investigation into the amount of violence have not found any evidence of an increase. Other research and the responses of our informants both indicate a close connection between prostitution and violence, regardless of what laws may be in effect."*

Recent evidence from Norway shows a decrease in severe violence against those in prostitution since it criminalised the purchase of sexual services. Research published in 2012 shows a halving of the number of people in prostitution who had experienced rape since purchase was criminalised in 2009, compared with a 2008 survey. Violence from pimps was also found to have halved, and those with experience of violence from clients fell by 15 percentage points from 89% to 74%.

Some have suggested that decriminalisation or legalisation makes prostitution safer, but the reality is quite different. Max Waltman is an academic who has closely considered this field, and he argues that, in countries operating with legalised prostitution, women claim:

*"legalization increases competition and demands for unsafe and dangerous sexual acts".*

To my mind, from considering the evidence, it seems abundantly clear that prostitution is an inherently dangerous activity. I agree with Monica O'Connor, one of the authors of the Kelleher report, who stated in her evidence to the Dáil Committee on Justice:

*"it is incredibly naive and flies in the face of the overwhelming evidence to believe that we can make*

*prostitution safe. It is an inherently harmful, abusive, exploitative and coercive industry."*

The Minister and certain Members stated that we need more Northern Ireland-specific research before we can tackle this problem. Of course, I understand that point of view. However, the way in which the Minister of Justice sought to call for this is disappointing. Although the Minister knew in August 2012 that Lord Morrow was introducing the Bill, and First Stage took place before the summer recess, he and his Department decided to announce that it would seek to conduct research only two weeks before the House was due to debate it. I have no difficulty with research being conducted into prostitution in Northern Ireland. However, there have been hundreds of studies of prostitution in the United Kingdom, the Republic of Ireland and beyond.

The nature of prostitution in Northern Ireland is not going to be hugely different from that in neighbouring countries. Consequently, I do not believe that the need for more research should be used as an attempt to slow down the Bill. We have already had a very sophisticated public consultation on the subject, which certainly did not escape the public eye. There was a lot of press coverage, and, as a result of the consultation and expert advice, Lord Morrow significantly redrafted what was previously clause 4 but is now clause 6. I hope that the Justice Committee will give the Bill detailed scrutiny, and I understand that it will look to visit Sweden to see how its model works.

We can also benefit from the research that was conducted in the Republic of Ireland. As a result of the evidence that they considered, it was concluded that there was support for the Swedish approach across a broad section of society. What I found most impressive from that report was the committee's experience of going to Sweden. The committee said that it:

*"found compelling the accounts that it heard during its visit to Sweden ... and the evidence indicating that using the criminal law to tackle demand for prostitution has reduced trafficking."*

I know that concerns have been expressed about whether clause 6 could be effectively policed. The committee looked at that question and concluded that:

*"a ban on the purchase of sexual service can be effectively and efficiently enforced by the Gardaí."*

I contend that, if it can be policed south of the border, it can be enforced north of the border. I hope that Members will agree that that evidence warrants our attention and consideration.

In conclusion, Mr Deputy Speaker, my point is that clause 6 is the only option that will truly rectify the terrible state of affairs that we are in with trafficking for sexual exploitation. It is the only measure that tackles the demand and by which supply will fall.

The evidence from the Swedish approach is compelling. Having listened to the evidence given by Gunilla Ekberg last week to the Justice Committee, I am even more convinced that this is the right way to go. In Sweden, due to the criminal law being used to focus on demand, there has been a reduction in the size of the prostitution industry and in the number of people trafficked. Do we not want the same for Northern Ireland? In confronting that important



question, it is certainly encouraging to see the broad basis of support for criminalising the purchase of sex on the part of my own party, in Northern Ireland and, as Lord Morrow highlighted and praised, on the part of Sinn Féin, across North and South, since it adopted this policy by backing the Turn Off the Red Light campaign at its recent ard fheis. I very much hope that the other parties in the Assembly will come to support this enlightened and progressive policy.

In closing, I will echo the words of Mr Liam Doran, general secretary of the Irish Nurses and Midwives Organisation. He said:

*"We need to do this now. Penalty points were brought forward to stop motorists speeding. These laws must be brought forward to deter people from engaging in the exploitation of women for their own satisfaction or profit. Our legislators must have the courage to act now to protect these vulnerable women and offer them some hope of a real life in which they can be free from their terrible nightmare."*

**Ms Lo:** In the 1980s, when I was working in the Chinese community, I became aware of people smuggling and debt bonding. In later years, there was a more sinister twist to that illegal activity. That twist was the multimillion pound international trade in human trafficking, which was highlighted here by the murder of a Chinese woman in north Belfast who was widely believed to be a victim of human trafficking. As the then director of the Chinese Welfare Association, I began to see the evil nature of human trafficking. Therefore, as someone who has spoken out for years about this heinous crime, I welcome Lord Morrow's commitment to eliminate it.

I do not agree with all the proposals that Lord Morrow seeks to use to attempt to tackle human trafficking, but I am committed to working with him and Assembly colleagues to address the issue.

My Alliance Party colleague Stewart Dickson already addressed the Bill and made a number of comments on it, including the work on human trafficking that has been undertaken by the Department and Minister of Justice. It is not my intention to repeat that.

That having been said, before I make my own substantive comments, I want to congratulate the Minister of Justice, David Ford, for the work that he has done to address trafficking in Northern Ireland. As a long-term campaigner on the subject, it has given me great pride to see an Alliance Party Minister treat this subject with the attention that it requires and attempt to eradicate modern-day slavery in such a forthright manner through the Organised Crime Task Force and its immigration and human trafficking subgroup, the non-governmental organisation/stakeholder engagement group and as a member of the interdepartmental ministerial group on human trafficking. I also welcome the recent launch of the leaflet for victims of trafficking, the new educational material that the Department has launched and the publication of its action plan.

It is my understanding that the Department, at the time of the Criminal Justice Bill, highlighted that it would bring forward secondary legislation on support for victims of trafficking, legislation that is now stalled until we see the outcome of this Bill. Support for victims is absolutely paramount.

It will come as no surprise to the House that I wish to focus much of my speech on the principles of clause 6, as has much of the debate on the Bill outside the Chamber. In discussions with Christian Action Research and Education, which, I am given to believe, had a hand in assisting the drafting of the Bill, I was told that clause 6 represents the "core of the Bill". That makes me question whether the Bill is more of a religious crusade to ban prostitution than an attempt to address the problem of human trafficking.

Clause 6 would criminalise anyone who pays for sex with a man or a woman. At the outset, I would like to put firmly on record that I support the objective of the clause to discourage the trafficking of persons into Northern Ireland to work as prostitutes. However, I am not convinced that there is a sufficient evidence base on which to pass legislation such as this. I welcome the Department of Justice's commitment that it is to commission research into the extent and basis of prostitution in Northern Ireland, research that would then inform future policy. With that knowledge, I believe that it would be wise to reconsider the inclusion of clause 6 at the Bill's Committee Stage.

**Mr Wilson:** I thank the Member for giving way. She seems to hang her argument on the fact that she wishes to see some research done to establish the extent of prostitution in Northern Ireland. However, there are very clear links already, from the information provided by the PSNI, on the percentage of those who are trafficked who finish up in the sex industry in Northern Ireland. Is she saying that if the research comes up with little evidence, or evidence that prostitution is only a small issue in Northern Ireland, she is quite happy for those unfortunates who are trafficked and exploited in the sex industry to be left without any protection? That is the implication of her argument.

**Ms Lo:** That is not what I am saying. I have been involved in raising awareness about this crime for many years. There is no doubt that I want to see measures to tackle it. However, we still do not know how many people who are involved in the trade are coerced by human traffickers. It is very hard to determine the extent of what we are dealing with in this case. Prostitution, as anyone who studied sociology knows, and as I have touched on, is a very complex social issue.

A single clause is not going to deal with this comprehensively. There is no way that a single clause can do that without our thinking about exit strategies and all the other issues that are needed to deal with it in a really holistic manner.

## 5.00 pm

Anyway, let me get back to it. It is far from best practice to legislate and to take long-term policy decisions without an evidence base, particularly a local Northern Ireland-specific evidence base. We do not know the extent of human trafficking in Northern Ireland or the proportion of prostitutes here who have been trafficked. To legislate in this manner without at least trying to get a sense of those figures is, in my view, a mistake.

We should also always seek to legislate after full and thorough consultation. I commend Lord Morrow for the consultation exercise that he ran, although I would have liked to see full responses. However, it is my understanding that there was no engagement with those who are sex workers by choice. It is important that we recognise that some people enter that profession by choice. Indeed, I

worked with a constituent in south Belfast who chose to be a sex worker.

Again, although I commend the general principle of clause 6 and the Bill as a whole, I believe that it is essential that we fully consider any unintended consequences and potential outcomes of all the measures in the Bill. As with anything that is banned, there is a real risk that prostitution will merely be driven underground, making it less safe for sex workers.

Clause 6 is based on the Swedish model, and I commend Basil McCrea for his response to the Swedish reports and the claims that they make about the success of the ban. In my research, I learned that there are examples of how prostitution in Sweden, which is banned but continues nonetheless, has become more dangerous as a result of legislation that is similar to the Bill that we are looking at. Sex workers there must now work alone for fear of potential clients being scared off from approaching a group of prostitutes in case they are arrested. That means that there is no longer safety in numbers. Those clients who are still willing to pick up a prostitute from the street are also less likely to be worried about breaking the law and are, therefore, less likely to be non-violent.

Another fear that I have about the Bill as a whole and clause 6 in particular is the confusion between trafficking and prostitution. Although they can sometimes be linked, they are not one and the same issue. Policy and legislative responses should distinguish clearly between human trafficking for sexual exploitation and prostitution. Although the two can sometime overlap, if each is to be targeted effectively, they need be addressed separately.

Not everyone who is trafficked will be forced into sex work. There are other reasons why this terrible crime happens, not least domestic servitude and forced labour. There is evidence that such crimes also happen in Northern Ireland, where we have seen trafficked workers in cannabis factories. It is wrong to focus on prostitution as the only outcome for trafficked individuals. Whereas those areas do sometime overlap, as I said, they should be considered and dealt with in their own right.

I also believe that attempting to tackle a topic as huge as prostitution through one clause in a private Member's Bill is not the best way to go. Much wider areas need to be addressed, such as exit strategies for the workers involved. That was a key section of the Swedish legislation, and it was heavily resourced by Swedish social services. However, any reference to that is lacking in this legislation.

Everyone in the Chamber must agree with the principle of eradicating human trafficking from Northern Ireland and elsewhere. There can be no argument against that. However, that, in itself, becomes a problem; if we simply ban something from happening here, that merely moves the problem elsewhere. As someone who has long campaigned against trafficking and sought to raise awareness of it, I know that I would not be happy with that outcome. I have read examples of how the bridge between Denmark and Sweden has been termed a "sex highway" since the introduction of a similar law in Sweden, and how taxi drivers wait at one end as they know that fares are a certainty. Do we really want the same to happen to the boat to Scotland or the road to Dublin? Exporting a problem is not a solution. We all need to work together, and there are initiatives that enable European member

states to work together, because we know that it is a global trade and goes across borders. Country borders are really no deterrent to human trafficking.

I have long argued that the most effective way to prevent people from being trafficked into prostitution is to focus on the source countries. I would much rather focus scarce and valuable resources on that, rather than on legislation that would duplicate provision already in place or which the Department sees as unnecessary. I am aware that, in China, there are open advertisements in newspapers luring young women to apply for bogus posts as nannies and waitresses in the UK and America. What is the Government in China doing to stop people from applying for those jobs? Those Governments need to address such issues, rather than exporting women to be lured into the west and, perhaps, send money back to the source country. It is a serious crime, and we all need to work together and not just look at our own boundary. We need to work with other countries and other people.

I believe that it is also important to put on record the concern of the PSNI that, should legislation banning prostitution pass, it may have the unintended consequence of diverting resources from tackling trafficking to monitoring prostitution, not to mention just how difficult it could be to enforce the legislation. We should remember that it is already against the law to pay for the sexual services of a prostitute subject to force, irrespective of whether the person had any knowledge of force being used, and to solicit for the services of a prostitute in a public place.

I also note with concern that primary legislation, which is difficult to adapt and change, is, perhaps, not the best way to tackle a crime that is constantly changing. We must ensure that whatever measures we put in place can react quickly to changing needs.

As my party colleague Stewart Dickson already stated, although we might have reservations about some parts of the Bill, the Alliance Party is happy for the Bill to pass to Committee Stage where it will receive full and thorough scrutiny. I look forward to tracking the Bill as it progresses and to contributing further to the debate at Consideration Stage.

**Mr Weir:** I support the Bill. I want to deal with a couple of the issues raised by the Member who spoke previously. She seems to be in the slightly contradictory position of criticising the Bill right, left and centre, but is willing to support it at Second Reading.

I also highlight an inherent contradiction that says that clause 6 is at the heart of the Bill and effectively dominates the Bill — I do not believe that to be accurate — yet also says to deal with prostitution in just one clause. Either clause 6 is dominant and overriding or is just one clause in the Bill; you cannot have it both ways.

There might be an idea that some are happy and willing to be involved with prostitution, that it is some sort of career of choice with a careers teacher pushing someone in the direction of prostitution. The reality is that the vast bulk of those who enter prostitution, leaving aside those in human trafficking, do so because of a range of tough personal circumstances. It is not something that the vast majority of women who are involved in it do through choice. They are forced into those circumstances.

Let us move away from that rosy picture. There would be criticism of the Bill if it dealt purely with prostitution, but it deals with a wide range of issues, some of which I will deal with. In the same way that no one on this side of the House who proposed this said that human trafficking and prostitution are one and the same, clearly beyond that a lot of people who are involved in human trafficking are involved in domestic servitude or other issues. Similarly, there are those involved in prostitution who are not involved in human trafficking. By the same token, to see these as two disparate issues, when there is such a large overlap and wide range of evidence that shows that a large percentage of those involved in human trafficking are involved in the sex trade, is at best naive and, at worst, disingenuous. We need to tackle that problem.

I am an ardent supporter of the Bill. I pay tribute to Lord Morrow. Even the Member who spoke previously, who was critical of some aspects, indicated that he has gone a long way with the consultation. Indeed, it will be brought out in the evidence sessions that there is a considerable amount of research. He has also brought this Bill at the right time. There is a considerable amount of research out there. What will more research on the extent of prostitution in Northern Ireland and putting the Bill on the long finger achieve? I suspect that this is the one opportunity in the lifetime of this mandate for this Bill to pass. We are already a few years down the line. More research to show what? The levels of prostitution? Whether there are 1,000 or 100 people involved in forced prostitution through human trafficking is, in one sense, not the point.

If our intervention can improve people's lives, delaying things for further research simply to establish the numbers will simply expose people to the threat of human trafficking. If, as a result of exhaustive research, it is four or five years before we come back with legislation, how many more victims will we have in that time? Let us try to establish what needs to be established through this legislation.

The Member makes the point that primary legislation on criminal justice matters of this nature is, perhaps, not the best way and we should have something more flexible. That seems to ignore the general rule of thumb with regard to almost any element of criminal jurisdiction and criminal justice. It is nearly always done through primary legislation, so that is a bogus argument.

The constant focus has been on the attraction and impact of clause 6. I want to focus on clauses 10 and 11. Both seek to improve ways in which we can assist and support those who are found to be victims of human trafficking in Northern Ireland. Clause 10 lists the requirements for assistance and support, and meets the requirements of article 12 of the Council of Europe Convention on Action against Trafficking in Human Beings and articles 11 to 16 of the European anti-trafficking directive.

Clause 11 requires the Minister to set out details of how compensation can be made available to victims of human trafficking offences. That clause fulfils the requirements of article 15 of the European convention and article 17 of the directive.

#### 5.15 pm

Clause 10 calls upon the Department of Justice and the Department of Health, Social Services and Public

Safety because there needs to be a joined-up approach to ensure that, as soon as there are any reasonable grounds to believe that an individual is a victim, they must be provided and continue to be provided with assistance and support until three months after criminal proceedings are completed. The type of care and assistance included in the Bill that should be provided are appropriate accommodation; material assistance, including for a person with special needs that are caused by pregnancy, physical or mental-health disability or by being a victim of serious psychological physical or sexual abuse; medical treatment; counselling; information, including but not limited to the possibility of granting international protection refugee status; translation and interpretation services; access to education for child victims and children of victims; plus legal counsel and representation.

With regard to clause 10, I am delighted that the Minister has shown support for legislation in this area and awaits the outcome of the Bill. I recognise that there is guidance on the care of trafficked adults and children and there is funding for Migrant Help and Women's Aid to support victims. All of that is good progress. Rather than simply being critical of what is there, we are looking to see where we can improve. Indeed, some people might say that what is there at present is sufficient and that there is no need for legislation. I beg to differ for two reasons. First, the commitments that have been given for investment in those areas are, at present, simply operational. It exists only at the pleasure of the current Administration. There is no long-term security for victims. Another Minister could change direction. We are aware of the wise words and actions of the Justice Minister on that front. I am sure that we all welcome them. Unfortunately, however, we cannot guarantee — unless, indeed, Mr Ford is in a lifelong post — that a future Minister would be as enlightened and as forward-thinking as Mr Ford. We have to look beyond the era of David Ford. The reality is that if the commitment is set out in law — of course, it could be changed, but that change would be a decision for every MLA, and a vote of the Assembly would be required — it will not be changed simply at the whim of a Minister or, indeed, due to budgetary cuts. It could not be done in a hurry or without full scrutiny and public debate. That is the crucial safeguard that clause 10 provides.

Secondly, the current commitment actually falls short of what we believe is needed. In its 2010-13 report, the Anti-Trafficking Monitoring Group was concerned that, in Northern Ireland, interpreters were not routinely available or trained to deal with trafficking cases. Translation and interpretation services are one of the areas that GRETA included in its recommendation 26. In 2013, the group raised concerns about the counselling and assistance that victims received during and after the trial of their traffickers. These are real concerns that have been raised. The importance of care for victims was raised by GRETA in its report last year on the UK's compliance with the convention. In its recommendation 26, it stated that there should be:

*"further efforts to ensure that all potential and actual victims of trafficking are provided with adequate support and assistance from their identification through to their recovery."*

It said that there should be:

*“clear support service minimum standards for victims of trafficking and the provision of adequate funding to maintain them”.*

Again, the clause does exactly that. It sets out minimum standards by placing a statutory obligation on the two Departments and ensures that there is adequate funding.

The Law Centre of Northern Ireland, in its analysis of guidance for working with victims of adult trafficking in Northern Ireland, argued that the guidance lacks clarity on a number of points and is disappointingly brief on the role that social services would play following a conclusive decision in cases that involve trafficking adults. The guidance does not set out specific obligations of social services. Its involvement is not compulsory. We, as an Assembly of elected representatives, need to show concern for those who have been victims of some heinous act. We need to see it as vital that the full list of assistance and support is available readily to every individual who is a victim of human trafficking. Therefore, the response from a range of organisations has been to welcome the progress that has been made in practice by the Department of Justice and the Department of Health, Social Services and Public Safety, but to say that, first of all, it does not go far enough and that, indeed, even assistance that has been given is not by way of statutory obligation and is, consequently, very much at the grace and favour of both Departments.

**Mr Poots:** I thank the Member for giving way. Given the events of the past couple of weeks, and given that a previous private Member's Bill that may have made a considerable difference in addressing child sexual exploitation was not successful, I appeal to Members to think very carefully about this Bill. We have an opportunity to reduce the opportunity for the perpetrators of evil, heinous crimes — they exist, act and engage in our country — to engage in such vile acts. It is incumbent on us and there is a duty on us to do that. I ask the Member for his thoughts on that.

**Mr Weir:** I very much agree with the Minister, who was speaking in his capacity as a Member. When my colleague Miss McIlveen brought forward draft legislation in the previous Assembly mandate, there appeared to be a response from the Department that, perhaps, either the legislation may not have been the best way forward or that it may not have been needed. In hindsight, that was, perhaps, a missed opportunity. I think that the lesson to be learned by the Assembly is that, when we have the opportunity to copper-fasten the level of support, particularly when it comes to sexual exploitation, we need to take it. It strikes me that there are some who regard this as superfluous or unnecessary. I have to say that if we miss the opportunity to grasp the nettle at this stage, I fear that we will come to regret it in later years.

I now turn to clause 11, which deals with compensation for victims of human trafficking and slavery offences. The clause requires that the Department set out the procedures to be adopted in which a person shall be able to apply for compensation if he or she is determined to be a victim. It requires clear arrangements for those who need assistance and support either in applying for compensation, or seeking leave from the UKBA to remain in Northern Ireland so that they can claim compensation.

Although the criticism from some has been that the focus is purely on victims of sexual exploitation, it should be pointed out that clauses 10 and 11 deal with all victims of human trafficking, and the Bill is much wider than the caricature that it has been made out to be.

The Minister has expressed public concern that he regards clause 11 as unnecessary. Again, let me explain why that is not the case. The motivation behind clause 11 is to ensure that any barriers to compensation for trafficking and slavery victims are removed. In 2010, the Anti-Trafficking Monitoring Group said that the UK was:

*“failing to provide information about compensation to those identified, and secondly by preventing them from staying in the UK to pursue compensation.”*

In a separate briefing from the Anti-Trafficking Monitoring Group, specifically on the issue of compensation, it found:

*“it unlikely that trafficked persons would receive compensation for their injuries and suffering either from their trafficker or from any statutory agency.”*

Although that evidence was published before the introduction of the national referral mechanism, the monitoring group did not find any evidence to suggest that the NRM has improved the situation. The monitoring group believes that the issue of compensation for trafficked persons received little attention from statutory agencies, and, indeed, it repeated that concern in its 2013 report. In fact, from interviews with staff and statutory agencies, it became apparent that compensation is perceived to be one of the last stages in the process of supporting and protecting victims of trafficking, and, consequently, there is a danger that it is seen to be given low priority.

The Anti-Trafficking Monitoring Group made it clear that compensation for trafficked persons plays a crucial role in combating trafficking. Not only is it an instrument of restorative justice for trafficked persons, but the financial security that it affords victims is central to the prevention of re-trafficking. It is not acceptable that we have a compensation system that has an atmosphere of apathy and that is designed in such a way that it proves difficult to access. We must change that.

Last year, GRETA recommended that the UK should:

*“adopt measures to facilitate and guarantee access to compensation for victims of trafficking”.*

That included access to current compensation schemes and legal aid, and the ability to claim compensation from outside the UK. GRETA reported that, at that stage, there had been no claims for compensation in Northern Ireland despite the fact that over 80 victims of human trafficking had been rescued since 2009. I am pleased to say that that position has improved slightly. In a recent written answer, the Department of Justice noted that two victims of trafficking received compensation through the criminal injuries compensation scheme. That is not something to boast about. It speaks volumes if the situation has improved so that two out of 80 have managed to break down all the barriers set in place to receive the compensation that they need. People have been talking about evidence, but those are the plain facts. We need change in that area, and this clause helps to provide it.



In his letter to Lord Morrow of 19 October, the Minister of Justice outlined that the immigration and human trafficking subgroup has agreed that information on compensation should be included in a multilingual leaflet for victims that the Department is developing with Amnesty International. I have seen the draft version of that, and it does not provide enough information. All that it provides is a phone number. A small section of a leaflet is not sufficient to inform people effectively about compensation. Consequently, it is important that the statute is put into law so that the Department is required to outline the ways in which compensation can be claimed so that there is transparency for victims. As a House, we have a real responsibility to care for, support and protect those who have been trafficked, and I believe that these two clauses can make a considerable difference.

There is a certain level of derision that we are, in some way, out of step with other parts of the United Kingdom. If the steps that the House takes puts it at the forefront of providing the maximum amount of protection for those who have suffered the abuse of human trafficking, I am more than happy to be out of step. We should be the leaders in this field and not simply follow afterwards. It is interesting to note the language that was used. Some said that the purpose behind the Bill is motivated by a sense of moralism. The odd thing about that is that I would normally take that as a compliment. I assume that the morality and moralism that was talked about is quite often done in a sneering fashion towards those who are putting forward the Bill. Again, I find that slightly odd. The intention is to try to show that some prudish sexual attitudes are the motivation behind it or, indeed, a rigorous support for Christian dogma. The accusation of morality towards those who are putting forward the Bill is, in one sense, right. That morality sees human trafficking as the modern form of slavery, and, in the way that Wilberforce pushed for the abolition of slavery in the 18th and 19th centuries, I believe that there is the same opportunity today. We may not have the slave ships or the ledgers that record the movements of slavery, but we have the aeroplanes, e-mails and iPads, and those are the modern-day equivalents. We may call this human trafficking, but it is effectively slavery. Similarly, the morality is about seeing people involved in human trafficking and those who are subject to prostitution as victims in our society and as human beings.

In the United States and here, in the days when slavery was about, anyone who killed a slave was not convicted of murder. Why? Slaves were regarded as chattels and mere goods. You would perhaps have been charged with a form of criminal damage. In accepting the concept, particularly regarding human trafficking and, within that, those involved in prostitution, we are seeing mainly women, but also people in general, as pieces of meat, and that is not acceptable in society today. There has to be a sense of morality that human beings have to be treated as human beings and to tackle the evil of human trafficking. There has been some point scoring. Some in the Chamber see it as a device to show the robustness of opposition. It is fairly pathetic for people to make that argument and try to score points in that way.

### 5.30 pm

The reality is that we have an opportunity to do something about this great evil facing our society. I will paraphrase Chamberlain: this is not happening in some faraway

country about which we know little; this is happening on our doorstep. I suspect that it happens in every one of our 18 constituencies. We need to show a strong lead.

When certain legislation comes before us, as it will in days to come, supporting it will enable us to look back in years to come with a sense of pride and say, "We were faced with that great problem. We did our best to do something about it". Alternatively, we can reject the Bill and perhaps be left in days to come to rue that mistake and have a sense of shame in the House. We have to embrace that pride and the proper sense of morality that sees human beings as human beings. Therefore, I urge Members to support Lord Morrow's Bill and grant it the Second Reading that it so richly deserves.

**Miss M McIlveen:** From the outset, Lord Morrow was keen to emphasise that this is a 19-clause Bill. Many Members who spoke focused on clause 6. However, in the time that I have, and given my particular interest in and concern for children and young people, I will focus my remarks on clause 12.

Before I begin, I congratulate and thank Lord Morrow for introducing this private Member's Bill. I, like many Members, recognise his sincere desire to tackle human trafficking in Northern Ireland. I commend him for all his work thus far on the Bill, which I strongly support.

Lord Morrow outlined the intention behind the Bill, but I would like to explore the provisions of clause 12 in a little more detail. Clause 12 of the Human Trafficking and Exploitation (Further Provisions and Support for Victims) Bill seeks to introduce a new role of child trafficking guardians in Northern Ireland. The goal of these guardians is simple and reflects the principles in the Children (Northern Ireland) Order 1995 — to support the best interests of children throughout their care as looked-after children and victims of crime — so it is a role that I welcome.

Children trafficked into or within Northern Ireland are some of the most vulnerable people in the Province. As Members from every side of the House will know, such children, whether sexually exploited or subjected to forced labour, will have suffered immense trauma. In fact, what they go through will be beyond the comprehension of the majority in the Assembly.

The case has been proved in the UK that such children are at real risk of being re-trafficked. At present, in most cases, no single person is appointed to accompany them and speak on their behalf. Sadly, that problem is not unique to Northern Ireland. So UNICEF has developed a child trafficking guardian model, on which clause 12 is based. Clause 12(2) of the Bill seeks to encompass the UNICEF expectation:

*"The role of a guardian is to be an advocate for the child in a wide range of discussions and decisions about what should happen to the child, in particular to ensure that the decision-making process primarily considers the best interests of the child. The role is also to be a link between the child and the various agencies the child comes into contact with, to ensure the child is kept informed of any relevant developments with respect to him or her, and to accompany the child in a physical way, in particular when she or he is moved between various places."*

Clause 12 makes provision for guardians for all trafficked children from the moment that they are identified as potential victims. A guardian would then be able to accompany a child in all of his or her interactions with state agencies and speak on the child's behalf. Thus, the child has a common point of reference, which should improve the standard of care for trafficked children.

It is important also to note that this clause seeks to implement article 14, paragraph 2 of the European directive on preventing and combating trafficking in human beings, and protecting its victims. The article requires member states:

*"appoint a guardian or a representative for a child victim of trafficking in human beings from the moment the child is identified by the authorities where ... the holders of parental responsibility are ... precluded from ensuring the child's best interest ... or from representing the child".*

Article 10(4) of the European convention against trafficking also requires that, as soon as an unaccompanied child is identified as a victim of trafficking, there should be:

*"representation of the child by a legal guardian, organisation or authority which shall act in the best interests of that child".*

Clause 12 of the Human Trafficking and Exploitation Bill, if passed, would ensure that Northern Ireland would be in line with the directive and the convention.

I welcome that the introduction of such guardians has been widely backed by NGOs across the United Kingdom. Those organisations include the Children's Society and Refugee Council, which supported such an introduction in their report entitled 'Still at Risk'. It has also been supported by the Joint Committee on Human Rights at Westminster and by GRETA, the oversight committee of the European convention against trafficking. Indeed, many of those organisations would like to see guardians introduced for all unaccompanied migrant children who come to our shores and not just those who have been trafficked. Groups such as UNICEF UK, ECPAT, Barnardo's UK and Praxis have all called for such guardians to be introduced, and the Children's Commissioner for Northern Ireland supports that call. Introducing guardians for all unaccompanied migrant children is beyond the scope of the Bill, but clause 12 is certainly a step in the right direction.

It is important to be clear that guardians ad litem do not fulfil the same functions as a child trafficking guardian. Guardians ad litem undoubtedly perform a vital role in representing children in public law cases. However, they have a much narrower remit than what is proposed here. First, they represent a child in care and adoption proceedings. Not all rescued trafficked children will be subject to such proceedings. Secondly, the role of guardians ad litem is limited to the courts. Child trafficking guardians, appointed from the moment that a child is identified as a potential victim of trafficking and able to accompany and to speak for the child in all its interactions with the state, clearly play a much broader role than guardians ad litem.

Of the 18 trafficked children who have been identified in Northern Ireland since April 2009, only eight had been cared for by a health and social care trust and only six had

been allocated a guardian ad litem up until September 2012. As mentioned, one major reason why I believe that child trafficking guardians are necessary is to protect children and young people who have been trafficked from being re-trafficked. Of the eight trafficked children taken into the care of social services, three have subsequently gone missing. I believe that that should be of real concern to all of us in the Chamber. I recently recorded my concern that children who go missing from the care of social services should be our highest priority. Each of those three children possess an intrinsic dignity, and they deserve the very best support and care that we as a society can possibly provide. We cannot be sure that those three children would have kept safe had they been given a child trafficking guardian, but I believe that it would have been much more likely. If they had such a specially appointed trafficking guardian looking after their interests, I believe that they would have been better protected.

One concern that some may have about the introduction of such guardians is the potential cost. As we know all too well in these austere times, money is tight. However, I do not believe that the costs that are involved in introducing such guardians are prohibitive. It has been estimated on the basis of figures extrapolated from the Scottish Guardianship Service pilot that it would cost around £120,000 to introduce fully paid child trafficking guardians for 12 children a year. Alternatively, if it is proved that employing fully paid child trafficking guardians was too expensive, a voluntary model could be followed, such as has been used in the United States for court-appointed special advocates. It seems abundantly clear to me that the cost of introducing such guardians should not be large and that it would be a worthwhile investment, considering how vulnerable many of these children are.

In either event, though, it is important to stress that clause 12 makes it clear that child trafficking guardians must be properly trained. As with the US model, there can be no question of having untrained volunteers full of good intentions but without the necessary skills to do that job.

In closing, I quote one of the respondents to Lord Morrow's consultation on the Bill about clause 12, who outlined the following:

*"In many cases, child victims of human trafficking possess a basic need for a parental figure, something that older victims do not require. Subsequently, proposals aimed at providing child victims of human trafficking in Northern Ireland with a[n] ... advocate to protect their legal interests and provide practical support in the immediate aftermath of their recovery are to be welcomed. Such provision would begin to restore to these victims the dignity and youth that their captors denied them."*

I wholeheartedly agree with that respondent. I strongly believe that child trafficking guardians are necessary to help restore to those vulnerable people the intrinsic dignity that they have as human beings.

As Lord Morrow stated, I also welcome the fact that the Health Minister is supportive of the clause. I hope that Members from all sides of the House will endorse these proposals and the principles of the Bill. Let us not miss this opportunity to do the right thing.

**Ms Brown:** I commend my colleague Lord Morrow for bringing the Bill to the House. I am very happy to support it at its Second Stage. I will focus on two clauses — 13 and 14 — that relate to the introduction of special measures for victims of human trafficking. Clause 13 was added to Lord Morrow's Bill following the consultation process. Its purpose is to provide effective protection for victims of human trafficking and slavery. It places a statutory duty on the PSNI to prevent secondary victimisation during police interviews by avoiding visual contact between the victim and the person accused of such offences, unnecessary questioning about private aspects of a victim's life and unnecessary repetition of interviews. The wording of the clause is based on the England and Wales Trafficking People for Exploitation Regulations 2013, which were introduced in March 2013 to make England and Wales compliant with the EU anti-trafficking directive.

Clause 14 seeks to extend provisions, known as special measures, provided to vulnerable witnesses to ensure that all victims of trafficking receive equal treatment if they give evidence in court. That would be achieved by amending the Criminal Evidence (Northern Ireland) Order 1999 to extend the provisions that already apply to victims of trafficking for sexual exploitation to victims of trafficking for forced labour and other exploitation. The measures that would be available include screening the witness from the accused in the courtroom, allowing evidence to be provided by live link, allowing evidence to be given in private and allowing video evidence. It was provided for in an earlier draft of the Bill, and similar provisions were introduced in England and Wales in March through the Trafficking People for Exploitation Regulations.

One of the motivations behind both clauses is to ensure that Northern Ireland is in line with the spirit and letter of articles 12 and 15 of the European directive on preventing and combating trafficking in human beings and protecting its victims. The clauses mirror the text of the directive and seek to ensure that the protections that they outline are available to all victims of human trafficking, whether subject to sexual exploitation or forced labour. It is concerning that, although Lord Morrow proposed them in clause 14 to achieve compliance with the European directive, the special measures were rejected by the Minister at the time. However, they have since been adopted by the Government of England and Wales. We now clearly need clauses 13 and 14 to catch up with England and Wales. Had it been possible to act on Lord Morrow's proposals sooner, it would have been a case of England and Wales having to catch up with Northern Ireland.

Every Member will know that victims of human trafficking have suffered horrendously at the hands of those who have exploited them. None of us can truly grasp the depth of suffering involved for victims of those terrible crimes. The essence of both clauses is to help victims navigate the investigation and court proceedings involved with prosecuting offenders. To my mind, it is imperative that we do not cause further suffering to these individuals through repeatedly requiring victims to outline what they have been through or by requiring them to have to face the defendant again. Giving evidence in court is a difficult experience for anyone, let alone for a victim of trafficking. Therefore, it is incumbent on us to ensure that every victim of human trafficking, not only those who are victims of sexual exploitation, are entitled to special measures.

## 5.45 pm

However, there is another reason for promoting clauses 13 and 14. In its report, GRETA explicitly expressed concerns about the lack of trafficking convictions in Northern Ireland. One way in which we can increase the chances of successful convictions is by making it easier for victims of trafficking to cooperate with, and feel safe in the presence of, the police and the law courts so that victims will come forward and testify. I understand that the Minister of Justice is very open to both these clauses. It has been interesting to see the Minister evolve in this area from saying last October, in his letter to Lord Morrow on his Bill, that further legislative provision with regard to special measures was neither desirable or necessary, to now backing such changes in clauses 13 and 14. I suspect that this may have had something to do with the decision made by the coalition Government to introduce the Trafficking People for Exploitation Regulations in March. This Minister does seem to like to follow his counterparts in England and Wales on trafficking measures. Regardless of that fact, I am glad that he is willing to introduce such legislative provision, and I hope that he will take up Lord Morrow's offer to work with the Department on these clauses.

In conclusion, I believe that clauses 13 and 14 are excellent clauses. I think that they are very necessary to protect all victims of human trafficking from the danger of re-victimisation. I commend the Bill to the House.

**Mr D McIlveen:** I am also very glad to be able to contribute to the debate. I support the Bill in its entirety. I support all 19 clauses. I have a particular policy interest in the issue of human trafficking through my work on the Policing Board and the fact that I have been privileged to chair the all-party group on human trafficking here. In light of that, I commend the work that has gone into the draft legislation. In particular, I commend the eight-week consultation that Lord Morrow conducted on his proposals. I hope that Members have read the subsequent report that came on the back of that. You probably would not expect me to say anything different given that he is a colleague, but that report is as good as any parliamentary report that I have read from any Parliament in the United Kingdom. I commend Lord Morrow for the work that he has done, ensuring that corners are not cut in the very important debate that has to take place around the issue of human trafficking.

In my contribution, I will concentrate mainly on clause 16. That clause was added to the Bill following the consultation conducted by Lord Morrow on the Bill, and this clause requires the Department of Justice to introduce an independent national rapporteur to report to the Assembly on the issues related to human trafficking and slavery in our Province. As Lord Morrow outlined earlier, this clause was introduced before the Westminster Government announced that they were planning to introduce a modern slavery commissioner in a new Bill that they are looking to introduce in the coming year. I accept that it may be a more effective approach for Northern Ireland to be covered by this new office rather than having a standalone rapporteur, however, it is important to note that, at the current time, the details of this proposal have not been published nor has the timetable for its introduction been announced. Consequently, I think that it would be wise if the clause were retained in the Bill, in that the argument is made for why such an independent rapporteur is



necessary until we are provided with more information by the Government in Westminster.

In considering the need for an independent rapporteur, it is pertinent that we look at article 19 of the European directive on preventing and combating trafficking in human beings and protecting its victims. Article 19 sets out the following:

*"Member States shall take the necessary measures to establish national rapporteurs or equivalent mechanisms. The tasks of such mechanisms shall include the carrying out of assessments of trends in trafficking in human beings, the measuring of results of anti-trafficking actions, including the gathering of statistics in close cooperation with relevant civil society organisations active in this field, and reporting."*

By introducing such a national rapporteur, we would be coming into line with best practice outlined by article 19 of the European directive. National rapporteurs for human trafficking and slavery operate in a number of European countries today. According to the Centre for Social Justice (CSJ) report 'It Happens Here: Equipping the UK to Fight Modern Slavery', Sweden, Finland, the Czech Republic, Belgium, Austria and the Netherlands all have national rapporteurs for human trafficking. Indeed, on one occasion, through the Human Trafficking Foundation, I had an opportunity to meet the rapporteur in Finland. It was incredible to see the work that that lady does. I could certainly not recommend having a system of that type here in Northern Ireland enough.

In its report, the CSJ considers the example of the work of the national rapporteur in the Netherlands in some depth, and outlines how effective that office has proven to be. The mandate that the national rapporteur has in the Netherlands is to gather and disseminate information in order to highlight problems and offer solutions to the problem of human trafficking and modern slavery. They report annually to the Dutch Government, and provide recommendations on how they can improve the response to the terrible crimes of human trafficking and slavery. Since the office was set up in 2000, it has made 200 recommendations to the Dutch Government, 160 of which have been implemented.

One of the crucial aspects of the Dutch system is the emphasis placed on the rapporteur's independence from government. Maarten Abelman, head of the Bureau of the Dutch National Rapporteur, told CSJ researchers:

*"People see that we have an independent position. We don't have to hold back, we don't have to follow orders and we are not politically influenced or biased by what we do. It gives you a very strong position."*

Independence from government allows the national rapporteur to make recommendations for improvement without regard to the needs of political expediency. The CSJ further highlights the utility of having a national rapporteur when engaging with other countries. Human trafficking and slavery are crimes that do not respect borders, and the introduction of a national rapporteur has helped those nations to improve their response to that crime internationally.

I understand that the Minister of Justice is supportive of the introduction of an independent rapporteur at the UK level rather than at the Northern Ireland level. That

position, as with other clauses in the Bill, has evolved in line with moves made by the Westminster Government. I understand that, initially, the Minister had argued that the interdepartmental ministerial group on human trafficking was sufficient to perform the functions proposed for a national rapporteur.

**Mr Ford (The Minister of Justice):** I thank the Member for giving way. I have not been jumping up and down all the time, but that is exactly the opposite of the position that I took at the first meeting of the interdepartmental ministerial group (IDMG), when I argued that it was not sufficiently independent.

**Mr D McIlveen:** I thank the Minister for bringing some clarity to that matter. It certainly helps to improve the response of the constituent nations of the United Kingdom to that hideous crime. I think we have to be conscious of how effective that would be. However, I strongly disagree with any idea that that group would fulfil the functions of a proposed national rapporteur. I certainly take heart if that is the view that the Minister is sharing with us today.

The CSJ report I referred to highlighted a series of practical problems with the group as it currently functions. Those included the fact that the membership of the group consistently changes as Ministers and civil servants move between different Departments; the fact that, for each Minister involved, human trafficking is only one small part of their overall portfolio; the fact that attendance at the group has been poor, with one meeting seeing only eight attendees and seven apologies; and the fact that the group lacks participation from relevant civil society organisations. In addition, from a point of principle, crucially, the group is not politically independent. That last issue is one that poses real difficulties. The CSJ report notes:

*"it is clear that members of the IDMG are subject to substantial political pressure and are unable to report without political bias. The Group is therefore not at liberty to launch inquiries into areas of concern that may be politically awkward or difficult. It is thus unable to be self-critical to any degree."*

It now appears that the Minister of Justice is minded to agree with that viewpoint, all following the announcement of the UK Government. Yet again, the Minister's recurring theme, following and not leading, is clear.

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

**Mr D McIlveen:** I have already given way once, Minister. I want to move on, if that is possible.

**Mr Ford:** On a point of order, Mr Deputy Speaker. Is it correct that he should continue reading a prepared script that I have just contradicted?

**Mr Deputy Speaker:** The Minister has made his point.

**Mr D McIlveen:** I will just carry on. There are so many ways I would like to respond to that, Mr Deputy Speaker, but I am not sure that all of them would be entirely parliamentary.

I believe that the introduction of a national rapporteur would solve many of the issues that exist with regard to our country's response to the scourge of human trafficking. A national rapporteur for human trafficking and slavery could provide effective scrutiny, free from political bias. They could provide strategic leadership in engaging with



other European countries in tackling this issue, and they could work with NGOs working in the field to improve our response without the difficulties that some groups feel in working with government-led bodies. Introducing a national rapporteur would be a positive step forward for our Province in tackling this serious crime and improving our support to victims. I strongly urge all Members to back the introduction of such a rapporteur, going forward and for the moment. Whilst the British Government's proposal is without any substance, I believe that backing clause 16 of Lord Morrow's Bill is essential in bringing this matter to the fore.

**Mr Wells:** I do not think that I have ever risen with more enthusiasm to support a Bill in my very, very long time in this House. The congratulations of almost the entire House are ringing in the ears of Lord Morrow. I would like to add to that applause. I have been exceptionally impressed, not only by the motivation of Lord Morrow but by the way in which he has carried out his task. As other Members have already suggested, the consultation and the way that the Bill was written up should indeed be taken as the textbook for future private Member's Bills. An excellent piece of work and a job well done.

Several Members have alluded to the memory of Lord Wilberforce, who was, of course, the great pioneer who opposed the terrible scourge of slavery. I do not think it unfair to compare the work of Lord Morrow with that of Lord Wilberforce. In future years, this will go down in history as the Morrow Bill — quite rightly so — in the same way that Mr McCallister's Bill on caravans became known as the McCallister Bill, although it did not deal with issues just as important as those we have here today.

There are those here this evening who are opposed to the Bill. I would love to know why; I really would. I would love to know the powerful forces out there that are driving some of the opposition. Rather than simply come out and say that they are opposed to it, they come up with the usual techniques: "We need more research"; "We haven't the resources"; "It's unenforceable". We are either opposed to the scourge of the human misery caused by trafficking or we are not. If the Bill results in one fewer person being abused in a brothel or being brought into forced labour or prostitution, if it rescues one person, the Bill will be worth having in Northern Ireland. So, let us not be entirely negative. Let us not go and get all our friends in the various departments of the Department of Justice and all the arm's-length bodies to come in behind us and support our prejudice on the Bill.

I have to be honest: I was extremely suspicious of the timing and content of the article by Detective Superintendent Philip Marshall, which appeared in the 'Belfast Telegraph'. I was extremely concerned by its content. I was extremely concerned about the vehicle in which he decided to broadcast that content. We know the stance taken by that particular journal on moral issues. We are told, of course, that he was only answering a question put by a journalist. Very interesting. It was a platform piece in which, in my opinion, he went all out to torpedo the Bill. During the hearing that we had on the Bill two weeks ago, I asked whether there was any collusion between the Department of Justice and the PSNI on that platform piece.

There was an indication that there had been meetings between Philip Marshall and DOJ officials in the weeks leading up to that. Therefore, it looked exceptionally

convenient that, at the worst possible time as far as this Bill is concerned, that platform piece was published and, subsequently, the BBC weighed in with various interviews on the same issue.

#### 6.00 pm

It has to be remembered that the Police Service of Northern Ireland did not respond to the consultation exercise that was so expertly undertaken by Lord Morrow. Indeed, I understand that not only did the Police Service get the consultation document, but it contacted Lord Morrow and asked for further copies in order to study it. Having done that, it did not respond, and having not responded, it had no *raison d'être* whatsoever for going public to lambaste and try to torpedo the Bill. It should have remained silent or it should have contacted Lord Morrow privately.

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

It has to be remembered that the PSNI is not the legislature of this country. The PSNI's role is to implement legislation, not to make it. Yet, I saw in that article a clear attempt by the PSNI to make legislation, which is not its role. I accept that, at the weekend, there was a turnaround when other forces came into play in the PSNI, and they made it very clear that they were not suggesting the liberalisation of legislation on prostitution, and that, whatever laws this Assembly passed, they would implement. That is a step in the right direction, but I would like to put down a very clear marker for the future: do not become involved in the political process of the formation of legislation. Leave that to this Chamber, but respond when you are asked to do so by the proposer of the Bill or the Justice Committee, on which I sit.

The debate on the Bill has been dominated by clause 6. I accept that, and I will say a few words on it later, but it would be wrong to simply home in on that one clause of a very important Bill because trafficking has many forms and not all of it is prostitution. However, I have to say that, in Northern Ireland, the vast majority of women who have been trafficked have been subjected to it for prostitution and the sex trade.

The Bill also seeks to deal with the issue of forced labour. I want to focus on that issue because it has been sadly neglected not only by Members here this evening and this afternoon, but by the press. It has been obsessed with the sole issue of prostitution, and it has not given much time to the part of the Bill that tackles the issue of forced labour in our Province. It is really important to note that Lord Morrow's Bill takes a holistic view of the issues related to human trafficking and exploitation. Note that it is trafficking and exploitation; people keep forgetting that there are two aspects to the Bill. It looks to tackle the demand for paid sex, but it seeks to improve the response in cases of forced labour both where there is trafficking and where there is not. Some individuals have been trafficked into Northern Ireland for the purposes of labour exploitation. Others, however, are not trafficked, but are nonetheless subjected to forced labour and exploitation. In both situations, those individuals have been exploited, and the exploiter has committed an offence. The offences are prosecuted differently: under section 4 of the Asylum and Immigration (Treatment of Claimants, etc.) Act 2004 if

there is evidence of trafficking; and under section 71 of the Coroners and Justice Act 2009 if there is not.

In looking at the issue of forced labour, it is vital that we are cognisant of a report published in 2011 by the Institute for Conflict Research into the issue of forced labour in Northern Ireland. That research was commissioned by the Joseph Rowntree Foundation, which, I believe, engaged with Lord Morrow on his Bill during the consultation process leading up to its publication. The report gives an eye-opening account of the brutal reality of forced labour in the Province. That report noted:

*"The research identified a number of problems of forced labour in the mushroom farming, fishing and catering industries, as well as more isolated problems in a variety of other casual work environments."*

The research found that individuals from a small number of national and ethnic backgrounds, such as Chinese, Filipino and Roma, appeared to be particularly vulnerable to exploitation in Northern Ireland, although individuals from a wide variety of nationalities have been and are still being exploited.

I represent Kilkeel, which is a fishing town, and I have to say that I have encountered exactly that issue in my constituency. I remember five Filipino fishermen who were forced to live on a trawler between Christmas and New Year's Day in that very cold winter — I think it was three winters ago — when temperatures dropped to record low levels, with little heat, little clothing and very little food.

That, to me, was extreme exploitation. As a result of intervention by the unions, those Filipinos were repatriated to Manila. That gave me an insight into some of what is going on.

Equally, some individuals are clearly being treated extraordinarily badly in the mushroom industry, not so much in my part of the world but in Armagh and south Tyrone. We have Chinese people working in restaurants throughout the Province, often in very poor conditions with little or no pay. There is no doubt that, if you peel away the veneer of Northern Ireland, there is a lot of forced labour that we are not to be very proud of.

Unfortunately, most of those guilty of exploiting workers here were found to be from Northern Ireland. An Institute for Conflict Research report highlights six different forms of exploitation that have been used against victims in Northern Ireland, including threats of violence against workers; the restriction of movement and confinement, often to the workplace or a limited area; debt bondage; and the retention of passports and identity documents so that workers cannot leave or prove their identity and status.

I find it utterly horrendous that these forms of exploitation are still taking place in our Province. It is safe to say that no one in the House believes that this kind of conduct can be tolerated in 21st-century Northern Ireland. It is incumbent on us as legislators to do all that we can to stamp out these appalling crimes. No human should be subject to such degrading treatment.

Laws are in place in the United Kingdom that seek to tackle this problem. However, their effectiveness was questioned in last year's GRETA report, which Lord Morrow referred to. That report highlighted the fact that the

Westminster Government and devolved Administrations need to go further. Recommendation 16 states:

*"In addition to continuing efforts to discourage demand for sexual services, GRETA considers that the British authorities should step up their efforts to discourage demand for the services of trafficked persons for the purpose of domestic servitude and for labour exploitation, including in the agriculture, fisheries, construction, hospitality and cleaning sectors".*

Members may be unconvinced about the need for the extension of the measures of this Bill to slavery offences — that is, offences prosecuted under section 71 of the Coroners and Justice Act 2009. However, I urge Members to note that the 2013 Anti-Trafficking Monitoring Group, in its report, said of Northern Ireland:

*"There is a distinct lack of detection, investigation or prosecution in other exploitation cases such as forced labour or domestic servitude."*

It is absolutely reprehensible for some Members to say that one of the reasons why we do not need this legislation is that trafficking is occurring on only a small scale in Northern Ireland. We do not really know how many people are being trafficked in Northern Ireland. However, even if only 30 or 40 people are being treated absolutely abysmally here, we, as an Assembly, have a duty to do something about it.

I attended a session on trafficking in the Long Gallery about two years ago. A policeman told the story of a young woman — I think that she was Romanian — who had been trafficked into Northern Ireland. She was promised a job as a waitress in Northern Ireland, but no sooner was she in Belfast than her documents were taken from her, and she was locked in a dark room somewhere in the city. She was sold to between 20 and 30 men a day. By the time that the police discovered her plight and got there, she had been trafficked out of Northern Ireland. What they did find were scratch marks on the walls and the doors, where this poor young woman had tried frantically to scratch her way out of the absolute misery in which she was being kept. Even if that were the one single example in Northern Ireland, are we, as an Assembly, not determined to do all that we can to stop it happening?

I did not intend to say this, but I feel that I have to. There is a fundamental dichotomy between the two sides of this debate on prostitution and trafficking for sexual purposes. I am sad to say that even some unionists have, in my opinion, the totally wrong view. You either believe that prostitution and trafficking for prostitution is the taking of the innocence of a woman and selling her to multiple males for money, the abuse of that woman, giving her no control over her destiny, taking away any dignity that she has, and forcing her — either through circumstances, by a pimp or by violence — into something that no woman would ever want to do when all that she wants to do is get out of it, or you believe that prostitution is a career choice and that it is a woman's right to choose to go into prostitution, a woman's right to be abused and a woman's right to have her body taken from her by 20 or 30 men a day in a dark and seedy room somewhere. Those are the only two possible versions of prostitution.

The evidence that we heard from the ex-prostitutes who visited the Assembly and told us their harrowing stories

is that they know of no woman on the island of Ireland who voluntarily decided to become a prostitute. I hate to use the phrase, but the “happy hooker” does not exist on this island. These women are subjugated, terrorised and forced to do something that no human being should be asked to do.

The question is whether Lord Morrow's Bill helps to address that problem, and the answer is yes, undoubtedly. That is why I will go through the Lobby in support of the Bill with huge enthusiasm. Frankly, those who have tried to torpedo Lord Morrow's Bill do not know what they are talking about, and I am quite angry because none of them has been to Sweden. None of them has had direct contact with the Swedish authorities. When the equivalent Bill was going through the Parliament in Stockholm, there were naysayers like — I was going to say “Lord Ford” — David Ford, the Minister, and his colleague from East Antrim, who said that it would not work. Initially, the Swedish police said that the legislation was unenforceable and would drive prostitution underground. Why do Members who oppose the Bill not ask the same Swedish police leaders what they now think of that Bill? Why do you not go? The Committee, quite rightly in my opinion, will go to Stockholm to meet the police, women's rights groups and those who have been involved in prostitution. We will ask them at first hand what has been going on, and we will collect the evidence. What did the police and the Department of Justice tell us when they came before the Committee? They said that they had read about it on the internet. That is the level of research that they had carried out. They had not bothered their head to find out whether legislation had been successful in Norway, Sweden and the third country, which was, I think, Iceland. All had success.

The Swedish model has shown that the number of men who purchase sex in any form in Sweden has halved since the legislation came in. It has not driven prostitution out of the country, but there is telephone traffic analysis to show that pimps, gangsters and those who traffic large groups of people are saying, “Do not go to Sweden. It is just too difficult. There are other countries, such as Denmark and Holland, that you can go to and there are no problems, but do not go to Sweden.” Some day, if Lord Morrow's Bill comes in, I want traffickers, pimps and gangsters to say, “Do not go to Northern Ireland. It is too difficult.” That will not drive prostitution from the shores of Northern Ireland, but it will mean that many fewer women will be trafficked into this country. I want Northern Ireland to be one of the most difficult places for women and, of course, some men, to be abused in this way.

I heard absolutely nothing in the Chamber or when listening to the debate through the monitor that convinced me that the Bill was wrong. I would love to know the real motivation of Members who oppose the Bill. I just cannot get it. Hopefully, during Committee Stage, as we try to tease out the Bill and discuss it clause by clause, we will find out what their motivation is.

If anyone has any doubts about the Bill, there are ladies in the Building, even today, who have first-hand experience of the true nature of prostitution — in this case, in Dublin. I advise every Member to talk to them or get the party group into a room and listen to their testimony. If anyone can spend half an hour listening to what those women have gone through and still tell me that the Bill is not necessary, there is something wrong.

The common ground between groups like Women's Aid and parties such as the DUP can, at times, be very slim, and we fall out over many issues. However, when you find out that Women's Aid enthusiastically supports the Bill, you have to think that there is something here to be taken seriously. I congratulate the Minister — not quite, but, hopefully, he will be Minister someday — Lord Morrow on obtaining the expert advice of Ms Ekberg from Sweden, who was the Swedish Government's adviser on this issue. Last week, she gave wonderful evidence to the Committee that blew away many of the arguments made by the PSNI, who were ably assisted and advised by the DOJ.

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

**Mr Wells:** I will give way if the Minister wants to refute that.

6.15 pm

**Mr Ford:** I appreciate the Member giving way. It is a simple question, Mr Deputy Speaker. On what basis is he saying that the PSNI is being advised by the DOJ, as opposed to the PSNI being the advisers of implementing the law?

**Mr Wells:** I think that the evidence is the timing, the content and the fact that the DOJ and the PSNI seem to be singing off the same hymn sheet on the issue. I think that that article in the ‘Belfast Telegraph’ was far too convenient, Minister — far too convenient. You do not wish to come back to me. You see, you cannot take my argument.

However, returning —

**Mr Ford:** So, two people who both have concerns about a particular issue hold the same view, and that, in his eyes, is a conspiracy.

**Mr Wells:** It is not a conspiracy; it is collusion, which is rather different. It is the two sides getting together. I will tell you what I think happened, Minister. You began to realise that Lord Morrow's Bill had legs and that it was picking up support all over the country, and you realised something, which, initially, in your first memo to the Committee for Justice, you cast aside as being an irrelevance. You felt that it was going to go no further as a result of your erudite rebuttal.

**Mr Deputy Speaker:** Order. I advise the Member that the Chair is up here.

**Mr Wells:** The Minister felt that his eloquence was such that the Bill would simply die a natural death. Well, he realised over the summer that that was not going to happen and that there was increasing support for the Bill. Therefore, and as I said at the Justice Committee, I do not believe that he personally colluded with the police, but, in my opinion, those at lower levels got together and said, “This is trouble; this Bill is going to go through. Let's get together and draft something in the media that we believe will torpedo it.” That was that article in the ‘Belfast Telegraph’. I say that because I have never seen that happen before. That is my view on it, and I have yet to have anything to refute it. Put it this way — I am sure that Mr Ford was not dying in the ditch trying to stop its publication.

**Mr Ford:** He did not know about it.

**Mr Wells:** What? Yes, you have deniability, Minister.

After all that, we get this other nonsense being brought forward by the DOJ and the police that you will drive prostitution underground, despite the fact, of course, that the Swedes, the Norwegians and the Icelanders said that you will not. Think about that statement and think how nonsensical it is. How can you drive organised prostitution underground? The one thing that we all know about prostitution is that you have a gang manipulating and abusing a group of women and, unfortunately, you have a large number of customers. Most of them, unfortunately, are from my gender, and it is quite appalling that that is the case. Those men are seeking the services of prostitutes. Therefore, you have to link the one with the other. Today that is, of course, done largely by the internet. A red herring was thrown out that said, "It was driven underground in Sweden, because it went from the streets to private hotels and lodging rooms etc.". The reason why that happened was nothing to do with legislation; the reason was that the internet arrived when the Bill was brought in in 1999, and, in general, prostitution has moved from the streets to women being sold over the internet.

The reality is this, and this is where the police and the DOJ have got it totally wrong — I was going to say something unparliamentary there — if it is possible for a client to walk into any town in Northern Ireland or in the Irish Republic and obtain the services of a prostitute over the internet, surely the PSNI, with its vast resources on computers, can equally make contact with those same prostitutes and the vice rings that control them. The market cannot survive in total secrecy, and the police have the resources to find those women.

Then, of course, we were told that if we introduce the Bill, those users of prostitutes who, apparently, regularly give us information about abused and trafficked women will stop coming forward. I would love to know where those men are, because, sadly — this is where we come close to the range of what is acceptable to say, so I will take your advice on this, Mr Deputy Speaker — one of the major aspects of prostitution in Northern Ireland and throughout the British Isles is that there are men out there who run websites on which, after they have bought the services of some abused women, rate her services on the internet so that other men can assess her for future purchase. I find that absolutely repulsive. Unfortunately, I am learning things as a result of this inquiry into Lord Morrow's Bill that I did not think were humanly possible. Some poor woman is locked in a room after she has been abused by a total stranger and asked to do things that are utterly repulsive, and then he goes out and, on his BlackBerry or iPhone, marks her out of 10 for her sexual services. Now, are those the sort of men that we seriously think are going to say to themselves, "Oh, that poor woman; she looks like she is being abused and that she has been trafficked and trapped in that room. I will ring up the PSNI and tell them all about it." Do we honestly believe that that is going on at the moment? Where are these men that the PSNI are telling us are queuing outside PSNI stations in order to report abused women? There is very little evidence of it.

Even if that was the case and we brought in the legislation, they do not have to ring the police to do that. They can ring Crimestoppers or they can provide the information anonymously anyhow. They will not risk being prosecuted if they do it in that form. Again, that is another red herring being thrown out by the DOJ to try to block this Bill.

The worst one of all is the suggestion that we have to put this into the bushes — that we have to have more research into prostitution in Northern Ireland because it is obviously very different from prostitution in the rest of Europe, and that therefore a full report has to be commissioned in order to gather the facts to see whether Lord Morrow's Bill is worth having. Why would prostitution be any different in Northern Ireland from the rest of Europe, particularly when many of the women who, unfortunately, are trapped in this vile trade, have come from other parts of Europe?

There are very few Northern Ireland women still in the sex trade in Northern Ireland. The vast majority of these women are treated like commodities. They are shipped around various parts of Europe and, according to market conditions, are brought to Northern Ireland to make a profit. Yet, we are told that men will not report them being abused and that it will become untraceable. This is, frankly, nonsense, as is this idea that we have to have detailed research.

Minister, this is the classic kicking-it-into-the-bushes idea. When you cannot oppose a Bill openly and honestly, you say one of two things; we will have research or we will have a subcommittee to go off and investigate it. It is the classic way of trying to get rid of something, because you know that, if that happens, it means that the Bill will not pass before the end of the Assembly term, that it will fall and it will have to be brought back with all the incumbent difficulties. I want to know what the Minister's true reason is for opposing this Bill.

That was just an interlude. I felt that I had to get that off my chest. I am meant to be speaking about forced labour but I would never forgive myself if I did not speak out strongly against the sex trade. I hope that no one, including NI21, would have the neck on them to stand up and oppose clause 6 when it comes back to this House. All I can say to NI21 is to keep proposing those things because they go down really well with the voters in South Down and Lagan Valley when you keep doing that.

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

**Mr Wells:** Yes.

**Mr McCallister:** The Member for South Down has given a very emotive description, but most of what he is talking about is already banned and would be illegal under current legislation. Does he not accept that, or are we just going to keep on legislating until someone decides to enforce the law? What we should be doing is getting more prosecutions under the existing law. The law exists, and in all the cases that he has described, it exists to protect people who are forced into such situations.

**Mr Wells:** You did not have that attitude when it came to caravans, Mr McCallister. Anyhow, and this is a much more important issue, it is worth stating that yes, there is a law in Northern Ireland that says that if you knowingly purchase the services of a woman who has been trafficked, that is illegal. There have been six such cases but there have been no prosecutions or convictions. Why? Again, a man of his intellect will know the reason why. It is because all the punter has to say is, "I did not know that the young lady was being trafficked." That makes it very difficult —

**Mr Ford:** I am grateful to Mr Wells for giving way again. I fear that, on this point, he has got it absolutely wrong. It is an absolute offence to have sex with a woman who has



been trafficked. The statement, "I did not know" is not a defence. The whole point is that it is an absolute offence. We are seeking to extend the time limit within which it can be prosecuted from six months to three years in order that, if necessary, the pimp or the trafficker be prosecuted, first, to establish that point so that the punters can then be prosecuted on the absolute offence for which there is no defence, if the woman has been trafficked, of knowledge or lack of knowledge.

**Mr Wells:** But the reality is that the police have got six individuals to the first hurdle and have been able to go no further. Obviously, they are invoking the defence that they did not know, and that is a very powerful — *[Interruption.]* I accept what the Minister is saying, but why have there been no successful prosecutions? You have to answer that fact.

**Mr Ford:** I cannot answer why there have or have not been prosecutions, but the Member cannot continue to repeat the canard that people are using the "I did not know that she was trafficked" defence when it is simply not a defence. The offence is an absolute offence, regardless of knowledge. If the woman has been trafficked, the man is guilty. I would appreciate it if the Member would not keep repeating a complete fallacy.

**Mr Wells:** I will believe the Minister when I see in the local papers that someone has been prosecuted, but that has not happened. There must be something inherently wrong with the legislation when we cannot get a prosecution, given how widespread this problem is. Even accepting —

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

**Mr Wells:** Yes, I certainly will.

**Mr McCallister:** If he thinks that that legislation is wrong, why does he think that legislating again for the same thing would make a difference?

**Mr Wells:** This legislation is entirely new. It places the onus on the person who purchased sex. Let us be honest, Mr McCallister: if there was no demand to purchase sex in Northern Ireland, there would be no prostitution. People would not do it for free; women would not allow themselves to be humiliated and abused for nothing. Secondly, there would be no need for trafficking. Why would gangsters bring women from all over Europe and further afield to Northern Ireland if there was no demand for those services?

**Mr McCallister:** I am grateful to Mr Wells for giving way. The point that he has made throughout his speech is that, in his view, the vast majority of prostitution in Northern Ireland involves trafficked women or women who are forced into it through other circumstances. If that is the case, as the Minister has clarified on two occasions, they are covered by the previous legislation. That makes Lord Morrow's Bill irrelevant in that instance.

**Mr Wells:** Yet Belfast was reported recently as being one of the top five cities in the United Kingdom for prostitution and the demand for sexual services. Whatever the legislation is doing at the moment is not working. We still have this awful stain on our society. Women are being bought and ill-treated; they are being trafficking into Northern Ireland.

I will give way to Ms Lo.

**Ms Lo:** Thanks for giving way. In the same vein, you said that we should add more legislation, yet the Bill

does not mention there being extra resources for the police to implement or enforce the law. Even with this new legislation, how do you envisage there being more prosecutions?

**Mr Wells:** In Sweden, they are prosecuting successfully between 600 and 700 men a year. That is a huge increase from the situation pre-1999, and it shows that that legislation works. One of the other things that they are doing in some Scandinavian countries, which I think is very good, is that, if you are caught purchasing the services of a lady, you are not only charged but are taken home to your wife. All this nonsense about the rights of women prostitutes etc goes out the window when the knock comes to the door and you are presented to your wife as having been trying to buy the services of a prostitute. That is a very interesting deterrent as well.

The evidence from Sweden shows that the difference between the previous situation, which was very similar to ours, and the situation there now is radical. It is supported enthusiastically by those police officers who opposed it in the first place. I do not think that anyone in the Chamber can speak clearly, succinctly and intelligently about this issue until they have acquainted themselves with the Swedish model, which, in itself, is quite revolutionary. Some countries have adopted the Swedish model and others have adopted the Danish and Dutch model of, basically, anything goes. Most sane people would suggest that the Swedish model is the best way forward. Sweden is a very modern liberal society, and it is surprising that a country of that nature decided to go down this route.

I was extremely impressed by the testimony of Ms Ekberg. She was one of the most articulate spokespersons on this issue who I have ever heard. Again, she is a feminist and someone who is very much into women's rights. She said that she was not aware of any women in Sweden who got into prostitution through a freely given choice. She said that they were forced into it by some means.

I hope that we will not have a Division this evening, and I hope that we will let the Bill go off to Committee. I think that the Committee Stage is the route that we should all take to tease out these issues. On the Committee, we have those who are sound on this issue, and then we have Mr Dickson. Therefore, he will no doubt carry the flag for the Minister on yet another liberal and moral issue. He will no doubt argue that they all enjoy it and that we cannot take away their living. He can tease out the opposing argument. I believe that he has indicated that he is prepared to go to Stockholm with us, and that is good news. I believe that some of the agnostics across the way are prepared to go. That is the best way forward. I believe that when you get to Stockholm, you will find that the evidence is so overwhelming that you will be convinced that this is the best way forward for Northern Ireland, both in terms of sex trafficking and other uses.

#### 6.30 pm

I will finish off by going back to the issue of labour exploitation. A number of the measures proposed by Lord Morrow in his Human Trafficking and Exploitation Bill will help to fulfil the recommendation of the GRETA report and improve the situation reported in the 2013 anti-trafficking monitoring report. Clause 2 makes the consent of a victim of forced slavery or their exploitation irrelevant as a defence by someone accused of such offences. A

person who seeks to exploit another's labour should not be able to rely on the fact that the person consented to being exploited. I need to make a fundamental point here, Members: no one has ever the right to consent to be exploited or abused. That is not a human right, be it for labour, sexual services, cannabis growing or whatever; you can never give your consent to be exploited, and society can never allow you to give your consent to be exploited.

Clause 3, which relates to aggravating factors, applies to perpetrators of the crime of forced labour. Clause 4 sets down a mandatory minimum sentence for individuals who are convicted of forced labour. Clause 5 brings one aspect of forced labour, forced begging, into the trafficking legislation. Clause 7 requires that there should be suitable training for those who deal with forced labour cases. That prompts one point: somebody raised the issue earlier that, if you introduce the legislation and the demand for the sale of sexual services declines, what about those women who are left with no form of income, who may have a drug dependency or who have a family to support? I agree that that is a valid criticism. The expert witnesses that we heard from in Dublin said that we need to provide a way out for those women, and that we need to provide an alternative for them, such as some form of training, support or housing. We cannot leave those women, who have been terribly abused and have had awful things done to them, high and dry. Perhaps we can look at that as we go through Committee Stage. Even before this legislation was introduced, if most women in prostitution were offered a realistic way out, those who had the chance and the choice would get out. Very few women are doing it as their primary career. How would we react if our daughters came home from school and said that they had spoken to the careers master and decided that they wanted to be a prostitute? Of course none of us would accept that. We need to offer those women choices, and that choice includes a way out of the degradation that they are caught up in.

Clause 14 relates specifically to people who have been trafficked for forced labour. It seeks to ensure that special measures are open to such victims automatically, as is the case with victims of sexual exploitation. That would help vulnerable groups in those offences to give evidence against perpetrators of those crimes and make it easier for perpetrators to be brought to justice.

Clause 15 would be a real utility in helping to tackle strategically the issue of forced labour. It calls on the Department of Justice to:

*"publish a strategy every year on raising awareness of and reducing trafficking in human beings and slavery offences in co-operation with non-governmental organisations and other relevant organisations."*

I acknowledge that there are positive steps for the Minister to introduce the strategy on a non-statutory basis. However, I noted one flaw in what is described as an annual action plan, which does not seem to place much emphasis on helping victims of labour exploitation who have not been trafficked. Lord Morrow's Bill would correct that flaw. Furthermore, to my mind, a better approach would be to place the annual action plan on a statutory basis to ensure that it was not simply removed at the whim of the Minister or any other person who may succeed him.

Mr Deputy Speaker, you will have got the impression that I am in favour of the Bill. I hope that you have caught the gist of what I am trying to say. This is excellent legislation, and I welcome the fact that it looks like it will get through its Second Stage. I look forward to the Committee Stage. I also look forward — I am sure, some day — to what will become known as the Morrow Bill being on statute.

**Mr Deputy Speaker:** Before calling the next Member, I remind Members that it is the convention of the Assembly to address all remarks through the Chair.

**Mr Wilson:** After the tour de force that we have had from Mr Wells, who has had the benefit of going through the detail of the Bill in Committee already, I will try to keep my remarks as brief as possible. However, although most of the debate has been about the technical aspects of the Bill and its clauses, and words such as "exploitation" have been used, it was very useful for Mr Wells to remind us of what we are talking about today — the real life stories that lie behind the reasons why Lord Morrow brought the Bill forward.

Young women and men are taken from their homeland to a strange place where they have no friends and are in the hands of people who are brutish to the extent that they would kill them if they had to. They are exploited, abused, do not get any pay and do not have any support. Those people must feel a great sense of hopelessness. It is important for the Assembly, regardless of reservations about aspects of this legislation, not to turn our back and simply say that it is too difficult, the existing law makes provision, and maybe we can get something done at national level. It is not enough, as Mrs Lo suggested, that maybe we should be concentrating on some other countries, with no need for legislation here. Lord Morrow has been right in bringing this legislation forward.

**Ms Lo:** Will the Member give way?

**Mr Wilson:** I will certainly give way.

**Ms Lo:** I did not say that we do not need legislation. I was saying that we have legislation. If we do not think that the legislation is strong enough, we can strengthen it.

**Mr Wilson:** I will come to Mrs Lo's remarks, which were damning if her approach to this issue is the approach that the Alliance Party will adopt. I will quote her in a moment or two when I look at the attitude of the parties.

There seems to be a division among those who are opposed to or have reservations about this Bill. NI21 has clearly nailed its colours to the mast. They are opposed to the legislation. I do not really know what their motivation is. Mr Wells asked that question a couple of times but if it is, as was suggested by Mr McCrea towards the end of his speech, because, somehow or other, they see themselves as the opposition, so they have to oppose, and this is some pathetic attempt to show that they are different from the main parties, that is a disgraceful —

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

**Mr Wilson:** I will give way in a moment or two. That is a disgraceful approach. I am sure that I am going to hear in a moment that the opposition is considered opposition. Perhaps that is what the Member wants to tell me. I would love it if he were to put that on the record because we will then look and see just how considered the opposition of NI21 has been on this issue.

**Mr McCallister:** The Member knows that it is not opposition for opposition's sake. In fact, in one of his last speeches as Minister he paid tribute to us when we supported him on that very issue. The opposition that we are voicing today is because you are bringing forward a Bill that does not make your main focus particularly clear, whether it is human trafficking or prostitution.

Many Members have mentioned the moves in the Republic of Ireland. They have conceded that you should not tackle those two issues with one piece of legislation. All the Members from the DUP benches spoke predominantly about prostitution rather than human trafficking, and the very real issues of that. I heard no one speak, even those with reservations about this, who were in any way supportive of any form of human trafficking. The opposition comes because there is a great deal of the legislation in place. If we are not using it, that is where we need to focus, not on re-legislating.

**Mr Deputy Speaker:** Before we proceed —

**Mr Wilson:** I am not sure whether that was an intervention or a speech.

**Mr Deputy Speaker:** Thank you, Mr Wilson, for making my point. That was not an intervention. I ask Members to remind themselves that interventions have to be relevant and succinct.

**Mr Wilson:** A lot of the debate has been about prostitution because, as was said by a number of Members, it seems to infatuate those who opposed the Bill publicly in the press and was the subject of most of the opposing speeches. When people respond on the issue, that is what they will zone in on. We heard that from Mr McCrea and Mrs Lo of the Alliance Party. What is the focus of the Bill? In fact, both of them made the point that there is more to human trafficking than the sex industry. I really wish that if people are coming in here to speak on an issue, they would at least try to apprise themselves of the details of the Bill's content. Had there even been a cursory reading of the Bill —

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

**Mr Wilson:** I will give way in a moment or two. Perhaps the Bill was too difficult for them. However, they did not have to go beyond its title:

*"A Bill to make provision about human trafficking offences and exploitation, measures to prevent and combat human trafficking and slavery and provision of support for human trafficking victims."*

They did not have to go beyond the first page to see that the Bill is not just about the sex industry. Indeed, proceeding through it, the full extent of the Bill becomes clear. If we are going to have opposition, let us ensure that those who complain have done their homework. I will give way to Mr McCartney.

**Mr McCartney:** It is a fair point: all of us should read the Bill and ensure that we are well apprised. However, does that not also apply to those who speak in favour of the Bill? I found it disappointing to hear people reading prepared scripts and talking about "our legislators" as though they were not part of this legislation. It was very obvious that their speeches were written by someone else.

**Mr Wilson:** It is a bit rich for the Member to talk about reading from prepared scripts. I will refer to the prepared script that was read out by his party Member. Indeed, that prepared script seems to be at variance with the attitude of his party in another jurisdiction. However, we will come to that in a moment or two.

**Ms Lo:** Will the Member give way?

**Mr Wilson:** NI21 seems to be totally opposed to the Bill. All that I can assume from the attitude of the Minister and the way in which he has handled it, Mr Dickson's speech and the even more damning speech from Mrs Lo is that the Alliance Party is also opposed to the Bill but does not have the guts to say so because it knows the implications with some of its constituents. Sinn Féin has been sitting on the fence on this one, wondering which way to go. Its attitude is certainly ambivalent. However, I hope that those Members will take their lead from their colleagues in the Republic of Ireland and fall in behind the Bill when it comes to Committee Stage and its final presentation to the Assembly.

I promised Mrs Lo that I would give way. Since I referred to her, I will do that.

**Ms Lo:** I have nearly forgotten what I was going to say after that long spiel. *[Laughter.]* The Member said that sexual exploitation is not the main element of the Bill. Why did many DUP Members stand up and say that it is the key or core element? They said that clause 6 is the key element and that, without it, there is no Bill.

**Mr Wilson:** The Member should not only read the Bill before she comments but listen to what I said. I thought that I had made it clear that the reason why there is such emphasis on the issue of prostitution is because most of the comments of those who oppose or query the Bill are about the prostitution aspect. Indeed, most of the public debate has been about that. However, the Bill covers the whole range of human trafficking for a range of purposes, definitions of trafficking, the help and support that there would be for victims, the sentencing that there should be and what should be taken into consideration when cases come before the court.

**6.45 pm**

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

**Mr Wilson:** So the Bill has a whole range of issues that has to be dealt with.

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

**Mr Wilson:** Indeed, Mr Wells dealt with some of those aspects in a point that he made.

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

**Mr Wilson:** I will give way, yes.

**Mr B McCrea:** On the Member's comment on the point of the Bill, does he agree with point 1 in the CARE briefing for MLAs, which was that any Northern Ireland Bill on human trafficking that did not address the demand for sexual services would not be fit for purpose? Does he think that clause 6 is so important that that statement is true, or does he think that it is a wider point? That was printed before today's debate. You cannot say that it was not part of the public debate. It was published, and it was part of

the paper that Lord Morrow brought to the debate. Do you agree with it?

**Mr Wilson:** I will accept interventions but not if they continue to be mini-speeches.

Of course, the Member does not believe that there is a problem. He made it quite clear that he thought that the law was operating perfectly and that we should not have to worry. CARE made that comment because of the PSNI figures for the past four years for those identified as victims of human trafficking. Let me just put the figures on the record. In 2008-09, 11 people were identified: six had been trafficked for sexual purposes, three for forced labour and two for domestic servitude. In 2009-2010, 17 were trafficked for sexual reasons, three for forced labour and two for domestic servitude. In 2010-11, 18 were trafficked for sexual reasons and five for forced labour. In 2011-12, 24 were trafficked for sexual reasons and nine for forced labour. That is why CARE came to the conclusion that it did.

Why are people brought into Northern Ireland? Why are they trafficked? Why are they kept in these conditions and abused by criminal gangs? It is, basically, for sexual reasons. Therefore, if you did not address that, you would not be dealing with what is, on the basis of the PSNI figures, the most important aspect of human trafficking into Northern Ireland. So that is the reason for it and one of the reasons why it has to be dealt with.

Let me just go through each party's approach. I will deal with NI21's first because it is the party that, for whatever reason, is most opposed to this. As I said, I hope that that is not because of some petty schoolboy attitude to what opposition actually means. It was certainly very clear from Mr McCrea's speech that he was not aware of the detail of the Bill. Let us look at some of the reasons why he is opposed to it. I think that I have dealt with the issue of whether the law is working and what the law is directed towards. Mr Wells dealt very well with the figures in his speech, though Mr McCrea was not present for that. Here are some of the reasons that he is against it. He is against it because the judiciary do not like mandatory sentences, even though it is clear in the clause that deals with sentencing that no mandatory sentencing is being imposed. The clause provides that there would be a custodial sentence of at least two years but that the court would take into consideration exceptional circumstances. That is not a mandatory sentence by anybody's definition.

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

**Mr Wilson:** No, I will not give way, because the Member has had about four goes at this.

That is not a mandatory sentence by any means. However, let me make this clear: if society judges that an issue is important enough, I do not see any difficulty in saying to judges that, in legislation, we will put down mandatory sentences and take away some of their discretion. However, discretion is still —

**Mr B McCrea:** So it is mandatory.

**Mr Wilson:** No. It is not a mandatory sentence. I have said that there are circumstances in which I believe that mandatory sentences might be appropriate, but that is not the case here.

He went on to say that it concentrates on the sex industry. As I pointed out, had he even taken the time to read the

first page of the Bill, he would have found out that it deals with all aspects of human trafficking. That comes out throughout the Bill. He then said that it would make matters worse, because people would be living in fear. However, a whole section of the Bill is about what happens when people have been found to be victims of human trafficking, what kind of support there should be for them, guardians for children, support from health and social services, and safe protection while they are giving evidence etc. If he had read the Bill, he would have realised that that is not the case.

He also said that the legislation is already working. He quoted at length one court case, or maybe two court cases. I lost him in the middle of it, but he jumped between two judges and maybe two court cases where a hefty sentence of, I think, four years had been handed out. So, hey presto, there is no problem, despite the fact that, under the existing legislation, no one has been successfully prosecuted. That has happened despite the fact that, even though the figures show that a significant number of people have been trafficked into Northern Ireland for sexual exploitation — I have put the numbers on the record — no one has been prosecuted for that. Yet, somehow or other, the fact that he could quote a couple of cases proves that the law is working.

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

**Mr Wilson:** Yes, I will give way.

**Mr B McCrea:** Can I just check this for the record? Are you saying that no one has been found guilty of and sentenced for trafficking? I quoted from the court records that there are people who have been convicted of human trafficking. You say that bits of the reports are so irrelevant, but, in the first case when this happened, the judicial guidelines were set down. It is important legislation. There are convictions for trafficking, and the courts are taking it seriously.

**Mr Wilson:** I said, Mr Deputy Speaker, that I would take interventions but would not allow Mr McCrea, after he had made such a botch of his case in the first place, to make a series of mini speeches to try to recoup some of the ground. I will take interventions but only short ones, and I think that he has had his fair quota. If he is embarrassed at how weak his case was in the first place, he should maybe do his homework and make a proper speech in future when he stands up in the Assembly and has the opportunity to do so.

**Mr B McCrea:** On a point of order, Mr Deputy Speaker. I am not sure on this point, but I ask you to consider it with the Speaker. I think that, in the past, the Speaker has ruled that, when a Member takes an intervention, he has ceded the Floor and it is for the Member to carry on talking. Perhaps we could have some guidance on whether how long you speak is at the discretion of the person who has allowed the intervention. That is just a matter of procedure, and it does not have to be dealt with now, but it would be useful at some stage.

**Mr Deputy Speaker:** All Members have been supplied with a book called 'Standing Orders'. Every Member of this Assembly should know exactly what the custom is and what conduct is expected. I said earlier that interventions should be short, succinct and to the point. I also point out that two Members should not be standing at the same time, and, most certainly, Members must not make remarks from a sedentary position. So, if we take all that



on board and people continue to make remarks through the Chair, it is my responsibility to worry about whether an intervention is an intervention or a speech.

**Mr Wilson:** The NI21 submission concluded that this is bad legislation, that probing questions need to be asked of it — there were no probing questions during the speech, mind you — and that we have to look at genuine, concrete ways to deal with the issue. I do not think that, in his long speech, Mr McCrea made one suggestion. There was plenty of rubbishing of this and plenty of complacency that the issue was already addressed by the current legislation, but there was no evidence of concrete suggestions from him.

I come now to the Alliance Party's contributions. Mr Dickson started off by saying how wonderful Naomi Long had been at Westminster in raising the issue, and he commented on the sterling work that Mrs Lo and the Minister had done. That is usually known as getting your defence in first, because, of course, he knows that the Minister's attitude on this one has been short of what would be expected.

I have to say to Minister Ford that he knows exactly what is happening here. It is quite clear that there is resistance, for whatever reason, from elements in the PSNI and his Department. I will not attribute reasons to that resistance. The one thing that I do know, and we have seen this time and time again, is that sometimes when there are hard issues to deal with, the police, rather than deal with them, have tried to have those hard issues removed from their jurisdiction so that they do not have to deal with them. Sometimes it is the easy way out, and some of the easier offences are then pursued vigorously by the police — it is good for the statistics — while they shy away from some that are a bit more difficult. There is even a debate within the police at the minute on the whole issue of drugs. Some take the attitude that it is too difficult an area to deal with, so do we legalise certain drugs so that you do not have to have criminal offences? I think that the same debate is ongoing with this particular issue.

However, the Minister knows that the timing of his intervention on this one to say that some research had to be done, despite the fact that the Bill had been introduced a long time before he talked about research, will be seen by people as being a cynical approach. It is the cynical attitude of how to kick the legislation into the long grass. Do not forget that I have been there. I am not going to have a confession session here, but if there are issues that you want put on the long finger, officials will give you lots of different ways to do so. I suspect that that is one of the ploys being used here. It is a bit embarrassing to oppose the legislation, so let us go with the flow but make the argument that it would be better legislation if we did this research. The Bill would be more informed and made more effective. Therefore, it looks as though you are doing something, but nothing is actually being done. I listened to the speeches from the Alliance Party, particularly the rationale that Mrs Lo gave for the research, which was that we have to see the extent of the problem.

What is the threshold that the Alliance Party would then impose for requiring legislation? If it were shown that perhaps only 100 people had been coerced into the sex industry — even if you could find that information in Northern Ireland — would that be sufficient —

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

**Mr Wilson:** I will give way in a minute.

Would that be sufficient for legislation? If it went down to 10, would that be enough? Or does it have to go up to 1,000? Has the degree of exploitation or abuse got to be considered?

Why do we need research? Why do we need a threshold? Because that is what Mrs Lo said. She let the cat out of the bag by saying that we need to know how extensive the problem is and that we need evidence. As Mr Wells pointed out, in the graphic description that he gave of one of the victims of this trade, should there be only two people, is that not sufficient to motivate the Assembly to support the Lord Morrow's legislation?

**Ms Lo:** Will the Member give way?

**Mr Dickson:** He is giving way to me. I thank the Member for giving way. There is one very simple answer to the question: one person trafficked and one person abused in any shape or form is one too many. However, there is a school of thought that there is already a reasonable cadre of legislation to protect individuals in those circumstances.

That is the area that requires testing; that is the area in which research needs to be done, so that the Assembly can determine whether we already have sufficient legislation to deal with these matters — and so, therefore, the police can follow through and deal with it competently on behalf of society and the community — or whether it is for this Assembly to consider the research and the evidence so that we can make a balanced and appropriate judgement as to the introduction of appropriate legislation. Lord Morrow has provided the Justice Committee with an interesting range of research, and I think that more needs to be done.

**7.00 pm**

**Mr Deputy Speaker:** Order. I asked that interventions be short.

**Mr Dickson:** I am sorry.

**Mr Wilson:** I will resist giving way in future because it seems to be being abused by people trying to restate their position.

Let me make something very clear: if one person is one too many, and if that is the view of the Alliance Party despite Mrs Lo's indication that research needs to be done to see how many people are affected, if the Alliance Party has now retracted from that position and said that one person is too many, then what is the reason for the research? If the research is to see how effective the legislation is, well you do not need research on that either. You just need to go to the court or police records. It has already been indicated here today that nobody has been prosecuted for having sex with someone who was coerced into engaging in the sex industry here in Northern Ireland. What research does the Alliance Party want? If it is not on the numbers of people who are affected, and if it is on the effectiveness of the legislation at present, which is already in the public domain, then I am at a loss to know why there needs to be the research that has been referred to by those Members.

The other point made, and Mrs Lo has made this point although Mr Dickson made it in his speech also, was the question of whether prosecuting people who purchased sex from people who had been coerced into sex industry

would be effective. Mrs Lo seemed to be very concerned that we were going to ban prostitution. This should be nothing new, but Members have already pointed this out: why are people trafficked into Northern Ireland or anywhere else to be used in the sex industry or to be used as forced labour or for any other exploitative purpose other than to make money from them? If there is no money to be made, then there will be no demand for the bodies, let us put it bluntly. The one way that you can ensure that that happens is to cut off the demand. As has been illustrated in many other speeches, when you criminalise the activity and people are afraid that they will appear in court, be fined or be named and shamed, the demand will be cut off. This should not be something new. This Assembly decides to criminalise things all the time when we want to stop things happening. We do not want people to speed, so what do we do? We criminalise them. We do not want people to engage in dangerous driving or buy drugs or cigarettes. The principle of using legislation to criminalise people who do certain things that we regard as undesirable is well established, so why is there a difference in this case? I cannot understand it. If that hits at the core of it, then I think it is important.

**Ms Lo:** Will the Member give way?

**Mr Wilson:** I will give way because at least Mrs Lo's interventions are usually pointed, short and address the point that has been raised.

**Ms Lo:** I thank the Member for giving way. First, can I ask him to stop addressing me as Mrs Lo? My surname is Lo, my maiden name is Lo and I use Lo as my operating name. I am not married: I have never had a Mr Lo. That goes for a few Members in the DUP as well, such as Mr Wells; he knows now to address me as Ms Lo.

Right. Surely that is how we legislate and formulate policy: it is evidence-based. If you do not know the numbers, you cannot expend huge resources legislating for something that is for a small number. That goes for all legislation; you do not use a hammer to crack a nut. We need to have evidence-based policy and legislation, particularly given the limited resources that we have. We cannot legislate about everything.

**Mr Deputy Speaker:** Order, please. Mr Wilson, I ask you to resume your seat. A Member made a remark from a sedentary position over there that I regard as discourteous. I do not want to hear it again. Continue.

**Mr Wilson:** I do not know what the remark was. So that I do not get in trouble again, I will refer to her as the Member for South Belfast. She introduced the issue again of how, if the numbers being very low, we have to ask ourselves whether we need to legislate. If she is looking for evidence of the impact that the proposal has had in other places, she will see that it has been widely quoted here already. Indeed, the Committee is going to look at the evidence elsewhere. I hope that the Alliance Party's opposition is not because the Minister is being led by the nose by officials who think that it is too difficult, or because of the attitude that we have had from the Member for South Belfast, who seems to think that, if it is not an extensive problem, you do not have to bother dealing with it. She restated that position in her intervention.

I am not too clear on what Sinn Féin's attitude to this is. One spokesperson from Sinn Féin spoke about supporting the Bill in principle. She talked about the three things

that had to be done — prevention, prosecution and the protection of witnesses — and said that she wanted to see more evidence. That seems to be at variance with the attitude that has been adopted by her party in the Republic. I see Mr McCartney shaking his head across the Chamber. I do not think that you could get any clearer than this, which is Sinn Féin's attitude in the Republic, where the legislation is very similar:

*"We need to change the law because the current system is simply not working."*

It is not working down in the Republic, and it is not working here, either. We have evidence in both jurisdictions. The Member also said:

*"Prostitution is an insult to everything for which Irish people stand and to the Proclamation to which Members pay allegiance every time we enter this building. It could not be further away from the principle of equality."*

That being the case, any Bill that is designed to reduce the demand for people who are trafficked to Northern Ireland and exploited, whether for sexual purposes, forced labour or whatever it happens to be, is worth supporting. Do not forget that, if someone is being forced to work in inhumane conditions, regardless of whether it is in the sex industry, and is being beaten, frightened and scared, they are not being treated equally. Any legislation that seeks to deal with it, regardless of what inadequacies there might be — I am going to raise some issues in a moment or two — is worth supporting.

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

**Mr Wilson:** Yes.

**Mr McCartney:** The Hansard report of the Committee last week states that the position in Leinster House came about after 800 submissions and many hours of evidence. We said that we want that type of scrutiny here in the North. That is the way to make legislation to satisfy yourself that it is the appropriate legislation rather than following blindly.

**Mr Wilson:** Of course the Bill needs to be scrutinised when it comes to the Committee, but the important thing is that the core ways in which the Bill recommends dealing with that vice are very clear. This is where there was an ambivalence from Sinn Féin on the issue: it requires further information and further research and is not sure. I was very surprised to hear that Sinn Féin wants to see evidence of the impact on demand and wants to see what effect it would have on women and their employment. If the conclusion is reached that the legislation only reduces demand by half, is that a threshold that is too low for Sinn Féin? Or, as Mr Wells pointed out, if it is shown that many of the women who might be displaced or, indeed, trafficked into other jobs find that they have nowhere else to go and are left with no source of shelter over their head or whatever, that is a threshold that will prevent Sinn Féin from supporting the Bill. That is the kind of clarity that I had hoped to have from Sinn Féin today.

I have not had the benefit of going through the Bill in Committee, and I want to pose some questions to Lord Morrow about it. With all pieces of legislation, people will have concerns. At least I am consistent in having some concern about clause 8. Mr McCrea, who is quite happy for the traffickers to run free and be covered by inadequate

legislation, certainly did not want people who had been trafficked and then caught doing things to escape prosecution. I want to see the traffickers prosecuted.

**Mr B McCrea:** On a point of order, Mr Deputy Speaker. I am not sure whether I heard correctly, but I think that I heard Mr Wilson say that Mr McCrea was:

*“happy for the traffickers to run free”.*

That is absolutely not the case, and I am on record as saying that. If that is not what he said, I am happy to take some clarification.

**Mr Wilson:** That is exactly what I said, Mr Deputy Speaker. If he is so complacent about legislation that has not seen one of these traffickers put behind bars so far, then he is happy to see the traffickers run free. That is the consequence of the position that he has adopted.

**Mr B McCrea:** On a point of order, Mr Deputy Speaker.

**Mr Deputy Speaker:** Is this a different point of order? That was not a point of order.

**Mr B McCrea:** It is on a point of order that Mr Allister raised earlier with the Speaker. Where a clarification has been made on the record and has been repeated, what protection can Members get from the Speaker's Office?

**Mr Deputy Speaker:** The Member has certainly spoken, and I am sure that Hansard has recorded it.

**Mr Wilson:** I suggest that the best protection for Mr McCrea — although I do not think that he will ever take it up — is to think before he speaks. Maybe then he would not get himself into the kind of pickle that he gets himself into in this House sometimes.

My one concern is about the non-prosecution of victims of trafficking in human beings — an absolute ban on non-prosecution. Someone could say, after being caught for a crime, that they only did it because they had been trafficked or because the person who had trafficked them coerced them to do it. Clause 9 sets out that a person shall be treated as a victim:

*“if there are reasonable grounds to believe that the individual is such a victim and there has not been a conclusive determination that the individual is not such a victim.”*

I would like to hear Lord Morrow comment on that. Those two things together could lead to a situation where someone who engaged in a criminal activity could then use the defence that they were a victim of trafficking although there was no conclusive evidence that that had been the case, and, therefore, we could find that they get off scot-free.

The second issue is the compensation of victims, and I hope that what I have to say on this will not seem a bit harsh. I support all of the support that there is for people who have been victims and who need protection and support from the various social services. However, if it is not as a result of negligence by the authorities in Northern Ireland that someone gets into Northern Ireland as a trafficked victim and gets abused, why are we going to bear the cost of compensating someone who perhaps got here through the negligence of the authorities in their own country or because of the work of criminal gangs? Those criminals may even walk away with fat profits, yet

the government in Northern Ireland becomes the body that has to compensate them. I could see the point if, as a result of seizing the traffickers' ill-gotten gains, some of that is given in compensation, because, after all, they are the people who created the offence and the hurt. However, do we then, with the compensation clause and the way in which it is worded, open the door so that we pay for the effects of criminal gangs on particular individuals?

#### 7.15 pm

The last issue — I suppose it is just my natural apathy towards setting up more public bodies, commissions or whatever — is related to clause 16, dealing with a Northern Ireland rapporteur to assess the performance of the Act. I would have thought that the best way of assessing the performance of the Act would be to see what impact it had in the courts, on arrests by police and on successful prosecutions. I know that there are other related matters that the rapporteur would deal with. Mr Wells spoke about the role that he might have in advising on policies, etc. Of course, policies that are advised on at a national level could apply to Northern Ireland. If there is to be a UK rapporteur, why should we have a replica here in Northern Ireland? Those are some of the issues that I would like to see addressed, perhaps during the winding-up speech, and there may well be very easy answers to them.

This is an important piece of legislation. I congratulate Lord Morrow on his tenacity. There were powerful interests that tried to knock it off course, for whatever reasons. I hope that we will see this piece of legislation at the forefront. I do not care that it breaks parity with the rest of the United Kingdom. Mr McCrea seems to be very concerned about parity. We do not have parity on air passenger duty, the carbon tax or how we deal with rates. I could go through a whole range of things. The point of having a local Assembly is that you can legislate for local issues that we believe need to be addressed locally. For that reason, I wish the Bill well, and hope to see it receiving Royal Assent before the end of this Assembly term.

**Mr G Robinson:** First and foremost, I commend Lord Morrow for bringing this important Bill to the Floor of the House. It is a most difficult topic, which requires the most serious consideration. At the very start I would like to ask for clarification from Members opposite on whether they will support the entire Bill. They have declined to support the Serious Organised Crime Agency (SOCA) or the National Crime Agency (NCA), which will replace it. That will result in Northern Ireland being left without a definitive policy of its own.

I am acutely aware that at the very heart of this debate are human beings — yes, people just like each Member of the Assembly. We must remember that fact while we consider the reason for the Bill. It must also be stressed that, despite the press wanting to focus solely on clause 6, the entire Bill is aimed at dealing with human trafficking, which may result in some individuals ending up in prostitution — human trafficking being the central issue.

In Northern Ireland in recent years we have seen people rescued from domestic slavery and sometimes prostitution because they have been trafficked. Each and every story is that of a person and individual who is the victim of a crime. What saddens me greatly is that many victims spend their life savings to come here thinking that they are coming to a better place, but, at times, end up in forced

labour and exploitation, as my colleague Mr Wells said. Women's Aid is to be congratulated for its support for the Bill.

It is up to all of us to ensure protection for victims. No one has the right to exploit people for personal profit. It is especially nauseating in cases where people are forced into abusive situations because of the greed of others. That is utterly despicable and must be condemned. However, we must not only condemn such behaviour; we must try to prevent Northern Ireland from becoming an open market for it. If the Republic passes legislation similar to this Bill, Northern Ireland will become a trafficker's dream. That is why clause 6 is an essential part of the Bill; it will ensure a deterrent that prevents Northern Ireland from being a place for traffickers to bring their victims.

I welcome the aspect of the Bill that will ensure that a trafficked victim is not prosecuted and therefore punished for something that they have been forced into doing as a result of trafficking. Double punishment is not fair or reasonable treatment for those victims, and I believe it to be an inhuman way forward for this society to doubly punish exploited individuals.

It is my belief that, as a society based strongly on Christian principles, we must ensure that the immoral behaviour of human trafficking is given the cold shoulder in Northern Ireland. We must ensure that traffickers understand that they are not wanted and will not be tolerated. I urge all Members to support the Bill to ensure that victims of human trafficking rescued in Northern Ireland are humanely treated and that those who seek to exploit vulnerable people are dealt with in an appropriate way.

**Mr Anderson:** I regard this Bill as one of the most important pieces of legislation to come before this Assembly since the restoration of devolution in 2007, and I warmly commend my colleague Lord Morrow for his vision and determination in bringing it forward. As he said, he and this party are not on some sort of moral crusade. This is about social justice; it is about human rights; it is about freedom from harassment, victimisation, intimidation and exploitation; and, most importantly, it is about freedom from slavery.

Let us make no mistake about it: slavery still exists in 2013, and we are dealing with slavery on a scale and to an extent that not only must be challenged but stopped. This slavery affects men, women and children, and it takes many forms. As clause 2 makes clear, whether the victim consented or not is irrelevant. Such consent can no longer be used by traffickers in defence of their diabolical activities.

The Bill deals with various forms of slavery. For example, it addresses areas such as forced labour and forced begging. We hear much these days about victims, and rightly so. The end of the Troubles has created new victims. As Northern Ireland's society changes and opens up more to outside influences, there are fresh challenges. Many of those who are caught in the trap of human trafficking are from outside the United Kingdom, from European countries or further afield. No matter who they are, they are victims who need our help. I hope that everyone in this House will support this Bill. This is the Second Reading, and what we need to do today is to give approval to the broad principles of the Bill. The details will be worked through at Committee Stage, and so on.

Most media attention has focused on clause 6, which will make it illegal to pay for sexual services, but, as Lord Morrow has pointed out, that is only one part of a Bill that

has 19 clauses. Therefore, if anyone has specific issues with certain parts of the Bill, the way to proceed is to wait until the later stages and to give the Bill their broad support here today. To fail to back this Bill on whatever grounds or arguments will send out the wrong signals to the sinister forces behind the trade in human trafficking and exploitation, and to those who are their slaves.

The public will be observing what is said in this Chamber today. We have an opportunity to lead the way on this issue. If this Bill progresses and becomes law, Northern Ireland will be the first region in the United Kingdom to have a focused human trafficking Act.

It is worth taking a moment to look at where the United Kingdom stands. The United Kingdom ratified the European Convention on Action against Trafficking in Human Beings in December 2008. In March 2011, the United Kingdom opted into the European directive on preventing and combating trafficking in human beings and protecting its victims. In September 2012, the Council of Europe's group of experts published a report on compliance with the 2008 convention and highlighted several areas of weakness, including failures in Northern Ireland.

As justice is now a devolved matter, primary responsibility rests with the Department of Justice. The Criminal Justice Act (Northern Ireland) 2013 has made two small changes to ensure compliance with the directive, but more needs to be done. I am sure that the Minister and his officials have their reasons for taking the line that they have taken, but we need to observe the spirit rather than the letter of the directive.

Lord Morrow's Bill will do what should have been done some time ago. It will give effect to the changes needed to make sure that Northern Ireland fully meets its international obligations under the anti-trafficking directive. It will also provide a robust legal framework so that the law can pursue those who engage in trafficking.

As a number of Members mentioned today, I am also disappointed by some of the PSNI's negative comments about certain elements of the Bill. It has been argued that the Bill might hinder rather than help the fight against trafficking. The police are entitled to their views, and we will most certainly discuss those views with them at a later stage. However, in a democratic society, the police do not make legislation. The law is made by elected representatives in the Assembly, and it is the job of the police to enforce it.

As I mentioned, the main criticism of the Bill seems to centre around clause 6, which will make it illegal to purchase sexual services. Some of my colleagues have dealt with this clause in some detail. I regard clause 6 as a very important part of the Bill, as a lot of human trafficking is linked to the vice trade. The Bill is about exploitation as well as trafficking. Prostitutes, no matter who they are or where they come from, are victims, and their lives are often tragic. Once they are caught up in this dreadful nightmare, they cannot escape. They are caught in a vicious circle. It is imperative that we take strong measures to remove prostitution from our society. The current law is simply not working.

Fear often prevents victims from speaking up. That fact confirms the need for legislative action. We owe it to the victims to create the sort of legal framework that offers



them protection and gives them a voice. Evidence from the Nordic countries — in particular, Sweden, where similar legislation was introduced in 1999 — shows that prostitution has reduced by 50%. Some time ago, I attended a seminar in the Building, at which Gunilla Ekberg, a former special adviser to the Swedish Government, said that the police in Sweden had been sceptical at first but were now completely supportive.

Last week, I listened to Rachel Moran, a former prostitute who is now an author, speak about the issue. I am fairly sure that anyone who hears Rachel's views would support the Bill. Rachel is from the Irish Republic. She fears that if the Republic clamps down on prostitution and we in Northern Ireland do not, Northern Ireland will become an open house for the vice trade.

I emphasised the need for robust legislation, and I wanted to spend a bit of time on the significance and importance of clause 6. However, the Bill also addresses other very important aspects of human trafficking and exploitation. The Bill not only seeks to introduce a tougher enforcement regime but shows compassion for victims and makes provision to help them.

### 7.30 pm

It is balanced legislation. Clause 8, for example, makes it clear that if a victim is coerced into committing a criminal act, no prosecution will follow. Part 2, clauses 9 to 12, provides for assistance and support for victims — how vital it is that we offer pastoral care and counselling to these people. Last week, Rachel Moran spoke of an exit strategy. The men, women and children who are victims of trafficking and exploitation must never be criminalised. They are extremely vulnerable and need to be helped. They need to be given the opportunity to rebuild their lives free from fear. Articles 11 and 12 of the European convention of 2008 outline the sort of help that countries must give to victims, and clause 10 addresses that by setting out the responsibilities of the Department of Justice and the Department of Health to provide assistance and support. A range of areas in which help might be offered is covered in clause 10, but that list is not complete.

Clause 11 provides for compensation, which reflects article 17 of the convention, and, during consultation on the Bill, there was a lot of support for clear compensation procedures. One respondent said that compensation signifies the harm experienced by a victim and validates that for the victim, which is a crucial part of the healing process.

Children are the most vulnerable members of society, and we feel particularly angry when they are abused in any way. Sadly, they, too, are victims of trafficking and exploitation. Clause 12 provides for a children's advocates, who will be known as "child trafficking guardians". A guardian will have the challenging task of seeking to restore victims' self-confidence and helping them to recover their childhood as best they can. If these proposals become law, there will, of course, be funding issues to be considered if they are to be effective, but better use of confiscated assets might help in that regard.

Finally, I will touch on the proposal for a Northern Ireland rapporteur, as set out in the very short clause 16. That provision emerged from the consultation process, and I regard it as an excellent idea. It would not only fulfil the

requirement of article 19 of the European directive but ensure the effective, objective and independent monitoring of how the various authorities are doing. It would also mean that we were setting an example for other regions to follow.

As I said at the start of my speech, the Bill is of huge importance, and I urge the House to give it full support.

**Mr McCallister:** Other Members mentioned William Wilberforce, and, like many colleagues in the Chamber, I have read about his fight against slavery a couple of hundred years ago. It is a sad indictment of our modern world that there are more people in slavery today than there were then. It is incumbent upon us all to reflect on that and ask why it is the case and what we need to do to address it.

During the debate, Members took various positions, and some parties took no position at all. The saddest remark that I heard was made by Mr Wilson. I would never accuse any Member or any political party in the House of being happy about human trafficking. Mr Wilson's remark about Mr McCrea was appalling and disgusting. Saying that anyone is happy about any form of human trafficking and the misery that it inflicts on an individual is appalling, and it is appalling when debates stoop to that level. It demeans the House as a legislative Assembly.

There are several issues that I want to look at. Throughout the debate, we heard much about what the Bill that Lord Morrow brings to us will change and what it will bring into our public arena.

A couple of things struck me during the debate, one of which, obviously, was the focus in clause 6 on prostitution. We look at evidence, and much has been made about what may or may not happen in the Republic of Ireland. The Dáil looked at this, and, whatever it does, it is not going to put human trafficking and prostitution in the one Bill. Whenever we look at the Scottish experience, we see that they are not dealing with human trafficking and prostitution in the one Bill; they are treating them as two separate issues. Indeed, I would go so far as to say that, whatever your stance on the issues raised with clause 6 and prostitution, and whatever way you would like the Assembly and the Government to address it, the issue would be worthy of a Bill in its own right. The proper research and the proper evidence-based policy that Ms Lo talked about could be looked at and examined by a Department and the appropriate Committee. So, I think that that is one of the weaknesses.

Mr Wells talked about the Bill going to the Committee, and he rather cheerfully pointed out that he thought that most of the Committee were of sound mind. It does not exactly fill us with confidence that it is going to be a robust scrutiny process at the Justice Committee if he thinks that the majority is already set on what is going to happen.

**Mr Wells:** I would differ slightly with the honourable Member for South Down. I said that, because of the mix of the Committee, there are those like myself who are extremely enthusiastic about the Bill; those, like Mr Dickson, who clearly want it strangled at birth; and others, who are agnostics or atheists — I am not yet certain what they are — but who have their doubts. So, that mix of a Committee will ensure that every aspect of the Bill will be looked at in great detail. I think that the Bill can be improved. The Member will agree that every Bill in

the House, even his own, came out of Committee as an improved version of what went in. So, if I see aspects or technicalities of the Bill that require a tweaking or an amendment, I will support that. I already alluded to one issue, and that is the care of those who come out of prostitution. That can be improved. There will be a very robust exchange on the Bill in the Committee.

**Mr McCallister:** The very idea that you almost think that there is an inbuilt majority in support of the Bill worries me. I am worried that that is the case, instead of our going into the Committee Stage and looking objectively at the Bill without so much predetermination.

I think that that aspect of prostitution demands a need, in that it should be in a separate piece of legislation. In his speech, which was now some hours ago, Mr Deputy Speaker, Mr McCrea clearly questioned and laid out some of the evidence and experience from Sweden. He discussed the conflicting reports on how successful that experience has been and whether it is a road that we want to go down, whether it is an example that the Assembly should participate in or whether it is something that we want to do. He asked whether we should look at other aspects or other ways of dealing with it. The reason why I am concerned about the two issues of human trafficking and prostitution being mixed together in the one piece of legislation is that most of the robust arguments for the Bill discuss that. I will even credit Mr Wells for making a very emotive speech about the horrors of human trafficking and sexual exploitation. However, the issue that I challenged him on, and on which I was supported, I think, on two occasions by the Minister, was that we have legislation to deal with all the examples that he cited. Re-legislating for it will not provide more evidence in a court of law or get the police more involved in it.

When we already have legislation in place, members of the Policing Board and the Committee for Justice should be asking why there are not more prosecutions. Mr McCrea, quite rightly, highlighted two cases, but Mr Wilson seemed to dismiss them as almost unimportant.

If the police and the Public Prosecution Service are worried about the Bill, that should switch on a warning light somewhere. If we are not getting as many prosecutions as we would like under existing law — it is not true that we are not getting any, because we are — you have to ask why we are re-legislating. A sizeable chunk of the Bill, amounting to five or six clauses, is in legislation already. All the cases that Mr Wells mentioned, where people were forced into prostitution are covered under current legislation, and the Minister confirmed that twice.

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

**Mr McCallister:** Certainly.

**Mr B McCrea:** Does the Member agree that human trafficking is a heinous crime that no one in this Chamber would support, whether for sexual exploitation, labour, servitude or anything else; that what we are trying to do is find the most appropriate way of dealing with this heinous crime; and that it rings alarm bells when the Department of Justice, the PSNI, the PPS, the judiciary and the Minister of Justice all raise concerns about whether the Bill will be effective, and if it is effective, whether it will be a positive or a negative? It is the proper duty of Members to scrutinise such legislation and try to find the right way forward. It is

therefore strange that Members seem to accept this is some form of *fait accompli*.

**Mr Deputy Speaker:** Order. That was a very long intervention. I have already said a number of times that interventions must be brief, succinct and to the point. That applies to all contributors.

**Mr McCallister:** Of course I agree with that point. Quite rightly, there is not one contributor who has not condemned human trafficking. It is an appalling business. Like colleagues, I have been to seminars that have highlighted the absolutely horrendous conditions in which people can be trafficked. Those people then endure horrendous conditions when they get to their final destination, and horrendous things happen to them there when it becomes clear what they are expected to do, with no betterment in sight.

It is an appalling crime. Of course we must act, but re-legislating or repeating legislation is not the answer. Mixing two distinct problems into one Bill is not the answer that we want. We cannot deal with prostitution by putting it into one clause in the Bill and then confuse the issue by having one of the main campaign groups for the legislation say that clause 6 is the core of the Bill and that to take that clause out is to have no Bill left.

That takes us back to the point about whether the Bill is about human trafficking or prostitution. Mr Wilson says that we should read the title of the Bill, but I suggest that he should read the whole Bill, not just the title. That is the problem with the Bill: it mixes two issues into one. When it comes to clause 6, as Ms Lo pointed out in her contributions, there are many more facets to dealing with prostitution than can be dealt with in one clause.

That is why, if we are going to deal with prostitution, it should be dealt with in a completely stand-alone Bill. Let us have that debate and get the Department and the Minister to do the research. They can look at various options from around the world on how to do it and decide whether those provide the right way forward. That is the point that we have been making to the House today: a knee-jerk reaction of putting two distinct problems into one Bill is not the way in which the Assembly should work.

7.45 pm

**Mr Wells:** Again, I beg to differ with the honourable Member for South Down. If he is convinced that the Swedish model worked and that it led, as they claimed, to a dramatic reduction in the number of men buying sex and the number of women being trafficked into that country, can he think of any reason why that could not be applied to Northern Ireland?

**Mr McCallister:** I am grateful to the Member, but, as he knows, we do not have that evidence; we are not at that point yet. There are conflicting reports on how it has worked. One, of which I have a copy here, states:

*"The available evidence does not match the widely heralded rhetoric of the Swedish model in practically eliminating prostitution. Even the best that the Swedish Government's own Skarhed Report can conclude is that prostitution has not increased in Sweden."*

That is also hardly a ringing endorsement of his position. He is holding up the argument that Sweden has almost

eliminated prostitution. The Swedish Government's report states that, at best, prostitution has not increased, but they have no great evidence base to go on aside from that.

On the concerns that I have, I accept that prostitution is probably, even at the minute, an underground activity; and if we go down this road, without the appropriate evidence, we are going to drive it further underground. One of the concerns that the police have highlighted is that we could create problems for them in their intelligence-gathering on trafficking.

The key point that Mr Wells made, and kept on making, was that, in his view, everyone in prostitution has been forced into it. If that contention is right, then they are covered by the existing legislation; so, why are we legislating again? That is the core of the argument on clause 6. In the rest of the Bill, we are looking at various issues that are either in legislation or about to be in legislation.

In an exchange with Ms Lo, one of the key points that Mr Wilson brought in was around changing the six-month limit to three years. I am under the impression that the Minister is changing that. He wants that extension and he is making the necessary changes to meet that requirement. I welcome that.

Those issues are why we have concerns about the Bill. You go through it, and most of the Bill is already in legislation. The clause heralded by those championing the Bill is clause 6: if you take out clause 6, they say that you will have no Bill. However, there are parties here that have huge concerns about that clause, from the Alliance, which holds the Justice brief, to the SDLP and Sinn Féin.

I want to speak about some of the other comments made in the debate. I share Mr Elliott's concern about the extension of the National Crime Agency to Northern Ireland. That would be an important development, and I think that Members should reflect on that and say that that could make a valuable contribution to fighting the scourge of human trafficking. We should look seriously at that and get back to those issues. That is bigger than worrying about a unionist or nationalist debate. We need a National Crime Agency with that level of focus and we need to look at what our national Government is doing. After all, this is not just a Northern Ireland problem, an Ireland problem or a UK problem. This is a global problem, and we are likely to head towards what can be done at a European level.

**Mr A Maginness:** Will the Member give way?

**Mr McCallister:** Certainly.

**Mr A Maginness:** Thank you for allowing me to make an intervention. As far as the SDLP is concerned, the issue with the National Crime Agency is the accountability mechanisms, which, hitherto, have been absent. If we can resolve that, we can make progress on that issue. In his submission to the Justice Committee and in answers to questions, the Chief Constable made it plain that he was aware of those issues and that they should be addressed.

**Mr McCallister:** I am grateful to Mr Maginness for that. I heard him talk about accountability issues earlier. Let us get the accountability issues sorted out. In his contribution, perhaps the Minister will tell us where we are at with regard to ironing out those accountability difficulties. Get those issues sorted out and get the National Crime Agency here to tackle the scourge of human trafficking, as it is important to get movement on that.

With regard to the issue about driving some of this activity further underground, we would have difficulty with intelligence gathering and there could also be huge health implications. If you look at the levels of sexually transmitted infections (STIs) in Northern Ireland, you will see that the clinics in our health service are struggling to cope. One of the key problems that we have with STIs is the vast under-reporting or under-diagnosis. I have huge concerns that that would exacerbate the problem.

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

**Mr McCallister:** Yes, certainly.

**Mr B McCrea:** Does the Member accept that the Swedish police, in trying to prosecute under its legal framework, use the presence of condoms as evidence of sex having taken place? Therefore, that leads to the issue of unprotected sex and the fact that people will not use condoms. Those are the unforeseen problems of legislation.

**Mr McCallister:** Yes. All those things are too important to ignore and to not look at in a full and proper way. That, again, reiterates my point: why, if you are dealing with this, would you not deal with it through separate legislation? We are mixing two very disturbing and very difficult issues into one. Ms Lo referred to exit strategies with regard to prostitution. I am, at least, encouraged that a couple of DUP Members spoke in favour and recognised that you need to deal with such issues and how you deal with people trying to get out of the sex industry, and that is a sign of some movement from the DUP. However, all those issues will have to be dealt with. I assume that the Bill is likely to pass tonight. Therefore, during its deliberations, the Committee will have to look at all those things.

Having the two big issues of human trafficking and prostitution in the one Bill is the wrong way to go about legislating. We are mixing up two important issues. So much of the legislation is there. I would rather see the Justice Committee and the Policing Board looking to see why we have had so few prosecutions, and why the evidence gathering is so difficult. However, legislating will not produce new evidence; that will require police resources, work, intelligence, and the support of the National Crime Agency to get successful prosecutions. I would like to see more people prosecuted under the existing law. I would like to see tough sentences handed out, such as my colleague Mr McCrea highlighted. That work is going on; let no one in the House think that that is not happening. It is for those reasons that Mr McCrea and I oppose the Bill. It is not thought through enough, in that you have two issues together. It is such an important Bill, and it should be coming from the Department of Justice and the Minister and, if we are going to do that, it should probably be through two completely separate pieces of legislation. It should be coming from that direction with the appropriate research carried out. I say with some regret that colleagues who spoke with reluctance about supporting the Bill will probably vote for it despite their reluctance, almost because it is too difficult to say that this is not appropriate legislation. This is, at best, a tool to put pressure on Minister Ford to do something, to look at other options, and to keep pressure on the police to fight those crimes, investigate and devote resources.

Many Members of the DUP spoke about devoting resources. It is a little difficult to say that we need more resources to fight any section of crime when we have

spent £28 million on policing protests. It is tough to say that we need more resources in certain areas when £28 million was effectively lost, squandered and wasted on policing protests that we should not have needed to police.

Those are the reasons why I and Mr McCrea will oppose the Bill. I urge others who are reluctant about this to think about their vote and say to the Assembly, "Actually, we do care passionately about the issues that you bring up in this Bill. We do care passionately about human trafficking and what we need to do. However, putting two into one is not the way to do this." That is why I urge Members to think carefully, and ask whether this is the right way to proceed.

**Mr Allister:** I support the Bill and will vote for its Second Stage. I commend Lord Morrow on his initiative and tenacity in bringing the Bill. He will have discovered that private Member's legislation is a long and torturous route. I commend him for getting to this point. I have to caution him that there is a long and torturous road ahead as well, but, no doubt, I am sure that he will navigate that successfully.

It has to be indisputable that trafficking of human beings is one of the most odious and horrendous of crimes that man can commit against man. Yet it is clear that, usually for the motivation of financial gain, it is far more prevalent than any of us probably imagine or like even to think about.

It is also indisputable, I would have thought, that there is a direct link between human trafficking and the sex industry. Yes, there are other purposes for human trafficking, but it would appear that its predominant purpose is to connect to the sex industry. Therefore, I totally fail to understand how the previous Member who spoke could complain about this legislation making that connection and say that it should be opposed because it connects prostitution and people trafficking. That is an overwhelming reason to connect the two in the one Bill to make sure that it is a joined-up approach, not a disparate, disconnected approach where you do one thing one day with no regard to anything else and maybe, at some stage in the future, deal with that other issue, when the two issues are indisputably intertwined. So, it is right, sensible and necessary that the Bill addresses those issues, and it does so in a number of ways.

It does not create any new trafficking offence; however, it strengthens the ambit of all of that. That is good and necessary. I support those measures.

*(Mr Speaker in the Chair)*

## 8.00 pm

Then it moves to how it can, perhaps, deal with lessening the allurements of Northern Ireland as a human-trafficking destination by making it more difficult to engage in the end product, namely prostitution. I am sure that none of us in this House thinks that, by passing clause 6, we will end payment for sex in Northern Ireland, just as by passing legislation that states that you should drive at 30 mph or 60 mph, we will stop speeding. Of course, we will not. It is about creating the atmosphere and the circumstances in which the trafficker, when he has a choice to make and all of Europe is his option, says, "I will not go to Northern Ireland because it is a cold house for prostitution." I want unashamedly to see Northern Ireland made a cold house for prostitution because that will inevitably have the knock-on consequence of being a deterrent and

a discouragement to human trafficking. The two are inextricably linked, and it is right that they are linked in the Bill.

Yes; that does require the criminalisation of sex for cash. Some people ask whether we need that. Do we not have legislation that states that sex for cash, where the provider has been coerced, is already illegal? Yes; on paper, under article 64(a) of the 2008 order as amended, it is already illegal. However, as we heard in the debate, the problem is that there have been no prosecutions. Why have there been no prosecutions? It is because it is a very difficult issue to bring home. However, if you make the act of sex for cash illegal, you make it much easier to prosecute and, in fact, much more difficult for those who are tempted to go into trafficking by creating a cold house for them. That is why it is right to go down that particular road.

I therefore support the principles of the Bill very much. I have a few random observations about some of that which tends towards the detail. Staying with clause 6, I ponder why, in that clause, the Bill goes out of its way to say that, whereas it shall be a criminal offence for the user of prostitution services to make that use, the provider of those services has effective immunity. Clause 6(4) states:

*"For the avoidance of doubt, person B is not guilty of aiding, abetting or counselling the commission of an offence under this article."*

There are two issues with that. We do not thereby make it any easier to bring a successful prosecution against the user because, in many criminal investigations, it is the availability of the possibility of charging someone with aiding and abetting that often provides them as a prosecution witness and proves the offence against the main player. There is a problem with saying through this Bill, "Here is blanket immunity for any provider of prostitution services", when some of those providers have a false sense of loyalty to those who put them in that position, or fear what will become of them in a foreign land, or are reluctant to name names or to do anything that might create problems. If you say to those people, "You will have total immunity. You will never be charged with aiding and abetting", I respectfully suggest that you may well be undermining the possibility of effective prosecution action against the user. Therefore, I do not see the necessity and the logic for the inclusion of clause 6(4).

I also make the point that, at one look, it could almost create a charter for soliciting, because if the provider of services can never be convicted of aiding and abetting the transaction — that is providing sex for cash — where is the restraint when it comes to soliciting for that? There is none. Well, there is an article in the Sexual Offences (Northern Ireland) Order 2008 that states that if you persistently solicit in a public place more than twice in three months, you are guilty of soliciting. That apart, and given that most episodes of prostitution take place not in a public place but elsewhere, we are effectively saying to the provider of services, "With your immunity comes the opportunity to solicit." That, I think, is something that the sponsor should look at in considering the rationale for clause 6(4).

Clause 6 recites the terms of article 64A of the 2008 order, and the explanatory document says that it will be a hybrid offence, but the language of 64A points towards it being a summary offence, because it talks about penalties that are available within the summary jurisdiction, namely a fine or imprisonment for up to 12 months. The range under an



indictable offence would be well above that. So where is the manifestation in the Bill that clause 6 is to be a hybrid offence? I am not sure that it is there.

I want to make another couple of observations on the Bill. Clause 8 states:

*"Where the victim (A) has committed a criminal act as a direct consequence of the trafficking in human beings, no prosecution or imposition of penalties shall occur if —"*

It then sets out the criteria: threats, abduction, fraud, deception etc. I really do not understand why it says:

*"no prosecution or imposition of penalties shall occur".*

You could not have an imposition of penalties without a successful prosecution. Is the sponsor driving at saying, "No conviction shall occur if A has been compelled to commit the sexual acts as a direct consequence of being subjected to threats, abduction, fraud, deception etc"? If that is what the sponsor intends, that would improve clause 8 because, as it stands, it does not seem desirable to me to say that no prosecution shall take place if there have been threats, abduction etc because the whole purpose of a prosecution is often to test what the facts are. Have there been verifiable threats? Has there been fraud? Has there been an abduction? I think that the proper starting point in clause 8 should be that no conviction shall occur if any of those listed things are proven to be the case.

I will comment on clause 11, which is about compensation. It states:

*"The Department shall, by order, set out—"*

*(a) the procedures to be adopted whereby a person shall be able to apply for compensation if he or she has been determined to be a victim".*

Determined by whom? Are we talking about a determination on foot of court proceedings or about someone running a compensation scheme making a determination — that is, someone in an office? Who makes the determination of a victim? Indeed, is it anticipated that there can be a victim without a conviction, or is this someone who is demonstrably a victim because there has been a successful prosecution? Clarity on that might be of some benefit.

That said, this is a good Bill that is pulling together two issues and moving in the right direction. It will not be a panacea. No legislation is capable of being a panacea in the vexed area of prostitution, but it is a proper, necessary, good step in the right direction, and I commend the sponsor and look forward to voting for the Bill.

**Mr Agnew:** Like everyone who spoke in the debate, I oppose human trafficking. I am appalled by the effect that it has on people's lives and, as was pointed out, in most cases, on women. It is a tragedy when we hear the individual stories of destroyed lives and lost lives as a result of that form of exploitation. However, there is no need to go on at length in this debate, because we can all stand side by side in opposing human trafficking and its consequences. That is why it is particularly disappointing that, rather than accepting that there might be opposing views on how we best tackle human trafficking, how we reduce the suffering and harm and achieve successful

prosecutions, some Members sought to attack and accuse others who disagreed with their proposed method by suggesting that they were somehow soft on human trafficking or would be happy to see human traffickers walk free. That is low politics, and we should stick to debating how best we tackle human trafficking and accept that we are all opposed to it. That should have been the focus of today's long debate.

Focus is vital because, in tackling human trafficking, we need to focus resources on how we best deal with the situation. That is why I share the concerns of many about clause 6. I am concerned about the potential loss of focus in going after the traffickers because, although much has been made of how few prosecutions there have been under existing legislation on human trafficking offences, I have no doubt that the Bill would result in increased prosecutions of people — mostly men — who pay for sexual services, but I do not accept the assumption that, in doing so, we improve human trafficking or the assumption that that will make it easier to prosecute traffickers. In fact, some of the evidence suggests that although, as was pointed out, we might reduce some of the demand for trafficking, seeking to prosecute traffickers could become harder because our resources would not be focused on human trafficking. Our resources would become stretched.

#### 8.15 pm

We have talked about numbers, and a lot was made about how many victims were sufficient to require legislation, to require action. I agree that one trafficked person — one person's life destroyed by imprisonment and slavery — is too many. However, one thing is clear: although we do not know the exact number of victims of human trafficking, we can be fairly certain that the number of people engaged in purchasing sexual services is much greater than the number engaged in trafficking. The police, were the legislation passed as currently proposed, would be tasked with the job of prosecuting everyone who purchased a sexual service. However, I would much prefer the police to focus on seeking out, investigating and ultimately prosecuting those who are trafficking women into Northern Ireland, throughout these islands and throughout the world for exploitation, forced labour or providing sex.

To some extent, the debate mirrored the reality of the unintended, or perhaps unintended, consequences of clause 6 placing the focus on prostitution, thus losing the focus on human trafficking. That is what happened here today and would, I believe, be the result for our police and legal resources. So I agree with those who say that prostitution should be separated out from the Bill. I think that it is important that we start to do that. I welcome the Bill because we are talking about human trafficking. I welcome the attention that it has brought to it. If it turns out to be the case, I welcome the fact that the outcome will be that the Minister's hand has been forced to take more action on human trafficking. However, I believe that prostitution is a separate debate. They are separate issues. Yes, they are linked, but the question that I ask myself about the Bill is whether it will help us to prosecute traffickers and rescue the victims. Unfortunately, if clause 6 remains, I do not think that it will help that cause.

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

**Mr Agnew:** I will.

**Mr Wells:** The Member is coming at this from totally the wrong angle. As Mr Allister said, the effect of the Bill will be to make Northern Ireland a cold house for trafficking. Therefore, hopefully, we will not have to worry too much about prosecuting traffickers because they will simply move on to another part of Europe where it is much easier to practise. There is considerable evidence from Sweden — his party is quite strong there, so it might be worth asking his colleagues about this — that gangsters now avoid Sweden because similar legislation has made life so difficult for them. That is the angle he should be coming from.

**Mr Agnew:** I thank the Member for his intervention. His point was made a lot during the debate. How does it help the person who is trafficked whether they end up in Sweden or a neighbouring country?

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

**Mr Agnew:** Go ahead.

**Mr Wells:** That is a valid point. All that we can do as MLAs is look after vulnerable women in Northern Ireland. We cannot be responsible for what happens in the Republic, France, Denmark or the Netherlands. We can look after only Northern Ireland. I agree with Mr Allister that our job is to make this a very difficult piece of territory for these men — they are mostly men — to operate in. We cannot bear the burdens of other countries; it is up to them to introduce similar legislation.

**Mr Agnew:** This is where I, to some extent, disagree with the Member. You are absolutely right: we cannot legislate for the world, and we cannot solve all the problems in the world through any legislation that we can enact. However, we should ensure that we are doing what we can to help victims of trafficking.

A lot was made of prosecutions, and I was going to mention this later in my speech, but I will do so now. Very little was made of the number of victims recovered, information that Lord Morrow lays out in his letter to MLAs, through the good work of the PSNI and other agencies that investigate human trafficking offences.

In each of the past three years, 25, 23 and 33 victims have been recovered. So, although we might proudly say that Northern Ireland would be a cold house should this legislation pass, there could be victims that might not otherwise be recovered if it does. I think that there is a lot to commend in the work that we are doing in Northern Ireland. However, simply saying that we will make ourselves a cold house, that we can be proud of Northern Ireland and that we cannot control what goes on beyond our borders is not a compelling argument to me. I understand it, but I am not compelled by it.

I believe that the conflation of these issues is harmful and that, whether we look at prostitution or human trafficking, we should look at harm reduction and at what the impact of this Bill would be on the victims. A lot has been made of the prosecution of the perpetrators, but what will the impact be on the victims — those who were exploited? I think that, in that sense, there is the potential for harm to be done.

Moving on to some other issues that arise from the Bill, one other random point that Mr Allister mentioned and that has not been in the main thread of the debate, although I think that Mr McCrea alluded to it, is the definition of “the sexual services of a person”. The legislation refers

to paying for the “sexual services of a person”, and I note the change in language from the Sexual Offences Order, which refers to paying for the “sexual services of a prostitute”. To me, that is easier to understand and to define, but the Bill defines the “sexual services of a person” without specifying a prostitute, and I would like to hear from the Minister whether he has been given any advice on that change of language. Perhaps the proposer of the Bill could explain that change in language because something that has been expressed to me — this might be a genuine, although erroneous, concern — is that this could go beyond the purchase of sex to things such as lap dances and, as Mr McCrea said, the purchase of explicit material. I would like to know whether we are changing the boundaries or whether there is a reason for this rewording. I am unclear about that at this point.

I welcome that victims of human trafficking are protected in law, and certainly explicitly in this Bill, from prosecution. We should certainly not re-victimise a victim of human trafficking by making them a victim of our courts system. I think that I might have made this point to Lord Morrow and asked him to take it up as best he could in his role as a peer, but related to that is the impact of our immigration system on those who are trafficked. Although there is some leeway in the system for those who are victims of human trafficking in legal cases, it has been made clear by HMRC that being a victim of human trafficking does not entitle someone to remain in the UK indefinitely. That concerns me. Although it is not for the policy of this House and it cannot be addressed in the Bill, I think that a very real issue in the discussion of human trafficking is that somebody who is a victim of human trafficking and has been trafficked from their home country could then be sent back by our system or our Government to their home country to be re-trafficked. They would be as vulnerable as they were before they first came here. So, I know that we cannot legislate on that point, but for anyone who is concerned with human trafficking, I think that that point needs to be made at Westminster.

Whether we need either new laws or better enforcement of our current laws has, again, been a crucial part of the debate. It has been said that our current law has failed. The number of prosecutions has been pointed out, and I have referred to the number of victims recovered. Both aspects should be looked at when evaluating whether our current services and our statutory and voluntary bodies are performing well in that area. Although it might be only in recent years that we have put in the necessary resources to tackle the issue and have fully realised its extent, we have made huge progress. I am worried that we do not acknowledge the good work that has been done. Indeed, as a member of the all-party group on human trafficking, I have heard it said by a number of contributors that Northern Ireland, certainly in the context of these islands, has been leading the way in recent years. That is why, when someone such as Philip Marshall, who has been at the forefront of what we have done well in tackling human trafficking, raises concerns about aspects of the Bill, we should listen. It was suggested that he should not have commented or that somehow it was inappropriate for him to comment. We need to listen to the professionals engaged on the ground. He said that if the purchasing of sex is made illegal, it will make it more difficult to secure prosecutions, secure the evidence required for prosecution and secure the evidence to recover victims. Although we

might not have had people through the courts sufficiently, we are rescuing victims. We should listen to that evidence.

We should remember to interpret the statistics. Saying that we have not secured prosecutions and so the law is wrong is simply one interpretation of the statistics. Another interpretation is that it is a very difficult crime to prosecute.

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

**Mr Agnew:** Yes.

**Mr Wells:** If the Member had listened to what Lord Morrow and I said, he would understand that it was the way in which the police went about it. Lord Morrow had a consultation exercise. The proper way to do it was to give the views of the PSNI to Lord Morrow. He had two opportunities to do so but did not. Then, very conveniently, just a few days before the Bill had its Second Reading, he gave an exclusive commentary piece to the 'Belfast Telegraph', which was then picked up on by the media, without him ever having consulted the person sponsoring the Bill. That procedure is totally wrong. We would criticise any group that did that, including the PSNI.

**Mr Agnew:** I thank the Member for his intervention. I half agree with him and half disagree. I accept that there certainly should have been consultation. Superintendent Philip Marshall attended the all-party group on human trafficking and consulted with us. Therefore, he certainly sought to engage with MLAs. I cannot remember whether Lord Morrow was at that meeting.

I understand the Member's criticism of the PSNI's reason for not responding to the consultation. I cannot answer for the PSNI. The timing is relevant, because we were due to debate the Bill, so it informs the debate. I do not see any conspiracy in that. I am unaware of what direct engagement Superintendent Marshall has had with Lord Morrow, but he has been there as a resource that we have been able to call on for expertise. He has informed the debate in the lead-up to the Second Stage. Whether his methods have been right, I am unsure. I think that Mr Wells referred to the notion that the police should enforce the law and not seek to influence how it is made. I am not sure whether I agree. I accept that going through the media is not the most appropriate way, but we need to hear from the experts on the ground about how best their job could be helped in seeking prosecutions and supporting and rescuing victims.

I will not touch too much on minimum sentences, except to say that I have concerns with that approach. Although there are exceptions allowable, we are introducing obstacles rather than being helpful.

### 8.30 pm

I will finish by saying that I support the Bill passing this stage so that we can look at it further. I have concerns about elements of it, but I support it passing to Committee so that we can have what I hope will be a focused look mainly on the issue of human trafficking. In many respects, an element of the Bill is what I see as a harmful prostitution Bill, and I want to see whether we can craft from that a helpful human trafficking Bill and introduce legislation that will help not only the victims of trafficking but those who seek to pursue the perpetrators of human trafficking. I hope that we can assist them in doing so.

**Mr McNarry:** They say that tail-end Charlies can do some scattering, so we will see how I get on. During the past eight hours of this debate, I, like others, have drunk plenty of water and coffee, and I have been feeling the pain of my nicotine-reduction regime. I can assure you that that has been pretty difficult for me.

Still, there are a number of features in the Bill that I wish to comment on. It is almost three years to the very day that I brought a motion to the House on the issues surrounding human trafficking in our country. At the time, I said that human trafficking is modern-day slavery. Human beings are treated as commodities that are bought and sold for profit. It is criminality in its basest form, with victims being raped, threatened, tortured and used as assets by criminal gangs. Characterised by control by violence and intimidation, it is utterly destructive for its victims and is a blight on our community. Men, women and children are brought into the country illegally, and, indeed, some vulnerable victims, particularly children, are trafficked internally within the United Kingdom. They are then forced into prostitution by their captors. Others are forced into servitude in the home and in the workplace. Individuals are being conned and exploited. What seemed like genuine opportunities for employment over there turn into a horror story when they arrive here.

I concur with those who say that we must make Northern Ireland a hostile place for traffickers. Organised crime gangs need to be dismantled. Traffickers need to be put behind bars with robust sentences, and their assets must be seized. Assets recovery is an important means by which we can punish the perpetrators and hit them where it will hurt — in their pockets. If there is no profit, the incentive to use Northern Ireland as a trafficking marketplace is significantly reduced.

In 2010, I added my deeply held concerns that there existed a local demand for exploiting and abusing trafficked people, perhaps a first reference to what transpires today in clause 6 of Lord Morrow's Bill. Among other directions, the motion that I proposed, which, incidentally, was supported by the Assembly in 2010, called on the Justice Minister:

*"to raise awareness ... in order to assist the authorities in securing prosecutions ... and to ensure that Northern Ireland is a hostile place for traffickers."* — [Official Report, Bound Volume 55, p183, col 1].

I have got to say, Speaker, that there is scant evidence so far of ensuring that our country really is a hostile place for traffickers. It seems to me that, without Lord Morrow's commitment, perseverance and tenacity, the awareness would be nowhere near what is necessary to secure prosecutions.

It was alarming, to say the least, to hear reports of child sex exploitation in recent days. It is alarming because of the traceability to care homes. It is alarming because it took a brilliant piece of investigative journalism by UTV's Sharon O'Neill to expose the shocking revelations of that form of exploitation, which, let us face it, is another form of trafficking children for sex. It is alarming that it took the media to highlight the seemingly unbelievable and, in doing so, caused Ministers, senior policemen, quangos, officials and more to flounder with fatuous and feeble responses as the heat of probing questions has rained in on them over

the past number of days. It is alarming, too, when children for sex affects children put into our care.

It sits up there with what I said in February last year about an issue that was seemingly passed over by the media on that day. Some 18 months ago, I referred to a group called Urban Angels, which came to see me and told me of its work in rescuing young people who are trapped and kidnapped and put into a life of prostitution through local trafficking, and I mean local trafficking, in our estates and our own areas. They were not brought in here, but taken from their homes. The Urban Angels, as you might guess, left a deep impression on me, to the extent that I have not forgotten — I doubt whether I will forget — its work or the young people it is seeking to help.

Three years ago, and again 18 months ago, I called for a coordinator of human trafficking measures to be appointed. The most shocking thing is not just that human trafficking is happening, but that people in our community are availing themselves of those who are trafficked. They should be ashamed of themselves. They are not a reflection of the community that I work in, live in and represent. The House should condemn them, and them alone. If they are not able to do business — that is what they call it — there is no business for the traffickers to service. It is those buyers who need to be caught, named, shamed and taken through the justice process.

At that time, I posed this question: has the Minister considered appointing a coordinator, as in Wales, to bring together all information and all our law and order responses to trafficking? To be fair to the Justice Minister, he did respond to my pressing for the appointment of an anti-human-trafficking coordinator. On 3 October 2010 — note the date — the Minister wrote to me stating:

*"During last month's Assembly debate on human trafficking I undertook to come back in writing to individual Members on any points I was unable to respond to on the day."*

He said:

*"You raised one issue relating to the appointment of an anti-human trafficking co-ordinator in Wales. You asked me to consider if we should appoint a human trafficking champion in Northern Ireland. In answering your question it may be helpful if I set out the background to why the decision was made to appoint an anti-human trafficking co-ordinator in Wales."*

This was his thinking:

*"In Wales there are 22 separate local authorities, each of whom have been dealing with the issue of human trafficking in different ways. Some of these local authorities have demonstrated proactive, decisive action on the issue of trafficking. However in a few cases there has existed a level of less effective practice and failure to address the situation of human trafficking effectively. Also, central guidance on how to deal with trafficked victims has not been universally adhered to. In Northern Ireland we are fortunate in that we do not have the problem of trying to co-ordinate a number of individual local authorities each with their own approach to tackling trafficking. The Organised Crime Task Force Immigration and Human Trafficking subgroup acts as central resource to achieving a better*

*understanding of, and dealing with, human trafficking in Northern Ireland. We also have in place an excellent victim-centred care package for victims of human trafficking recovered in Northern Ireland, funded and overseen by my Department, which ensures that all victims recovered here are given time and the support necessary to recover from their horrific ordeal."*

He concluded in his letter:

*"Given the different situation that exists in Northern Ireland to Wales, I do not believe that it would be necessary to create a similar post in Northern Ireland at this time."*

At that time, three years ago, he said that it was not necessary to create an anti-trafficking coordinator — not then, not since, not now and not ever, I suspect. So, had the position been created, would things be better today for some children and some women? Yes, I suspect that they would. How does it stack up when the Minister said then:

*"We do not have the problem of trying to co-ordinate"?*

Is it not an appalling lack of coordination that has plunged his Department, the Health Department and the PSNI into chaos and found negligence and comprehensive uncoordination? Is that not what the UTV report revealed? It is connected. So, I say thank heaven for this Bill, thank goodness for its presentation of awareness and thanks be that it is in the running order for adoption by this Assembly.

The Bill ends the risks and the incompetence that has been unearthed — the "we know better" attitude of officials who, when usually questioned or scrutinised, are found out for not knowing better. Yet there remains the aloof, often pious mentality of some that not only do they know better, they believe that this Bill is not necessary. However, the bits that they like, they want to take over and channel into what is a not working, but broken, system. I am sorry to say that those officials and those who think like them have not won over my trust regarding their competence so far on this issue. That is one of the many reasons why I will support the Bill.

#### 8.45 pm

Had we had the Bill and had officials been on the job, we, and the public, would not have needed a Sharon O'Neill to bring proof of what was not being done to protect children and teenagers. Her reports have told us how costly neglect has been for our children. Although I am grateful to her, she should not be telling the House what has gone wrong. We should not have people scampering all over the place trying to justify it and claim that nothing had gone wrong. Things have gone wrong, and they are wrong right down to the bottom when people want to traffic people. Am I wrong to suggest that that wrong should never have occurred in the first place?

I turn to clause 6. Who are the criminals in this chain of grooming, preparing, kidnapping, forcing, dehumanising and marketing this disgusting sex business? Make no mistake: it is a business. The PSNI tells me — I am sure that they have told others — that it is not only a business but a multimillion pound industry. People want to know about numbers. The number crunching of the pound notes tells you what numbers are involved in it. If there were no money in it, nobody would be interested in it. There is



big money in it. It is an industry that generates millions of pounds. It pays no taxes and legally employs no one, yet it remains so sinister.

It seems that no one is able to bring forward for prosecution the numbers of people that one would logically say are involved in producing so much wealth. In fact — it must be a fact — it is so bad that those whose priority job is apparently to tackle trafficking are unable to quantify the extent of the problem here. However, they can quantify, and have quantified, the money that is circulated in this industry.

In a report in January 2010, the Northern Ireland Human Rights Commission and the Equality Commission indicated that human trafficking is an active but largely hidden problem in Northern Ireland. The question therefore arises: with the momentum of Lord Morrow's Bill, the interest in it, and the debates about it, have we moved in that short time — it is nearly four years since I raised the issue in the House — from trafficking being a largely hidden problem to a clearer, more open and admitted problem? I suspect that the answer is no.

I fear that the consequences rest in a lamentable situation in which few, if any, in authority think that sex trafficking is a problem here; so no one thinks that it deserves priority attention, even though everybody will admit that it is a multimillion pound criminal industry.

If we do not include the purchasers, the buyers, the procurers, I say that that is a massive mistake, because those creeps will not be treated as criminals. That is wholly unacceptable. If there are no shoppers, no customers, the business will not survive. That is a fact. And so I say: put them out of business. Give those depraved sex-buyers a criminal record. The bottom line is that sex is sold as a commodity. The horror of it is that the commodity, to those creeps, is a human being, not wrapped up with a pink ribbon but humiliated, frightened, abused, kicked about, drugged — all in all, a pretty sad sight, put unwillingly into a stinking shop window and sold to a daily queue of perverts who pay the predators and the bullies who are making fortunes from demeaning women and children. Unbelievably, that is all done in the name of something regarded as entertainment and enjoyment.

I fully appreciate the arguments about limited resources but I cannot accept them in any way as a good enough reason to interfere with this Bill. All parties have said — I believe them — that they are very much committed to combating human trafficking in all its forms. I concede that its total eradication is virtually impossible, but how about the future delivery of 90% eradication? Even now, a 50% reduction would be warmly welcome. However, it will not be easy.

Thanks to the weakness inherent in the vestiges of the United Kingdom's immigration policy and the virtual collapse of controlling undesirables who are illegally arriving and making a nonsense of so-called border patrols, which are, effectively, non-existent, we in the United Kingdom are bracing ourselves for a wave of Romanians, piling in all over the place. Many of them, it must be said, will be genuine seekers of genuine work, but, alas, just as many are likely to be criminals who will join up with one of the most highly organised crime gang fraternities already in business and operating on the mainland. If scores of thousands arrive, bursting onto the scene, it cannot be dismissed that hundreds

will arrive here to become active on our streets to take advantage — they will take advantage — and operate a criminal trafficking network between Dublin and Belfast. There should be no hiding place; only early preparation for dealing with even more criminals, which is yet another good reason for this Bill to proceed urgently into law.

Earlier, Lord Morrow raised the issue of a child trafficking guardian. That idea is gaining momentum, and I hope that honourable Members will be supportive of the establishment of a guardian, or, as I suggested earlier, some type of champion or coordinator. Last year, GRETA raised that very point. Please bear with me as I lift quotes from the relevant paragraph of its report:

*"There is no system of legal guardianship for trafficked children at the UK level ... However, a social worker or a voluntary advocate fall short of providing a legal guardian who can act independently with authority and uphold the child's best interests. A system of guardianship is essential to ensure the children's protection and rehabilitation, assist in severing links with traffickers and minimise the risk of children going missing."*

It is going on. It is a problem. Unless the Assembly, given its authority, is willing to embrace the problem and, as the report states, act and uphold a child's best interests, what do we say to the children? What do we say? Hang on a second, I have brought my own children up as best I can. What are you asking me or any other grandparent to say to their grandchildren? Do we tell them to turn a blind eye? Do we say, "Don't worry about the children in the homes. It's all right. A taxi will arrive, they've got a mobile phone, they'll get a packet of cigarettes, and away they'll go. Don't worry about them demeaning themselves."

I have been blessed with two daughters and three granddaughters, so I know a little bit about women. Hell, are you asking me whether I want to be confronted with my daughters going to another country to university to learn, or going on holiday and getting snared on what is on our doorstep? I do not think that any Member would say that that is OK.

Lord Morrow's Bill puts forward the option of guardianship. That small ingredient is so important that I hope that we could be, and that we will be, the first jurisdiction in the United Kingdom to introduce a child-trafficking guardian.

I continue to support Lord Morrow on his journey to secure that the Bill be given legislative power. Despite what other people may put about, there is out there — in here as well, but surely out there — significant public approval for its adoption into law. The people are talking —

**Mr Speaker:** The Member has one minute to finish.

**Mr McNarry:** May I be very helpful to you and tell you that I will finish in about 20 seconds? Thank you for the reminder. I have not heard you or anybody else tell any other Member during the debate that their time is limited. Unless you are changing the rules, or unless I have heard somebody put forward something —

**Mr Speaker:** Order. I ask the Member to take his seat. The Member ought to know that the proceedings must end at 9.00 pm. Under Standing Orders or convention, the sitting must end at 9.00 pm.

**Mr McNarry:** Mr Speaker, I accept what you say. Forgive me; I had not looked at the clock.

My last paragraph is this: there is significant public approval for the Bill to be adopted into law. I trust that Members will remain in touch with the realities and see the Bill through to a positive conclusion. Thank you for your patience, Mr Speaker.

**9.00 pm**

**Mr Speaker:** I was almost waiting for an apology from the Member, but it did not arrive.

Members know that the House must adjourn tonight at 9.00 pm. There has been a great deal of interest from Members who want to speak to the Bill. We will certainly not get to the Minister's response or Lord Morrow's concluding remarks tonight. So the Business Committee, when it meets tomorrow, will decide when to reschedule the conclusion of Second Stage. A revised Order Paper will be issued tomorrow if necessary, and I am grateful to Members for their patience this evening.

*The debate stood suspended.*

*Adjourned at 9.00 pm.*

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# Northern Ireland Assembly

**Tuesday 24 September 2013**

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

*Members observed two minutes' silence.*

## Assembly Business

**Mr Speaker:** Order.

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

**Mr Speaker:** Let me deal with this issue first. I want to return to business from yesterday. I want to say very clearly that I will take no points of order on this issue or any other points of order that relate to this issue. I want to make it absolutely clear that I do not want bogus points of order on this particular issue.

Following remarks made during questions to the First Minister yesterday, I gave Mr Allister a commitment to review Hansard and to come back with a ruling on whether any further action was required, as is my common practice on these issues. I made that commitment to him in the House and in my office yesterday afternoon in what I had thought was a very amicable and good meeting. I have to say that I am slightly disappointed that, rather than awaiting the outcome of my considerations, the Member carried on his own commentary in the media to try to second-guess my ruling and drag the Chair into party politics. I have continually said to the whole House that when Members come to see me, those meetings are private and remain private. Unfortunately, that meeting certainly did not remain private. It was not a meeting to confront the Speaker by any means. I thought that the meeting I had with Mr Allister yesterday was a very good meeting, and I think that both of us felt that it cleared the air on a number of issues. I also think that there was a clear understanding when Mr Allister left.

The main reason I wanted to review Hansard was to judge whether the remarks that were made justified the granting of a further opportunity for Mr Allister to reply. The 'Northern Ireland Assembly Companion' is very clear on dealing with the provision for Members to reply to allegations that are made against them. Previous rulings are clear that an opportunity of reply is justified when accusations of a criminal nature have been made, but that opportunity will not be provided when accusations of a purely political nature have been made. That has been a very clear convention, both in the 'Northern Ireland Assembly Companion' and the House for some time. Having reviewed Hansard, I can say that the exchanges at Question Time yesterday were of a personal nature that fell far short of the standards of debate that I expect in the House. The standard of debate yesterday was below the standard that I expect.

However, it is clear to me that no allegations were made of unlawful behaviour; they were political points. I also note

that Mr Allister clearly refuted the allegations on the official record and further did so outside the House. If Members want to debate the allegations elsewhere, that is an issue for them, but I allowed the issue to carry on for far too long yesterday. Hindsight is a wonderful thing. I try to show as much lenience to Members as possible, but, I have to say, sometimes a good turn in this House really means nothing to some Members. There is no role for the Chair in the allegations, and I have no intention of being further involved. As far as I am concerned, the issue is closed.

Finally, after a number of incidents yesterday, let me remind the whole House of the need for good temper and moderation in the standards of debate and that all Members have to abide by the authority of the Chair.

There were a number of incidents around the Chamber yesterday. On occasions, a number of Members made very offensive remarks from a sedentary position. Unfortunately, neither I nor the Clerks at Table picked up those remarks. I heard about them from other Members, and such remarks have to stop. I will not allow Members to say what they are saying from a sedentary position. It ends up being offensive to other Members. That is not the good standard of debate that I expect in the House.

I will be keeping a watching brief on Members who continually say and do things from a sedentary position that they should not say or do. After all, we are a democratically elected political institution, and some Members fall far short of the standard that I expect in debates.

Let us move on.

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

**Mr Speaker:** No, I am not allowing any points of order. I stated that at the start. The Member should take his seat, and we should move on.

**Mr Allister:** Democracy.

**Mr Speaker:** Order

**Mr Attwood:** On a point of order, Mr Speaker. This is on a different matter.

**Mr Speaker:** A totally different matter? OK.

**Mr Attwood:** You will recall, Mr Speaker, that when the matter arose yesterday in respect of Mr Robinson, I also raised a matter in respect of the comments made by Mr Wilson. May I enquire as to whether you have a ruling at this time?

**Mr Speaker:** We looked at Hansard yesterday and this morning. I intend to respond to the Member directly, and

I will do that. I have already raised the issue in the House of Members saying and doing things from a sedentary position that are offensive to other Members.

**Mr Attwood:** Further to that point of order, Mr Speaker, it was not made from a sedentary position. It was made when he was on his feet. It is on the record, and it is very clear what he said. Given what you said earlier about unlawful behaviour, I am very keen to hear, and hear early, your view on that matter.

**Mr Speaker:** Yes, and allow me, as I said, to come back to the Member directly. I will do that as soon as possible.

**Mr Attwood:** On a point of order on a different matter, Mr Speaker.

**Mr Speaker:** A different matter? OK.

**Mr Attwood:** It is a different matter, in that it is a general comment under a point of order, Mr Speaker, and it is this: three times during the past seven sittings of the Assembly — yesterday on two occasions and during the meeting on 16 July — Members of one party raised issues that impugned the character of other Members. In my view, that is a pattern of behaviour. Three meetings out of seven. Our Whip will be seeking a meeting with you to discuss the conduct of that party, which is using the Chamber repeatedly to impugn the character of other Members.

**Mr Speaker:** We have already dealt with the issue. A lot of these issues are in the cut and thrust of debate. I have continually said in the House that Members raise bogus points of order to score political points. I am very conscious of that as well. However, I see a lot of these issues as the cut and thrust of debate, and we really should move on.

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

**Mr Speaker:** Is it on a different subject?

**Mr Poots:** Yes, Mr Speaker. It is to do with the Register of Members' Interests. If you own a property, obviously you have to register it in the Register of Members' Interests. Does that apply to immediate members of the family as well?

**Mr Speaker:** First of all, the issue of Members' interests has been raised on several occasions in the House. Under Standing Order 69(4), Members have a responsibility to declare in the House or in Committee any interest that they may have. I continually say that because other Members raised the issue of Members' interests, especially during debates. So, it is really up to Members themselves, whether in the House or in Committee, to indicate clearly any Members' interest or financial interest that they may have in the debate.

I have said that continually in the House, so let us be absolutely clear. However, it is really up to Members themselves to police this issue and declare an interest. That is what it is about. It is not about the Speaker doing it but Members themselves, so let us move on.

**Mr Allister:** Further to that point of order —

**Mr Speaker:** Is it on this particular subject?

**Mr Allister:** Yes.

**Mr Speaker:** It is not about the subject that was already dealt with?

**Mr Allister:** Mr Poots's point of order.

**Mr Speaker:** Yes.

**Mr Allister:** Judging by Mr Poots's tweets, if his point of order was in some way meant to be directed at me and my wife then I make it abundantly clear that there is no interest to declare. My wife has no ownership of any land anywhere in County Fermanagh or elsewhere. This is but another attempt to continue the scurrilous attack on me and my family, and I really do resent it. I am fair game as a politician in the rough and tumble of politics, but my wife is not in politics, and Mr Poots should catch himself on.

**Mr Poots:** Sold and all, then.

**Mr Speaker:** Order, let us move on.

**Mr Allister:** What was the sedentary comment, Mr Speaker?

**Mr Speaker:** Pardon?

**Mr Allister:** Could I ask what the sedentary comment was?

**Mr Speaker:** I did not pick it up.

**Mr Allister:** Maybe he will be man enough to repeat it.

**Mr Speaker:** I did not pick it up.

**Mr Allister:** Maybe he will be man enough to repeat it.

**Mr Speaker:** Let us move on.



## Executive Committee Business

### Health and Social Care (Amendment) Bill: Second Stage

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

*That the Second Stage of the Health and Social Care (Amendment) Bill [NIA 27/11-15] be agreed.*

The Bill seeks to make two main amendments to the Health and Social Care (Reform) Act (Northern Ireland) 2009. The first addresses the support services that the Business Services Organisation (BSO) can provide and the second deals with functions that can be delegated to the Business Services Organisation.

In the provision of support services, the Reform Act, as currently framed, does not enable the Department to secure support services from the Business Services Organisation. Furthermore, it does not provide the Department with the power to direct the Business Services Organisation to provide support services to the following departmental arm's-length bodies: the Northern Ireland Social Care Council; the Northern Ireland Practice and Education Council for Nursing and Midwifery; and the Northern Ireland Fire and Rescue Service.

The Business Services Organisation was established to provide economical, efficient and effective support services to departmental arm's-length bodies. Therefore, I propose to make an amendment to the Reform Act that will allow the Business Services Organisation to provide support services for the Department and the three bodies I mentioned.

Turning to the delegation of functions, section 26 of the Reform Act contains a provision that enables the Business Services Organisation to exercise the functions that the Central Services Agency exercised on behalf of the Department, health and social services boards and health and social services trusts, prior to its dissolution in April 2009. However, the Business Services Organisation cannot exercise any new functions relating to the administration of health and social care. For that reason, I propose to make an amendment to the Reform Act that will provide the Department with the power to delegate to the Business Services Organisation the exercise of any new function relating to the administration of health and social care.

The Bill also proposes to make some minor, technical amendments to the Reform Act. One will seek to provide greater clarity to the nature of the fraud prevention support service provided by the Business Services Organisation. Another will reflect the correct title of the Regulation and Quality Improvement Authority (RQIA) in other extant legislation, and a further seeks to amend references to "personal social service" in the Carers and Direct Payments Act (Northern Ireland) 2002 to "social care service".

The consultation on the draft Bill ran from 1 February 2013 until 29 March 2013 and attracted a total of three responses: one from the Northern Ireland Social Care Council; one from the South Eastern Health and Social Care Trust; and one from the Business Services Organisation. All the responses were supportive of the proposed amendments.

**10.45 am**

During the consultation, the need for a small number of amendments was identified. Paragraph 3 of schedules 1, 2 and 3 to the Reform Act deals with membership of the Regional Health and Social Care Board, the Public Health Agency and the Business Services Organisation respectively and gives the Department a regulation-making power through which it can prescribe conditions that a person must satisfy or posts that a person must hold in order to be eligible for appointment by the Department. The reason why the Department has prescribed such disqualifications is to provide a robust legislative basis for ensuring that there are no conflicts of interest and members are suitable persons to manage large organisations such as the regional board.

As currently framed, the Reform Act allows the Department only to prescribe in respect of members of the regional board. However, it does not allow it to prescribe in a similar way in respect of the chair. A similar anomaly exists with regard to the Public Health Agency in schedule 2 to the Reform Act and the Business Services Organisation in schedule 3 to the Reform Act. The Health and Social Care (Amendment) Bill seeks to rectify that anomaly in all three schedules by providing the Department with the power to prescribe conditions for the appointment of the chair of each body in similar terms to those for members. The inclusion of the amendments reflects the Department's public appointments policy, which is to ensure that, as far as possible, persons who are appointed to public bodies are suitable for the advertised posts.

**Ms Maeve McLaughlin (The Chairperson of the Committee for Health, Social Services and Public Safety):** On behalf of the Committee for Health, Social Services and Public Safety, I welcome the Bill.

The Committee supports the overall aim of the Bill, which, as the Minister said, will make technical amendments to the Health and Social Care (Reform) Act 2009. The amendments will allow the Business Services Organisation to provide support services to all the Department's arm's-length bodies. They will also allow BSO to administer any new health and social care functions on behalf of the Department as required. In addition, the Bill makes minor amendments to existing legislation that will enable the Department to prescribe the conditions with regard to the appointment of the chairpersons of the Health and Social Care Board, the Public Health Agency and BSO. The Committee took evidence from departmental officials on two occasions — 15 May and 12 June — before the Bill was introduced.

During our prelegislative scrutiny on 15 May, one issue arose on which we, as a Committee, sought clarification from the Department. The Bill seeks to amend schedules 1, 2 and 3 to the Health and Social Care (Reform) Act 2009 with regard to the appointment of chairpersons of the Health and Social Care Board, the Public Health Agency and BSO. Members wanted an assurance that there was a uniform approach to the appointment criteria for chairpersons across all the Department's arm's-length bodies. The Department explained that there was an inconsistency in the Health and Social Care (Reform) Act 2009 that allowed the Department to prescribe conditions for the chairpersons of some of the arm's-length bodies but not for others. Clause 3 seeks to correct that anomaly by providing the Department with the power to prescribe

conditions for the appointment of chairpersons of all its arm's-length bodies. The Department also provided assurance that all appointments to arm's-length bodies were made in accordance with the principles and practices set out in the code of practice for ministerial public appointments. At its meeting on 12 June 2013, the Committee took evidence from departmental officials on the issue and was content with the explanation provided.

The Committee welcomes the Bill's intention to provide a consistent system for the appointment of members and chairpersons of the Department's arm's-length bodies. We look forward to our detailed scrutiny of the Bill at Committee Stage. Go raibh maith agat.

**Mr Wells:** Last night, those of us who had the stamina stayed on until 9.00 pm to deal with what was a very controversial Bill. Most of us would not have had the stomach to face anything particularly difficult this morning, so I am glad to say that, having looked at it, the Committee is generally content with this Bill. Apart from the one technical issue raised by the Chair, it really did not generate too much debate, and that is a good thing. We see this as a technical Bill, tidying up a few issues that arose after RPA. Inevitably, a few things came out over the past four years that needed to be dealt with, particularly the role of BSO and the work of the chairs.

It is apparent, since RPA, that the roles of the chairs of the various arm's-length bodies are becoming more and more important. Therefore, it is vital that there is public confidence in how they are appointed. We need to attract and, indeed, have attracted some top people to act as a watchdog, as it were, over the boards of the various arm's-length bodies. I must say that we as a society have benefited greatly from people giving their time to do that. However, there were one or two issues about appointments, and I, therefore, believe that it is right that the chairs are brought within the terms of the code of practice, as that will instil more public confidence in those important roles.

RPA in health has, generally, worked well. It has streamlined various tiers of administration, but, inevitably, one or two little tweaks were required, and we are at that stage today. The Committee has considered this twice. There is now unanimity among all the parties, and we support the Bill entirely.

**Mr A Maginness:** From the outset, I declare that a close relative works in the Business Services Organisation.

On behalf of the SDLP, I support the Bill and the amendments therein. The amendments are, in the main, technical and, as Mr Wells pointed out, non-contentious. They provide for the provision of support services by the Regional Business Services Organisation and clarify the functions that can be delegated to it. As outlined, the amendments will allow the Regional Business Services Organisation to move towards greater flexibility, and that is to be welcomed. Of course, the Minister indicated that in his opening speech. It is important that the Business Services Organisation be given that flexibility in order to operate in a more business-like fashion.

By way of caution, I would say that all the changes must be viewed in the context of Transforming Your Care and we should not in any way dilute the import of that. We must be careful not to create a situation where we are chipping away at the National Health Service as we know

it. That institution, which, I believe, most Members of the House support, has provided an invaluable service to our community over a number of years. Of all the institutions we have in public life, the National Health Service is valued very deeply indeed. I, therefore, ask the Minister to reassure the House that the amendments do not indicate in any way a process of increased privatisation in the National Health Service. The SDLP believes that this opportunity calls on the Department to produce a specific piece of comprehensive legislation in relation to Transforming Your Care, providing a strategy for the future of the National Health Service for the next 20 years.

**Mr Beggs:** I, too, support the Bill and look forward to further discussions at the Committee Stage. As others have said, the main purpose of the Bill is to address omissions that occurred when the major reforms went through.

It seems strange that the Health Department does not have the powers to enable the Business Services Organisation to widen its remit to cover organisations that have somehow been excluded. I would have thought that there is potential for savings in widening that scope and enabling the BSO to exercise functions that are currently undertaken separately by organisations such as the Northern Ireland Social Care Council, the Northern Ireland Practice and Education Council for Nursing and Midwifery and the Northern Ireland Fire and Rescue Service Board.

When concentrating services in a new organisation, there should be efficiencies, but that does not always happen. It is important that there are savings, and there was an expectation that considerable savings would result from the establishment of the Business Services Organisation. It would be useful if the Minister could reassure us that the savings that were predicted on the establishment of the Business Services Organisation are being made and that efficiencies are being delivered so that, ultimately, more funds go to the front line. In concept, it is right that the enabling power should rest with the Minister, but it is important that savings are, ultimately, delivered and a better service delivered for everyone who is dependent on our health service.

There is also the issue, as others have said, of widening the scope of the Business Services Organisation. It seems strange that there are some limitations in that there are restrictions on functions that were previously exercised by the Central Services Agency prior to its dissolution under the 2009 Act. It seems perfectly reasonable that this technical adjustment should be made. Other areas of saving could result, because we want to end up with more funds being moved towards our front line services to address the considerable pressures. In general, I am comfortable with the concept behind the Bill and the technical amendments that are proposed.

**Mr McCarthy:** This is a short Bill, and, hopefully, it should be fairly straightforward. The Chair and the Deputy Chair have said that it has gone through the Committee without any real opposition. I noted that the consultation did not attract a critical mass of responses, and the Minister said that there were three responses. Although three is not very many, they were very important.

The Bill seems to address matters that were not properly addressed in 2009, and that rather raises this question: what went wrong back then? The main purpose of the

Bill, as I understand it, is to amend the Health and Social Care (Reform) Act (Northern Ireland) 2009 to enable the Business Services Organisation to provide support services to all the Department's arm's-length bodies and to administer health and social care functions on behalf of the Department. On the surface, that seems benign, and there is no reason to object to that. Nevertheless, these changes in governance cannot be entirely separated from the reforms under Transforming Your Care, as other Members have pointed out. Although my party continues to support the broad thrust of the reforms, like many others, we retain considerable concerns about their implementation and, in particular, the resources that will be allocated to new measures, including, most critically, services delivered in the community. I think particularly of domiciliary care and community meals, along with other services.

It has been highlighted that, at present, the BSO cannot exercise any new functions relating to the administration of health and social care. That will be addressed by the Bill. Although policy and practice need to be separated somewhat from the main delivery mechanisms, the Minister will well know the concerns that exist in the community at present, particularly about the future of residential homes and how wider policy discussions on the future of adult social care will develop. I am happy to see the BSO conduct functions in relation to the Healthy Start and Day Care Food schemes. It is important to provide support on nutritional issues to low-income families. On that basis, the Alliance Party is happy to support the motion.

**11.00 am**

**Mr Brady:** Go raibh maith agat, a Cheann Comhairle. I support the Bill. As I listened to the Minister and the Chair, I thought that this seemed to be fairly straightforward, simple legislation. The more I listened to Members, the more complicated the Bill seems to have become. Technical amendments were required, and they give more power to the agencies that were mentioned; I will not repeat what Members said. The Committee had a consensus on the Bill, which will go back to the Committee for scrutiny.

**Mr Poots:** I thank all the Members who participated in the debate. I thank the Committee for its work in allowing the Bill to come forward. I thank Members for their supportive comments, which were the general thrust of the debate this morning.

Mr Maginness made some comments, and I commend him for his openness and transparency in declaring that his wife works in the BSO. He raised the question of a threat to the NHS. I assure him that there is no threat to the National Health Service. We wish to retain it as a service that is free to all at the point of need. As we identify new means of providing care, new drugs and new specialist treatments, there are pressures on it, and we will respond to and attempt to fulfil all those needs as far as possible within the budget that we have. We will sometimes do things differently, but there is no threat to the National Health Service.

Mr Beggs raised the issue of savings. For a number of years, we have had year-on-year efficiency savings in the Business Services Organisation. That is well known, and the public are well aware of it. Without further ado, as I see no point in prolonging the debate, I ask the Assembly to support the Bill.

*Question put and agreed to.*

*Resolved:*

*That the Second Stage of the Health and Social Care (Amendment) Bill [NIA 27/11-15] be agreed.*

## Committee Business

### **Public Service Pensions Bill: Extension of Committee Stage**

**Mr McKay (The Chairperson of the Committee for Finance and Personnel):** I beg to move

*That, in accordance with Standing Order 33(4), the period referred to in Standing Order 33(2) be extended to 29 November 2013, in relation to the Committee Stage of the Public Service Pensions Bill.*

Go raibh maith agat, a Cheann Comhairle. The Public Service Pensions Bill was introduced to the House on 17 June and received its Second Reading on 25 June. The Bill, which was referred to the Committee for its Committee Stage, has 37 clauses and nine schedules.

The purpose of the Bill is to introduce major changes to public service pensions, including the policy for a new career average revalued earnings (CARE) scheme model, with pension age linked to state pension age. The reforms will affect the pension schemes for a wide range of public service employees including civil servants; the devolved judiciary; local government workers; teachers; health service workers; Fire and Rescue Service workers; and members of the PSNI.

The Committee has been proactively gathering evidence on the policy aims of the reforms over recent months in advance of the Bill being introduced to the Assembly to gain a full understanding of its proposals. To date, the Committee has taken oral evidence from a range of key stakeholders including the Department, the Irish Congress of Trade Unions (ICTU), the Irish National Teachers' Organisation (INTO), NIPSA; the First Division Association, UNISON and the Fire Brigades Union (FBU). In addition, the Committee has received written submissions following its call for evidence, which issued just before the summer recess. Members will need to take further oral evidence from various stakeholders, including the British Medical Association (BMA), the Fire Brigades Union, the Human Rights Commission, the Equality Commission, ICTU, NIPSA, the National Association of Schoolmasters Union of Women Teachers (NASUWT) and NILGA. In a number of the stakeholder submissions received, additional issues were identified for clarification. In some instances, specific amendments were proposed. In addition, the views of the other applicable Committees were sought, given that the Bill will have an impact on pension schemes in Departments within their remit and the remit of other public bodies.

I place on record my appreciation to all those who have taken time to provide input to the Committee deliberations to date. That will help to establish a comprehensive evidence base. Given the important evidence that remains to be collected, the Committee seeks an extension to ensure that it can conduct the appropriate scrutiny. That said, the Committee has committed to prioritising the Bill in its work programme, and I should point out that the proposed extension date is consistent with the Department of Finance and Personnel's timetable. Therefore, I seek an extension to the deadline for the Committee Stage to 29 November 2013 to allow the Committee sufficient time to reach a considered position and report on the Bill to the Assembly. I ask Members to support the motion.

*Question put and agreed to.*

*Resolved:*

*That, in accordance with Standing Order 33(4), the period referred to in Standing Order 33(2) be extended to 29 November 2013, in relation to the Committee Stage of the Public Service Pensions Bill.*



## Northern Ireland Assembly Commissioner for Standards: Appointment of an Acting Commissioner

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

**Mr Ross (The Chairperson of the Committee on Standards and Privileges):** I beg to move

*That this Assembly notes that the Northern Ireland Assembly Commissioner for Standards is unable to act in relation to any complaint arising from the public assemblies in Castlederg on 11 August 2013; appoints Mr Stuart Allan as an acting commissioner, in accordance with section 23(1) of the Assembly Members (Independent Financial Review and Standards) Act (Northern Ireland) 2011, to investigate all such complaints; directs that this appointment shall cease when Mr Allan has reported on all such complaints; and that the terms of his appointment, in particular his remuneration, will, subject to any necessary modification, be the same as those of the Northern Ireland Assembly Commissioner for Standards.*

On 22 August, Douglas Bain, the Northern Ireland Assembly Commissioner for Standards, wrote to inform the Committee on Standards and Privileges that he had received three complaints that he was unable to investigate. The three complaints relate to a Member's alleged conduct at a parade and commemoration in Castlederg on 11 August 2013. Mr Bain informed the Committee that, as a member of the Parades Commission, he was one of those who had decided to issue the determination on the parade in question. He went on to say that, in those circumstances, he believed that it could be perceived that he had a conflict of interest. Although he emphasised that the perception would have no foundation in fact, he decided that he was unable to act on these three complaints or any others arising from the same event.

**Ms P Bradley:** I thank the Member for taking the intervention. The Member will be aware of the media attention following a Member's claim that Mr Bain was possibly not suitable for the role because of a conflict of interest. Have there been any previous complaints of this nature that would have led to a conflict of interest?

**Mr Ross:** We are all aware that Northern Ireland is a fairly small country, and, therefore, conflicts of interest or perceived conflicts of interest will come up from time to time. It is interesting that, only last year, the previous interim Commissioner for Standards, Mr Tom Frawley, recused himself from a particular investigation because he believed that there would have been a perceived conflict of interest. What we are doing today is not novel; previous commissioners have indicated that there may have been conflicts of interest. In this specific case, it is important to point out that Mr Bain was not prevented from taking up his post because of his membership of the Parades Commission. Indeed, under the Assembly Members (Independent Financial Review and Standards) Act 2011, many were disqualified from applying for that role, but he was not one of them. I also point out to the House that,

throughout all the time that we have had the devolved institution of the Northern Ireland Assembly, there has been no previous complaint about a Member's conduct at a parade. That is worth keeping in mind as well.

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

**Mr Ross:** Yes.

**Mr Allister:** I should declare the interest of being a complainant in respect of the matters before the House. Does the Member agree that it was entirely predictable from the moment that a member of the Parades Commission was appointed as Standards Commissioner that, given the society in which we live, issues such as this would inevitably arise? Why has the commission not called in this motion and elsewhere for Mr Bain to address the conflict of interest, which was predictably there, so that the House could be saved the cost and the expense of appointing someone else to do his job? Is it not time that Mr Bain addressed his conflict of interest?

**Mr Ross:** I thank the Member for his intervention. He raised two specific points that I want to deal with. The Member used two words: "inevitable" and "predictable". To make projections on the future, we generally look at what has happened in the past, and, as I said, since 1999, not a single complaint has been made in which a Member has had their conduct investigated because of what they have done at a parade. Therefore, there is no evidence that this would have been predictable or inevitable. In fact, the important point is that, where there is a perceived conflict of interest, the Assembly Commissioner for Standards has taken the appropriate action. That is what the Assembly would want to see, and that is what we have seen today. However, I give Mr Allister the assurance that, if this were to come up more than once, the Assembly Standards and Privileges Committee would seek to have a conversation with the commissioner to see whether it is appropriate that he continues in his post. As I have said, this is one occurrence since 1999, so I hardly think that it was inevitable or predictable.

The Member also talked about the cost to the Assembly. I remind the Member that, under the terms of employment for the Commissioner for Standards, the commissioner does not receive a paid salary. Therefore, the commissioner gets paid for the work that he does, and, if he is not doing this piece of work, he does not get paid for it. As I will say later in my speech, the acting commissioner will get paid on the same terms and conditions, so there will not be an additional cost to the public taxpayer. It would have been appropriate if the Member had sought clarification on that before he ran to the press to make the statements that he did.

I want to make some progress, Mr Speaker. As I said, it is entirely appropriate that the commissioner, given that he felt that there was a potential conflict of interests, drew this to the Committee's attention. Under the agreed 'Direction by the Committee on Standards and Privileges on a Code of Conduct and Requirement to Register Interests', the commissioner shall:

*"promptly declare to the Committee in an appropriate manner any private or outside interests which might reasonably be thought by others to influence or impact upon the Commissioner in the exercise of his or her functions. The Commissioner shall take steps to*

*resolve any conflicts arising in a way that protects the public interest."*

The Assembly has always recognised that there may be circumstances where the commissioner is unable to act. I have previously mentioned that this is not unique to the current Commissioner for Standards. That is exactly why, in section 23(1) of the Assembly Members (Independent Financial Review and Standards) Act (Northern Ireland) 2011, it is stated:

*"When the office of the Commissioner is vacant or the Commissioner is, for any reason, unable to act, the Assembly may appoint a person to discharge any function of that office until such time as may be specified by the terms and conditions of such appointment; and a person so appointed is referred to in this section as an "Acting Commissioner".*

Today, we are seeking to do exactly that: to appoint an acting commissioner in relation to a particular series of complaints because the commissioner has told us that he feels that he is unable to act.

The question of how the Assembly might use this power was considered earlier this year when the Standards Network conference was held here in Parliament Buildings. That conference brought together the commissioners and standards officials from across the United Kingdom and the Irish Republic. It was recognised at that time that there was statutory provision to appoint an acting commissioner not only here at the Assembly but at the Scottish Parliament and the National Assembly for Wales. It was acknowledged that the respective commissioners would be well placed to carry out the role of acting commissioner in the other jurisdictions, should the need ever arise.

I am very pleased that the Commissioner for Ethical Standards in Public Life in Scotland, Mr Stuart Allan, has indicated that he is willing to carry out the role of acting commissioner in this instance, should the Assembly wish him to do so. Mr Allan is a highly qualified and experienced public office holder with considerable experience in the investigation of complaints made against elected representatives. In 2001, he was appointed Scotland's first Chief Investigating Officer, and, in 2009, he was appointed by the Scottish Parliament to be the Scottish Parliamentary Standards Commissioner. In 2011, he was appointed as the first Public Standards Commissioner for Scotland, and then, in June 2012, he was appointed as the acting Public Appointments Commissioner for Scotland. The Commission for Ethical Standards in Public Life in Scotland had brought the public standards and public appointment functions together. Mr Allan was also a member and chair of the commission.

In 2013, he was appointed as the first Commissioner for Ethical Standards in Public Life in Scotland, which took over the functions of the Commission for Ethical Standards, the Public Standards Commissioner and the Public Appointments Commissioner. His period of office runs to 31 March 2014.

#### 11.15 am

His biography was circulated to Members yesterday. I will just add that I have worked closely with him in the past, and I believe him to be a man of great integrity and professionalism. It is also important to point out that Mr

Allan has confirmed that he is not disqualified from being appointed as the acting commissioner.

The motion provides for Mr Allan to be able to investigate:

*"any complaint arising from the public assemblies in Castlederg on 11th August 2013".*

That means that, should any further related complaints be submitted, Mr Allan would be able to investigate them without our needing to bring a further motion to the House. The motion directs that the appointment shall cease when Mr Allan has reported on all such complaints.

The motion also directs that, as I pointed out to Mr Allister, the terms of Mr Allan's appointment and particularly his remuneration will, subject to any necessary modification, be the same as those of the Northern Ireland Assembly Commissioner for Standards. That is an important point, particularly for those who may have had concerns about the cost of appointing an acting commissioner. Under the terms of employment, as I said, the commissioner is not paid a salary. Rather, he is paid only for those pieces of work that he undertakes. If he does not undertake a particular piece of work, he does not get paid. Of course, that means that, where an acting commissioner investigates a complaint instead of the commissioner and where his remuneration is the same as the commissioner's, there is no additional cost to the public purse for the time that is taken to carry out that investigation. I emphasise that point. Save perhaps for some travel costs, there is no additional cost to the Assembly as a result of his appointment.

I will bring my remarks to a close, and I look forward to hearing what other Members have to say.

**Mr Boylan:** Go raibh maith agat, a Cheann Comhairle. Ba mhaith liom labhairt i bhfabhar an rúin seo. I will speak in favour of the motion, but before I do so, I have to recognise the comments that have been made. I welcome the Chair's comments. This is something that we need to keep an eye on, and, hopefully, those situations are not going to arise again in Committee. However, if they are, we as a Committee need to recognise them.

The Assembly Commissioner for Standards informed the Committee that, given particular complaints made to his office over the past number of weeks, he would be unable to act on them because he believed that there was a perceived conflict of interest. The Committee, using the relevant legislation, which the Chairperson mentioned, is proposing that the Assembly supports the appointment of Mr Stuart Allan as acting commissioner to consider complaints in the interests of transparency and public confidence and to support the Committee in its work. Mr Allan is highly experienced and respected in his field of expertise, and I have no hesitation in supporting his appointment.

**Mr Eastwood:** I think that the Members who spoke previously outlined the case very well. I do not intend to take up too much of the House's time. It is a rather simple matter. From time to time, these things happen. As the Chairman said, this is a very small place. People serve on a number of different boards and associations. Whatever people think about the Parades Commission or any other organisations, these things can happen. The commissioner was very up front with us on his appointment. He met all the criteria, and I think that he

is doing an excellent job so far. I think that it was a good move on his part to understand that there may be a perceived conflict of interest. That is a prudent way to go forward.

I obviously support the motion. I also want to say that the reason that we are here today is to approve another person, Mr Allan, who is obviously someone with great experience and someone that we can have confidence in to carry out the role on an interim basis. On that basis, I support the motion.

**Mrs Overend:** The Committee on Standards and Privileges has considered the motion and broadly agrees that it is appropriate in this instance to appoint an acting commissioner. It has agreed today that Mr Stuart Allan will take up his post solely for the purposes of investigating any complaint arising from the public assemblies in Castlederg on 11 August. I will not go into the details of that parade or the associated difficulties, suffice to say that there are serious allegations and issues to be addressed by the acting commissioner as he carries out his duty. I wait with interest his findings on the speech that Gerry Kelly delivered that day.

It is not an ideal situation that we are in today. Although legislation is passing through Westminster to deal with politicians double-jobbing, we effectively have a situation whereby we have to deal with a similar issue in government appointments. Taking that into consideration, surely it is inappropriate for Mr Bain to be a member of the Parades Commission and also be the Commissioner for Standards investigating a case relating to a matter on which he presumably took a position in the context of his Parades Commission role. Perhaps Mr Bain will have some difficult choices to make as time goes on and will consider his suitability to hold multiple positions.

I welcome the Chairman's comments that he will continue to review the situation. Although he states that there will be no difference in the costs of employment, perhaps he will confirm whether travel costs will be incurred and detail any increase in such costs. However, to ensure that Mr Kelly is fully investigated, the Ulster Unionist Party supports the motion. I wish Mr Stuart Allan well in his investigations.

**Mr McCarthy:** Our Chairman, Alastair Ross, has fully provided the Assembly with the information that brought us as a Committee to the decision to appoint an acting Commissioner for Standards. On behalf of the Alliance Party, I give our full support to the appointment of Mr Stuart Allan, whose credentials are second to none. I join others in wishing Mr Allan every success in the task that he is about to commence.

**Mr Ross:** I will not take too long to wrap up the comments that have been made. It is a relatively straightforward matter, as other Members have already indicated.

As we heard, the Assembly Commissioner for Standards is unable to act on a number of complaints as there would be a perceived conflict of interest. As has been said, the relevant legislation includes provision for appointing an acting commissioner when that occurs. We therefore propose that we appoint the Commissioner for Ethical Standards in Public Life in Scotland, Mr Stuart Allan, as acting commissioner to consider those and any other related complaints. As we said, the motion indicates that Mr Allan's remuneration will be the same as that paid to the

commissioner. That will ensure that there is no additional cost to the public purse.

I will briefly touch on some of the comments made by those who contributed to the debate. Mr Boylan mentioned that the Committee will always be watchful when it comes to potential conflicts of interest. That is right. The Committee has acted as a single unit when it has done that. If a potential conflict of interest comes up again in future, the Committee will consider and determine on it. Mr Eastwood said that from time to time it will happen, which is exactly right. Everybody would acknowledge that we are a small place and that some of the public appointments made tend to be from a fairly small pool. Importantly, Mr Eastwood also said that, in this instance, where there was a perceived conflict of interest, the commissioner took the appropriate course of action. I agree with that.

Mrs Overend said that she broadly agrees with the position that the Committee has taken but that it is not ideal. She talked about double-jobbing. Most people would recognise that the Commissioner for Standards is not a job that an individual would have as his or her sole job. Therefore, I suppose an element of double-jobbing is inevitable in that position. Indeed, it was the case with the previous interim Commissioner for Standards. That was not an issue that she or her colleagues brought up at that point.

To reiterate, there will be some additional travel costs because Mr Allan lives in Scotland. However, I believe that, in the overall scheme of events, those will be fairly minimal. Hopefully he will not be travelling to and fro between Northern Ireland and Scotland regularly. That is something that the Assembly Commission will look at when it determines his terms and conditions of employment. I am glad that Mrs Overend is generally supportive of the motion. Mr McCarthy also gave support to it.

I think that it is entirely sensible, Mr Speaker, that, in the given circumstances, the Assembly should appoint Mr Allan as the acting commissioner. I commend the motion to the House.

*Question put and agreed to.*

**Resolved:**

*That this Assembly notes that the Northern Ireland Assembly Commissioner for Standards is unable to act in relation to any complaint arising from the public assemblies in Castlederg on 11 August 2013; appoints Mr Stuart Allan as an acting commissioner, in accordance with section 23(1) of the Assembly Members (Independent Financial Review and Standards) Act (Northern Ireland) 2011, to investigate all such complaints; directs that this appointment shall cease when Mr Allan has reported on all such complaints; and that the terms of his appointment, in particular his remuneration, will, subject to any necessary modification, be the same as those of the Northern Ireland Assembly Commissioner for Standards.*

# Private Members' Business

## Public Procurement Opportunities

**Mr 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 the motion and 10 minutes in which to make a winding-up speech. One amendment has been selected and published on the Marshalled List. The proposer of the amendment will have 10 minutes in which to propose the amendment and five minutes in which to make a winding-up speech. All other Members who are called to speak will have five minutes.

**Mrs Overend:** I beg to move

*That this Assembly notes that the procurement of goods, services and infrastructure projects is a key driver of the economy; further notes the ongoing work in other devolved regions in this area; and calls on the Minister of Finance and Personnel to take action to address the criticisms of the current system and to ensure that there is sufficient access for small and medium-sized enterprises, as well as the social economy, to public procurement opportunities.*

This is the first debate on the economy in this Assembly term, and I am very pleased to propose it on behalf of the Ulster Unionist Party. However, I would have preferred that it had not taken three weeks to get to the point where we are debating what is meant to be the number one priority of the Programme for Government.

This is also the first debate that the new Finance Minister will respond to, and I am sure that we are all looking forward to hearing Mr Hamilton in his new role today, and I congratulate him again on his appointment. He has outlined public sector reform as being a key policy area that he wishes to address. This debate is therefore particularly relevant to him, and it is an opportunity to add some detail to his initial public statements thus far.

Motions on public procurement have been debated in the Chamber a number of times. Members will also know that the Finance Committee completed a comprehensive inquiry in February 2010. That inquiry highlighted a number of pertinent issues, including the extent of access to public procurement for our local indigenous businesses, particularly small and medium-sized enterprises (SMEs), the need to reduce red tape in procurement processes and the importance of using procurement to deliver social benefits such as employment and training opportunities.

The previous Minister of Finance and Personnel made a statement to the House in October 2012. He outlined some of the work that the Department has been getting on with, and, no doubt, Mr Hamilton will do likewise later. I caution that the realities in procurement for our small businesses are perhaps very different to the processes set out by the Department as being the norm. In that regard, the Federation of Small Businesses (FSB) is taking forward important research on procurement, and I believe that the results will lead to a significantly more informed debate as we identify how best to reform our practices. I call on the Minister to give serious consideration to this piece of work when it is published.

Public procurement plays a crucial role in the Northern Ireland economy. In 2010-11, it amounted to £2.7 billion,

which is the equivalent of 26% of departmental budgets. I am sure that Members agree that that is a sizeable sum. At a time when budget reductions are a reality across the board, it is more important than ever that this significant public procurement spend is maximised. The difficulties that continue to face the construction sector should also bring its importance into sharp focus.

We must bear in mind that much of our public procurement policies stem from the European Union. Members of the Finance Committee will be aware of that as they are updated from time to time on new directives. The one major point that I will make on the European aspect is that we must endeavour not to gold-plate legislation. I know that it is the intention of the Cabinet Office not to do so, however, sometimes, those good intentions are not carried through. Perhaps the Minister will update the House on the recent review of EU guidelines taken forward by the Cabinet Office and any moves towards deregulation secured as a result.

I want to move on to talk about small business, which is the life blood of our economy. I think of some of the thriving small businesses in my constituency of Mid Ulster, such as the small building contractor who carries out repairs in schools across the country or the subcontractor who builds roofs on new hospitals: all of them are experiencing difficulties accessing public procurement or other related challenges.

Access to public procurement for SMEs remains a central issue three years after the Committee report was published. The latest statistics by the Department are that 77% of contracts awarded by government went to businesses based in Northern Ireland. Further to that, 67% of contracts in 2010-11 were awarded to SMEs. In the same year, 51% of all government contracts were awarded to microbusinesses with fewer than 50 employees. On the face of it, there is some encouragement to be had from that. However, I ask the Minister for some specific clarification. First, how that 77%, 67% and 51% is broken down as regards the number of firms is important. Is it concentrated among a small number of firms? If so, we need to widen the opportunity to other businesses as well.

**11.30 am**

Secondly, what is the value of contracts that are awarded to local firms? That is a key question, as the answer will give a more accurate reflection of how we are using government procurement to boost our local small and medium-sized enterprises.

Thirdly, we know that it makes sense for local money to go back into the local economy. I would, therefore, be grateful for an estimate of the percentage of our procurement spend that remains in Northern Ireland. I would like that estimate because I believe that the best way to ensure that procurement spend stays in our local economy is by directing it to small business. I challenge the Minister to use this opportunity to bring more transparency to the table. If he does not have those figures, more research and data collection should be a priority.

Moving on from access for SMEs, there are other specific criticisms of the current system. The Minister alluded to as much in his recent address to the Confederation of British Industry (CBI). We must maintain a watchful eye on the bureaucracy that accompanies tendering for government



contracts; that, of course, ties in with the European aspect that I have outlined. However, we can and should be working to mitigate that at a devolved level. For example, the Minister should be working to simplify paperwork as well as providing clear guidance and training.

From speaking to businesses, I know that there can also be an inconsistency in how contracts are tendered across the board. The Department and its centres of procurement expertise must apply processes and procedures consistently. If that does not happen, it leads to contracts being tendered in an unsatisfactory manner. For example, a failed tender in the Department of Enterprise, Trade and Investment (DETI) led to the lack of a dedicated business start-up scheme in Northern Ireland for nearly a year; that is totally unacceptable.

I fear that the future of the Community Safety College at Desertcreat in my own constituency is under threat. Perhaps the Minister could enlighten us on whether the delay and uncertainty associated with that project are a result of procurement issues.

Input into decision-making and reform is also a key consideration. The Minister must ensure that the voice of small business is heard at the right time and in the right forums so that it is able to influence policy and reform effectively.

With the review of public administration imminent, there are specific criticisms from one council to another. The whole subject of subcontracting is also fraught with problems. My colleague Leslie Cree will deal with those two points in more detail later in the debate.

Members will also be aware of the recent Northern Ireland Audit Office report on collaborative procurement and aggregated demand. That report makes clear that little progress has been made in this area and that there is scope to increase aggregated demand and collaboration for common goods and services. We need an appropriate balance of collaborative policies and aggregated demand and support for SMEs through public procurement opportunities. It is incumbent on the Minister to achieve that balance. I await his reaction to the report.

Lastly, as the motion suggests, we must consider the work that is ongoing in other areas and other regions. In Scotland, the SNP will shortly legislate through the Procurement Reform Bill, which will promote public procurement processes and systems that are transparent, streamlined, standardised, proportionate, fair and business friendly. In Wales, developments such as the review entitled 'Maximising the Impact of Welsh Procurement Policy', 'Opening Doors: The Charter for SME Friendly Procurement' and a new procurement policy statement have all contributed to improvement.

I will conclude by stating that, if we are serious about keeping in step with and even leading the rest of the UK and EU in how we reform public procurement, continuous development and improvement is necessary.

**Mr Agnew:** I beg to move the following amendment:

*Leave out all after "system" and insert*

*"to ensure that there is sufficient access for small and medium-sized enterprises, and for organisations in the social economy, to public procurement opportunities and to ensure that employees in companies that are*

*contracted and sub-contracted through government procurement are paid at least the living wage."*

In moving the amendment, I also support the substantive motion. We, in this House, recognise — at least, I hope we recognise — the value of public sector procurement, particularly at a time of spending constraints, and the importance of getting the maximum value for our economy and our people. Prompt payment is key to that, and the previous Finance Minister set guidelines for that.

I congratulate the new Finance Minister on his appointment. I will wait to hear what he says about my amendment before deciding whether I welcome his appointment. The previous Finance Minister was keen to set guidelines on prompt payment. We should certainly demand that, in public procurement, the companies with which we contract can guarantee staff their wages and, indeed, their own sustainability.

Mrs Overend addressed social clauses, which are also key to exploring how public sector contracts can be used to boost the number of apprenticeships and tackle youth unemployment. We must get every value out of these procurement contracts for our people. The amendment is an extension of that, and calls for public sector contracts to seek that a living wage is paid under those contracts. The proposal is restricted only to contracts and, indeed, it must be for it to be legal. This is not a proposal that only firms that pay a living wage can secure contracts.

**Mr Weir:** I thank the Member for giving way. He indicates that his proposal would be restricted to the contracts. Does that mean that someone will potentially be paid a living wage on a Monday, and then a different wage on a Tuesday if he is working on a different job? That seems illogical and could create administrative chaos.

**Mr Agnew:** I thank the Member for his intervention. The intention is certainly to encourage firms to pay the living wage in general. Firms that are paying a living wage would be at an advantage because they would not have those difficulties when seeking contracts. I am clear that, although we cannot require that, we can certainly hope to achieve it. This is about making sure that what we do is both legal and beneficial.

The living wage is currently calculated to be £7.20 an hour outside London, recognising the higher costs of London. The principle is to ensure that all workers have a basic standard of acceptable living. We are only too aware of the levels of in-work poverty, and this is a way of helping to tackle that problem. In fact, that is nowhere more pronounced than in Northern Ireland, where it is estimated that a quarter of our workers are paid less than the living wage, which is a higher proportion than in any other region of the UK.

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

As is often the case, this would have the biggest impact on women, who currently comprise approximately two thirds of those who earn less than the living wage. When you consider the social issues that we are experiencing, you find that women are bearing the greater disadvantage caused by the social welfare cuts and the downturn in the economy. This is one way to redress that and ensure that women in work are not treated unequally and earn enough to support a basic standard of living.

I cannot help but be taken back to our debate yesterday and last night. There was a lot of talk about why women end up in prostitution. A lot of claims were made that, given the choice of a profession, no woman sits down and says, "I would like to be a prostitute when I grow up." We need to ensure that there is good quality employment for women in our society so that they are not required to make that choice. We cannot just tackle the symptoms of the problem; we must tackle the causes, and low pay is certainly a cause of social disadvantage.

I heard some of the discussion on this issue on the radio this morning, and there was almost a suggestion that this is a public sector versus private sector debate. We seem to want to get into that argument, but it is the complete opposite: it is about using public money to improve the conditions of workers in the private sector. We have heard it said time and again that workers in the private sector are getting a raw deal and, often, the argument is that, therefore, we should pay our public sector workers less. My argument is that we should pay our private sector workers more and seek to raise standards at the bottom. We seem to have no problem with the vast wages of CEOs or the excessive bonuses that many of them receive, particularly in some of our private companies.

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

**Mr Agnew:** I have 10 minutes.

**Mr Deputy Speaker:** Apologies.

**Mr Agnew:** We do not seem to have a problem with that, but when it comes to lower-paid workers, we are always trying to lower standards at the bottom. We should seek to raise standards, including in the private sector, and this is one way to do that.

It also benefits business. San Francisco airport introduced a living wage, and there was an 80% reduction in staff turnover across its lower-paid workers. Reducing staff turnover is a huge saving to business, because you save money on recruitment and training costs. You also have more experienced staff who can perform better in their job, so you have improvements in productivity. You also have workers who value their jobs. If workers have nothing to lose and can move easily around low-paid markets, they may not be as keen to do everything that a boss requires. However, if workers value their job, they are more likely to work to ensure that they stay in that job. There are, therefore, benefits to business and to workers. There is a lot of evidence to suggest that well-paid workers are more productive, and happier workers are more productive. Indeed, in Google and other such companies, a key question in staff supervisions is, apparently, "What can we do to make you happier in your work?" That question is asked because those companies recognise that a happy worker is a better worker.

We often hear that another advantage to business relates to whether local companies can compete for contracts, which is part of the motion. There is often outsourcing to foreign companies that can pay lower wages. The amendment would ensure that that would not happen, our companies would compete on an even playing field and lower wages would not be a way to undercut responsible companies who pay their workers well. It will ensure that we reward companies that pay their workers well and that we set a standard that we want others to achieve. As we

know, those at the lower end of the pay scale are more likely to spend their money in the local economy, which has multiplier benefits.

I can confirm that this can be done, because I know that questions have been raised about that. The Greater London Authority insists on a living wage in all its procurement contracts. My colleague Jean Lambert, who is a Green Party member of the European Parliament, raised the issue with the European Commission, which said that living wage conditions may be included in the contract performance clauses of public procurement contracts. It went on to stipulate that it cannot insist on what a business does outside of that contract, as I outlined to Mr Weir, but in public procurement contracts, can insist on how a business operates.

This will be good for our workers, our local businesses and our wider economy. Importantly, it will help us to tackle the causes of some social issues, such as poverty — in-work poverty and child poverty — which we often seek to address by putting in one-off schemes. Through the amendment, we can change the infrastructure of our economy to ensure that in-work poverty and child poverty do not occur.

**Mr Deputy Speaker:** I call Mr Steven Weir.

**Mr Weir:** I am not quite sure who is next to speak, but I will give it a go, Mr Deputy Speaker. I welcome Mrs Overend's motion. First, may I indicate on behalf of the DUP that we are happy to support the motion? We feel that it is timely and more or less strikes the right balance. I do not have the same warm feelings for the amendment. Although I join with Mrs Overend in the importance of highlighting procurement problems, I doubt whether either of us would categorise women pushed into prostitution as being attributable to the failures of procurement. That may be a little bit of a step too far.

**11.45 am**

This problem has existed for quite some time. One of the major issues, which was touched on by the proposer of the motion, is that the limitations — I would not necessarily call it the straitjacket of Europe — but certainly the constraints have led to a bureaucratic nightmare for procurement and left, for any local Administration, limited room for manoeuvre. That has been belatedly recognised by Europe, but there are a lot of steps that it has yet to take, and there are question marks there.

It was said that the Executive and Assembly have striven for a number of years to tackle this issue. The proposer of the motion mentioned the Committee for Finance and Personnel's 2010 report. I was a member of the Committee at that time. A lot of good work has been done, but, as was said — I suspect that the Minister will say this later — a lot of good work is still to be done.

The other devolved institutions were mentioned. We have quite a reasonable record. In Wales, the percentage of indigenous companies that receive procurement opportunities from their Assembly is a lot lower than it is in Northern Ireland. There are good practices here, in Scotland and in Wales. As an Assembly, collectively, we can learn from them.

In the remaining time, I want to touch on Mr Agnew's amendment. The Member mentioned good intentions, and

I have absolutely no doubt that his amendment was tabled with good intentions. However, I am reminded of the saying that the road to hell is paved with good intentions. That is a road down which, inadvertently, the proposer of the amendment may be taking us.

First, he mentioned Europe. This is not a novel issue, and, as I understand it — I am sure that the Minister will touch on this — the Scottish Government have already sought clarity from the European Commission on whether they can impose a living wage requirement. The Commission's response was that it is not clear whether it would be compatible even with EU law. So, legally, we may not be able to do this. At the moment, certainly, it is not enforceable —

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

**Mr Weir:** No. I have only a short time remaining. I am sure that you will more than adequately deal with these points in your winding-up speech.

If, on the basis of goodwill, as the Member said, some firms abide by it, the situation will be that others will not. What might happen to, in the words of the proposer of the amendment, the good firms that impose this? They will put themselves at a competitive disadvantage, and the best contracts will go to those who do not fulfil the requirement to pay a living wage. That seems a bit illogical.

Mr Agnew mentioned an extension of things such as tackling youth unemployment and apprenticeships, but his amendment takes us in the opposite direction. Instead of the current minimum wage, which differentiates, for example, on age, you would have a situation in which you simply have a much higher blanket figure. For some young people, that would mean an increase of around 50% in their salary. That would be a massive disincentive for firms to take on young people who are inexperienced, so it would exacerbate youth unemployment.

It would also mean that, if we were able to deal with it at all, it would be on the basis of trying to impose it on local companies. We would be put in a situation in which we had to go through a process. The common criticism of procurement has always been that it is overly administrative, overly bureaucratic and has too many hoops to jump through. We would create, purely for local firms, a whole series of other hoops and additional costs that would make them less competitive and, indeed, put them at a competitive disadvantage administratively against firms from outside Northern Ireland. Realistically, only Northern Ireland firms could be monitored, allowing firms outside Northern Ireland to have, to some degree, carte blanche.

With the greatest respect, I have to say that the amendment takes things further in the wrong direction. It would be counterproductive and damage local procurement. Look at the difficulties in the tough world of the construction industry. We need to make things easier; we do not need to put in place additional financial burdens that can be placed only on local firms.

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

**Mr Weir:** Therefore, I urge Members to support the motion and reject what is an ill-advised amendment.

**Mr McKay:** Go raibh maith agat, a LeasCheann Comhairle. I support the motion and the amendment. The amendment adds to the substantive motion.

It was interesting that the Minister of Finance and Personnel said that procurement was one of the priorities for his term ahead. That is to be welcomed. It is important to make it a priority because we are not where we were 10 years ago, and we need to make the public pound go much further.

Some £3 billion is spent annually on the purchase of supply, services and construction works. That level of expenditure offers real potential to maximise the economic and social outcomes for the local community. Reference has been made to the previous Minister and to previous attempts to address procurement. We have this set of groups called COPEs — centres of procurement expertise — and I would love to know who gave them that name. I have seen these COPEs appear before different Committees many times, and they are anything but expert in some of their operations. So, I propose that some of those agencies should not have that name unless they actually live up to it.

The Audit Office report confirmed some of the procurement difficulties. The C&AG said:

*“There is scope to increase aggregated demand and collaboration for common goods and services”,*

and that:

*“If used properly, this can lever significant savings for the public sector.”*

So, according to the C&AG and the Audit Office, potential significant savings are not being realised for the public sector. The challenge for the Minister is to prevent the continuation of the wastage that occurred during his predecessor's term. I would like to hear today what the Minister plans to do about that particular piece of work. I give him credit for putting the focus on this matter through the public sector reform division, and I am keen to see some meat put on the bones of those proposals.

Best value for money has been one of the Executive's principles of public procurement policy since 2012. It is now defined as:

*“The most advantageous combination of cost, quality and sustainability to meet customer requirements.”*

Of course, that also means that it needs to have a focused business case to support the Programme for Government. So, factors of real benefit to society need to be taken into account, not just cost and quality.

Across the water in Britain, the Public Services (Social Value) Act 2012 has a similar focus, in that money is not everything. In my view, it can skew government processes in some regard. We need to think bigger than that, and that applies not only to procurement. As I said, the Minister has set up a new public sector reform division, and he has indicated that he wishes to see public service delivered in a more effective and efficient manner by thinking innovatively about procurement and ensuring that we have in place the most effective delivery models. That all sounds great, and I credit the Minister for outlining his plans. There is not much that one can disagree with, but we will want to see something more tangible before long.

and something that delivers better outcomes than current procurement processes.

We have had our difficulties with procurement in many instances. Patton was a great example of what is wrong in our system. Project bank accounts for projects of £1 million-plus will not fix all that or prevent it from happening again. We need to take a much stronger run at that issue. It is not an issue only between contractors and subcontractors, of course; sometimes, it goes back to public sector bodies themselves, such as the Housing Executive. Certainly, we — the Chair and the all-party Assembly group on construction — looked over the summer at the double glazing issue in the Housing Executive. Some of the things that are going on there are totally unacceptable, and many subcontractors are being put in the unenviable position of placing workers on notice because of the fault of public sector organisations. That must be discontinued.

Of course, that is not the only issue. We also have had political interference by the Finance Minister's colleague in the Department for Social Development (DSD), which we heard all about just before the summer. Such political interventions put jobs at risk as much as the inefficiency in the dealings of the public sector bodies themselves.

I am limited in time, but I will just touch on the living wage, which is a topic that the proposer of the amendment introduced. It is worthwhile debating it here today. I know that some of my party colleagues —

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

**Mr McKay:** —will follow through on that. We support the motion and the amendment.

**Mr D Bradley:** Go raibh maith agat, a LeasCheann Comhairle. Tá áthas orm tacaíocht a thabhairt don rún agus don leasú fosta. I am happy to support both the motion and the amendment.

The SDLP believes that it is incumbent on the Executive and the Assembly to create a procurement environment that facilitates our small enterprises to realise their full potential and that maximises the economic and social impact from the expenditure on procurement.

There is no doubt that the vast majority of businesses in Northern Ireland are small to medium-sized businesses. They are, in fact, the backbone of our economy, and we should do everything that we can to support them. That includes improving access to public procurement, which will obviously have a positive impact on innovation, improve economic strategies and competition, and, above all, help to create greater employment.

Historically, we know that SMEs have faced a number of barriers, including a lack of knowledge or awareness of opportunities, and challenges around the use of frameworks. There are also capacity issues and issues with the perceived complexity of the procurement process.

A number and variety of approaches have been tried to support SMEs and social economy businesses to access public procurement, and those have met with some success. Those approaches tend to concentrate on simplifying the procurement process and making it more accessible to SMEs.

**Mr Ross:** I thank the Member for giving way. Does he agree that one such way of helping SMEs get into the

procurement sector is through their participation in events such as the Meet the Buyer event that was held two weeks ago by InterTradeIreland? At that event, many SMEs that had never been involved in public procurement, or had never even thought about it, were able to go along, get coaching and meet with some public buyers. It is that sort of initiative that government can help to run that will help SMEs to get involved in public procurement in the future.

**Mr D Bradley:** I thank the Member for his intervention. I must say that I totally agree with him, and I will deal with that in more detail later on.

Some of the approaches that have been tried include facilitating access to frameworks and opportunities and using proportionate selection criteria. It has also been helpful to divide contracts into lots. Indeed, EU research shows that that approach increases the probability of SMEs winning contracts. It is also good to improve access to information through the type of occasion that Mr Ross mentioned — the InterTradeIreland event that was held a number of weeks ago, which Mr McGlone will elaborate on — and through the greater use of e-procurement. It is helpful to set up proportionate requirements around qualification levels and finance based on the size and subject matter of contracts.

We need to encourage collaboration and joint ventures between SMEs, and between SMEs and larger organisations. It is also necessary to continue to build capacity through holding events such as the one that was mentioned, by helping to develop tender-writing skills and by providing more opportunities to converse with buyers.

All those approaches are useful and helpful, but they are not the be-all and end-all. We need to re-examine them, evaluate them, and ensure that they work and have the desired effect on improving the process and on allowing more SMEs to participate in the procurement process.

There are clear benefits from increased participation by indigenous smaller enterprises providing services, supplies and works to government. That encourages them and gives them the confidence to grow. It also encourages them to participate in public procurement processes outside this jurisdiction. That is a very important point because, obviously, it can improve our economy and lead to greater employment opportunities.

## 12.00 noon

Additional benefits are, as I mentioned, increased employment and raising the level of productivity and gross value added here in Northern Ireland. The Executive must continue to develop a strategic policy for using public procurement as far as is permitted under the legislation —

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

**Mr D Bradley:** — and to use it as a tool for the development of our smaller enterprises —

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

**Mr D Bradley:** — for stimulating economic growth in the longer term.

**Mrs Cochrane:** I, too, welcome the opportunity to speak in support of the motion. The way in which our public sector allocates resources has a major impact on the economy and society in Northern Ireland as a whole. With the



challenging financial environment, we expect our public authorities to reform services and purchase in a way that delivers more for less. With that in mind, it is important to look at whether our small and medium-sized enterprises and our social enterprise sectors can offer better value for money than larger suppliers. If that is the case, how can we encourage them to compete for more public sector business?

There is an argument that our SME sector brings greater competition to the marketplace, which, in turn, drives down costs. They can often offer higher personal levels of service and can be more responsive to changing requirements due to shorter management chains and approval processes. There is also the further benefit of increasing the involvement of smaller enterprises in the government supply chain, in that the more experience our SME and SEE sectors can gain, the more likely they are to go on to grow and compete successfully for business outside Northern Ireland, and that is vital for us to grow our economy.

As the Chairperson of the all-party group on SMEs, I fully recognise the sector's importance to our economy and, therefore, I am keen to explore what can be done to ensure better access to procurement opportunities for them. Indeed, at a recent meeting of the group, that issue was raised by a number of organisations. There is a real apprehension about engaging with the public sector, and we need to try to address that. Examples of the issues that they faced included levels of experience required, which, obviously, affects newer businesses being able to enter the market; issues around over-the-top insurance requirements that are not proportionate to the risks associated with projects; and delayed payment of invoices, which affects those smaller businesses that do not have such established credit arrangements with their own suppliers.

Other issues raised have been around not being able to source information about opportunities, including subcontracting, and not understanding the requirements fully. We really need to focus on removing those barriers, those that are perceived and those that are real, to encourage our SMEs and our SEEs to participate. Often, that sector is put off by red tape and bureaucracy, and we must ensure that they feel that the process is open, streamlined and transparent to encourage their participation while meeting all our legal requirements and protecting the public purse.

We should note, however, that those issues are not faced only in Northern Ireland; there have been many criticisms of procurement processes in the devolved regions too, and it is useful to look at how they are addressing those issues. The Scottish Government have a range of initiatives, including a procurement policy handbook that advocates proactive development of a supplier base of SMEs and third-sector organisations. Similarly, the Welsh Government have a charter for SME-friendly procurement. Northern Ireland does seem to be achieving levels of business participation in government contracts, certainly on a par with other devolved Administrations, and many changes are already under way following the recommendations from the Department of Finance and Personnel (DFP) report on public procurement. I am keen to know whether the Minister intends to implement further recommendations from that.

One area where we, perhaps, are lagging behind other regions is around what we are delivering in community benefits.

**Mr Ross:** I thank the Member for giving way. I am sure that she will agree that one of the positive aspects in Northern Ireland has been the fact that we were the first devolved region to run open competition for the small business research initiative in the area of tourism apps. Does she agree that a greater use of that small business research initiative will help small companies with their R&D and help us drive innovation among SMEs across Northern Ireland?

**Mrs Cochrane:** I thank the Member for his intervention. Yes, I agree with him. There is still more to be done to communicate exactly how that can be best utilised.

I go back to what I was saying around the social clauses.

We have made some progress in that area, but perhaps more can be done, whether they relate to employment, apprenticeships or environmental sustainability. Such clauses should be seen as an integral aspect of the public procurement process, and, arguably, through their implementation, our public spending return is likely to be more beneficial, economically and practically.

Although I support the proposed amendment as an aspirational concept, it is problematical when it comes to contracts. A living wage is hard to define and is ineffective economically. It is better to drive up wage levels through increases in productivity and to achieve that through increasing skill levels. Alternatively, as the national minimum wage has not really changed for a number of years, a UK-wide revision in light of increased pressures might be a more appropriate way to look at that.

We will, therefore, not be supporting the amendment as that move could be viewed negatively by businesses. We are arguing for better access to government contracts, and that move would make it more difficult for SMEs to compete. Therefore, it undermines the thrust of the motion.

From what was said by others, it is clear that we recognise and appreciate the important contribution that SMEs make. We should nurture them and develop their role in fostering economic, environmental and social benefits across Northern Ireland. All that can be done to procurement practices to allow that to happen should be done.

**Mr Girvan:** I thank the Member for bringing forward the motion and I support it. Among the greatest inhibitors to access to the opportunities that are available to small and medium-sized businesses and micro-businesses in Northern Ireland are EU restrictions. Being a European sceptic, I would say that those have done nothing but drive down opportunities for our small and medium-sized businesses to access.

I want to focus on COPEs — centres of procurement expertise, or lack of. A great body of work needs to be done in joining them up. Each Department seems to have its own COPE. Those COPEs are not necessarily communicating and being effective in ensuring that we do that. A body of work needs to be done to ensure that an opportunity to deal with things in a more effective way is brought back to the centre.

Encouraging small businesses to tender has been a big problem. They are probably put off by the bureaucracy. Work has been done by economic development units in

councils to bring small businesses up to speed and to help them to access the tender process. The tender process has sometimes been used to put people out because it works from a select list. That select list process is not necessarily to award the contract but to ensure that certain people do not get the contract. That list has to be set aside.

Small businesses have been delivering as sub-contractors on many contracts but have no track record of delivery. As a consequence, they sometimes do not score when it comes to the final stages. Including contracts that they were involved in should be part of the criteria to allow them to work their way through the process.

The motion refers to other regions in the United Kingdom and how other devolved institutions deal with this matter. Interestingly, Scotland is looking at the procurement process in Northern Ireland, the amount of money that we spend, how we do that and ensuring that it works its way down. They are seeing it as good practice. I am not saying that it is always perfect, but we need to improve on it and ensure that we deliver that.

I think that £2.7 billion was spent in 2011-12, which would have been open to tender for contractors to deliver in Northern Ireland. That is a sizeable amount of money. To ensure that they all get a fair crack of the whip, we need to relax some of the regulation. We have to ensure accountability but, sometimes, in doing so, we do not always get value for money. One contractor said that he would do a small job for, say, £20,000, but that he would see what bids came in if it were put out to tender. The tender went out and it came back at almost double that price. Therefore, we do not always get value for money when we go out to tender. I can tell you that a certain thing called a cartel is at work out there with those who are on the select list to ensure that they win contracts. They say, "I have won this contract, so you can win the next one." Irrespective of whether people believe it, that does go on.

The expertise must be there to ensure that we get value for money from contracts when they are awarded. Those who have the opportunity to look at building and the mechanical and engineering side should have the expertise to ensure that we do not receive inflated prices and that it is not just an exercise in which people have ticked all the boxes, done everything right and, therefore, set the price that we pay. To ensure access for small businesses, it is important that we streamline the process and get rid of some bureaucracy.

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

**Mr Girvan:** We must ensure that the COPEs work together. Otherwise, we should bring it back into the centre and deal with it in one place.

**Mr Flanagan:** Go raibh maith agat, a LeasCheann Comhairle. Cuirim fáilte roimh an díospóireacht thábhachtach seo. We all know that procurement of goods and services is a vital way in which our public sector and local and central government can help the private sector to grow and help to stimulate economic development and growth. However, the ever-increasing levels of outsourcing of work that probably could and should be carried out by the public sector is a source of great concern to me and many others.

Often, work is outsourced without any comparisons at all being made with regard to value for money. It is

simply decided to put contracts out to tender and to get somebody in the private sector to deliver them, without comparing that with how it could be done in-house by the public sector. That is one of the big problems that must be addressed. A considerable number of large contracts are out to tender or were recently closed for tender by the Government here. There is absolutely no reason why they could not have been delivered by civil servants. There are no specialisms or work that could not be done by most civil servants who are employed in the public sector. However, that seems to be how we will rebalance the economy, which is the buzz phrase of the moment — by simply lifting things from the public sector, transferring them to the private sector and saying that the private sector is growing.

Some have made a stab at defining what value for money is. The FSB, in one of its very useful documents on public procurement, stated that value for money requires the promotion of quality, project completion times, ease of communication and project flexibility. Since the new Minister of Finance and Personnel took office, he has repeatedly flown the flag of innovating in the public sector, which sounds like a very plausible and commendable approach. I do not think that anybody could argue with such a phrase. That is certainly an approach that should be taken to deal with public procurement. The FSB has continually requested the introduction of a standard pre-qualification questionnaire for low-value contracts, which small businesses would have to fill in only once and which would then be logged for future bids.

Much more needs to be done to break down larger contracts into smaller ones and to help smaller companies to collaborate to compete for larger contracts. I think that we would all say that. However, on the other hand, we have to deliver best value for money. It is a tough decision for the Minister and the Department to determine whether to put out large contracts, which may well save the public purse money, or to break them down into smaller contracts to give smaller businesses a chance to win them, which may well cost more. It is a case of determining the wider value for money of that. That variable needs to be looked at.

Much more should be done to provide unsuccessful bidders with feedback or, as the FSB has called it, "debriefing", which is something of a military term that I have never liked. They should receive feedback on why they were not successful in a format that is suitable to their individual needs.

**12.15 pm**

There has been a bit of talk about some of InterTradeIreland's programmes. It provides an excellent programme for businesses across Ireland that gives greater confidence, knowledge and practical skills to enable businesses to tender successfully for public sector contracts. There is one such programme coming up in Enniskillen in the middle of October, and I encourage people to attend it.

To provide greater savings and opportunities for the public sector and business, we need to explore further the potential benefits of greater collaboration across the border between local authorities, North and South, and with the Department of Finance and Personnel. The level of the economies of scale that we could get should be explored, and it would be welcome if the Minister dealt with that.

Much more also needs to be done to help and support small businesses to tap into the potential benefits of public procurement. Business membership organisations, including the FSB, the CBI and NIIRTA, have produced a number of useful documents. Those business membership organisations frequently raise concerns about the Department's public procurement board. I looked at its website, which is drastically out of date. It refers to 2012 and does not know that there is a new man in the chair. Hopefully, the Minister will get that updated. The board does not contain representatives from business or the trade unions; it is mainly made up of permanent secretaries. One thing that I would like the Minister to do —

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

**Mr Flanagan:** — is to allow business and trade union representatives onto the public procurement board.

**Mr I McCrea:** As a newly appointed member of the Finance Committee, I welcome the opportunity to speak in the debate and, more importantly, to congratulate the Minister on his recent appointment. This is my first opportunity to put that on the record publicly. He knows that he has a big pair of shoes to fill — I am not sure what his shoe size is — but I certainly have confidence that my colleague can do the job well.

I commend the proposer for bringing this timely motion to the House. The issue certainly affects many people in my constituency. With that in mind, I want to take some time to speak about how, I believe, local government can play a part in building up the SME sector by dealing with public procurement contracts.

I declare an interest as a member of Cookstown District Council. I want to spend some time detailing an initiative that was taken forward by our council's economic development department and how that has helped local SMEs in the council area.

In response to the procurement issues raised by the local SME sector in 2010, the council's economic development department applied to DETI and was successful in accessing 50% match funding from the EU sustainable competitiveness programme. The funding helped to deliver a two-year pilot programme of bespoke one-to-one tendering support for SMEs, aimed at building the capacity of up to 80 SMEs from the Cookstown district in construction, engineering, manufacturing and business services, excluding retail, to identify tender opportunities in the public and private sector as well as to prepare and submit professional tender bids.

The project certainly surpassed the targets that the council set. Although there are many bad news stories about our SME sector, it is important that we talk about some of the positive aspects. There was an expectation that we would set ourselves achievable targets for this multisectoral tendering programme, but when we looked at the final outcomes, we found that it had provided a boost of approximately £15 million to Cookstown district's economy. It supported participating businesses to win new contracts worth £12.6 million and contributed to the creation of 43 new jobs valued at £2 million. It helped companies to access other sources of support worth just over £350,000. It developed seven consortia bids, and 59 businesses, 74% of those involved, were supported to develop a pre-qualification questionnaire. Twenty businesses were referred to Invest NI for further support, and 10 businesses

accessed support from six other sources. This is a good news story in the sense that it shows how a district council can take forward an initiative to try to help the local SME sector. With that in mind, as we move into RPA, there will be bigger budgets, and, as the local councils amalgamate, many more opportunities to learn from a small district council in Cookstown that punches well above its weight. Such initiatives, which currently benefit the local economy, can be used on a bigger and wider scale in the new councils after the introduction of RPA.

There are good news stories. There is no doubt that a lot more work can be done and needs to be done. I hope that the Minister, in his response, outlines some of the issues that he feels need to be targeted. A common theme in the debate has been that there is no doubt that people in the SME sector need our help. We certainly need to do everything that we can, as government, to do that.

**Mr B McCrea:** One thing that surprises me about the debate so far is that there has been no discussion about the forthcoming EU procurement directive. The Cabinet Office issued a procurement policy note in July 2013 — just at the start of the summer — providing an update on the progress towards modernising the EU procurement rules. As many Members, including Mr Girvan, said, the EU tends to have a lot to answer for. So it is encouraging that a new major directive will come out this autumn — any time now — and that the UK has said that it will move with alacrity to ensure that it is transformed quickly into UK legislation.

It is interesting to note that some Members mentioned the Scottish procurement laws. A Scottish procurement Bill was tabled but has been postponed from May because the EU directives were coming out. We want to see whether there is any crossover.

**Mrs Overend:** Will the Member give way?

**Mr B McCrea:** Yes.

**Mrs Overend:** I just want to correct Mr McCrea. I am not sure whether Mr McCrea was present when I proposed the motion, but I want to clarify that I mentioned that then.

**Mr B McCrea:** I am grateful for the clarity. I did, unfortunately, miss that bit, but I was listening out for anybody picking it up during the debate.

I wonder whether Mrs Overend dealt with the proposals that were agreed and accepted by the UK Government, which include a much simpler process for assessing bidders' credentials, involving greater use of self-declarations and only the winning bidder having to submit the various certificates. There is also a specific requirement for poor performance under previous contracts to be explicitly permitted as grounds for exclusion, and that is a good thing. The distinction between Part A and Part B services has been removed — I am not sure whether Mrs Overend covered that point — and a new light-touch regime for social, health and some other services has been brought in. The importance of that is that the advertising regime has been changed, and, in fact, the threshold has been increased to a substantial €750,000. One problem with many of the contracts is that the threshold is so low that many small businesses think that it is not worth going to that sort of expense.

Members mentioned other issues that they want to be brought in, such as a dynamic purchasing system that is

greatly simplified and, in particular, the ability to reserve the award of certain service contracts to mutuals and social enterprises — we have all been keen to do that.

Again, I am not sure whether Mrs Overend was able to deal with that, but it is particularly important.

There will also be a requirement for a review of thresholds. That is because the directive includes a binding commitment on the Commission to review the economic effects of the internal market as a result of the application of thresholds. That could lead to an increase in the thresholds, which have been broadly static for 20 years. Again, that is important.

There should be legal clarity so that buyers can take into account the relevant skills and experience of individuals at award stage. That has often been a problem for us in procurement, because our people who were applying for it would say that they have particular skills that were not being taken into account.

Another element that is coming through and will become law — in the UK anyway, I presume — but may be of interest to the proposer of the amendment is the improved rules on social and environmental aspects, making it clear that social aspects can now also be taken into account in certain circumstances. That is in addition to the environmental elements that have previously been allowed. So, if you are looking for a living wage or are involved in such issues, these procurement laws would absolutely and implicitly allow them to be taken into consideration. That would surely be a good thing.

I think that I heard Mr Bradley call for e-procurement. That will be implemented within four and a half years. There is an interesting issue there. A turnover cap has been introduced to facilitate SME participation, and buyers will not be able to set company turnover requirements at more than twice the contract value. That is one of the things that most SMEs fail on. When they look at the size of the contract or the financial stability, the bigger players say that that is not appropriate.

Finally, I heard Mr McCrea talk about the councils. He will no doubt be delighted to know that, when the new directive is implemented, public authorities will no longer have to submit detailed annual statistics on their procurement activities. The Commission will collect that information directly online, thereby freeing up valuable time and resources for public authorities.

Mr Deputy Speaker, you may wonder why I happen to be so well informed about this. It is because I intend to bring forward a private Member's Bill on the matter, but, like the Scottish Government, I am delayed until we see what the EU directive says. When it comes, I trust that we will get the support of all present, and, if possible, I would be delighted to work with the Minister of Finance and Personnel on the matter.

**Mr Deputy Speaker:** 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 debate stood suspended.*

*The sitting was suspended at 12.27 pm.*

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

**2.00 pm**

## Assembly Business

**Mr Deputy Speaker:** Before we move to Question Time, I advise the House that the Business Committee has scheduled the remainder of the Second Stage of the Human Trafficking and Exploitation (Further Provisions and Support for Victims) Bill this afternoon. It will begin immediately after the debate on access to public procurement opportunities has finished. A revised Order Paper and revised indicative timings have been issued.



# Oral Answers to Questions

## Enterprise, Trade and Investment

**Mr Deputy Speaker:** We will begin with topical questions, which will last for up to 15 minutes, and we will then move on to deal with questions that appear on the list of questions for oral answer. Question 7 has been withdrawn.

### Energy Costs

1. **Mr Easton** asked the Minister of Enterprise, Trade and Investment, following a visit I made to a business in my constituency called 3M, what the Utility Regulator is doing to try to help businesses that are struggling with ever-rising energy costs. (AQT 101/11-15)

**Mrs Foster (The Minister of Enterprise, Trade and Investment):** I am not surprised that Mr Easton has been asked about the price of energy, particularly for our large energy users. It is a feature that comes up more and more in Northern Ireland. It is one of the reasons why I asked the Utility Regulator to look at that very issue. The Utility Regulator brought forward a paper earlier this year in which he pointed out the fact that we were one of the highest cost areas for electricity in western Europe. That, of course, causes me grave concerns, particularly for the manufacturing sector. Therefore, I have asked him to do more work on that issue and to come back to me by October. I am hopeful that that will come to me in the near future.

**Mr Easton:** Do you believe that actions will come forward from the paper that could help businesses?

**Mrs Foster:** I very much hope that that is the case. I met the board of the Utility Regulator a few months ago. It knows where the focus is for me as Minister of Enterprise, Trade and Investment. It knows that it is not a good selling point for us to have that level of electricity cost, particularly for large energy users. Therefore, I hope that the paper will come back to me in a timely fashion with actions and costings, which are very important as well; there is no point in bringing forward possible actions if there are no costings associated with them. Everybody in the Assembly will want to know what the cost implications are if we take certain actions. I look forward to the paper, and I hope that it has positive actions for energy costs in all of Northern Ireland, particularly in relation to the large energy users.

### Manufacturing

2. **Mr Wells** asked the Minister of Enterprise, Trade and Investment whether she is aware of the good news from Kilkeel about the opening of the Metalweb factory on the old Cunningham Stone site; whether she knows that the aircraft factory in the town continues to do well and, indeed, has recently completed the construction of the new Lufthansa first-class seat; whether she agrees that that emphasises the importance of manufacturing in the Northern Ireland economy; and although there has been concentration in the construction trade, does she agree and would she accept that the bolstering of manufacturing is the crucial way through which Northern Ireland will get out of its present economic situation. (AQT 102/11-15)

**Mrs Foster:** I thank the Member for his question. I very much welcome the opening of that new factory. I join him in congratulating staff there and B/E Aerospace as well, which he referred to. I pay tribute to the former CEO of B/E Aerospace, who has moved on. He did fabulous work in Kilkeel. We wish him well for his new position. The Member is absolutely right: manufacturing is key to the economy of Northern Ireland, particularly manufacturing exports. I was pleased to see that manufacturing exports went up 4% in quarter 2 of this year. That will certainly help us with our Programme for Government targets. As he will know, we have a general target of a 20% increase. In new and emerging markets, we have the huge target of a 60% increase. We very much welcome the fact that manufacturing exports seem to be going in the right direction.

**Mr Wells:** I thank the Minister for her comments. One of the things that came out of the opening of the Metalweb factory in Kilkeel was quite a worrying indication that there was a shortage of skilled craftsmen in the particular area of moulding aluminium for various manufacturing processes. Will she liaise with the Department for Employment and Learning to ensure that, as the economy comes out of recession, we do not go back to the situation of six or seven years ago, when there were areas of the economy that were constricted by the fact that an insufficient number of skilled apprentices and craftsmen were coming through the system?

**Mrs Foster:** I thank the Member for those comments. I will certainly raise that with the Minister for Employment and Learning. One of the key elements of having a devolved Administration is to ensure that we have joined-up government and the appropriate skills for the job opportunities that present themselves. That is why we have the assured skills scheme, which has been worked up between the Minister for Employment and Learning and myself. It has worked very well with regard to inward investment, in so far as we can find out what skills the inward investor needs and then manufacture, for want of a better word, the appropriate skills for him or her. It is interesting that you have mentioned an indigenous company that has clearly indicated to you that there is a need for particular skills. I am sure that the Minister for Employment and Learning will want to take that on board, particularly considering his excellent college in that region, and ensure that those skills are available.

### Job Creation

3. **Ms Maeve McLaughlin** asked the Minister of Enterprise, Trade and Investment, given her indication that 13,870 jobs have been promoted during this term of the Programme for Government, whether she can state how many of those were jobs that were promoted and how many were new jobs that were created. (AQT 103/11-15)

**Mrs Foster:** I have the figures in my head in respect of the jobs fund. I think that over 7,000 jobs have been promoted and over 3,600 have been created. I do not have the foreign direct investment figures in my head at present, but, of course, I am happy to write to the Member with the appropriate statistics.

**Ms Maeve McLaughlin:** I thank the Minister for that, and I look forward to the detail. Given the announcement from INI a number of months ago that it will begin to publish the

statistics on actual jobs created, do we have a timeline for when we are likely to see that detail in the public domain? Go raibh maith agat.

**Mrs Foster:** I am on record as welcoming Invest Northern Ireland's commitment to provide us with figures on jobs created, as opposed to jobs promoted. The Member will know that the difficulty with the figures on jobs promoted is that the number given to us by the firm depends on the amount of money that it gets in selective financial assistance and so on. Those jobs are promoted over a period, whereas Assembly Members, understandably, considering their constituencies, want to know how many actual jobs are created in a particular year. We will have those figures on a year-to-year basis now. The jobs fund already provides those statistics on a rolling basis, and I am sure that we will have the statistics on jobs created from foreign direct investment at the end of this financial year.

### Tourism: Brown Signs

4. **Mr Storey** asked the Minister of Enterprise, Trade and Investment what progress her Department is making with the Department for Regional Development on changes to the regulations and legislation for the erection of brown signs, particularly to ensure that we have, very soon, tourist directional signs for the Dark Hedges in my constituency. (AQT 104/11-15)

**Mrs Foster:** The Member is very persistent in his campaign to have brown signs for the Dark Hedges, understandably so. Indeed, many colleagues across the Chamber will want to have brown signs in their constituency pointing out particular points of interest and, indeed, recreational areas. I am disappointed with the progress on the policy. The policy, in theory, is shared between the Tourist Board and the Department for Regional Development's Roads Service, although Roads Service has the final say on whether a brown sign is erected. Unfortunately, the policy remains with DRD, and an up-to-date policy is not yet in place.

**Mr Storey:** I thank the Minister for her reply. I share her disappointment. I declare an interest as a member of the Dark Hedges Preservation Trust. Will the Minister help me to ensure that, as far as the Regional Development Minister and his Department are concerned, every effort is made to change the policy so that the many hundreds of people who regularly visit the Dark Hedges will be signposted to what I believe to be the most idyllic treeline in Northern Ireland? Indeed, it is the fifth most visited treeline in Europe.

**Mrs Foster:** I am sure that the Member is glad to share that statistic with the House today. I had hoped that we would by now have had a policy on brown signs that would recognise the specific circumstances of Northern Ireland and be more flexible. I understand from Roads Service that it does not want a proliferation of brown signs around Northern Ireland. When one visits mainland Europe, one can see why that is the case. There are signs everywhere in France and Germany, and it is very confusing for motorists. However, a little flexibility on brown signs would be wholeheartedly welcomed by people who are trying to find tourist attractions. I hope that we are able to come up with a policy that is flexible and workable and that, above all, works for all the tourists who come to Northern Ireland.

### Business Development

5. **Ms McCorley** asked the Minister of Enterprise, Trade and Investment to outline her priorities for island-wide business development in advance of Michael Noonan's engagement with the CBI on Friday. (AQT 105/11-15)

**Mrs Foster:** I am not aware of the event on Friday to which the Member refers. However, we work with InterTradelreland to increase the trade between both parts of this island — between Northern Ireland and the Republic of Ireland — because, in many instances, for many small and medium-sized businesses the other jurisdiction will be the first port of call for their goods. InterTradelreland will, therefore, continue to work with those small and medium-sized enterprises to make sure that they have good support networks, that programmes are available to them that they can work with and that they can make the most out of their next-door neighbour and work well with them.

**Ms McCorley:** Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire as a freagraí. I thank the Minister for her answer. How does she propose to protect against the further marginalisation of our local economy?

**Mrs Foster:** I do not accept that we are being marginalised. Last week, I was in South Africa with a trade mission of 27 companies from across Northern Ireland. We were very warmly welcomed. The focus of the trade mission was on manufacturing and heavy manufacturing industry, particularly from the mid-Ulster and west Tyrone area. It was a good trade mission, and I believe that orders will come out of it. So I do not accept that we are a marginalised economy. We are part of a very stable United Kingdom economy, and I think that we will continue to grow as the UK economy grows.

### Exploris

6. **Mr McAleer** asked the Minister of Enterprise, Trade and Investment what level of marketing support her Department has provided to Exploris in Portaferry. (AQT 106/11-15)

**Mrs Foster:** I welcome the question on the Exploris centre from the Member for Strangford — no, sorry, West Tyrone. [Laughter.]

**Mr McCarthy:** [Interruption.]

**Mrs Foster:** I know that you would welcome him down there.

The Department and, in particular, the Tourist Board have been very supportive of the Exploris aquarium. As you know, it is run by the local council, which has taken an economic decision not to continue with it. I know that that will be disappointing to the visitors — including me — who go to Exploris, but the council has taken that financial decision. It has been voted through the council, and that is where it sits.

### 2.15 pm

**Mr McAleer:** Does the Minister accept that the Exploris centre plays a very important role not only in attracting visitors to the area but in supporting the local economy?

**Mrs Foster:** I am sure that all those points were taken into account by the council when it decided to close the

aquarium. It is, of course, regrettable that the decision has been taken, but I can assume only that it was taken for economic reasons and that the aquarium was no longer able to “wash its face”.

I note that a local representative for Strangford referred to Exploris as a “fancy plaything for anoraks” and a “constant drain on ratepayers”. When a local representative says that about Exploris, it leaves a lot of questions to be answered.

**Mr Deputy Speaker:** That ends topical questions. We now move on to questions for oral answer. I advise Members that question 9 has been withdrawn.

## Dairy Produce: Cross-border Trade

1. **Mr McAleer** asked the Minister of Enterprise, Trade and Investment what steps she intends to take to equalise the cross-border trade in dairy produce, given that companies here are currently not entitled to display the National Dairy Council label on their produce. (AQO 4616/11-15)

**Mrs Foster:** I am concerned that the National Dairy Council (NDC) campaign is a contravention of the principles of the single market. I believe that the campaign is a misuse of country of origin labelling. It discriminates against consumers in the Republic of Ireland, who are being denied the additional choice and benefits of market dynamics that product from Northern Ireland would provide. I have raised the issue with the Irish Competition Authority and with my ministerial counterparts in the Republic of Ireland. I have discussed the negative impact of the campaign with the Agricultural Trust, which includes representatives from the food processing sector, the Irish Farmers' Association and the Irish Farmers Journal. Finally, I, along with my colleague Diane Dodds MEP, have brought the issue to the attention of the European Commission.

I am becoming increasingly concerned by feedback from the Northern Ireland dairy processing industry about the adverse impact of the NDC campaign on local businesses. Over recent weeks, I have written to one of the major multiples in the Republic of Ireland seeking an urgent meeting to discuss the matter. I am aware that the Dairy Council for Northern Ireland is threatening to take action in the European courts to stop the campaign. I welcome that approach and will offer support in addressing the anti-competitive stance of the campaign.

Northern Ireland and the Republic of Ireland are food-exporting regions, and neither can afford to be protectionist. If the campaign were to be replicated in Great Britain, excluding product that was not produced and processed in the UK, it would cause immense problems for the food industry in the Republic of Ireland.

**Mr McAleer:** Go raibh maith agat, a LeasCheann Comhairle. Has the Minister engaged directly with the National Dairy Council? Is she minded to raise this at the next North/South Ministerial Council meeting?

**Mrs Foster:** I have already raised it with Simon Coveney, the Minister in charge of agriculture in the Republic of Ireland, not at a full meeting of the North/South Ministerial Council but on the fringes, so he knows my concern.

A Minister from the Member's party is in China promoting food from this region, and here we have the Republic of Ireland denying our dairy producers the right to sell. They

will, of course, contend that they have a right to sell and that NDC is only a label, but my concern is that retailers now use the label when sourcing milk, thereby stopping our dairy processors. Indeed, very recently, one of our dairy processors lost a significant contract in the Republic, so this will have an impact here in Northern Ireland. I will meet whomever I need to meet to discuss the campaign, because I believe that it is detrimental to us now and will be detrimental to the Republic of Ireland in the long run.

**Mr Irwin:** Should we take a leaf out of the IFA book and encourage multiples to source only UK product?

**Mrs Foster:** There is a temptation to go down that line. However, we, like the Republic of Ireland, are net exporters. If we entered into that sort of protectionism, it would be to the detriment of Northern Ireland and the Republic of Ireland. We should not go down the road of protectionism. In South Africa, I spent some time talking to people on behalf of the poultry sector to make sure that there was no protectionism when it came to chicken products from Northern Ireland coming into South Africa. As far as I am concerned, protectionism does not work. The free market works. Therefore, we should, at all times, hold a light up to protectionism wherever we see it.

**Mr Rogers:** Will the Minister elaborate on the potential loss to northern dairy suppliers if the campaign remains unchanged?

**Mrs Foster:** It is not potential loss but an actual loss that has occurred already. I made reference to one of our processors, and I am happy to say who it is: Dale Farm recently lost a considerable contract in Superquinn because of the NDC mark. That will have an impact in Northern Ireland.

It is a very short-sighted policy. We export to each other every day of the week. We do not want the emergence of a tit-for-tat regime to deal with the NDC labelling or a move away from what should be a single market. We are often told that the Republic of Ireland are good Europeans, so it is about time that they took action on NDC labelling. That should happen very soon.

## Economic Recovery

2. **Ms P Bradley** asked the Minister of Enterprise, Trade and Investment for her assessment of recovery in the local economy. (AQO 4617/11-15)

**Mrs Foster:** The global downturn has clearly had a significant impact on Northern Ireland. Local businesses are still feeling the effects. However, there are positive signs that the economy has stabilised and we are starting to move in the right direction. In particular, I welcome the fact that the number of people claiming unemployment benefits has fallen for seven consecutive months and that the economy has added more than 5,000 jobs over the past year. In addition, manufacturing exports grew by 4% in the second quarter of 2013, and a recent business survey reported that local business activity had grown at its fastest rate in six years. However, it is not a time for complacency; there is still much work to be done.

**Ms P Bradley:** I thank the Minister for her comprehensive and encouraging response. The Minister touched earlier on her trade mission to South Africa — this is always the bother with having topical questions before the main

questions for oral answer — but will the Minister expand on that and tell us why she chose to travel to that market?

**Mrs Foster:** I thank the Member for her supplementary. I think that some people do not realise that, when we talk about the BRICS, we are talking about Brazil, Russia, India, China and South Africa; South Africa is the 'S' in that, if you like.

South Africa is a very good opening market to go into from the point of view of Africa as a whole. That has certainly been the experience of some of our more established firms that have been there for a number of years. I am thinking particularly of Terex Finlay, Sandvik and Terex Powerscreen. They were all out with us again, along with a number of companies, to try to sell their wares at bauma Africa, which is a large show that showcases the crushing, screening and material-handling sector for the whole of Africa. There were people from all over Africa looking at the wares at that show in Johannesburg. I was particularly proud of the Northern Ireland presence at bauma Africa. Companies like Powerscreen and Edge Innovate are there doing business right across Africa. It is a very good feeling to see all those guys from west Tyrone, mid-Ulster and right across Northern Ireland doing business in Africa. It is something that we should be very proud of. I was just reminding the Member that he is from west Tyrone. We also had an IT company out with us and, as I said before, somebody from the agrifood sector. It was a very good trade mission.

I also took the opportunity to plug Northern Ireland as a tourist destination, as you would expect me to do. We also had a Northern Irish connections reception, at which we touched base with some people who had left Northern Ireland a considerable number of years ago but wanted to come and listen to the story of what Northern Ireland is doing today. It was a very worthwhile trip.

**Mr McGlone:** Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire as freagraí go nuige. Would the Minister support the establishment of an independent Calman-style commission to examine the sorts of powers that could be devolved to the Assembly and/or the Executive to properly and comprehensively address or help to address the economic problems that we face?

**Mrs Foster:** I thought that that was what the economic pact was doing at present. The Member knows that that economic pact will become the focus of attention again before the investment conference on 10 and 11 October. In that pact, we are looking not just at corporation tax but at a range of initiatives that we might take to help the Northern Ireland economy in conjunction with the Westminster Government. One of those is enterprise zones and whether they fit in to the Northern Ireland scheme of things and how they would work in Northern Ireland. All those issues will be addressed in the economic pact, and we look forward to the update from the Prime Minister when he comes to our conference on 10 and 11 October.

**Mr Flanagan:** Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire as ucht a freagraí go dtí seo. I thank the Minister for her answers. Will she outline the benefits that enhanced fiscal responsibility and powers for the local Executive will have in promoting and assisting economic recovery?

**Mrs Foster:** As I said, the economic pact will assess all those issues, and we look forward to what the

Prime Minister has to say about the matter. Of course, we continue to press the need for the devolution of corporation tax. We believe that that would have a huge impact on the Northern Ireland economy, and there are varying figures for the impact that it would have on the jobs market. I know that my ministerial colleague in the Department for Employment and Learning has carried out some work on what we would need to achieve in skills provision if we were to be in receipt of the devolution of corporation tax. I am also watching closely what is being said at the Labour Party conference about corporation tax. Whatever you might say about the current Government, they are on a downward trajectory with corporation tax, and I somehow think that that would not be the case if we were to have a Labour Government.

**Mr Cree:** I know that the Minister is aware of the importance of new business start-ups for the local economy. The Northern Ireland figure for 2011 was 3,745, which was less than half the number created in Wales and less than a quarter of that provided in Scotland. Will the Minister tell us what she proposes to do to improve the figure for business start-ups?

**Mrs Foster:** As the Member knows, there was a difficulty with getting the small business start-up programme off the ground, and there was a legal challenge. That would explain the difference between the figures. We very much hope that this year he will see a different story with small business start-ups.

I welcome the loans scheme that was introduced on the mainland for start-up loans. That is a very welcome additional tool for people who want to start a business. So, not only have they now got the Regional Start programme but they can apply for money from some of the delivery agents that deal with the small business loan scheme — sorry, the start-up loans scheme. There are so many loan schemes out there now. If Members would like, I can share with them the number of access-to-finance schemes that we have now. Not only are there the Invest NI access-to-finance schemes but we have some mainland schemes coming into Northern Ireland, which I very much welcome. One of the delivery agents for that start-up loans scheme is the Prince's Trust. We welcome all sorts of financial help for people who want to start up a business, but we recognise that it is about not only the financial start and that they need advice and assistance. That is certainly something that Invest NI will endeavour to provide.

### Civil Unrest: Economic Impact

3. **Mr B McCrea** asked the Minister of Enterprise, Trade and Investment for her assessment of the impact of civil unrest and street protests on the economy in 2013. (AQO 4618/11-15)

**Mrs Foster:** I note the report last week highlighting the drop in revenue in Belfast city centre. Some of the events that occurred around the protests were clearly a setback to trade in our towns and cities and to our reputation abroad, but that is very difficult to accurately quantify. I was pleased to see the evaluation of NITB's Backin' Belfast campaign, which had a positive influence on more than 200,000 visitors. I am encouraged that air passenger traffic between NI and Great Britain has held up in the first half of 2013 and visitor numbers from the Republic of Ireland have increased in the first three months of this year



compared with the same period in 2012. Nevertheless, I and my Executive colleagues remain determined to take full advantage of the opportunities presented to Northern Ireland this year. Those include the successful World Fire and Police Games, the various UK City of Culture events being held in Londonderry throughout 2013, the high-profile G8 conference in Fermanagh and, of course, the upcoming investment conference.

### 2.30 pm

**Mr B McCrea:** I thank the Minister for her answer. Will the Minister comment on the call made yesterday by the CBI for politicians to help retailers by reducing the number of parades and protests in Northern Ireland?

**Mrs Foster:** I did not hear that call, but what I did hear from the CBI, and other traders, was the fact that traders and businesses are seriously worried about further street protests and, indeed, violence. I think that it was Mr Ian Coulter who said that that was having an impact on the livelihood of citizens across Northern Ireland. Of course we should be hugely concerned about such comments coming from eminent people in the business world, but there are a number of factors at play here. It is not only about the civil disturbance, although it is in part — I do not want anybody to say that I am underplaying that — but in Belfast in particular, it is about bus lanes, parking, city centre access, disposable income and other issues. I say this to the Member and to the House: I would like the people who, of course, have a right to protest and a right to parade to have a dialogue with traders in the city centre, and for them speak to each other about each other's requirements. I say that because we want trade to take place in Belfast and in all parts of Northern Ireland, but we also believe that Belfast should be open to everybody. I hope, therefore, that that dialogue will take place.

**Mr Campbell:** All of us want to do what we can to minimise any negative impact on the economy. In her initial response, the Minister mentioned impacts other than the parades and protests. Can she outline any representations that have been made on bus lanes, for example, and perhaps the economic downturn?

**Mrs Foster:** I recently took the opportunity to write to the Minister for Regional Development about cars' use of bus lanes, perhaps at weekends, to allow freer access coming into the city centre. I have not heard back on that proposal. I presume that Roads Service will have to have a look at it to see whether it can be practically implemented.

Belfast is the capital city of our country. Therefore, it needs to send out a very positive message. The need for that positive message is coming through very strongly, particularly for tourism, and we want to ensure that it is achieved. Of course, Titanic Belfast, as well as all the other events, has had a huge role to play in the positivity that we have seen across the world towards Belfast over the past year. I note the comments from David Gavaghan, who is the CEO of Titanic Belfast. He said that Titanic Belfast is now having weekly visits from Chinese visitors, so Belfast is open to the rest of the world. We just need to deal with the issues locally and make sure that we do so in a sensitive way to ensure that Belfast is open to every society, including those who have been so upset by the removal of the national flag from Belfast City Hall.

**Mr A Maginness:** I thank the Minister for her previous replies, but let us cut to the chase, Mr Deputy Speaker: it is not the problem with bus lanes that is choking trade in Belfast but the continuance of parades, demonstrations and flag demonstrations, and so on.

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

**Mr A Maginness:** Will the Minister join me in asking all those involved in demonstrations, and flag demonstrations in particular, for a moratorium on any such demonstrations by all parties during the course of the Haass talks so that we can reach a successful conclusion and rescue Belfast city centre for the traders and business folk?

**Mrs Foster:** I noted the Secretary of State's comments this morning in response to Mr Haass's call, and I agree with her. I think that it would be detrimental to people's human and civil rights to deny them the right to protest. However, a right to protest should be exercised responsibly. What I am saying is that I hope that those who organise protests and parades, as they have a right to do, will also recognise the rights of the traders in Belfast city centre and their need to make a living. The Member used the word "rescue". I will not use as dramatic a word, but the traders need to be able to continue to thrive. They need to employ people in the city centre, perhaps some of the people from the areas that are protesting. Therefore, I hope that there will be a dialogue with the people who seek to parade and protest about issues, which, of course, they have a right to do. Let us have some dialogue about this so that they understand the position and do not just read about it in newspapers but understand the issues from each side. I do not want a message sent out from Belfast that it is a cold house for those people who want to protest and parade, because it is their city as well. They have a right to come into the city centre.

### Green Investment Bank

4. **Mrs McKevitt** asked the Minister of Enterprise, Trade and Investment what her Department is doing to avail itself of funding opportunities through the Green Investment Bank. (AQO 4619/11-15)

**Mrs Foster:** The Green Investment Bank has been proactive in Northern Ireland since it was set up. Through Invest Northern Ireland, my Department organised a briefing session along with face-to-face meetings for 40 sector and business leaders earlier this year. In addition, Invest Northern Ireland hosted a series of "Funding for Renewables" events across Northern Ireland, which were attended by 100 company delegates who were given information on the Green Investment Bank and key contacts. I met the CEO of the bank in April, as did the First Minister and the deputy First Minister. Invest Northern Ireland continues to promote the Green Investment Bank as a potential funding source.

**Mrs McKevitt:** I thank the Minister for her reply. Having regard to funding opportunities through the Green Investment Bank, what recent discussions has she had with the Irish and British Governments on the proposed intergovernmental agreement on renewable energy?

**Mrs Foster:** There is an intergovernmental agreement between the two sovereign governments, the UK Government and the Irish Government. I have raised issues with our Government in relation to offshore

renewables, but of course we will watch with interest and will be copied in on any agreements that the Prime Minister makes with the Taoiseach on those sorts of issues.

The Green Investment Bank has made its first investment in Northern Ireland, as the Member will know, up in Londonderry at the Evermore Renewable Energy plant. That is quite a big investment, it has to be said, and I understand that other local projects are being considered for investment as well, including Arc21 and the North West Region Waste Management Group. We will continue to highlight the opportunities that there are with the Green Investment Bank and hope that others will benefit from it as well.

**Mr Dunne:** I thank the Minister for her answers today. What is Invest NI doing to support businesses where banks are reluctant to take risks on such loans?

**Mrs Foster:** It is Invest Northern Ireland's job to try to plug the gap that has been very evident to a lot of our businesses across Northern Ireland. Earlier, I mentioned the number of access-to-finance initiatives with which Invest Northern Ireland has been involved. Those, indeed, have been supplemented by, as I said, some of the national schemes. One of the smaller schemes that Invest Northern Ireland has been involved with is the finance voucher scheme. I am very pleased that 113 vouchers have been issued by Invest Northern Ireland. That scheme allows businesses that, perhaps, do not have the spare capital to do a business plan for growth or set out the agenda for their business. The finance voucher allows them to instruct someone to do that and then pay the money to them. It is a small but very meaningful scheme for a lot of people who often do not have the spare cash to set about producing a business plan or a growth plan for the future.

Of course, there are other schemes with which the House is very familiar, such as the small business loan fund, and the growth loan fund, which continues to do very well, as well as the equity funds. Invest Northern Ireland is plugging a gap that we have identified. We hope that that gap will get smaller over time, but Invest Northern Ireland is working on it at present.

**Mr Gardiner:** Given that this is a £3.8 billion UK-wide fund, will the Minister outline her Department's targets for uptakes of opportunities through the Green Investment Bank?

**Mrs Foster:** We do not need specific targets for the Green Investment Bank. We have been spending time doing what we need to be doing, which is to look around for projects that can avail themselves of the loan fund. I am very pleased to say that the CEO, who is originally from Northern Ireland, which sometimes helps, has been very open to discussions with us. We were very pleased to get over the line with the very first investment by the Green Investment Bank. It was a very considerable investment in the project, totalling £81 million, which is a not inconsiderable investment to start off with.

However, as I say, a number of other projects have been in the pipeline; some are commercial in confidence, but others are local government initiatives that I hope will also get funding from the Green Investment Bank.

**Mr Agnew:** In working with local businesses to have them avail themselves of opportunities through the Green

Investment Bank, is the Minister finding that they face barriers or has she found that the process to date has been beneficial?

**Mrs Foster:** Certainly, in working with the Green Investment Bank on the Evermore Renewable Energy scheme, its officials were found by my officials to be very open, transparent and flexible with us. I found them very easy to deal with in that scheme, and I hope that that is the case with other schemes that may come forward as well.

## Economic Development

**5. Ms McCorley** asked the Minister of Enterprise, Trade and Investment for an update on her Department's efforts to tackle regional imbalance in economic development. (AQO 4620/11-15)

**Mrs Foster:** The Executive, within the economic strategy, recognise the need to ensure balanced subregional growth. They seek to ensure that all subregions are able to grow and prosper, and the regional development strategy is a key supporting policy for achieving this. Although it is important that companies make their own decision about where to locate, our regional aid limits currently favour businesses investment projects locating outside Belfast. I understand that emerging findings from a recent evaluation of selective financial assistance (SFA) indicates that support has been delivered in a balanced and equitable manner across Northern Ireland.

**Ms McCorley:** Gabhaim buíochas leis an Aire as na freagraí go dtí seo. I thank the Minister for her answer. Will she please outline what specific consideration has been given to targeting investment to areas of high deprivation such as west Belfast?

**Mrs Foster:** We have of course worked long and hard with areas such as west Belfast. I see a Member for Foyle on his feet as well, and no doubt he will ask me something about Foyle. A number of areas around Northern Ireland require extra help. However, as I said, I have been pleased with the general thrust of the evaluation of our main tool to intervene, which is selective financial assistance. It is highlighted that almost one quarter of SFA jobs promoted were located in 10% of the most deprived neighbourhoods, and it is concluded that SFA has the potential to support job creation in our most deprived areas where rebalancing is essential.

I remind the Member that the economic strategy for Northern Ireland is predicated on two pillars. The first is rebuilding, in which we have been very much involved through the jobs fund and other mechanisms, and the second is rebalancing. So, the twin watchwords of the economic strategy are rebuilding and rebalancing, and that has certainly been my focus since that economic strategy was put in place.

**Mr Anderson:** What evidence is there of financial support by Invest NI for all parts of Northern Ireland to help to attract and secure new business?

**Mrs Foster:** The best way to illustrate it is to look up some of the recent jobs and other announcements that we have made over the past couple of months. We supported firms right across Northern Ireland. Members will, of course, particularly want to hear about their own constituencies. However, in the spirit of generosity, they should accept that we have to go right across Northern

Ireland. We had the £1.4 million expansion by McErlain's Bakery in Magherafelt. Creagh Concrete in Toomebridge has won £2.4 million worth of business in Great Britain. There is to be a £1 million expansion by Carrickfergus-based Yelo. Woodland Kitchens in Rasharkin has secured a £2 million order in Great Britain. FM Environmental in Newry is investing £750,000. It is right across the piece, right down to small companies that are opening up their offices. I had the pleasure of opening McElwaine Security in Fivemiletown recently — one must also mention one's own constituency, of course. I was also pleased to be at the £7 million Connected Health Innovation Centre at the University of Ulster in Jordanstown, the first of our competency centres that we have set up, and I look forward to visiting the second of those this week.

2.45 pm

**Mr Eastwood:** Thank you very much, Mr Deputy Speaker. I did not think that I was going to get in there. Has the Minister had any conversations with her counterparts in the South about cross-border enterprise zones, given some of the real difficulties in border areas that she will well understand?

**Mrs Foster:** No, I have not had any discussions in relation to cross-border enterprise zones — the Member is probably thinking about Richard Bruton — but we continue to have a good working relationship. I think that the first thing we need to do with enterprise zones is to see how they fit within a Northern Ireland context. If the Member then feels that we need to look at going cross-border, or if he thinks that there are benefits to working with colleagues in the Republic of Ireland, I am certainly happy to look at that. However, I think that the first thing that we have to do is to see how they fit within a Northern Ireland context as far as our policy and legislation is concerned.

## Justice

**Mr Deputy Speaker:** We move to questions to the Minister of Justice, and, again, we will start with topical questions. I advise Members that question 9 has been withdrawn.

### Prisoners: Supervision in the Community

1. **Mr Allister** asked the Minister of Justice, specifically in relation to prisoners who are sentenced for terrorist offences, and where part of their sentence involves them being subject to licence in the community, who actually — not notionally or on paper — provides that supervision in the community. (AQT 111/11-15)

**Mr Ford (The Minister of Justice):** I am somewhat baffled in that that question seems remarkably similar to one that has been withdrawn from the main question list and for which a written answer has been requested. [Interruption.]

**Mr Deputy Speaker:** Order.

**Mr Ford:** I assume that it is in order for the Member to trump himself by asking the question as a topical question. In that case, the answer is that where licence conditions are imposed on persons released from prison, they are monitored by the Probation Board with support, where appropriate, from the police, the Prison Service and my Department. Individuals who are released on licence are

subject to a combination of standard conditions that are set out in legislation and, where relevant, to additional conditions. The aim of those conditions is to reduce the risk of harm to the public, reduce reoffending and support the resettlement of offenders. A licence may be revoked and the offender recalled to custody when it is considered that the risk of harm that is posed by an individual can no longer be safely managed in the community.

**Mr Deputy Speaker:** Before I call Jim for a supplementary question, I ask Members to be respectful in the Chamber and to listen carefully to the Minister's response.

**Mr Allister:** I suggest to the Minister that his answer is what is supposed to happen and what happens on paper. However, the reality on the ground is very different, because the Probation Board refuses to monitor terrorist prisoners. Is it not the case that there are many terrorist prisoners who are supposedly on licence in the community, but who are never monitored because of that refusal by the Probation Board? Is he trying to cover that up?

**Mr Ford:** I do not make a habit of covering things up. I think that my record of coming to the House on a number of occasions when things have been somewhat difficult for the Department of Justice proves otherwise. I have given the Member a statement about what the regulations provide and how the operational guidance between the Probation Board, the Prison Service, the police and my Department has operated since 2011. If he has specific examples of where he believes that that is not being carried out, I have no doubt that he will write to me.

### Equal Pay

2. **Ms Lo** asked the Minister of Justice, following his commitment in June to write to the Minister of Finance and Personnel about the Northern Ireland Civil Service equal pay settlement, to update the Assembly on that correspondence. (AQT 112/11-15)

**Mr Ford:** I did indeed write to the then Finance Minister in June. That was part of an ongoing series of correspondence, and I am sure that Members will not wish me to bore them with the full details of it. However, I certainly welcome the position that was adopted by the new Finance Minister at Question Time in the Assembly, I think it was a fortnight ago today, when he gave a clear indication of his willingness to look again at the equal pay issue.

I am certainly very keen to see the equal pay issue resolved, but the resolution is not within my powers as Minister of Justice. If it is possible to get a solution on a cross-Executive basis, I would be very pleased.

**Ms Lo:** I thank the Minister for his reply, and I welcome the Finance Minister's commitment as well. Is it fair to say that the Justice Minister will fully support a cross-departmental, cross-party — [Interruption.]

**Mr Deputy Speaker:** Order.

**Ms Lo:** — approach? This is very clearly a cross-departmental and cross-party issue. If central funding can be found, will the Minister fully support it?

**Mr Ford:** Yes; that is exactly the case. I have just checked, and it was a fortnight ago yesterday that the Finance Minister made his point at Question Time. I wrote to him the following day, making it absolutely clear that I

welcomed his intention to carefully consider the matter in the answer that he gave that day. I outlined why it was not possible for me to take the matter forward but stated that I was willing to participate in any discussions that he wished to have.

### Sexual Exploitation of Children

3. **Mr Buchanan** asked the Minister of Justice whether he can confirm, given the recent controversy about the sexual exploitation of children, that in the absence of the National Crime Agency in Northern Ireland, we will be left more exposed to this form of criminal activity than other parts of the UK. (AQT 113/11-15)

**Mr Ford:** Yes. I am concerned that, when the National Crime Agency (NCA) goes live on 7 October, if Northern Ireland is not part of the arrangements — indeed, clearly, Northern Ireland cannot now be part of the arrangements from 7 October — there will be something of a gap in our procedures. I am certainly well aware of the Chief Constable's statement that he will seek to ensure that the PSNI does its best to deal with the issue of child exploitation. However, the reality is that the specialist expertise for the United Kingdom exists in Child Exploitation and Online Protection Centre at the moment, which is becoming part of the NCA, and which, in the absence of agreement in this House, will not be able to operate in the devolved sphere in Northern Ireland.

**Mr Buchanan:** I thank the Minister for his response. Although the opposition of some to the National Crime Agency is dressed up as concerns around accountability, is it not the case that there is good reason to believe that, for some, this is more about protecting their erstwhile friends who are involved in smuggling across the border?

**Mr Ford:** I have no knowledge as to what might motivate any Member of the House in the direction suggested by Mr Buchanan. I am absolutely clear that there would be significant benefits for Northern Ireland if the NCA were able to operate in the devolved sphere, subject to the appropriate accountability arrangements that I believe I have secured in discussions with the Home Office. The issue has to be considered by the Assembly as we look at serious issues such as child exploitation, human trafficking and a range of other crimes that come within our domestic legislation and which, therefore, will not be amenable to full NCA support in the arrangements under which the NCA will be operating from 7 October. The devolved sphere will be left out, while excepted matters will be covered by the NCA.

### Prison Service: Staff Numbers

4. **Mr Clarke** asked the Minister of Justice, who has said that he does not hide from his responsibilities, whether he is satisfied that there are sufficient prison officers working in our prisons, particularly at Magilligan, which I visited with the Committee for Justice. (AQT 114/11-15)

**Mr Ford:** I think that Mr Clarke will shortly receive the answer to his question for written answer on that matter. The Prison Service has satisfied me that there are adequate numbers of staff on duty in all three prison institutions at all times.

**Mr Clarke:** Thank you for that answer. We heard representation from prison officers on the day of our

visit. Has the Minister spoken directly to any of the prison officers at Magilligan where, in one wing, there are 50 prisoners with one member of staff looking after them at night?

**Mr Ford:** I am not aware that that is the position at Magilligan; it is not the way that it has been presented to me. However, we have to be realistic in recognising that, when risk assessments are done on the way in which staff are deployed, sometimes it will be entirely possible that the prisoner:staff ratio will be higher in some units than in others. The reality is that the vast majority of our prisoners are not, in that sense, dangerous, and we need to ensure that we have an appropriate staffing level for the different sorts of prisoners in the different parts of the prison estate so that we maximise the use of resources and do not have unnecessary numbers of prison officers in some places that do not require it, at the expense of other areas where a higher staff:prisoner ratio would be appropriate.

### PSNI

5. **Mr Hilditch** asked the Minister of Justice for his assessment of the PSNI's current policy of reducing hours in local stations and getting officers out from behind desks, which has outlined a clear community benefit. (AQT 115/11-15)

**Mr Ford:** How the Chief Constable deploys his staff is very much an operational issue for him. The fact that some 600 officers are now available for front line duties rather than performing desk jobs must surely be seen as a positive for all of us.

**Mr Hilditch:** I thank the Minister for his answer and the fact that it is operational. Will he assess some local policies in relation to the PSNI, particularly where there are high levels of criminal activity, and there appears to be no action?

**Mr Ford:** I cannot assess those kinds of operational issues by the Chief Constable. Those matters are properly for him. The Policing Board primarily has oversight of the Chief Constable. If the Member is talking about specific local issues, there are arrangements whereby the PCSPs can raise matters with their local police commander. However, it is not the job of the Minister to interfere in those kinds of operational decisions.

### Armed Forces

6. **Mr Kinahan** asked the Minister of Justice to outline the work he is taking forward in his Department to support the armed forces community. (AQT 116/11-15)

**Mr Ford:** I am not aware whether the Member has specific suggestions as to what that should be. Perhaps his supplementary question will tease that out. The Department of Justice fulfils all its obligations to citizens in general, including the armed forces community. Given that the justice system depends on certain small elements of the armed forces, such as the work of ammunition technical officers, bomb disposal and specialist search capabilities, we fully recognise the benefits that come to Northern Ireland from the work of the armed forces and the need to ensure that we live up to our responsibilities to members of that community.

**Mr Kinahan:** I thank the Minister for his answer. My supplementary question will provide clarification. The



recent inquiry into the implementation of the armed forces covenant, conducted by the Northern Ireland Affairs Select Committee, stated:

*"We recommend that HM Government investigates the specific circumstances of veterans coming before the criminal justice system, and considers how their cases can be best dealt with."*

Will the Minister commit to supporting any investigation by the Government on such an issue?

**Mr Ford:** If the Government take up the Select Committee's suggestion, I absolutely guarantee that my Department will cooperate in any work that will be done from it. However, as the Member highlights in the question, the Northern Ireland Office (NIO) will consider whether it wishes to take up the Select Committee's suggestion. It would be up to the Department of Justice (DOJ), and any other local Departments that may be responsible, to take forward that work in consultation with the NIO but not in advance of the NIO.

### Sexual Exploitation of Young People

7. **Mr Storey** asked the Minister of Justice what discussions or correspondence he has had with the Minister of Education in relation to the inquiry into the sexual exploitation of young people, given the serious nature of the allegations that have come into the public domain over the past number of weeks. (AQT 117/11-15)

**Mr Ford:** I have not had any discussions with the Minister of Education on those matters. I had a joint meeting with the Minister of Health, Social Services and Public Safety and our two Committees last week. The child protection issue is primarily for social workers. There is a role for the police in support, and an assistant chief constable attended that meeting. If there are specific issues that the Chair of the Education Committee thinks that I should discuss with the Minister of Education, I will happily do so.

**Mr Storey:** I thank the Minister for his comments. However, is it not the case that the Chief Constable is on record as having referred to the fact that education should be involved? Given that there is a clear correlation between justice, health and education, is it not now time for the Minister to enact a process whereby the Department of Education, in all its various influences, acts to ensure that our young people are protected and that we are satisfied that everything is being done to ensure that young people and children are not being further exploited without our intervening to prevent it?

3.00 pm

**Mr Ford:** I certainly agree with Mr Storey that we need to do all that we can to protect children from sexual exploitation. Discussions are ongoing between my Department and the Department of Health, Social Services and Public Safety about possible issues that may be followed up as we look at the best possible way in which to provide that protection. Clearly, there are issues that, because they fall to both social workers and police in different ways, have relevance. I am quite happy to look at what the best possible way of doing that is.

The Chief Constable has already committed to a peer review of the way in which the policing operation is being carried forward. I know that, last week, he indicated to

the Committee for Justice his willingness to look at the possibility of a joint examination to ensure that we have the best possible arrangements for child protection in the future. If that joint work also involves the Department of Education, there may well be additional benefits. However, it is, primarily, not the key Department. The key issue is the work being done by social workers in health and social care trusts and the role of the police in criminal investigations.

**Mr Deputy Speaker:** That is the end of topical questions. We now move on to questions for oral answer. I advise Members that questions 2, 8 and 12 have been withdrawn and require written answers. William Humphrey is not in his place.

### Antisocial Behaviour: Crawfordsburn Country Park

3. **Mr Dunne** asked the Minister of Justice what action the PSNI and other agencies took to manage the risk of antisocial behaviour at Crawfordsburn Country Park at peak times throughout the summer. (AQO 4632/11-15)

**Mr Ford:** Tackling antisocial behaviour is a priority area for my Department and, indeed, the Executive, through the Programme for Government commitment to reducing such incidents. Policing and community safety partnerships (PCSPs) are expected to deliver on the vision outlined in the community safety strategy as well as the objectives detailed in the policing plan.

North Down PCSP's key strategic priorities for 2013-14 include reducing the number of antisocial behaviour incidents and domestic burglaries, and the proportion of violent crime in which alcohol is a contributing factor. The PSNI advises that there was significant planning and coordination with other agencies to manage crowds visiting parks in north Down, including Crawfordsburn Country Park, prior to the summer. That is, however, an operational matter for the Chief Constable.

**Mr Dunne:** I thank the Minister for his answer. Can he assure the House and the residents of Helen's Bay and Crawfordsburn that there will be a proactive approach by the various agencies to ensure that antisocial behaviour will not become an annual scourge in their communities?

**Mr Ford:** I can give that assurance only in so far as the different agencies work together. As I emphasised in my principal answer, the role of the PCSP is to carry out local coordination. It is certainly my understanding that the police had contact with a number of other relevant agencies. However, that is very much a matter for local discussion; it cannot be set as a high-level priority by the Department. The Department set the community safety strategy; it is up to local people to work that into practice in each area.

**Mr Dickson:** Antisocial behaviour and outdoor drinking are a scourge right across the Province. Does he agree with me that PCSPs and the work done by local councils will be the key ways in which to tackle the major part of that problem?

**Mr Ford:** The key issue is that although we can set the overarching strategy — I recognise that there are issues with antisocial behaviour and things like public drinking generally — the specific issue of prioritisation and how measures are put in place to deal with it at local level is

very much one that requires local initiatives. The whole point of having PCSPs is to bring together not only councillors and independent members but, now, the other agencies to ensure that we get a joined-up approach and that we deal with whatever the local problems are in the most effective and joined-up way. Therefore, although I can say what the priorities are at a regional level, we can set local priorities only by putting together the best ideas from local people as they find local solutions. I have seen good examples of that being done by PCSPs. I am sure that north Down will not be lacking either, nor will Carrickfergus.

## Police Civilian Support

4. **Mr F McCann** asked the Minister of Justice what discussions his Department has had with the PSNI about its plans to significantly decrease the police civilian support and to supplement it under the PSNI-managed service contract with Resource Ltd. (AQO 4633/11-15)

**Mr Ford:** As that is an operational matter, I have not held any discussions with the PSNI on a reduction in police civilian support and supplementing that support under the PSNI-managed service contract. My officials approved a PSNI business case in February 2012. Approval was required as its value exceeded the financial delegated limits for the Chief Constable.

**Mr F McCann:** Go raibh maith agat, a LeasCheann Comhairle. It is my understanding that the PSNI has already received the review. With only 18% of PSNI civilian staff being Catholic, why would the Minister support a PSNI proposal to reduce the number of civilian staff?

**Mr Ford:** I am afraid that the religious background of PSNI staff is not an issue for me to consider. The Department's role was purely to consider the merits of the business case. Operational decisions as to how contracts are awarded is an issue for the Chief Constable.

**Mr Campbell:** While we are on the issue of recruiting personnel in the fight against crime, I know that the Minister usually uses the operational responsibility get-out clause, but does he have a view on the back-door attempt by some police officers to implement a 50:50 regime in the latest compartmentalised recruitment around only nationalist areas of Northern Ireland after 10 years of legalised discrimination against my community in employing police officers?

**Mr Deputy Speaker:** I ask Members to ensure that their supplementary is clearly linked to the original question. I will give the Minister the option of whether to answer that.

**Mr Ford:** Regardless of the linkage, I am happy to answer that question.

Ignoring the minor point that Mr Campbell does not appear to recognise the constitutional role that I have as opposed to the role of the Policing Board or the Chief Constable, I would have thought that, as a Member of the House of Commons, he would remember what the legislation says, but there you are.

The reality is that I am firmly on record as having opposed the concept of recruiting people on the basis of which church their grandparents happened to be baptised in. I want to see police officers recruited on merit, but I also want to ensure that we get the best possible representation

across the community. I believe that affirmative action is entirely appropriate at this time.

**Mr Dallat:** I am almost reluctant to get involved in this crossfire. *[Interruption.]*

**Mr Deputy Speaker:** Order.

**Mr Dallat:** In the interests of the civilian workers, I want to put this simple little question to the Minister of Justice: is he satisfied that they will get justice in respect of their pay-offs and whatever else they need or require?

**Mr Ford:** Again, if Mr Dallat is suggesting that he has any evidence to suggest that people have not been given justice in respect of their full legal entitlements, I have no doubt that he will write to me and/or the Policing Board and/or the Chief Constable.

## Prison Service: Environmental Allowance

5. **Ms Brown** asked the Minister of Justice when he will decide if an environmental allowance should be paid to all Northern Ireland Prison Service employees. (AQO 4634/11-15)

15. **Mr Douglas** asked the Minister of Justice for an update on the position of staff in the Northern Ireland Prison Service who are not in receipt of an environmental allowance. (AQO 4644/11-15)

**Mr Ford:** With your permission, Mr Deputy Speaker, I will take questions 5 and 15 together.

I have referred the issue to the independent Prison Service pay review body for advice. The pay review body is currently undertaking a comprehensive review of this issue and will report to me by December this year. Should the pay review body conclude that it would be appropriate to pay an allowance, my Department will then seek approval from the Department of Finance and Personnel (DFP) for any additional payment in line with normal Civil Service pay policy.

**Ms Brown:** I thank the Minister for his answer. Does he agree with me that it is very unfair that around two thirds of Prison Service employees do not receive that allowance given the threat that they are working under?

**Mr Ford:** I think that that is a rather simplistic way to represent what is happening. The reality is that, for existing prison staff, the special allowance was consolidated into the normal pay scales some years ago. At the moment, we are looking at those staff who are on separately negotiated scales. Indeed, the scales that were recently agreed for custody officers in negotiation with the Prison Officers' Association are now being re-examined to see whether it is appropriate to make any change to the pay rates. However, we have to recognise that the existing staff had those additional payments consolidated into their pay scales. They are being paid a higher rate than their equivalents in England, Wales and Scotland. That is the basis on which we are looking at those groups of staff, where there may be some differential.

**Mr Douglas:** Does the Minister not believe that this is a matter of equality, that all the staff should be treated exactly the same and that there should not be a differential between staff, who face the same terrorist threat when going about their daily business?

**Mr Ford:** That is why we are looking at staff who are not being paid on a higher pay scale than their equivalents in England, Wales and Scotland. For staff who are already being paid at a higher rate, it does not seem appropriate to consider different issues. A comparison has been made in some quarters with the position of police officers, but police officers throughout the United Kingdom are paid on the same scale, and, therefore, the Northern Ireland transitional allowance is a top-up to recognise the circumstances in which police officers in Northern Ireland work. However, prison officers are not paid on a uniform scale across the UK.

**Mr McCartney:** Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire as an fhreagra sin. I thank the Minister for his answers. Whatever the outcome of the need to address the issue, can the Minister give an assurance that the issue will not be permitted to become a blockage to the roll-out of the prison reform programme?

**Mr Ford:** I assure Mr McCartney that that is not the position and that the reform programme is going ahead. This is one specific discrete area of the pay of a small group of staff. At the recent meeting of the oversight group, I got very positive reports about the reform programme, and those reports will be presented to the Committee in the near future.

### Antisocial Behaviour: South Antrim

6. **Mr Girvan** asked the Minister of Justice for his assessment of antisocial behaviour and drug-related issues in the South Antrim constituency. (AQO 4635/11-15)

**Mr Ford:** The community safety strategy sets out the strategic direction over the next five years for reducing crime, antisocial behaviour and the fear of crime. The strategy recognises that success in building safer communities is beyond the ability of the justice system alone and that it requires a partnership approach across government and the community and voluntary sectors. It also aligns with a wide range of Executive policies and strategies, including the new strategic direction for alcohol and drugs.

The Northern Ireland Assembly constituency profile of December 2012 states that South Antrim is the constituency with the eighth lowest drug offences rate and the eighth lowest rate of antisocial behaviour incidents. However, we all know that statistics alone do not give an assessment of antisocial behaviour, and we also have to consider local communities' experiences and perceptions of those issues. PCSPs have a vital role to play in taking forward the objectives of the community safety strategy and transforming them into reality on the ground. They are best placed to engage with local communities to assess what issues concern them and to develop action plans to address those concerns.

In relation to antisocial behaviour and drugs issues in South Antrim specifically, local PCSPs have developed a range of actions to address issues that local communities identified. Those include the establishment of a street pastor scheme; delivery of detached youth programmes targeted at young people at risk; the Speak Up Speak Out publicity campaign to encourage reporting of antisocial behaviour and crime; public meetings on drug and alcohol misuse; delivery of drugs and alcohol awareness

programmes; and provision of counselling services for individuals who require assistance with alcohol or drugs issues.

**Mr Girvan:** I thank the Minister for his answer. I want to tease out one issue in my supplementary question. There are problems in local areas where there is a correlation between what is perceived to be crime and associated drug dealing in those areas. So, to fund their drug dealing, they are committing crime. Is there any figure for how much money has been set aside to deal with those strategies through the areas that you identified in the previous response?

**Mr Ford:** I do not think that it is possible to identify funds that have been specifically set aside in that way, given that most of those initiatives deal with a range of antisocial behaviour and minor crime and, therefore, will deal with issues that include, in some cases, drugs and alcohol issues but, in other cases, do not. It is not easy to say that specific money is involved in the fight against drugs when we have to look at the overall package and we are looking at the interconnectedness between different sorts of crime and different factors of antisocial behaviour. However, it is clear that a lot of very good work is going on.

**Mr Kinahan:** Is the Minister aware of an issue that relates to antisocial behaviour in dark alleyways, given the previous Minister for Regional Development's policy not to replace old street lights? Is he taking any action to ensure that a case is put for why street lighting that is not on main roads should be replaced?

### 3.15 pm

**Mr Ford:** I fear that if I were to say too much on the precise issue of street lighting, the Member's party colleague the Minister for Regional Development might get at me. I can say, however, that there are certainly occasions on which the DOJ has a responsibility for improving the quality of lighting, particularly when it involves the reduction of tensions around interfaces. However, once we get away from our responsibility for interface issues into more general matters, the fact that the justice system alone cannot deal with the problems of low-level crime and antisocial behaviour is another example of how we need to join things up, as I said earlier. I suspect that I may need to refer the Member to the Minister for Regional Development to ensure that Roads Service plays its part in the fight against crime.

**Mr McKinney:** I thank the Minister for addressing some of the localised issues and regional measures that his Department and others are putting in place. What impact are those measures having on antisocial behaviour?

**Mr Ford:** I welcome Mr McKinney to his first Department of Justice Question Time. He has not had the benefit of hearing me talk frequently about antisocial behaviour. Unfortunately, I do not have the statistics for South Belfast in front of me at the moment, but as most Members will have heard me say on many occasions, we have seen a significant, ongoing reduction in antisocial behaviour over the past three years — almost every year in almost every district in Northern Ireland. It is clear that a lot of the good work being done by local partnerships is delivering generally.

I am happy to write to the Member about the specific issues in his constituency, but we should recognise that,

although there are clearly problems to address, and there are particular problems with perception, we have a success story in the form of the work that is being done on antisocial behaviour. We should not suggest that we have problems only when we are dealing with many of them.

**Mr McNarry:** Is the Minister aware of an increase in protection racketeering?

**Mr Ford:** I am aware through the work of the Organised Crime Task Force (OCTF) that there are problems of protection racketeering. I am not aware of any particular increase, so I suggest that Mr McNarry write to me if he has particular points that he wishes the OCTF to address.

## Community Safety College, Desertcreat

**Mrs Overend:** Question 6, please.

7. **Mrs Overend** asked the Minister of Justice when the on-site works on the Northern Ireland Community Safety College at Desertcreat will commence. (AQO 4636/11-15)

13. **Mr I McCrea** asked the Minister of Justice for an update on the revised business case for the Northern Ireland Community Safety College at Desertcreat. (AQO 4642/11-15)

**Mr Ford:** I will happily answer question 7, Mr Deputy Speaker. With your permission, I will take questions 7 and 13 together.

Members will be aware from the media attention last week that I have already approved the business case and sought Executive approval for the Desertcreat project by way of an urgent procedure. Assuming that it is approved in the immediate future, on-site works could begin in February 2014.

**Mrs Overend:** I thank the Minister for answering question 7 for me. Will he outline the issues that may result in the project not progressing? Does he agree that that would have a major negative impact for the mid-Ulster economy?

**Mr Ford:** I am happy to accept that Mrs Overend is concerned about the mid-Ulster economy. I am also concerned about ensuring that the three services have the best possible training facilities. I believe that the project set forward for Desertcreat is the best possible way of delivering for the economy there. It would provide a real centre of excellence that will attract attention, not just from Northern Ireland but from a considerably wider area.

As to the factors for the project to proceed, the reality is that it is now at the point at which it requires formal Executive approval, having been given approval by my Department. It will then be a matter of the final details being sorted out in order for the contract to be awarded, at which stage building can commence.

**Mr I McCrea:** The Minister will be aware that no one wants to see this happen more than I do, although I do not think that any elected representative from mid-Ulster does not want to see it happen.

Can he assure the House and the people of Northern Ireland that the due diligence test has been carried out on the preferred bidder and ensure that, when the contract is rolled out, the companies that are brought in on subcontracts will be paid?

**Mr Ford:** To be technical about it, we should not refer to a "preferred bidder". There is no preferred bidder until one is appointed. We should refer to the "highest-ranking bidder". It is a technical point, but it is nonetheless significant.

Issues of concern have been raised around financial viability and so on. I have been assured by the programme board that significant due diligence checks have been made, given the size and scale of the project. A specific, detailed review was commissioned externally, and it is my understanding that there are no concerns in the project board around those due diligence matters.

**Mr Deputy Speaker:** Question 8 has been withdrawn and requires a written response. Cathal Ó hOisín is not in his place for question 9.

## Public Disorder

10. **Mr Rogers** asked the Minister of Justice, given the level of public disorder over the summer period, much of which was related to issues of relevance to the Haass talks, what action is being taken to address the primary offences and their motivations. (AQO 4639/11-15)

## Public Disorder: Impact on PSNI

14. **Mr McCarthy** asked the Minister of Justice for his assessment of the impact that recent public disorder has had on the PSNI's ability to investigate and prevent other forms of criminality. (AQO 4643/11-15)

**Mr Ford:** With your permission, Mr Deputy Speaker, I will take questions 10 and 14 together. First and foremost, I want to take the opportunity to condemn the disorder that occurred over the summer months. There can be no excuses for the scenes of rioting and the violence directed at the police. It has come at a heavy cost, with over £15 million spent policing parades and associated disorder since 1 April this year and 689 officers injured during public order situations since 1 July 2012. It has caused significant damage to community relations as well as to the international reputation of Northern Ireland.

As of 16 September, 127 people have been arrested and 94 have been charged in relation to the public disorder that occurred from 12 July. The police have spoken about the impact that the public disorder has had in tackling other forms of crime. The diversion of police resources has undoubtedly had an impact on tackling the issues that are important to local communities, which we have already discussed today, such as antisocial behaviour, burglaries and drugs.

The police made 3,432 fewer arrests from December 2012 to August 2013 than for the same period the previous year. I am confident that the Police Service, working with the Policing Board, will continue to manage its resources in an effective and efficient manner to deal appropriately with any pressures arising from public disorder, while continuing to deliver a personal, protective and professional service to local communities. However, it is vital that we find a resolution to these issues if we are to avoid the scenes of violence and destruction witnessed all too often in Northern Ireland.

**Mr Rogers:** I thank the Minister for his comprehensive reply and sympathise with all those officers who were hurt over the summer. Does the Minister agree that flags and contentious parades are more the symptoms of



sectarianism, and should we not address the key issue, which is sectarianism itself?

**Mr Ford:** I do not think that it will come as any great surprise that I agree entirely with the points made by Mr Rogers. This society cannot continue to depend on police officers holding the line because of the failure of politicians and community leaders to build a different shared future for all of us. That is why the Haass talks are so important and why we need all five parties totally committed to working hard in that process to deliver for Northern Ireland. I will ensure that my party plays its part, and if there is a role for the Department of Justice in backing up some of the issues that come from it, the DOJ will not be found wanting.

**Mr McCarthy:** I thank the Minister for his response. The Minister told us that hundreds of police officers were injured — nearly 700 — £15 million was wasted on policing parades, and there have been diversions from other crime. Does the Minister agree that that simply cannot continue? Rather than talking the Haass process down, as the Minister has referred to, all parties in Northern Ireland should put in every effort to resolve the contention around parades.

**Mr Ford:** Yes, I agree. I should say that, thankfully, of the 689 officers injured, relatively few were seriously injured. Nonetheless, that toll of injury is a colossal statement of the debt that this society owes to the members of the PSNI and briefly to mutual aid officers during the summer as well. Although, thankfully, very few of them were injured. It is a clear indication of the need that we have to ensure that we do not just talk up the Haass process, but commit to ensuring that the five-party talks succeed in resolving those difficult issues of parades, policing, the past and the sectarianism that underpins all of it.

**Mr Givan:** What steps will the Minister take in the Haass talks to make some recompense to dealing with the hurt and pain that was inflicted on members of the unionist community by the decision of his party, the SDLP and Sinn Féin that inflamed the tensions by removing the flag from the City Hall?

**Mr Ford:** Deputy Speaker, I am not sure that I am supposed to be here answering questions on behalf of the Alliance Party, but since you are allowing questions, I will give answers.

What happened with regard to the flying of the flag on Belfast City Hall was a compromise put forward by the Alliance Party between a proposal that there should be no flag and one that there should be flags every day. I am quite happy that the Alliance Party put forward an honourable compromise, which is in line with the flag-flying policy of the majority of councils in England, Wales and Scotland, in recognition of Northern Ireland's constitutional position in the United Kingdom and also recognising the divisions that exist in this society and how people feel about these matters. That is the reality of the decision that I took. I give no apology for putting forward a reasonable and balanced compromise on the part of my colleagues in Belfast City Council. Indeed, I am proud of what they did.

I deeply regret the fact that certain people chose to target the Member of Parliament for East Belfast. I regret the way in which the issue was personalised, the threats that were made, and the injuries that were suffered by police officers

and a variety of politicians, not least in my party, but there is nothing that I have to apologise for.

**Mr G Kelly:** Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire as a fhreagraí go dtí seo. Since we are talking about flags, parades, protests and the public disorder around them, does the Minister agree that the Parades Commission is working in very difficult circumstances, especially due to the increase in contentious parades? Does he also agree that the continuing need for a regulatory body for parades and protests is critical?

**Mr Ford:** Of course, the matter of the Parades Commission is not currently devolved, but I agree entirely. Not only is there is a need for a regulatory body; there is a need for all politicians to respect the decisions of that regulatory body, whether or not they like them.

**Mr Allister:** It is right and necessary, of course, to condemn public order, and I join in doing that. Speaking of the Parades Commission, does the Minister have any concern about the provocative nature of the absurdity of some of its decisions, such as at Twaddell Avenue? It seems unable to cope with the fact that that protest has been peaceful. Therefore, as a provocative act, to try to provoke conflict, it has now come up with the ludicrous imposition that loyalist bands cannot play loyalist music in loyalist areas.

**Mr Deputy Speaker:** The Member has asked his question.

**Mr Allister:** Does the Minister think that that is an advance, or is it a provocation?

**Mr Ford:** Mr Allister asked a number of questions. First, I condemn public disorder rather than public order. That would probably be a more positive step.

I repeat the point that I made: whether or not people like the decisions of the Parades Commission, it is the body established by statute with regulatory powers. Its decisions should be respected.

## Prison Service: Target Operating Model

11. **Mr Easton** asked the Minister of Justice for his assessment of the target operating model introduced for prison officers. (AQO 4640/11-15)

**Mr Ford:** Much good has been done, and I am confident that the Prison Service will continue to move forward, particularly as the structural changes near completion over the next six months. The target operating model (TOM) encompasses four key elements: the staff deployment agreement; the staffing profile; the staffing structure; and the shift patterns. In combination, those will deliver a sustainable model for the Prison Service to deliver efficiently and effectively.

The staff deployment agreement was developed following a number of months of detailed negotiation between the Northern Ireland Prison Service (NIPS) and the Prison Officers' Association. It sets out working practices that can support a progressive and purposeful regime that is focused on rehabilitation. It has been in operation since July 2012. Work is continuing towards the full implementation of the new staff profiles and structures. All new entry custody prison officers have now been trained and deployed to establishments. A number of prison

escorting staff who opted to move to the custody prison officer role will transfer near the end of this year.

Concerns have been raised by staff about the new shift systems. Ongoing reviews and updating of shift patterns are a normal part of prison operations and reflect changing needs and the requirements for regime delivery. Any changes in future will be sensitive to the concerns of staff.

**Mr Easton:** I thank the Minister for his answer. Is he aware that, under the TOM, female prison officers are being left alone at night to manage sex offenders' wings, where prisoners in the over-55 section are allowed to come in and out of their cells 24 hours a day? What does he plan to do to protect those vulnerable women prison officers who are left alone on those single units?

**Mr Ford:** No, I am not aware of that situation, because that is not the case.

**3.30 pm**

**Mr Deputy Speaker:** That is the end of questions to the Minister of Justice.

## Assembly Business

**Mr Humphrey:** On a point of order, Mr Deputy Speaker. I apologise to you, the House and the Minister for not being in my place for my question. I was attending a meeting related to my work in the Assembly.

**Mr Deputy Speaker:** I thank the Member for putting that on the record.

**Mr Campbell:** On a point of order, Mr Deputy Speaker. We have just had topical questions and questions for oral answer to the Justice Minister. At the outset of topical questions a few weeks ago, the Speaker indicated what he expected from the new regime. He indicated that there should not be an alteration between topical questions and the questions on the Order Paper. Perhaps you could draw the Speaker's attention to what appears to be an attempt to do that during Question Time to the Justice Minister. Mr Allister deliberately withdrew question 12 in advance and then posed it as a topical question, in spite of the Speaker's ruling.

**Mr Deputy Speaker:** The Member has put his concern on the record. Topical questions will be kept under review in the coming weeks and, indeed, months.

I ask Members to take their ease for a few moments before we return to the debate on public procurement.

## Private Members' Business

### Public Procurement Opportunities

*Debate resumed on amendment to motion:*

*That this Assembly notes that the procurement of goods, services and infrastructure projects is a key driver of the economy; further notes the ongoing work in other devolved regions in this area; and calls on the Minister of Finance and Personnel to take action to address the criticisms of the current system and to ensure that there is sufficient access for small and medium-sized enterprises, as well as the social economy, to public procurement opportunities. — [Mrs Overend.]*

*Which amendment was:*

*Leave out all after "system" and insert*

*"to ensure that there is sufficient access for small and medium-sized enterprises, and for organisations in the social economy, to public procurement opportunities and to ensure that employees in companies that are contracted and sub-contracted through government procurement are paid at least the living wage." — [Mr Agnew.]*

**Mr Deputy Speaker:** The Minister is not able to be in the Chamber. Therefore, I call Steven Agnew to wind up the debate on the amendment.

**Mr Agnew:** Mr Deputy Speaker, please tolerate me for two seconds, as I was not quite prepared.

I think that we have an opportunity with the amendment to —

**Mr Deputy Speaker:** I ask the Member to give way. I see that the Minister has just arrived. If the Assembly is agreeable, I will call the Minister and then return to the winding-up speeches.

**Mr Allister:** On a point of order, Mr Deputy Speaker. Will you draw the situation to Mr Campbell's attention, please? He seemed very concerned about the minutiae of these matters, so perhaps he should be alerted to this failure on the path, this time not of a mere Back-Bencher but of a Minister. I am sure that that will greatly exercise Mr Campbell.

**Mr Deputy Speaker:** With the approval of the Assembly, I call the Minister of Finance and Personnel to respond to the debate.

**Mr Hamilton (The Minister of Finance and Personnel):** Mr Deputy Speaker, thank you for your help in that regard, and I thank the House for its tolerance. I apologise for being momentarily late into the House.

From the outset of my appointment as Minister of Finance and Personnel, I have said that I am aware of the criticisms that have been levelled at public procurement in Northern Ireland and which have been echoed in the debate. In fact, in a speech that I made to the Confederation of British Industry (CBI) a few days after my appointment, I said that I am sensitive to the criticisms of our system. Therefore, I am not surprised that procurement is the first issue that I have to respond to as Minister, and I thank Mrs Overend for bringing this motion to the House and for giving me

the opportunity to address the issues that she and others raised during the debate.

Having listened to the feedback that I have received, including from party colleagues, in the past few weeks and that which has been offered in the past number of years, I think that if I were to declare that I wanted to do away with public procurement in Northern Ireland, there would be rounds of cheers and pats on the back for me. Maybe I would be carried out of the Chamber on people's shoulders. However, of course, that is neither sensible nor possible.

Public procurement, as has been accepted, operates under a heavily regulated regime established by the European Union. I am resistant to step into what I think is sometimes a family squabble between the Ulster Unionist Party and Mr Basil McCrea, but I acknowledge that Mrs Overend, in her opening remarks, mentioned that the regime is heavily regulated by the European Union. She also mentioned the new public procurement directives, which I will touch on in a moment or two.

The system is seen by the European Commission as a key driver in establishing the single European market and opening up competition to firms in all member states. Those aims immediately create tension for all of us who are focused on the development of the Northern Ireland economy and on the well-being of our citizens and businesses. Fortunately, the European Union has recognised that the directives it agreed back in 2004 require reform. Indeed, the process of revising the rules and agreeing new directives is almost complete. In that regard, my predecessor made strong representations to Europe, through the Cabinet Office, for a reduction in the levels of bureaucracy and a simplification of procurement processes. He was particularly keen on the directives that contained procedures that were friendlier towards SMEs, which, of course, are the focus of today's debate.

I am pleased to say that the new public procurement directives are catching up with approaches that have already been adopted in Northern Ireland over recent years, particularly for low-value procurements. Those changes will help to make all public procurement faster and less costly for government and for businesses of all sizes. They include a much simpler process for dealing with bidders' credentials by self-declaration, with only the winning bidder being subjected to validation. Central Procurement Directorate (CPD) has already moved ahead on that. For example, in a recent office furniture contract tender, suppliers were permitted to self-declare details of their financial position, and only the winning tenderer's audited accounts were checked. The changes also include provisions to encourage buyers to break large contracts into lots, allowing SMEs to participate. Again, CPD has already adopted that approach. For example, catering and cleaning contracts are now awarded in regional lots.

The new directives will look at a cap to prevent buyers from setting supplier turnover requirements at more than twice the contract value. Again, CPD has already worked with the construction industry to reduce the financial standing requirement for construction contracts to just three quarters of turnover as part of a broader Constructionline assessment.

A new procedure for innovation partnerships will mean that suppliers can bid to enter a partnership with government to develop a new product or service.

One area that I am especially interested in is that the new directive will also allow contracting authorities to reserve contracts for mutuals and social enterprises for a time-limited period, provided certain conditions are met. We will be exploring how that could be used to facilitate further reforms in the way that public services are delivered in Northern Ireland. It is intended that the public sector directive will be transposed into legislation covering England, Wales and Northern Ireland next year, and CPD will be taking forward the consultation on that new legislation shortly.

Small businesses are key drivers of the Northern Ireland economy and an important source of job creation. That was recognised in the report that followed the inquiry into public procurement by the Committee for Finance and Personnel in 2010. I am pleased to confirm that the report's recommendations, which were focused on measures designed to improve the position of SMEs, have set the policy agenda over the past few years. Many of those recommendations have been actioned. For example, CPD now considers the impact on local SMEs for all procurements, and that is included in the documented procurement strategies that it provides to Departments. I believe that the Committee's report, which was referred to by a number of Members who spoke, including Mrs Cochrane, has helped to bring about significant change in the public procurement environment, and we are now in a better position to harness the potential of small businesses through public procurement to drive economic growth.

The motion refers to criticisms of the current procurement system. I appreciate that they exist. I hear complaints far too often to think that there are no issues with our procurement system, but I believe that some of those criticisms are based on misperceptions of how public procurement operates and a lack of appreciation of what has already been achieved. However, I recognise that other criticisms are valid, and I want to set out what we are doing to address each of those.

The first and most frequently voiced criticism is that procurement processes are rigid and inflexible, which places local SMEs and social economy enterprises at a significant disadvantage when bidding for government work. My Department responded to those concerns by changing the way that it undertakes procurements. Those changes have been enabled by a number of specific measures, including, as Mr Ross mentioned in response to Mr Bradley, a programme of "meet the buyer" events, at which SMEs can hear at first hand how they can access public procurement opportunities. Earlier this month, for example, CPD jointly hosted an event with InterTradelreland, which was attended by over 600 suppliers. Other measures include the reduction and removal of barriers for smaller businesses wishing to compete for public sector opportunities. Suppliers are not required to provide evidence of financial standing for tenders for supplies or services contracts below the EU threshold. We have also looked at increasing the visibility of opportunities by requiring all central government contracts above £30,000 to be advertised on a single procurement portal. Departments are encouraged to seek out local suppliers to tender for contracts below £30,000.

We ensure transparency by publishing contract awards, and we are streamlining procedures and reducing the paperwork associated with low-value procurements, as those are of particular interest to SMEs. CPD, for example, has removed the minimum eligibility requirements for low-value supplies and services contracts.

We have been looking at reducing liability and insurance requirements, which was mentioned by some Members, by making them proportionate to the risks associated with the contract. CPD now sets modest levels of professional indemnity insurance for architects and engineers, and it limits their liability. We promote prompt payment and fair conditions of contract for construction subcontractors by putting monitoring and reporting arrangements in place in main contracts. Those measures will be further enhanced as CPD rolls out project bank accounts.

The changes are being applied across government, and the benefits are beginning to be felt. Since the new procedures were introduced for low-value procurements, CPD has reduced the time taken to tender and award contracts. We will continue to monitor the impacts to ensure that benefits are achieved for SMEs and social economy enterprises.

Contrary to perceptions, local businesses win the majority of public procurement contracts in Northern Ireland. Of course, not every business wins every contract that it tenders for. We need to distinguish between legitimate criticisms and those voiced by people who have not won contracts. In 2011-12, 78.5% of all supplies and services contracts awarded by centres of procurement expertise went to businesses based in Northern Ireland. For construction contracts, the figure was significantly higher at 96%. Some 80% of all contracts awarded by COPEs in 2011-12 were awarded to SMEs, and 60% of all contracts were awarded to businesses with fewer than 50 employees. Those are pretty impressive statistics. The figures are on a par with those in Scotland and Wales, where it is only 60%, and are substantially ahead of the position in England, where it has been reported that, in 2012-13, only 10.5% of direct spend was with SMEs. Northern Ireland firms are also doing better when it comes to getting work in Great Britain and Northern Ireland. In the past weeks, I have met firms that are building harbours, airports or rapid transit systems elsewhere in the United Kingdom. That shows that the work that we do here and that we procure through the public sector in Northern Ireland can benefit our companies, as and when they bid for work across the water or down South, where Northern Ireland firms tend to do much better than those in the Republic of Ireland when bidding for work in Northern Ireland.

That brings me to the next area of criticism, which is that everyone else is better at public procurement than we are in Northern Ireland. The motion refers specifically to what is being done in the other devolved regions. Northern Ireland has been at the forefront of public procurement developments in the UK. The structures set up by the Executive in 2002 to deliver public procurement have now been followed, to varying degrees, by the other devolved Administrations. The strategic approach adopted by the Executive has been endorsed by public procurement reviews in Scotland and Wales, which have recommended similar governance arrangements. Likewise, Northern Ireland has been in the vanguard with measures to



promote SME participation and deliver community benefits from public procurement. We have led the way in the construction sector, where CPD has worked very closely with the construction industry to implement key initiatives. CPD is spearheading work on project bank accounts, which will be an important mechanism to speed up and protect payments to key subcontractors on relevant contracts. That is in advance of anything being done in the other devolved regions. Indeed, representatives from the Scottish Government have been in contact with CPD to learn more about what we do here in Northern Ireland.

### 3.45 pm

The Welsh Government recently established its National Procurement Service to coordinate the purchasing of common goods and services across the public sector. Given that Northern Ireland already has structures in place to enable collaboration, CPD assisted Wales in the establishment of that new service.

In Northern Ireland, a revised strategy for collaboration across those bodies, subject to public procurement policy, was approved by the procurement board in June. Following on from that, CPD intends to publish a pipeline of forthcoming collaborative arrangements early in 2014. Supplier information sessions will also be held well in advance of any collaborative procurement competitions. That will allow suppliers to discuss directly with buyers the forthcoming opportunities.

Members may also be aware that the Cabinet Office recently launched a consultation on the creation of an SME-friendly single market for public procurement. The consultation considers changes in three areas: pre-qualification, transparency, and payment and financial practices. We will look in more detail at the proposed reforms, but a preliminary analysis indicates that, in the main, those measures are already in place in Northern Ireland. I assure the Assembly that there is no major initiative being taken forward by the Cabinet Office or the other devolved Administrations that is not being addressed here in Northern Ireland.

I turn now to the criticism that the Government are not open for business when it comes to fostering innovative approaches through procurement. On the contrary, we recognise that the buying power of the public sector has a major role to play in stimulating companies to develop new innovative solutions. Those developments will allow companies to secure a competitive advantage in the marketplace.

We have seen some examples in Northern Ireland of the small business research initiative, which was referred to by Mr Ross, being used to help firms to develop solutions to particular problems. I am pleased to say that Northern Ireland was the first devolved Administration to run an SBRI competition — for mobile phone apps for the Northern Ireland Tourist Board — and that we have a major project under way to develop a sustainable solution for the disposal of poultry litter. However, one or two projects is not enough. I want to see many more projects coming forward. The Executive have now put in place funding for a team of innovative procurement executives, including one in CPD. Those officials will work with Departments and companies to increase the number of SBRI competitions run by public bodies. I will look to

my Executive colleagues to help to reinforce this in their Department.

The last area of criticism that I want to touch on is the management of infrastructure investment. Given its importance to the economy of Northern Ireland, we need to ensure that we have efficient and effective systems in place for the delivery of that investment. Although procurement is a key part of that process, the delivery of infrastructure is about much more than that. That is why my officials have been working with the Strategic Investment Board to commission a review of the whole delivery system. The aim of that review is to produce proposals that will ensure that the commissioning, planning, procurement and delivery of major infrastructure result in value-for-money projects.

Before I close, I want to address the amendment. My Department has looked in detail at whether the payment of a living wage to a contractor's employees could be made a condition of public contracts. However, it concluded that any requirement to pay employees at a level above the national minimum wage would contravene European legislation. That is in accordance with advice that the Scottish Government received directly from the European Commission. Contracting authorities can encourage contractors to pay a living wage, but that cannot be taken into account when awarding contracts. Although I have some sympathy with the points that the Member made, there would be incredible difficulties in implementing that measure.

SMEs and SEEs are the lifeblood of our local economy. Over the years, my Department, with the endorsement of the procurement board, has taken forward a range of actions to support them. In implementing the programme, it has worked closely with industry, business and social economy representatives, and I am grateful for their constructive engagement. My Department will continue to focus on removing barriers to SME participation, simplifying the procurement process and standardising our engagement with suppliers.

This has been a useful debate, certainly when I was here. I thank Members for their questions and views on this key area of activity for the Executive. I will echo my predecessor's view and say that I, too, have an open door. If anybody has issues with procurement, please feel free to bring them to me. If there are things that we can do to resolve those problems, we will.

**Mr Deputy Speaker:** Before I call Mr Steven Agnew to wind on the amendment, I apologise for having interrupted him and thank him for facilitating me in calling the Minister to respond to the debate.

**Mr Agnew:** I appreciate the apology and accept it wholeheartedly.

We talk a lot in the Chamber about social issues and social problems. We talk about their symptoms, but we very rarely talk about the structural causes of some of them. In-work poverty is a huge issue in our society, and, indeed, the number of people on low pay has increased throughout the past 30 years as a proportion of our working population. That is something that needs to be addressed structurally. It cannot simply be fixed by government programmes, which, in some cases, ask the community and voluntary sector to mop up some of the problems that our economic policies have created.

We have to tackle those structural issues, and although we have some restrictions in Northern Ireland with the availability of economic levers, I believe that, in public procurement, there is a real opportunity to use public resources not just to create employment but to go further and guarantee a basic living wage for all those employed through government contracts.

The other issue related to that, and which continues, is the inequality between the genders in pay rates. I mentioned in my opening remarks that the majority of those in low pay — something like two thirds of those working below the living wage — are women. Again, that is a social issue that we could help to begin to address through a policy such as this. We need to grasp the structural issues that lock poverty and inequality within our economic system and start to reverse some of those harms. *[Interruption.]*

I will briefly address some of the comments that have been made. Mr Weir described this as well-intentioned but unworkable. However, we see, in England, that this is being worked by no less than the Greater London Authority. While the debate stood suspended, I saw a comment on Twitter that my proposal was somehow “economically illiterate”. Last I heard, the London city economy was doing OK. It has not collapsed due to the living wage. Just as we had with the minimum wage, there will be a certain amount of scaremongering. However, I understand that both the Labour Party and the Conservative Party are making noises that this is something that they would implement. For Northern Ireland to make a first step to move our economy onto that footing may well help to prepare us for the changes that lie ahead.

I could not understand Mr Weir’s point about competitive disadvantage to local businesses. In fact, this provision would have completely the opposite effect. By requiring a living wage to be paid by those who engage in government contracts, we would help local businesses, which tend to pay more than some foreign companies that can access cheaper labour. So, it would do the opposite of creating competitive disadvantage; it would tackle some of the competitive disadvantages that we face.

Ms Cochrane called it “aspirational”. Again, I would say that it is a worthy aspiration, but it is something that authorities in England have taken on. It does not have to be an aspiration; it can be achieved. She also raised the point, and I think that it is a valid one, about whether this would make it more difficult for SMEs. I propose — and, again, this is being done by local authorities in England — that, as with regional contracts with the Treasury, benefits to the Treasury could be reinvested in Northern Ireland to support SMEs and to enable them to tender for government contracts.

I will just mention briefly the Minister’s comments that the advice to the Scottish Government was that it was unworkable. I am not sure what their exact proposals were, but I point to the Greater London Authority and to the answers received by my colleague in the European Parliament, Jean Lambert, from the European Commission, which very clearly state that, within certain conditions, this type of public procurement policy is legal and within EU law.

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

**Mr Agnew:** I am happy to provide those to the Minister, and I hope that this is something that he and his Department will explore further.

**Mr Cree:** It gives me great pleasure to be able to make a winding-up speech for what has been an important debate today. Indeed, it is the first debate on the economy in the new Assembly term.

As MLAs, we should all have a particular interest in the topic, due to its significance to an economic recovery. Public procurement, if taken correctly, can help to positively address the unemployment that is so prevalent, particularly among our young people aged between 18 and 24. It can help to address the high levels of economic inactivity in the economy, and it can help our struggling construction sector through investment in infrastructure. The Ulster Unionist Party has, of course, been vocal in its support for increased infrastructure, particularly through the provision of sufficient funding to the Minister for Regional Development to advance road projects such as the A26. I was told to mention that.

Many Members outlined the scale of public procurement in financial terms. It amounts to £3 billion per annum, when local councils are included. That is a very high figure, and it is important that we ensure delivery in the most effective way.

Before giving some consideration to what other Members said, I want to raise a few issues, the first of which is subcontracting. The motion mentions specific “criticisms of the current system”. All too often, I find that the practice of subcontracting comes under that banner. Those in the constituency of North Antrim were all too aware of that recently, with the news that Ballymena-based Patton had gone into administration. Patton Group Ltd was a family-run business that was established some 100 years ago and that employed over 300 members of staff. The effect of that company going into administration was felt by banks, suppliers and contractors across that constituency and, indeed, the whole of Northern Ireland. A group of subcontractors who said that they were owed about £17 million by Patton asked the Executive for a rescue package to help them. That was not possible. That is an area that we must get to grips with, because there must be sufficient protection for those subcontractors.

Project bank accounts were introduced in January of this year, and government construction contracts were awarded by the Central Procurement Directorate on behalf of Departments. The Minister already referred to those. The intention of that new payment method is to help to safeguard subcontractor payments in many government construction contracts. That is a welcome move, but its success can be judged only over time, and it must be evaluated and, if necessary, improved upon.

Clearly, there is also more work to be done to understand the methods and procedures best designed to prevent poor performing suppliers and to ensure compliance to procurement.

I will move now to the social economy. Similar to other Members, I want to consider access to the public procurement market for the social economy. Social enterprises, such as Bryson Charitable Group, undertake some excellent work and reinvest profits back into the community. It must be remembered that the social economy can flourish during economic hardship by

reaching those who are most in need and bringing about positive social change. That is something that we should get behind and support as much as possible. We should be an enabling government for that sector.

Due to the fact that public procurement is the spending of public money, I believe that it must achieve more than the purchasing of a service and, as such, should require tendering organisations to demonstrate how that spend can maximise local social impact. On that note, Northern Ireland is currently the only region of the UK that will not be covered by the recently introduced Public Services (Social Value) Act 2012, as Scotland will be introducing its own version. I believe that the Executive should be looking at our own version of that legislation, which places a duty on public bodies to consider social value ahead of procurement.

It has also been said to me that many procurement exercises are driven primarily by price competition. That often results in a race to the bottom, and, by providing marginal profit level, it increases the risk of failure, as seen in the Housing Executive maintenance contracts. We must guard against such an approach to public procurement and get that balance right. The case remains that the public procurement process is frequently lengthy and excessively costly. That has a consequence of significantly reducing the level of competition, with many social enterprises finding the cost of bidding to be prohibitive.

Lastly, on the area of social enterprise, pre-qualification criteria are important and must be appropriate. In particular, they must not act as a barrier or lockout to social enterprises or, for that matter, SMEs.

#### 4.00 pm

I will now deal quickly with the review of public administration. With the review imminent, we must ensure that there is consistency in practice across Departments. It is the case that some councils do procurement better than others. The introduction of a new council model should present an opportunity to standardise approaches across the board to a sufficiently high level.

I will quickly summarise some of the issues raised by other Members. I was pleased to listen to the Minister. He contributed significantly to the debate and was very impressive on his first outing. I hope that that keeps up, Minister. I appreciate the DUP's support for our motion.

Mrs Overend made it clear that we need more in-depth statistics to give a proper outline of our performance. She reiterated that the Ulster Unionist Party is unapologetically pro-indigenous business in its approach to public procurement.

Sinn Féin has been vocal on this matter in the past through its chairmanship of the Committee for Finance and Personnel and in motions in the Chamber. It is apparently behind increased access for the social economy, and we can certainly agree on that point. However, I was rather amused by Mr Flanagan's comment that civil servants could do much of the work themselves. I look forward to work being done in that particular theatre.

The SDLP, I believe, was supportive, as was the Alliance Party. I congratulate Judith Cochrane for highlighting the importance of productivity in the whole exercise. That is a

very important issue, which had in fact been overlooked up to that point.

Mr Agnew made his points in his usual fashion. All that I will say is that he continues to demonstrate a lack of business experience. I am afraid that we cannot support his amendment.

I call on all Members to support the Ulster Unionist motion, which places SMEs and the social economy at the heart of our thinking and holds the Minister of Finance and Personnel to account in his plans for public sector reform.

*Question, That the amendment be made, put and negatived.*

*Main Question put and agreed to.*

*Resolved:*

*That this Assembly notes that the procurement of goods, services and infrastructure projects is a key driver of the economy; further notes the ongoing work in other devolved regions in this area; and calls on the Minister of Finance and Personnel to take action to address the criticisms of the current system and to ensure that there is sufficient access for small and medium-sized enterprises, as well as the social economy, to public procurement opportunities.*

## Human Trafficking and Exploitation (Further Provisions and Support for Victims) Bill: Second Stage

*Debate [suspended on 23 September 2013] resumed on motion:*

*That the Second Stage of the Human Trafficking and Exploitation (Further Provisions and Support for Victims) Bill [NIA 26/11-15] be agreed. — [Lord Morrow.]*

**Mr Deputy Speaker:** We now continue with the Second Stage of the Human Trafficking and Exploitation (Further Provisions and Support for Victims) Bill. I call the Minister of Justice, Mr David Ford, to respond to yesterday's debate.

**Mr Ford (The Minister of Justice):** I am grateful for this opportunity to contribute and respond to the points that were made in the debate, to set out the work that is being done by my Department and to explain my position on aspects of the Bill. The debate is on the principles of the Bill, but I will need to examine the potential effects of some clauses.

There is no doubt that there is significant public concern about the horrendous crime of human trafficking. That concern features in letters and e-mails that I have received, in lobbying from NGOs and faith groups, in invitations to speak and in requests for meetings. I am assured that there is total unanimity in the House, which is representative of our society, that we wish to do all that we can to put an end to trafficking.

Members from all sides have spoken as one in condemnation of the perpetrators of that crime and of the determination to drive it from our shores. I agree that our legislation should afford no foothold whatsoever for these criminals, and actions in the Department of Justice since devolution demonstrate that.

However, that should come as no surprise.

In the early 1790s, Liverpool and Bristol were developing as slave ports, rich on the proceeds of the triangle of trade that involved taking slaves from Africa to the Americas. Belfast stood against that and did not allow slave vessels into its port. Our stance against trafficking today is in the tradition of those who became the United Irishmen and of Wilberforce, whose campaign ended legal slavery in Britain.

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

Therefore, as a point of principle, we stand united, all of us in this House. Human trafficking — in other words, slavery — is an abomination in any of the forms it takes. It devastates the lives of individuals and families, seeking to reduce human beings to mere commodities. I am wholly committed, as are the many officials in my Department who play a part in the fight against this crime, to ensure that the steps we take to eradicate the crime, to punish the perpetrators and to protect and care for the victims are as robust as possible. I reject claims by some Members that my officials are opposed to doing all we can to fight trafficking.

At times yesterday, some unionist Members criticised me for not doing enough, while others appeared to suggest that the Bill was needed because the next Minister of

Justice might reverse my good work. I am not sure if that was supposed to be a compliment. However, in my time as Minister, I have already taken significant steps to make sure that effective anti-trafficking measures are operating across Northern Ireland.

The hidden nature of human trafficking is such that it requires a concerted, joined-up response if we are to tackle it effectively. I recognise and acknowledge the role of others in helping to stamp out trafficking. That is why I have established an engagement group that brings together civil society organisations, alongside government, because together we are stronger. Similarly, the Organised Crime Task Force provides a forum where statutory bodies can come together with law enforcement agencies to share best practice and to provide a coordinated, joined-up response to human trafficking. There is a specific subgroup for human trafficking, which is led by the police. Furthermore, the issue of human trafficking features at North/South meetings of the Intergovernmental Agreement (IGA) at both ministerial and official level, and at trilaterals with both the Irish and Scottish Governments. Indeed, I probably have never met Alan Shatter when we did not discuss the topic of human trafficking.

Members will recall that in May of this year, I published the first human trafficking action plan for Northern Ireland, which set out a challenging programme of work that my Department is taking forward in partnership with others. That plan has identified a number of priority areas for action that we have focused on, covering all aspects of trafficking and not just the sex trade. I believe that good progress is being made.

Clearly, prevention is a key element of our strategic response to human trafficking, and considerable work has already been taken forward to raise awareness of the issue. In particular, the Department of Justice has provided support to general public campaigns, such as Blue Blindfold and the Crimestoppers forced labour campaign, which ran earlier this year.

Last month, I also launched an educational resource pack on human trafficking that will allow teachers in Northern Ireland to explore the issue with the young people in their care; to raise awareness; promote active citizenship; and, crucially, to help young people to develop the tools and awareness to keep them safe and to make healthy choices in their own lives. The significant attendance in this Building in August of students and teachers vividly demonstrated the level of public concern and commitment around the issue of trafficking.

I hope to build further on that work with schools and colleges. My Department has invited schools to mark EU anti-trafficking day next month by hosting local events across Northern Ireland to raise awareness of human trafficking. I will visit some of those events, alongside the Minister of Education and the Minister for Employment and Learning. This is just one aspect of the work that my Department is doing with its NGO partners on the human trafficking engagement group to raise awareness, tackle demand and enhance protection for those at risk.

Despite these efforts, we know that there have been cases of human trafficking into Northern Ireland. Since April this year, 13 potential victims have been recovered here and referred into the National Referral Mechanism (NRM). Although the level of referrals from Northern Ireland is



lower than in neighbouring jurisdictions, it is unacceptable for any individual to be trafficked, exploited and subjected to such an inhumane crime.

I fully acknowledge my responsibilities in supporting victims of human trafficking, and I am committed to ensuring that they are afforded the protections and interventions that they need. Part of that is about ensuring that victims are informed about their rights and entitlements and are encouraged to seek help. So, earlier this month, I launched a multilingual information leaflet on victims' rights.

Members will also be aware that my Department funds support for potential adult victims of human trafficking during the recovery and reflection period of the NRM process. Prior to the introduction of the Bill, I had signalled my intention to put this support on a statutory footing, and work had commenced to that effect. Therefore, I fully agree with Lord Morrow's intent in clause 10 of the Bill, which would place a similar statutory requirement on the Department with regard to providing support for potential adult victims of human trafficking. However, I question whether primary legislation is the most appropriate vehicle for legislating for this support, particularly given the evolving nature of human trafficking. My assessment is that secondary legislation may provide a more flexible vehicle with which to respond swiftly to the evolving needs of trafficking victims.

Committee Stage will provide a valuable forum within which to debate that issue, and I welcome Lord Morrow's willingness to discuss the details.

On the issue of compensation that is covered in clause 11, guidance has been issued to staff in the Compensation Services on handling claims from trafficking victims, and the contract for support services includes steering victims to advice on securing compensation. My officials are working through the responses to the consultation on funding money damages claims, taking account of the European directive. I am happy to discuss this with Lord Morrow, as I am happy to be in the lead on progressive legislation in these islands.

I also welcome the focus on the needs of victims that clauses 13 and 14 bring to bear. Members will recall that I stated my belief that the arrangements in operation in Northern Ireland are compliant with our requirements under the EU directive. They will also recall that I had previously indicated a reluctance to legislate along similar lines to clause 14, lest that should inadvertently create a hierarchy of victims. Nonetheless, I have watched developments in our neighbouring jurisdictions with interest, and I am aware that the Trafficking People for Exploitation Regulations 2013 made similar provision in respect of England and Wales.

I am anxious to ensure that there is no perception that victims of human trafficking in Northern Ireland are afforded less protection than in other neighbouring jurisdictions. For that reason, I asked my officials to work towards legislating for these measures. Naturally, that work has paused pending the outcome of this Bill. This is another area for discussion with the proposer of the Bill and the Committee.

I share Lord Morrow's concern that those who traffic human beings should be subject to the full force of the law. To this end, training has been identified as a priority

by the Organised Crime Task Force. Although I recognise that responsibility for training rests with individual law enforcement agencies, through the Organised Crime Task Force, my Department has been conducting a training needs analysis. That will mean that effective training of the front line professionals who are responsible for investigating, prosecuting or who may come into contact with victims can be taken forward in a coordinated way and that, where there are gaps, those are identified and filled. Last year, I also opened a joint training event for police and social workers, which showed the benefits of that working together.

Members will also recall that, through the Criminal Justice Act 2013, which received Royal Assent in April of this year, we have also created new human trafficking offences. To deal with trafficking in the UK and by British citizens elsewhere, I have ensured that human trafficking offences are now triable only in the Crown Court, rather than the Magistrates' Court, and that they will attract a maximum sentence of 14 years. I believe that that shows the seriousness with which the Department treats this offence. It also means that, if the Director of Public Prosecutions (DPP) believes that the sentence for any trafficking offence is too lenient, he will be able to refer it to the Court of Appeal.

I recognise that there is more to be done and that we cannot afford to be complacent, but I wholeheartedly refute the charge that my Department has adopted a minimalist approach to this issue and to implementing the EU directive on preventing and combating trafficking in human beings and protecting its victims. That simply is not the case, and the evidence does not support any such claim.

The offences that we created in the Criminal Justice Act 2013 already go further than legislation in England and Wales in implementing the discretionary extra-jurisdictional elements that are set out in article 10 of the directive. Similarly, the support that is provided to potential adult victims by my Department during the 45-day recovery and reflection period goes much further than the minimum 30-day period required under the directive, and may be extended, as required, on a case-by-case basis. As I indicated, I had already signalled my intention to bring forward secondary legislation to put that support onto a statutory footing, which, again, goes beyond the requirements of the directive. As such, I challenge the grounds on which Lord Morrow and others criticised my Department's approach as being a minimalist one.

Indeed, it became rather boring yesterday to hear the constant repetition from the DUP prepared scripts of allegations of a minimalist approach when that is simply not the case. In fairness to Lord Morrow, he had an analysis, one which I do not entirely agree with, and was prepared to acknowledge good work by the Department of Justice. Too many others in the DUP and the UUP just revealed their ignorance.

I made it clear that I am wholly supportive of the motivation and sentiment behind the Bill. However, on a number of occasions, I also argued that many of the provisions of the Bill are covered under existing legislative or administrative provision. That remains my assessment. However, as I acknowledged, the debate surrounding the introduction of the Bill has undoubtedly added to the significant public interest. That is a positive outcome in that it has helped to raise awareness of this issue, to remind people across

Northern Ireland to be vigilant and to equip them with the knowledge that they need to recognise and respond to signs of trafficking when they see them.

#### 4.15 pm

Whilst I have some concerns, which I have expressed, about the appropriateness of bringing forward legislation that simply replicates arrangements that are already working well, I recognise that there may also be some advantages, not least in focusing people's awareness of the issues and in sending a strong signal to perpetrators that human trafficking will not be tolerated in Northern Ireland. Proposed legislation in England and Wales will also largely consolidate existing legislation. On that point, let me return to clause 2. I shall spare the blushes of the Member who claimed yesterday — the Member is not in his place — that this clause will mean that the consent of a victim is no longer relevant. That is simply wrong. Consent is not relevant under the current law, and clause 2 is one of those consolidation measures.

Nonetheless, I do have concerns about some of the provisions set out in the Bill and their impact. I have articulated those in detail on a number of occasions, and I am aware that there will be opportunities to explore those in depth at Committee Stage and Consideration Stage. However, I believe that it is my duty to draw the Assembly's attention to a number of those concerns now.

The Bill makes it very clear that one of the central tenets of Lord Morrow's strategy to counter trafficking is the proposal to make it a criminal offence to purchase sexual services from any person, not just from a prostitute subjected to force, as is already the case. The reasons for the proposal were lucidly and carefully explained by the Bill's proposer. He advocated an economic model to underpin his conclusions that criminalisation of the buyer of sex will lead to a reduction in demand for paid sex, and that the fall will force the traffickers to look elsewhere for a destination for their illegal activities.

At this point, I want to make one thing perfectly clear. I have said on numerous occasions, and I meant it, that I will consider the merits of any proposal to halt the crime of human trafficking. I do not need to repeat again my determination to take all possible steps to stop this practice. I share that desire equally with Lord Morrow, and with many other key players from the statutory and voluntary sectors. The only thing that separates us, at this juncture, is the method that we believe will make the most difference.

I have indeed looked carefully at what clause 6 proposes. However, in my judgment, at this stage, there is insufficient evidence to show that criminalising the purchase of sexual services is the best way to proceed in order to reach the shared objective of reducing the numbers trafficked into forced prostitution. At this point, I am concerned about the possibility of unwelcome implications: for example, an increase in problems for vulnerable women involved in prostitution; possible costs in justice terms to the flow of information to the police on trafficked victims; inability to enforce; an increase in crime; and a threat to the safety of those in prostitution.

Let me say again that I am determined to take all necessary action to tackle traffickers. For example, I have already announced that I will bring forward legislation to increase from six months to three years —

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

**Mr Ford:** — the statutory time limit for bringing prosecutions for the offence of buying sex from a prostitute subjected to force.

I will give way.

**Mr Wells:** The one thing that I hope he cannot accuse me of doing yesterday was speaking from a prepared script. Unfortunately, that is, perhaps, one of my failings. I find it very difficult to speak from a prepared script.

He will note that, during my contribution and those of Lord Morrow, Mr Givan and many others, we referred to the experience of Sweden where there is very clear evidence that making it illegal to purchase sex has resulted in a halving of the number of men doing that in Sweden, making Sweden a very cold house for prostitution and trafficking. Based on that experience, other legislators, such as those in Norway and Iceland, have introduced similar legislation. Those countries are liberal democracies, and you would not expect them to do that, but that has been their experience. Is he prepared to accept that he could be wrong in this? The Committee is going to examine in detail the situation in Sweden. In fact, we are going to Sweden at the invitation of Dr Ekberg to see the situation on the ground. Is he prepared to look at that and review the information from the police authorities and his counterpart in Sweden, and will he be prepared to change his mind?

**Mr Ford:** I am not sure how many of the points in that speech to respond to. On the key issue, I am making it clear that I do not believe that we have the evidence at this stage. As ever, I approach matters with an open mind and am prepared to consider the evidence. I believe in evidence-based policy making, and I look to see the evidence, and the evidence is not entirely clear in my mind at this stage. Therefore, at this stage, I am not prepared to support a proposal that might not work and that might take risks with the lives and well-being of other vulnerable individuals. None of us knows for sure whether that would happen. However, there is a wide range of opinion and I cannot rule out the concerns of those who think that it may. Nor can I ignore what many of the key stakeholders across the statutory and voluntary sectors are saying. As Justice Minister, I have an obligation to listen to Mr Wells and others, and to consider what all the relevant agencies say to me. The police are not persuaded that this measure will help them to confront traffickers. The prosecution service sees difficulties in successfully evidencing cases. Many of the key voluntary groups also have reservations, which were spelled out to me in meetings over the summer. As Justice Minister, I cannot ignore those voices either.

**Mr McCallister:** I am grateful to the Minister for giving way. The only advantage of the Bill that the Minister has highlighted so far is that it raises public awareness. Is that enough to let the Bill proceed?

**Mr Ford:** Raising public awareness and consolidating legislation is seen as beneficial in at least one other jurisdiction in the UK, so it is an issue that has to be taken account of. If we were to do a clause-by-clause analysis, the Member may find that, although I have significant reservations about a number of clauses, I have no reservations that could not be dealt with by a Committee Stage amendment to a majority of them. Of course, one

and a half clauses are the responsibility of the Minister of Health, Social Services and Public Safety.

A look at the evidence base presented by Lord Morrow, and just enunciated by Mr Wells, shows that the proposal relies solely on evidence garnered from Sweden. However, there is a danger that the proponents of the Bill are mixing up two distinct and wholly different required outcomes: first, a reduction in human trafficking; and, secondly, the elimination of prostitution. Let us remember that Sweden introduced its laws to eliminate prostitution as a gender equality measure, not as a challenge to human trafficking.

In comments from, I think, Mr Wilson, in an exchange with one of his colleagues, the suggestion was that the current level of prostitution in Sweden, despite its claimed successes, is about the same as what is supposed to be the statistic in Ireland. That raises questions about effectiveness and that is why we need to get the proper evidence. I am wholly supportive of the aim of reducing trafficking, but I disagree at this stage on how we can achieve that.

On eliminating prostitution, there has not been proper consultation and informed debate. I can confidently say that, in the three and a half years since the devolution of justice, I can recall no issues raised with the Department by any body or elected representative, reporting public concerns with the failure of the criminal law to manage and regulate prostitution. In other words, eliminating prostitution has never been the topic of a public policy debate until now.

The plain truth is that none of us knows for sure what the consequences would be in Northern Ireland of criminalising paying for sexual services. Some have argued that they do know, because prostitution and its framework is effectively the same in all European countries and beyond. I do not accept that, nor do I think that the Assembly would want to accept legislative change without examining the basis in this jurisdiction for making that change. Is that not what devolution is supposed to be for?

My officials recently gave evidence to the Justice Committee on the Department's position on the Bill. They were asked why the Department had taken no action until now to gather information on prostitution, so let me deal with that.

I published a research paper in 2011 about factors contributing to women becoming involved in prostitution and looking at best practice as we dealt with those issues. That paper contributed to the Department's strategy to manage women offenders and those vulnerable to offending behaviour.

Much work has also been done to address the collection of data about human trafficking. There has not, however, until now, been a policy debate about the elimination of prostitution. There has not, therefore, until now, been a pressing need to obtain the data on the basis of which to take such decisions. That is why I announced my intention to commission further detailed research into prostitution in Northern Ireland. We need that research to provide a more credible evidence base on which to take decisions about the criminal law on prostitution.

We need to be able to make informed decisions on the basis of not just the extent but the nature of prostitution in Northern Ireland, and we need to collect all relevant points

of view. If that takes a bit more time, surely that is time worth spending to ensure that we take the right path.

**Mr B McCrea:** I am grateful to the Minister for giving way. I am also grateful that he will undertake research, which is to be welcomed.

Will the research that his Department undertakes forensically examine lessons from the Swedish model? Will it be able to analyse whether there is some basis to support it?

**Mr Ford:** I assure the Member that we will look in the widest possible way at prostitution as it applies to Northern Ireland and at lessons from elsewhere. I offered to share the precise details of that with the Justice Committee as they are developed. I will also happily write to the Member about it at that time.

**Mr Givan:** I thank the Minister for giving way. First, will he answer a question on an issue that many of us struggle to understand, which is why the research was commissioned only in the summertime, around August, when the private Member's Bill had been published a year previously. Could the Minister not have started that research, if he felt that it was necessary, at that point? Secondly, while I am on my feet, perhaps he could answer this question: does he regard prostitution as a valid form of work? Either you do and you then support the fact that those who are involved in that work have a higher mortality rate and worse health outcomes than the rest of the population, or you do not. That principle would then determine whether you support clause 6.

**Mr Ford:** The Member talks about the Bill having been around for over a year; my understanding is that we had only a draft, which has changed substantially over the past year. It was only when the Bill formally became a published Bill in the Assembly that we were entirely sure of the contents that would be presented to the Assembly.

As to whether prostitution is a valid career choice — I think that that was the term used — and, therefore, clause 6 depends on one's attitude to that, I do not think that that is an accurate way of representing the arguments. One could well feel that one would wish to see prostitution eliminated but not necessarily believe that this specific proposal for criminalising the purchase at this point is the best way to proceed. That is why we need proper evidence. If that evidence takes a bit more time, surely it is worth spending that time to ensure that we get the right legislation and we get Northern Ireland on the right path. Although some Members have suggested otherwise in the debate, I believe that there will be more opportunities for legislation in this Assembly mandate if that is the way in which the Assembly wishes to go.

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

**Mr Ford:** Yes.

**Mr McNarry:** I just want to take the Minister up to see how we could pursue the thought lines that he is developing on research. Is it possible that research is being sought to position, some time early in the agenda, legalising what is commonly known as prostitution? Will he want legislation included for that in the debate and research?

**Mr Ford:** As I said, the purpose of the research is to establish the extent and nature of prostitution in Northern Ireland; it is not to put out any proposals. It is to establish

what the situation is. We can then develop proposals on whether legislation is appropriate or necessary and how we would go about it. I have this funny notion that you commission research because you want to find out what is happening, not because you have a preconceived outcome. I know that that might be unusual for some people, but that is the way in which we try to operate in the DOJ. That is why I believe that, at this stage, clause 6 should not stand part of the Bill.

I want to discuss other significant concerns that I have about the proposals concerning trafficking issues in the Bill. Clause 8 would provide blanket immunity from prosecution for victims of human trafficking where they have been compelled to commit a criminal act. I recognise the intent behind that proposal, and I share Lord Morrow's concern that victims of human trafficking should not be unfairly penalised. The EU directive makes it clear that authorities should have discretion not to prosecute in cases in which there is evidence that a victim of human trafficking has committed an offence as a direct result of having been trafficked and coerced. I am satisfied that the arrangements in Northern Ireland under which prosecutors have the discretion not to prosecute when that is considered to be in the public interest are consistent with that requirement. In offering blanket immunity from prosecution for all victims of human trafficking, clause 8 goes well beyond the requirements of the directive. I do not believe that it is a proportionate response. It would impede the Director of Public Prosecutions' ability to discharge his statutory obligations under the Justice (Northern Ireland) Act 2002.

#### 4.30 pm

I have concerns that the clause could disadvantage other victims of crime and have the unintended effect of creating a hierarchy of victims, whereby trafficking victims who have carried out offences are immune from prosecution, regardless of the seriousness of their crimes or of the views and needs of any victims of their crime. Consider, for example, a trafficked victim who may have risen to a position of power or trust in a crime group and, in turn, become involved in trafficking and exploiting other victims. Clearly, such cases need to be considered in light of their specific circumstances and the seriousness of the offences committed. Under existing arrangements, prosecutors are obliged to apply the test for prosecution, including whether prosecution would be in the public interest. In doing so, they are able to consider the specific circumstances of each case, including whether any mitigating factors exist.

I must say that that was all brought home to me by the play 'Diablo', written by Patricia Downey and performed by the Spanner in the Works Theatre Company, and its five characters. The play was a very powerful statement when my wife and I saw it at the Lyric Theatre; it was even more powerful when we saw it performed in a terraced house in Rathgar Street off the Lisburn Road, possibly because I lived just down Rathgar Street as a student. Of the five characters, one was clearly 100% guilty, as he was, effectively, the mafia godfather; two — a woman who was there in domestic servitude and whose kidney had been forcibly removed and a girl who was brought in and subjected to rape and sexual exploitation — were clearly victims; but the other two characters were Belfast people who had started off as victims but had become complicit

in the work of the gang. It is a test to be applied in each individual case: the balance between their victimhood and their responsibility for other crimes. That is why I do not accept that there should be blanket immunity. Clause 8 goes too far and would remove the scope that prosecutors need to exercise discretion in the public interest. That is the kind of issue that, I think, needs to be teased out at Committee Stage.

I am also concerned that clause 4 and the statutory aggravating factors provided for in clause 3 could fetter the discretion of judges, who, I believe, are best placed to consider the broad scope of circumstances in a specific case. That is particularly important when a difficult or unprecedented case comes along. Sentencing guidance, which is already in place for cases of trafficking for sexual exploitation, provides a more appropriate vehicle than primary legislation to respond flexibly to case law as it emerges.

Even though clause 4 provides a not-quite-mandatory minimum, I remain concerned that it appears to fetter the discretion of judges. It also appears from comments passed yesterday that some Members do not recognise the significance of the work being led by the Lord Chief Justice on sentencing guidelines or the significance of the judgement given by the former Recorder of Belfast in the case of *Pis*. The Lord Chief Justice has also indicated that guidance will be given by a senior judge on other types of trafficking such as labour exploitation. Such guidance can be refined and strengthened in a way that is simply not possible for primary legislation. In particular, I consider it unacceptable that the clause would apply equally to children and adults. I trust that Members will agree that the extension of a compulsory minimum sentence to children is inappropriate and runs counter to the "best interests of the child" principle set out in article 3 of the UN Convention on the Rights of the Child, which commits us to using custody for children only as a last resort and for the shortest possible time. Children should not be subject to the same sentencing regime as adults, and the current sentencing framework for children offers sufficient options for the judiciary.

I also want to touch on the proposal for a Northern Ireland rapporteur in clause 16. I fully recognise the need for accountability and welcome the role of the many mechanisms already in place to achieve it, such as the interdepartmental ministerial group (IDMG), GRETA, CJINI and, of course, informally, through the Department's engagement group. The Assembly will need to give careful consideration to whether the proposal for a Northern Ireland rapporteur, as set out in clause 16, is the best way to enhance the existing arrangements. I have particular concerns that, under the clause, the rapporteur might not be aligned to the national rapporteur structure, and I am not yet convinced that it would add value to the existing arrangements.

The EU directive places an obligation that there shall be a national rapporteur. The functions of the national rapporteur are currently performed by the interdepartmental ministerial group, on which I sit. I believe that I can legitimately claim to be the only Minister who has attended every meeting of the IDMG. It is a body that, by bringing together a number of Whitehall Departments with the three devolved Administrations, should be able to recognise what is happening across the



UK. Members will recall that, when the ministerial body was being established, I consistently argued in favour of an independent element to fulfil the rapporteur function. Unfortunately, yesterday, despite the fact that I corrected him, one Member continued to read a prepared script saying that that was not my position.

Most recently, at its last meeting, the IDMG was extended to include independent NGO representation. That is a positive step forward, but I also note with interest the Home Secretary's announcement that, as part of the forthcoming modern slavery Bill and subject to consultation, she intends to establish a UK-wide anti-slavery commissioner who would also act as the national rapporteur. It is probably a point of agreement between Lord Morrow and me that referring to a commissioner who may act as a rapporteur is something of a fig leaf to cover the embarrassment in the Home Office that it originally refused an independent rapporteur.

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

**Mr Ford:** I will give way.

**Mr Wells:** The Member has been, quite rightly, critical of those who read from a prepared speech in yesterday's debate. Is he, by any chance, reading from a prepared speech this afternoon?

**Mr Ford:** I am indeed, as is customary in ministerial responses. If the Member wants to see the version of it that consisted of mostly illegible scribbles that I made yesterday, he is welcome to it. It is possibly the key advantage of having had a night's break that I was able to tidy up my remarks a little bit. I suspect that the difference between myself and the Member whom I referred to is that, if I had got something wrong in the prepared speech, I would have had the ability to change what I was saying; unfortunately, yesterday afternoon, even after I corrected a Member about my commitment to an independent national rapporteur, he continued to read a script criticising me for opposing it. That is the problem with prepared speeches. However, I should have acknowledged earlier that that is at least one fault that I will never accuse Jim Wells of. Sometimes, as he said himself, he has difficulty with a prepared script, but he never has problems when he is holding forth without one.

The proposal for an independent national rapporteur has many advantages, not least because a national rapporteur will be able to look across the range of relevant agencies and not just the devolved ones. However, the arguments for a commissioner or rapporteur need to be considered properly in the Assembly when the Home Secretary's plans become clearer. My officials will continue to liaise with the Home Office on that matter, and, as the Home Office develops its thinking, I am happy to discuss with Lord Morrow or the Justice Committee how to align the good work in Northern Ireland with wider UK proposals.

As I have made clear, I welcome the focus on human trafficking in Northern Ireland, and the Bill has added to that focus. However, my significant concerns about the potential negative impact of some aspects of the Bill remain. It is my responsibility as Minister of Justice to highlight those concerns to ensure that Members are able to make informed decisions in the best interests of this society. I have outlined some of those key concerns today, and there are other points that, I believe, will require detailed scrutiny, including wider engagement with

other stakeholders, when the Bill goes before the Justice Committee. I have listened as others have spoken of the need for the Committee to examine the details of the Bill closely, and I welcome that commitment.

A few days ago, I had a constructive and positive meeting with Lord Morrow. We agreed on the need to fight the dreadful crime of human trafficking. We agreed on some aspects of the Bill and disagreed on various degrees on other aspects. However, with a commitment on all sides to get the best possible legislation for Northern Ireland to fight the crime of human trafficking and conscious of the need to mitigate the risk of any negative repercussions, I am content for the Bill to go forward to Committee Stage.

**Lord Morrow:** I am sure that most Members will recall my closing remark at the start of the debate yesterday that we are in for a very interesting debate. We may have failed on other things, but we did not fail in that category: it has been a very interesting debate. I recognise where the Minister is on the issue. He is not where I am, or maybe I am not where he is. Maybe one day he will be where I am, but I suspect that the day will never come when I will be where he is. However, we will wait to see what happens as we go through the debate.

I am pleased to have the opportunity to close on the debate, and I want to make it clear from the start that I make no apology for saying that I speak from a prepared script. It seems that that will now be criminalised in the Assembly. You cannot go home and prepare and come in with a prepared script. That is wrong. That is the domain of a Minister who has oceans of resource behind him. The whole Department is flung at the individual Member, but the Minister can come in with a prepared script and get on with it. I was a Minister at one time, too. I valued the fact that I had plenty of resources behind me when I was in Social Development, and very good resources they were too. Officials did not leave you offside very often. They send their Ministers in well prepared, and they have their team in the Box to consult. If someone asks an awkward question, they will soon slip in a very dignified answer. That is how the system works. However, when it comes to the individual MLA, he or she is totally exposed. They stand alone, and they have no resources in the Box that they can turn to. That is something that the Assembly may want to look at in due time, and I am sure that I will get support for that from some quarters.

Let us deal now with the issues that are before us today. I thank all those who spoke yesterday, whether they spoke well or ill, whether they spoke in favour of what I was saying or were totally and diametrically opposed to it. Nevertheless, I listened diligently to what was said, particularly to those who were contrary to me. I am pleased that all the major parties — I was going to say "with one exception", but it is not a major party — said that the Bill merited being returned to the Committee for further scrutiny. Some said that there was no merit in it whatsoever. They said that they were total democrats and said, "Kick it out, throw it in the bin and do not let it go any further". That is democracy. We will come to that particular individual a little later and identify who he is. I do not think that anybody is in any doubt about who I am speaking about, because I see that his face is already red and he is in no doubt about whom I am speaking.

I will consider some arguments that Members raised yesterday. I will go through them clause by clause before

making a few further comments on specific speeches. I will do that simply because it would be impossible to attribute what every individual said, bearing in mind that I do not have the resources of the Department and have to make the best of it from the notes that I have made in my little black book.

First, I will address clause 2. It was argued that existing legislation makes no specific reference to victim consent and thus consent is already irrelevant when it comes to human trafficking and slavery offences under existing international legislation, regardless of any specific circumstances. The Minister's argument is not quite clear. It does not follow that, since there is no reference to consent, it is already considered irrelevant. That was not the view taken in the 2013 Anti-Trafficking Monitoring Group (ATMG) report. It states:

*"The UK has restricted its interpretation of the international trafficking definition by requiring only the establishment of the "act" and "purpose", excluding the need for ascertaining the means element which operates to explicitly negate the supposed consent of the trafficked person to their exploitation ... However, it is common for both the prosecution and defence to draw on the trafficked person's consent to their trafficking in such trials to substantiate their case."*

The ATMG also quotes the GRETA report, saying:

*"the British authorities have stated that all the means under the Convention are inherent in trafficking without being articulated in the legislation. By establishing how a trafficker exploits the vulnerability of a victim through force, threats or deception, this would also cover fraud, abuse of power, coercion or abduction, all of which are means acknowledged in case precedent.' Unfortunately, as the concepts of deception or other forms of coercion do not appear in this offence's equation, this may result in the misunderstanding of trafficking as a crime by CJS actors and a lay jury."*

Clause 2 answers those criticisms by clearly establishing those missing factors in our law, thereby ensuring that there can be no doubt that consent produced by coercion or deception is irrelevant to whether a crime of trafficking or slavery has taken place.

#### 4.45 pm

It was argued that clause 3 is wrong because it is not consistent with judicial discretion. First, there is a precedent for placing aggravating factors in legislation, and that is found in section 4 of the Misuse of Drugs Act 1971. We already do it.

Secondly, what is not acceptable is fettering judicial discretion after you define the law, not defining the law in the first place. Then it was argued that guidance on aggravating factors already exists, making the clause unnecessary. I disagree on two counts with those who argued that. First, it is important to note that current sentencing guidelines apply only for trafficking for sexual exploitation, not for trafficking for forced labour or for the slavery offence in the Coroners and Justice Act 2009. Consequently, further action is required, and I believe that my Bill provides that.

Secondly, if you read the factors led down by Judge Burgess in *R v Matyas Pis*, you will find that the factors

referred to in the judgement at paragraph 25 are mainly different from those listed in clause 3. The only overlapping factor is number 9 in the list, which relates to threats against the victim or members of the victim's family. Consequently, what is proposed here differs from the guidance and is seeking to achieve a different goal. Moreover, guidance is not binding, and therefore it will not necessarily be applied consistently. That results in a lack of clarity and transparency about the offence and the sentences that it attracts. GRETA has argued strongly that consistency and transparency are vital for victims and has called on us to make our offences clearer for them. We cannot deliver that clarity through guidance, but we can through the Bill and clause 3.

On clause 4, it was effectively argued that mandatory minimum sentence clauses are unpopular with judges and not in accordance with our legal traditions, and, as such, are an unnecessary step. I do not deny that a statutory minimum sentence is unusual in Northern Ireland law. However, it does exist. For example, article 70 of the Firearms (Northern Ireland) Order 2004 has a minimum sentence for the unauthorised possession of certain prohibited weapons and the purchase, possession or acquisition of a handgun.

To my mind, the crimes involved in human trafficking and slavery are suitable for a minimum sentence to be laid down in law. Clause 4 will send a strong signal that our society deems those crimes to be serious offences. It is also worth noting that in exceptional circumstances a judge can set a lower sentence. Although I struggle to think of a case in which a sentence lower than two years would be appropriate for those who commit such heinous crimes, the clause provides flexibility to enable such exceptional cases to be dealt with appropriately. Having a minimum sentence sends a very strong message about the unacceptability of trafficking, concentrating the minds of anyone tempted to get involved in that heinous crime.

On clause 5, some have argued that forced begging is already an offence. I know that, technically, the current law has been interpreted as covering forced begging, but nowhere is that expressly stated in statute. My objective is to make that fact absolutely transparent in legislation.

I want to respond to a number of comments made about clause 6. Yesterday, the clause got a fair airing in this House, and there was much concentration on it, just as there has been much concentration on it in the media. That is regrettable, but that is how things are. I want to state, as I did yesterday, that my Bill is not a single clause Bill; rather, it has 19 clauses. Regrettably, however, there has been a lot of concentration around clause 6.

Some who commented yesterday said that the Bill unhelpfully conflates prostitution and human trafficking. They said that they are not the same thing and that they need to be dealt with in different ways. It is important to say that that view is rejected by many groups and individuals from a broad cross section of our society. The figures that we heard yesterday for those who have been rescued from trafficking illustrate that the vast majority of victims who have been rescued were victims of sexual exploitation. Those are irrefutable facts. Given that, on the basis of the numbers of victims rescued, demand for paid sex is the principle driver for trafficking to Northern Ireland. The production of a Bill to address trafficking in Northern

Ireland would be seriously lacking without a means to address demand for the principal driver for trafficking.

Furthermore, it is said that clause 6 will push human trafficking underground and produce a more dangerous environment for those working in the sex industry. That argument is commonly made by opponents of clause 6. Although I understand where they are coming from, I do not accept that to be the case. The evidence from Sweden indicates that prostitution has not — I emphasise “has not” — gone underground. Kajsa Wahlberg, the Swedish national rapporteur on human trafficking and detective inspector of the national police board, speaking at the European conference on human trafficking in December 2009, said:

*“In Sweden there is relatively little prostitution. The perception that this is because prostitution has gone underground is not true. Prostitution cannot go underground because the buyers need to be able to find the women. Prior to the law prohibiting the purchase of sexual services the pimps could easily send the women out looking for buyers. Nowadays they have to advertise and make arrangements which means that the risk of getting caught increases.”*

Those who were at the Justice Committee two weeks ago and heard Gunilla Ekberg speak on the subject will have seen that argument thoroughly trashed and demolished.

Thirdly, it was highlighted that most people in prostitution have not been trafficked. That statement is true; I do not contest it, but I make two points. First, the national referral mechanism figures make it absolutely clear that the single biggest driver for trafficking to Northern Ireland is the demand for paid sex. Although many people in prostitution have not been trafficked, most people trafficked to Northern Ireland are trafficked for sexual exploitation. I hope that I have made my position very clear on that, because there have been deliberate attempts to misrepresent me, to take me to a position that I never was at and to attribute comments to me that I have never made.

Secondly, my Bill is not just a human trafficking Bill; it is a human trafficking and exploitation Bill. The fact that clause 6 deals with people who may not have been trafficked is no more of a problem than the fact that other parts of the Bill address slavery offences where there is no element of trafficking. In both regards, the clauses are phrased in that way on purpose.

Some say that they do not think that prostitution is exploitative. I encourage them to look at the statistics. I do not doubt that some people say that they are in prostitution of their own free will. However, the evidence demonstrates that they are a very privileged minority. We have a choice of whether to frame our law out of regard for the vulnerable majority or the privileged minority. I am here for the former. I will not be moving from that position, irrespective of what the Assembly does with this Bill. That is the Assembly's choice, and it will then give an account to the electorate at another time.

Fourthly, we heard from a number of quarters that we need more local research into prostitution after which we can proceed further. We have heard that again during today. I want to make it clear that I have absolutely no problem whatsoever with research being conducted into the nature of prostitution in Northern Ireland. However, it

must be recognised that literally hundreds of studies have been conducted into the area of prostitution in the United Kingdom, the Republic of Ireland and across Europe. A mountain of studies has been done and is sitting on the shelves waiting to be looked at. To my mind, the results of such local research will not differ hugely from what has been found in the Republic of Ireland and in the UK. There is not something in the Irish Sea that suddenly makes prostitution hugely different in Northern Ireland from the rest of the United Kingdom.

The decision by the Minister to announce two weeks before this debate that his Department will conduct research was an obvious attempt by the Department of Justice to send clause 6 into the long grass. It is something that you would expect to find in ‘Yes, Minister’. The Minister knew over a year ago that I was introducing this Bill. Why did he not order research at that time or even after I brought the Bill to the House for its First Reading? It is also worth noting that who the Department decides to choose to conduct this research will have a huge bearing on the results. As Gunilla Ekberg noted at the Committee for Justice two weeks ago, if the researcher conducting the research believes that prostitution is a valid form of work, they will come to a vastly different conclusion than they would if they believed that prostitution is inherently exploitative. I hope that the Department is cognisant of this reality when it brings this research forward.

Fifthly, some Members made the point that this Bill does not do enough to help people to leave prostitution. This is an area that I hope will be considered in Committee. To my mind, it is important that men and women who are working in prostitution, often due to circumstances beyond their control, are given adequate support to leave. I will, of course, listen carefully to any suggestions that Members may have. When I met Rachel Moran, who spent some years in prostitution, she made that point very clearly. She said that it is important that an exit strategy is provided. She made that point well, and I listened intently to what she had to say, and I have it noted.

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

**Lord Morrow:** Who is speaking?

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

**Lord Morrow:** I had inwardly decided not to give way to anyone, but, maybe, Jim, I will give way to you just for a moment.

**Mr Wells:** Thank you very much. I congratulate the Member on his birthday today. I will not give away which birthday it is, but I am sure that he will make very good use of his bus pass from today onwards.

Will the Member agree that he will listen to the Committee's view on this? I raised the issue that that is perhaps one of the parts of his Bill on which I felt further consideration is required. Will he listen to suggestions from the Committee about how he can provide an exit strategy for women who often have no other option in life, who have had a dreadful hand in life, who maybe have been abused as children and been brought up in poverty and deprivation? If we can offer these women an opportunity to retrain for residential care and support or something else, that would be attractive to them. We would help them to get out of this awful trade.

5.00 pm

**Lord Morrow:** I thank the Member in part for what he has said, but he reminded me about bus passes, and if I had known he was going to say that, I would not have given way. *[Laughter.]* However, I note the point that he has made, and I think it is very relevant. I am certain that, when the Bill goes to the Committee, that is one area that its members will concentrate their minds on. I thank him for the point that he makes.

Sixthly, the point was made that the contention that the current law on buying sex from someone who is coerced is not working is based on a failure to understand that the current offence of paying for sex with someone subject to force is a strict liability offence. Let me make it absolutely clear that I completely understand that it is a strict liability offence. However, that fact does not address the central problem, which pertains to making the offence work. That problem specifically relates to proving that the person who was purchased was coerced, not what the buyer knew or did not know, which is entirely irrelevant, because it is a strict liability offence. The current law clearly does not work, because proving that the bought person was coerced is very difficult.

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

**Lord Morrow:** OK, but this is the last person I am giving way to. OK, Minister.

**Mr Ford:** I am grateful to the Member. On a simple point, I think it is perhaps the case that the principal difficulty at the moment is not proving the coercion but proving the coercion within the current six-month time limit.

**Lord Morrow:** I note the point that the Minister has made, and I suspect that it is true.

Seventhly, it was suggested that increasing the time bar to three years will make the current article 64A offence effective. Although raising the time bar would be good, I do not believe that it would deliver the solution that we need. It will still remain a caveated offence, as in Finland, and the evidence is clear that such offences — ie, making it an offence to buy sex from someone who has been exploited — while sounding attractive, do not work in practice.

If we want to challenge trafficking, we will not do so through caveated offences. Proving coercion is very difficult, and the number of prosecutions in Finland is limited. Here in Northern Ireland, as has been detailed at length, they are non-existent. No phone calls have been intercepted between traffickers saying, "Do not bother sending women to Finland, because it is illegal to buy sex from trafficked people". Traffickers continue to send women to Finland in large numbers. However, in Sweden, where they have simply made paying for sex an offence, they have a workable offence, with approximately 3,000 convictions. In that context, phone calls between traffickers have been intercepted in which they say, "Do not bother sending women to Sweden; there is no point. The legal environment is too hostile".

Whatever way you look at the current law, it does not work. I am proposing a solution, which I hope the Assembly will, in time, embrace.

It was argued that clause 7 is unworkable because the Department of Justice does not have direct responsibility for many of the organisations that provide training. It is

also unprecedented in legislation. The clause gives the Minister wide options as to how to deliver on the training requirements set out in the clause. He could decide to use regulations to set out a curriculum, minimum standards and what investigative tools should be used, in a similar way to the power to make regulations on training for police forces in England and Wales in section 97 of Criminal Justice and Police Act 2001. I hope that the Department will be imaginative on what is needed to meet article 18(3) of the European directive, which states:

*"Member States shall promote regular training for officials likely to come into contact with victims or potential victims of trafficking in human beings, including front-line police officers, aimed at enabling them to identify and deal with victims and potential victims of trafficking in human beings."*

Article 9(3) states:

*"Member States shall take the necessary measures to ensure that persons, units or services responsible for investigating or prosecuting the offences referred to in Articles 2 and 3 are trained accordingly."*

I am open to considering relevant amendments at a later stage.

With regard to clause 8, some Members stated that the PSNI does not provide blanket immunity from prosecution for any victims and that all cases must be considered on their merits. Consequently, some suggested that the clause is inappropriate. However, I am advised by counsel that there is a key distinction between providing victims of trafficking with immunity from prosecution; and providing victims of trafficking with immunity for crimes committed under the duress of their traffickers. Let me be quite clear that clause 8 is about addressing the latter, not the former. In the Anti-Trafficking Monitoring Group report 2013 it is argued that:

*"It remains the case in the UK that trafficked children are prosecuted for crimes they are forced to commit while being exploited and under the control of their traffickers, while their traffickers go unpunished."*

Consequently, an issue remains to be addressed. Moreover, to those who say that this is not policy, I say that the whole point of clause 8 is that we can make it policy if we change the law, which is what I propose we do.

Some argued that clause 11 is unnecessary because the compensation procedure is already clear. I disagree with that perspective. I am deeply concerned by the barriers that remain to compensation for victims. In Northern Ireland, only two victims have successfully claimed compensation, but over 90 have been identified. In 2013, the Anti-Trafficking Monitoring Group said that:

*"the current compensation avenues are ineffective in securing compensation for trafficked persons and do not fulfil the spirit of the requirement for compensation in the Convention or Directive."*

Clearly, we have a real problem here, and I believe that clause 11 will help to rectify it.

It was suggested that clause 15 is unnecessary because we already have an action plan and that, if it were placed in statute, we risk it becoming redundant at a later stage.



I will make two points regarding that. First, the action plan that the Minister has introduced, although a good thing, does not cover what the clause covers. The clause requires the Department to publish an action plan that considers human trafficking as well as forced labour without trafficking. The Department's plan considers only human trafficking. Secondly, I am concerned that, although the current Minister may intend to continue to publish an annual action plan, a potential successor may not share his views. Consequently, I am minded to put this in statute. Although we might trust the present Minister to do it, we may not trust the next one. Who knows?

Some suggested that clause 16 is unnecessary because of the UK Government's announcement of the establishment of a modern slavery commissioner. I am delighted that the British Government have begun to see the light on this issue. It may well be the case that it would be a distinct advantage to have a national rapporteur, which is, effectively, what the modern slavery commissioner would be, for the whole UK. However, I listened with great interest to what Alban Maginness said about the virtues of a Northern Ireland-specific rapporteur. I look forward to discussing that matter further with him in the future.

In any event, the British Government have not published any legislation or announced when such a commissioner would be introduced. Neither have they confirmed that the commissioner's remit would cover the whole of the United Kingdom. Consequently, I believe that we need to maintain the clause until more information is available. To my mind, it is crucial, as a Member who spoke previously noted, that the relevant agencies that operate in Northern Ireland can be scrutinised by an independent body to ensure that they remain effective.

Before I finish, I want to consider two speeches that were made yesterday. One of those speeches was made by Basil McCrea. If ever there was a guy who is all over the place, it is him. I would not like to have him playing at centre half in any team of mine. He would roam all over the place and leave the defence wide open. You would be down five or six goals within the first 10 or 15 minutes, and you would have lost the game. I would respond to all his points, but it would take me all night, and I know that the House has had a tough couple of days. However, I do want to say one or two things.

Mr McCrea spent a great deal of time looking at the cases of *R v Matyas Pis* and *R v Rong Chen*. The key point is that, despite the large number of people trafficked, there have been only two cases. Mr McCrea got very excited about the judgements in those two cases, suggesting that they should restrain us in some way. However, the point about those judgements is that they were interpreting, and not making, the law. We are considering changing the law, which is our prerogative.

Mr McCrea went on to suggest that, because there have been two convictions in respect of one offence in the *R v Matyas Pis* and *R v Rong Chen* cases, another statute, that pertaining to paying for sex, is working, even though it has secured no convictions at all. How does any Member conclude that something is working when it does not get any convictions? A senior retired police officer said to me one time, "If you are getting so low a conviction rate or no convictions, it is legal." Convictions are not happening. I ask Basil McCrea to stop and think about what he said yesterday. He might just come to a different conclusion. He

is comparing apples with pears, and apples and pears are not the same.

Mr McCrea is right to say that there is academic literature for and against criminalising prostitution. I never disputed that fact; I accept that that literature is out there. The conclusions reached in the literature depend to a large degree on how researchers view prostitution and, as we talked about earlier, whether they see it as sexual exploitation or a valid job. Gunilla Ekberg made the point powerfully at the Committee the week before last — someone else made it here yesterday — that not many school curriculums have prostitution as a career. I am not aware of any. If someone can point one out to me, I will give way to them.

Mr McCrea suggested that Westminster got it right on paying for sex. The whole point is that Westminster did not get it right; it just did not. The offence is unworkable because proving coercion is so difficult. I am proposing legislation that is framed in response to the bad experience in Westminster; it is not good experience but bad experience. We are learning from their lessons.

Mr McCrea says that the judiciary is against the Bill. The judiciary has not said anything, and, if it has, it has not said it to me. I have not heard that from the judiciary, but he tells us that it said that. The judiciary has commented only on interpreting the law as it stands, Mr McCrea. It is misinformation to say that the judiciary oppose the Bill. The Minister spoke today about instances when he feels that he has been misquoted. I am trying not to do that. Mr McCrea, maybe you would have the grace to do the same thing and stop misquoting. I listened to you on a television programme last night, and, quite frankly, I did not know where you were coming from. I do not know where you got the information that you pumped out.

#### 5.15 pm

As I mentioned earlier, our law does contain minimum sentences. The 2004 firearms legislation is already in place, yet the independence of the judiciary is fully intact — the legislation does not interfere with it. Mr McCrea said that I had not consulted women in prostitution, and yet at least three victims were here yesterday speaking in favour of clause 6. If you look at the list of respondents —

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

**Lord Morrow:** No. Hold on. You had your chance.

**Mr B McCrea:** So you dish it out but when it comes to —

**Lord Morrow:** No. Hold on a moment. You were all over the place yesterday and you accused me —

**Mr B McCrea:** You asked about —

**Lord Morrow:** No. Hold on. You accused me of many things. I never opened my mouth. You learn the habit.

Mr McCrea said that I had not consulted women in prostitution, and yet there were at least three victims here yesterday speaking in favour of clause 6, and I want him to understand that. If you look at the list of respondents to my consultation, you will find that sex worker organisations participated. It is just misinformation — something that you practise 100% — to suggest otherwise. My consultation was open to anyone to respond, even you. I did not consciously exclude anyone. Individuals who described

themselves as sex workers did respond to my consultation, and I want to make that clear.

Mr McCrea was profoundly selective in his comments about the Swedish approach. Interestingly, he did not acknowledge that the major review of Swedish law in 2010 was conducted by the country's most senior judge. Mr McCrea seems to be fond of judges, but this judge found very clearly in favour of the legislation. Basil McCrea seems to be happy with Northern Ireland following behind the rest of the United Kingdom in this area of law. I thought that he was a man who was ambitious for Northern Ireland to be a world-leading nation right across our society, but obviously not. He seems perfectly happy for us to follow others. I, however, believe that we should lead the way.

I also want to respond to a few specific points made by Anna Lo. She said that displacement was a problem. Similar arguments were made against the great William Wilberforce when he fought slavery. I think that Jim Wells likened to me to a Wilberforce — what a compliment. People said that if slavery was banned, it would just carry on in other countries. Wilberforce could have given up and said that, because he could change only UK law, the trade would simply go elsewhere and, consequently, his legislation was not worth it. He did not; he led the way and the world followed.

I must also come to Anna Lo's point that my Bill would divert resources from trafficking. Indeed? Even if you accept that clause 6 has nothing to do with trafficking — obviously, I do not, for reasons that I have made plain — this is a 19-clause Bill. If, between yesterday and today, I get nothing else across, I hope that I get that message across. This is not a single-clause Bill; it has 19 clauses. One must still recognise that the other 18 clauses would help to address trafficking, according to Ms Lo's definition, and result in new resources being made available. I understand that decisions must be made on resources, but I strongly believe that such issues can be effectively resolved.

In closing, I want to thank all Members who expressed support for my Bill. No doubt, there are things that can and will be improved as it passes through its various stages. However, I hope that Members will have heard in this debate the reason why I believe that it is so necessary. We have a real opportunity to lead the way in the United Kingdom. We can have world-leading legislation in this area, and in this small country, which will help some of the most vulnerable men, women and children who come to our Province and live within our shores. The issue that we are considering today and considered yesterday is bigger than partisan politics. I hope that Members from all sides will unite to back these measures. I am delighted that the indications seem to be very clear that the House is of an opinion that the Bill merits going to the next stage and being referred to the Committee. Thank you, Mr Principal Deputy Speaker.

*Question put and agreed to.*

*Resolved:*

*That the Second Stage of the Human Trafficking and Exploitation (Further Provisions and Support for Victims) Bill [NIA 26/11-15] be agreed.*

## Common Funding Formula

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

**Mr Storey:** I beg to move

*That this Assembly notes the current proposals by the Minister of Education to revise the common funding formula; further notes, with grave concern, the apparent disproportionate impact of the proposals on controlled schools; and calls on the Minister to establish, as a matter of urgency, a controlled schools body to properly represent the views of this sector in the consultation.*

**Mr Principal Deputy Speaker:** Members who are leaving the Chamber should do so quietly, and those who have not taken their seats should do so quietly.

**Mr Storey:** Thank you, Mr Principal Deputy Speaker. I welcome the opportunity for the Assembly to debate what is a very serious issue. I am, however, very disappointed that the Minister of Education and his Department have stooped to what can only be described as a very low level of social engineering when it comes to the distribution of funding for our schools.

It would be fair to say that no other issue has generated as much anger and opposition in the education sectors at this time as this particular matter has done. It makes the blunders over computer-based assessments and levels of progression and other departmental blunders pale into insignificance. The issue of how our schools are funded has become increasingly important, especially as the budgets have come under increasing pressure from reductions that our schools already face. However, I must say that I never cease to be amazed at the way in which the Minister and his Department are able to find large amounts of money at the drop of a hat for some particular pet project from a budget that we are told is not large enough to meet the needs of the system. It is even more astounding to hear departmental officials give the Committee for Education reasons why millions of pounds have been wasted on the initiatives that I mentioned.

As the Minister said in his speech to the House on 11 June 2013 when he announced the review, the common funding formula is the latest version of an attempt by the Department to fund schools based on the principles of objectivity, equality and transparency. He also stressed the importance of a formula that supports the Department's policies.

Members on this side of the House were generally supportive of the review, albeit with reservations. Although based on my experience over the past two mandates of listening to officials at the Education Committee trying to explain their policies and their business plans, I fear that the principles of objectivity, equality and transparency are uneasy bedfellows with many of the Department's policies.

However, from my party's perspective, the Salisbury review, when it was published, represented a missed opportunity to have a real and meaningful look at how we fund our schools. I said at that time that the Salisbury review of the funding of our schools was a missed

opportunity to really tackle these funding problems, many of which were compounded by the introduction of a single formula in the first place. If implemented, the only outcome would be another review in five or seven years' time to undo the problems created by this review. I fear that that is where we could be heading.

Indeed, when Sir Bob and his team came to the Education Committee, many Committee members from a number of parties expressed concerns at the proposal. It would appear from the mailbag and from the discussions that I have had with other colleagues that there is widespread fear and concern across the system about the proposed outworking of the current proposals.

It is to that issue that I wish to turn my attention. The core of the Minister's proposals is that most money should be directed to those who are most in need. Indeed, like motherhood and apple pie, this is a concept against which it is difficult to argue. However, it is the manner in which the Minister and his Department have applied this concept that causes me most concern.

Last week in the Assembly, we debated free school meals. I do not wish to propose a rehearsing of the arguments of that debate, suffice to say that, as a party, we are committed to ensuring that those who are in need should receive appropriate support through the benefits system to help them to deal with the difficult financial and economic circumstances that they and their families face on an ongoing basis.

### 5.30 pm

We are not ashamed or embarrassed to champion the cause of resources for working-class Protestant areas neglected by direct rule Ministers, the Minister currently holding the portfolio and the Department of Education, and to seek acknowledgement that there was a considerable degree of underinvestment and educational underachievement. If the Minister tries to redress that using a real and evidence-based approach, he will find support from this side of the House. However, as the Bristol report shows, the use of free school meals as a proxy measure for educational disadvantage is an unreliable mechanism, and I believe that it is not the real purpose of the current proposals.

On the proposals, one matter that even the Committee felt strongly about was the need, in any consultation, for everyone to see clearly the outworking of the proposals for schools. That has proved extremely helpful, and the analysis of the financial outworking of the primary sector is indeed illuminating, as I believe that it shows the real thrust of the proposals.

Let us look, then, at the proposals in their reality. Let Members across the House, in all constituencies, understand that 670 primary schools in Northern Ireland will lose millions of pounds as a result of the proposals. Only a small number of schools will benefit from increased funding, while the vast majority must endure a decrease. Of the five education and library boards, only the Belfast Board would see an increase. That needs to be taken seriously. It is a very serious issue for every Member. That means that 80% of schools will lose.

I will quote from the representative of the Northern Ireland Primary Principals' Action Group, who is not someone

with an agenda other than a concern for Northern Ireland primary schools:

*"This divisive, unfair policy will create a new form of inequality where the minority of pupils are educated in small classes with wonderful resources and plentiful support staff, whilst the majority sit in large classes with scant resources and no support staff."*

This is not the policy of 'Putting Pupils First'; rather, it is a new policy of putting some pupils first.

When you look at the proposals by sector, the situation is even more worrying. Put simply, 85% of controlled primary schools will lose, while only 15% will gain. In the maintained sector, and be clear, Members, that this is not a case of this party making a sectarian attack on any sector, but these are facts that cannot be disputed: the maintained sector will lose 76% of its funding, while 24% will gain. There is a 9% difference between the two sectors. That is despite the Audit Office report identifying the controlled sector as having particular problems with educational underachievement, an issue that the House has debated on a number of occasions.

Therefore, the thrust of the proposals appears to be a movement of funding from the controlled to the maintained sector. That will impact not only on funding but on job opportunities for those who teach in the controlled sector, or indeed in any other sector, were they able to gain admittance and overcome some of the current hurdles for education employment. Were my party to bring forward proposals such as these, which have such a differential impact on one community, there would be uproar from those on the Benches opposite, calls for an equality impact assessment and accusations of sectarian politics, yet we are told that these proposals are in keeping with objectivity, equality and transparency and in support of the Department's policies.

We certainly have transparency, because the public, principals, parents and boards of governors can now see that the warm words on educational disadvantage and equality mean very little when it comes to putting them into practice.

The real thrust of the education policy is now being seen and displayed. Perhaps the Minister can therefore explain to the Assembly his rationale for not bringing forward an equality impact assessment on this formula. Do not tell us that the figures are only indicative, that they do not mean anything, and that this debate is being used as a sectarian scaremongering tactic. Minister, no one believes that that is the case.

In conclusion, the challenge —

**Mr Dunne:** I thank the Member for giving way. Does the Member agree that many primary schools have worked their way back from budget deficits through stringent budgeting, and are now going to be hit again up to 35% —

**Mr Principal Deputy Speaker:** Sorry. The Member's time is up. I call Mr Sean Rogers. Sorry, I call Pat Sheehan.

**Mr Sheehan:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. In the debate last week on free school meals, which was described as a warm-up event for this debate, I predicted that there would not be a knockout blow. I want to change that view. After listening to the previous Member

who spoke, I do not think that there will even be a glove laid.

If this debate is about anything, it is about underachievement in our education system. There are numerous reasons for that underachievement. There is the learning environment at home and whether children have books at home and whether their parents have qualifications. We could also look at poor leadership and poor teaching in schools. However, the single most important predictor of academic performance is socio-economic background. Evidence and research show that socio-economic disadvantage has a stronger impact on educational outcomes than even religion or gender. Students from disadvantaged backgrounds perform less well in transfer tests, in GCSEs, and in accessing third-level education. That is a fact. So, how do we reverse that trend? First, we definitely do not do it by sectarianising the issue as some parties will try to do here today. Members from those parties should hang their heads in shame.

It should come as no surprise that the party opposite is going to try to sectarianise this issue. We witnessed the First Minister's intemperate outburst yesterday in relation to the selling of land to republicans, as if that was some sort of crime.

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

**Mr Sheehan:** No. Not on that issue.

We know that many on the opposite Benches were cheerleaders for the sectarian thugs during the flag protests earlier this year, and, of course, we listened to the ambivalence —

**Mr Storey:** On a point of order, Mr Principal Deputy Speaker. Can you have the Hansard record checked to see the allegations that are being made by the Member opposite? He is making allegations, which I assume are directed towards me as an individual. Can you have the record checked to see how that stacks up with reality? I have no criminal convictions or terrorist convictions, unlike the Member.

**Mr Principal Deputy Speaker:** I am not certain that that was what the Member said but I think that we should check Hansard and report back.

I remind Members that they should ensure that the debate is delivered in a temperate manner, that Members who speak are allowed to be heard and that remarks are made through the Chair at all times.

**Mr Sheehan:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Just to finish the point that I was making about the sectarianism, we listened to the ambivalence of many of the Members opposite regarding the violence during the summer, particularly on the thuggish attack on Belfast's first citizen. Will anyone on the opposite Benches, even now, get up on their hind legs and unequivocally condemn that attack?

What we have in this motion is a subtext that says, "The Fenians are going to get the funding when it should be going to Protestant schools."

**Mr Storey:** Seventy-six percent are Catholic schools.

**Mr Sheehan:** That is not true.

**Mr Storey:** It is true.

**Mr Sheehan:** That is not true; it is a lie —

**Mr Principal Deputy Speaker:** Remarks should be made through the Chair.

**Mr Sheehan:** — that ought not to be peddled by anyone in this Chamber.

In the debate last week on free school meals, I said that funding is not directed at schools or sectors. It follows the child.

The independent review led by Bob Salisbury recommended that funding should be directed where it is most needed. Given the clear link between socio-economic disadvantage and educational underachievement, it is simple logic that should determine where funding is directed. We should always put the children first. Many of those children are from disadvantaged working-class unionist backgrounds. They will benefit from proposals to revise the common funding formula, and perhaps some of the Members opposite might like to acknowledge that fact.

**Mr Storey:** I thank the Member for giving way. Just so that it is clearly on the record, the 317 schools in the maintained sector will lose £2,469 million. That is 76% of schools in the maintained sector. You explain to them why your Minister is doing a raid on their bank. That is not a sectarian point; that is the truth.

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

**Mr Sheehan:** Go raibh maith agat. We all know that there is not a bottomless pit of money. It has to be shared out, and it has to go where it is most needed. *[Interruption.]* Why did you not mention that in your motion instead of focusing on the controlled schools? Because you wanted to make a sectarian point. Your protestations of concern for boys from working-class Protestant backgrounds ring hollow here today.

As we know, the indicator used for deprivation is free school meals. It is not by any means perfect, but it ensures that the funding goes to the individual. As I said, it does not go to sectors and it does not go to schools. I have yet to hear anyone from the opposite Benches offer any sort of plausible alternative as an indicator for deprivation.

Moving on to the issue of a sectoral body for the controlled sector, I have no difficulty in supporting that proposal. However, it is the party opposite that has held up the establishment of such a body by blocking the introduction of the Education and Skills Authority.

I am opposing the motion on the basis that it does not put children first.

**Mr Principal Deputy Speaker:** I call Mr Sean Rogers.

**Mr Humphrey:** On a point of order, Mr Principal Deputy Speaker. I would appreciate it if you would have a look, in the Hansard report, at the contribution of the previous Member who spoke. He shouted across to these Benches, "That's a lie". I do not think that that is parliamentary language, and it should not be used in the House. It is something that you need to look at as Principal Deputy Speaker.

**Mr Principal Deputy Speaker:** The Speaker has addressed that issue before. We take the standard of good temper and moderate language, and I think that Members



should remind themselves of that, but those issues will be noted.

I call Mr Rogers.

**Mr Poots:** On a point of order, Mr Principal Deputy Speaker. How appropriate is it to use words like "Fenian" in the House? I would anticipate that, if I were to call Members on the other side of the House Fenian, there would be a howl of protest. I think that we need to ensure that our language is moderated and temperate, as people outside are looking in on this.

**Mr Principal Deputy Speaker:** I thank you for that comment, because I think that it reinforces my own. Members should remind themselves of good temper and moderate language, deal with the arguments and address their remarks through the Chair at all times.

Finally, I call Mr Sean Rogers.

**Mr Rogers:** I welcome the opportunity to speak on the motion. The SDLP wants to express its concerns about the proposed revision to the common funding formula. Although the motion focuses on the effects on controlled schools, it affects all sectors. In my constituency, rural schools will be negatively impacted on from Rathfriland High to St Colmcille's, Crossgar. In fact, I was hard pushed to find a primary school that was not worse off as a result of these proposals.

The impact that those changes will have on small primary schools could result in an average loss of £24,500 for each school, which, in essence, means losing a teacher.

#### 5.45 pm

That is a significant reduction to school budgets, and it will have a direct impact on their ability to deliver the high standards of education that they want to provide for their pupils. There will be more classes of over 30 pupils. With respect to a departmental official who told us last week that being in a class of 30 did not have a negative impact on a child's ability to learn, has the Department lost contact with what actually happens in the classroom? Ask any teacher or parent. When did those officials last get into the shoes of our children or teachers?

The SDLP is calling on the Minister of Education to urgently find another mechanism to support strategically important primary and post-primary schools in the North. Last week, I visited St Mary's High School, Brollagh, a strategically important small school in County Fermanagh that is in danger of closing. If that school closes, children will have to travel for an hour or more on a bus or buses to Enniskillen. It was Clontarfleece yesterday and Brollagh today. Where next?

I am sure that the Minister was well-briefed on the hundreds of parents who attended the public meeting. The people of Brollagh have clear plans for the development of their school. The Department and CCMS must listen to the community, pause the process and allow for a local solution.

It is of the utmost importance that the basis on which the Department allocates funding is transparent, fair and reflects and supports the Department's core strategic objectives, and takes full account of the needs of children.

**Mr Storey:** I thank the Member for giving way. To clarify the point about need, we want to ensure that need is directed towards pupils who have need. Does the Member agree that if we use solely the blunt instrument of free school meals, we could have children in our schools who have a free meal but whose educational needs are being neglected?

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

**Mr Rogers:** I agree with the Member and will come to that in a few moments. The SDLP asks the Minister how he believes that funding cuts to small schools could possibly be viewed as a supportive gesture to help schools to deliver the set curriculum, or is it about speeding up the close small schools process? We have grave concerns about the reduction in funding under this formula.

The Minister has said that he was not satisfied that the current scheme adequately supported the Department's key policy objectives, particularly in relation to social need. We in the SDLP fully support the idea of tackling social deprivation but our analysis must be based on sound information. I am not convinced that the Salisbury recommendations are taking full account of the needs of all children. The report is built on shifting sand. Free school meals uptake is not an accurate measure of the level of deprivation in our communities. What about the working poor whose children cannot afford school meals?

The proposed change to the common funding formula will not accurately address social need or improve delivery of the Department of Education's key policy objectives. Rather, the proposals will result in greater disadvantage among small schools. I am only too well aware of the finite nature of the resources available for education services. However, increased budgetary restrictions on schools will result only in more expensive problems in school maintenance and future provision.

I know that there are challenges in running a small, effective school, but it can be done with fewer than 105 children in a primary school and fewer than 500 in a secondary school. There are many good examples of that. Did Lord Salisbury visit any of those schools?

The consultation process was carried out over the school holiday period and at the most hectic time, at the beginning of a school principal's year. I also take issue with the on-line consultation for children with the title 'Putting Pupils First'. To me, that is carefully crafted to get the right results. It is manipulative. Take, for example, question 1:

*"Do you think that the Minister should give extra money to schools to help children from families with less money, who may not do so well at school?"*

Of course, the answer is yes, but what if that means that your school will lose out?

I declare an interest as the chair of a board of governors of a school that will get £4,500 less. That will mean £45 less per pupil in my school. You start to get a different answer if you look at all the facts. The proposed change to the common funding formula will not maximise value for money and raise education standards. Another mechanism has to be found that supports strategically important primary and post-primary schools.

**Mr Kinahan:** I, too, welcome the debate. I am sad that I have only five minutes, because there is so much to say. However, I am very pleased that the Chair of the Committee has taken up the UUP points on rural and small schools in expanding the motion. I also welcome the chance to speak because I was quite appalled by the attitude that was shown by the consultation being issued in July, just after the schools had gone on their summer break. There was no chance for people to really think about it, look at the detail and work on it until they came back in September. At times, it seems as though the Department really does not care about its schools, teachers or pupils.

The Ulster Unionist Party supports the motion and agrees wholeheartedly with its expression of grave concern over the disproportionate impact that the common funding formula is likely to have on controlled schools. However, we are equally concerned that we seem to be turning the fight into a sectarian battle, a class battle, and even an urban versus rural battle, because we now see division in almost every area between sectors, teachers and parents, just as we see happening over flags and parades. Of course we need a sectoral body for controlled schools. We need it now. However, we also need a recognised voluntary sector body and a similar body with proper power to run schools in the integrated sector. Most importantly, we need a drive towards shared education and a system that puts all schools on an equal footing as we move towards a shared society.

I am concerned that the motion refers only to controlled schools because the common funding formula affects so many other areas. I hope that the DUP will now join with the UUP to block, once and for all, all that this Sinn Féin Minister does, especially these imbalanced cuts.

**Mr Storey:** I thank the Member for giving way. I want to clarify that the reason why we have focused on the controlled sector is that it has not been well served by the boards. The voluntary grammar schools have the Governing Bodies Association (GBA), and the integrated sector has the Northern Ireland Council for Integrated Education (NICIE). Therefore, every other school group has a sectoral body. The one sector that is left out every time — bottom of the pile and bottom of the pitch — is the controlled sector. I have to say that those days are over.

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

**Mr Kinahan:** I see where the Member is coming from, and I understand that. However, I feel that we need proper sectoral bodies and control in the other sectors so that there is an equal playing field.

I want to read a section from a headmaster's speech that was made recently. I think that it illustrates how schools feel about the Department, the Minister and all of us in deciding the future of the education system. He said:

*"I sometimes say that I wish that people who sit behind desks and have big ideas would stop trying to improve things because, often, they only succeed in making things worse. What makes the difference is not this initiative or that initiative, this centralised body or that, this commissioner or that — it is good, talented, committed, well-qualified, well-trained, well-motivated teachers doing an excellent job in the classroom,*

*motivating, inspiring and igniting young minds. That is what improves things."*

He went on to say:

*"My plea is for funding to enable schools to take responsibility for themselves; to have the freedom from bureaucratic interference and centralised strait-jacketing; to find local, common-sense solutions to local problems; to get jobs done instead of spending time simply ticking boxes and complying with unnecessary and burdensome time-wasting regulations thought up by people who haven't been in school since 30 years ago or more."*

That is probably not fair on many people. However, I think that Members would find that many principals, if not all, are very much in agreement with the sentiment behind that statement.

Immediately after we saw the proposed changes to the common funding formula, I contacted every single school by e-mail. The replies that I received state that the changes will mean cuts to the number of classroom assistants, special-needs teachers, reading-therapy teachers, main teachers and/or, at the same time, bigger class sizes. Is that really what the Minister wants: a mass of people losing their jobs and class sizes getting much bigger?

I will touch on another lack of logic that goes through the system. I know of two schools with the same number of pupils. One receives £573,000 and the other £806,000, yet they are similar schools with a similar number of pupils who receive free school meals. We need this to be worked out all the way through so that we know what happens with every school. We all know that we need to put funds into disadvantaged schools, and we do not disagree with the idea of targeting social need, but we must not rob one school to pay for another. We must not rob Peter to pay Paul.

As I mentioned this morning, there is the social investment fund, and whether it is £100 million — I have spoken to Minister Bell since — or £40 million, there are funds to address deprivation. We should look for funds from elsewhere as well as for savings. We should also get the Department to prove that it can be the most efficient Department instead of the worst.

Minister, my biggest concern is that we never ever —

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

**Mr Kinahan:** — seem to have an agreed way forward. If we had an agreed way forward and all worked together, you would not have these blockages, and we would not have these arguments.

**Mr Lunn:** I am sure that everybody is in the same boat as me in being lobbied heavily about the issue, almost exclusively by the concerned principals or governors of controlled primary schools. There is obviously a reason for that: they, along with a number of people from maintained primary schools, are the ones who stand to lose. Every one of them who has been in touch with me has made the point that they do not argue with the need for more resources to be targeted towards disadvantaged schools and areas. They absolutely agree with that. Their problem is that money is being taken from them. It is, if you like, the Robin Hood-type principle of taking from the rich to

give to the poor. However, in this case, the rich are not actually rich, and their budgets are already under extreme pressure. Take the example of one school that has a budget of about £1.1 million but stands to lose about £30,000. That does not sound like much until you realise what it entails and that they are already stretched to the limit. So I wonder whether this is the way to go.

I want to talk briefly about free school meals as the criterion for establishing which schools are disadvantaged and which are not. I will make the same point as others: it is a blunt instrument and is not perfect. We have had the Salisbury report, a report from the University of Bristol and, I think, one from the University of Bath, and all have made the point that it is not perfect, but not one of them has come up with an alternative. In the absence of nothing better being suggested, either from inside or outside the House, it seems to me as if the only criterion to use —

I can see that you want to intervene.

**Mr Storey:** I thank the Member for giving way. We dance around the issue, but is it not the case that there are alternatives: intervention and teachers offering one-to-one tuition? Professor Tony Gallagher, who has been across this in relation to educational issues many times, has clearly said that there are alternatives. In dealing with underachievement, surely the best alternative is to have teachers in our schools rather than on the dole, which is what this proposal would do.

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

**Mr Lunn:** Thanks.

I have a great deal of respect for Tony Gallagher, and I do not often disagree with what he says, but he has not come up with an alternative; nobody has. Somewhere down the line, there may be a better system, but we will park that for the time being.

The motion:

*“notes, with grave concern, the apparent disproportionate impact of the proposals on controlled schools”.*

It is not a disproportionate impact. It is because of the fact that there are more deprived schools in Catholic/nationalist areas than in what you would call loyalist/Protestant areas. That is just a fact, so the percentages are bound to work out in the way that the Chairman detailed. To me, it is a question of whether you want to direct resources towards deprived areas, irrespective of which sector the school happens to belong to: in other words — to put it bluntly — working-class areas.

We have had a lot of discussion in the House over the years about the needs of working-class Protestant boys. That has been referred to today, and no doubt we will come back to it. That category really needs attention, and it will get attention if these proposals go through. That said, I am not keen on the proposals as they stand because I think that we are putting the cart before the horse.

I have a fundamental problem with all this. The education system needs a proper structure. Others may disagree, but, to me, that starts with the Education and Skills Authority, which we have delayed for far too long. That

body then needs to look at the ongoing and everlasting problem of area-based planning.

We are trying to target resources at schools that may or may not be there in the future. We need to get the structure right and sort out area planning so that we can see which schools are — I will not say “left”. However, there will be a reduction in the number of schools. Let us look at the problem at that point, when we know exactly what we are dealing with. We have reasonably efficient schools to deal with, probably slightly bigger schools than we are looking at now. There is a sequence to the process that we seem to be missing.

#### 6.00 pm

I will go back to free school meals and Michael Gove's proposal — sorry, Nick Clegg's proposal — the other day that all P1 to P3 pupils in England get a free school meal. That is to be offered to us as well, but I gather that it will not be offered in such a way that it is compulsory to use the money in that way. In fact, the Minister of Education may well have to fight a battle to extract the money from the Department of Finance and Personnel. However, if he can get that money, a better approach would surely be targeting it at the needs of disadvantaged schools rather than trying to take money out of the stretched budgets of schools that really cannot afford to give it up. Everybody around the House, let us face it, is absolutely in favour of disadvantaged schools getting more attention. It is an absolute priority.

**Mr Wilson:** I am glad to take part in the debate. When I look at the figures presented to us, it occurs to me that the Minister is engaging in a smash-and-grab raid on schools in east Antrim. Of its 31 primary schools, 30 will lose money, to the tune of up to £250,000 each year. That is not the result of re-prioritising resources. I understand the concept that, if you want to put more money into one area, you have to find it from somewhere else. I am not convinced that educational problems and disadvantage can be dealt with simply by throwing money at them.

Since I was first elected to Belfast City Council, we have had initiative after initiative in working-class areas of Belfast to try to raise educational standards. Money has been thrown at that since the 1970s, and we still have the same problem. So whether additional money is the answer has still to be ascertained. Indeed, the Salisbury report indicated that there needed to be a rationale and clear, conclusive evidence that money spent in that way would have that effect.

We are witnessing the effect of the Minister's financial incompetence. Let us look at the facts: Northern Ireland schools receive a lower percentage of the total education budget than schools anywhere else in the United Kingdom — some 20% less than is normally the case for aggregated schools budgets in other parts of the UK. Even the Salisbury report recognised that and said that the Minister should look again at the central initiatives undertaken by the Department with a view to saving on administration and saving time for schools. What indication have we had from the Minister that, before he started raiding other schools, he started looking at some of the centralisation and central initiatives in his Department? There is about £90 million wrapped up in those.

**Mr O'Dowd (The Minister of Education):** Will the Member give way?

**Mr Wilson:** The Minister will have plenty of time in a minute, but I will give way.

**Mr O'Dowd:** The Member talks about the Salisbury report and the £90 million of initiatives that my Department funds. Where does the Member think that the £90 million ends up? It does not end up in the administration of my Department; it ends up in schools, which is where it belongs.

**Mr Wilson:** That was the whole point of the report. Maybe he should read the report before coming here to respond to the debate. The whole point was that those initiatives took money away through their administration.

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

Read the report. The report makes it quite clear that the Minister should look at those initiatives because money was wasted in their administration. The report states that the number of initiatives should be restricted in order to "minimise administrative costs": does that go to schools? I do not think that it does. It will also minimise:

*"effort both at centre and within schools."*

That effort absorbs time and resources that could have gone to children.

The second uncomfortable fact for the Minister is that, over this period, he has used money and has been given additional money that, if he needed to put extra money into schools, should have allowed him to avoid taking it from the schools that he is taking it from at present. He came to me when I was Finance Minister and pleaded poverty, and over three years, we gave him additional money. He said that he needed assurance of that money, and over those three years, he had an additional £100 million to go into the schools budget. Indeed, in June, he announced that he had money for teacher redundancy — £20 million — that he did not spend. Did he give it back as a reduced requirement? No, he absorbed it. He alone among Ministers has resisted any budgetary changes because he does not want the incompetence in his Department and the administration of his budget to be exposed. That is why budget reforms have been held up in this House.

Let us get to the point here: when schools lose their budgets, and when 31 schools in east Antrim, primary schools in the maintained and the controlled sector, lose money in their budget as a result of the new common formula funding, it is not because it was necessary to redirect it to areas of social disadvantage. It is because there is a Minister who has not been able to get to grips with spending in his Department. He has not even listened to what the professionals who he appointed have said about spending in his Department, and therefore, he has to smash and grab to raid money from schools. That has an impact on children.

As I said and the Salisbury report said as well, throwing money at schools will not necessarily deal with social disadvantage. However, if you are going to throw money at schools, you should make sure that you do not take it from those who are already spending it on what it was meant to be used for. Look instead at how the Department is run and what efficiencies there might be. A bit more transparency from the Minister about his savings delivery

plans and a bit more transparency about his budget may have enabled the Committee to identify where he wasted money —

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

**Mr Wilson:** It may then have been able to ensure that schools were not affected in the way that they have been here.

**Ms Boyle:** Go raibh maith agat, a LeasCheann Comhairle. I welcome the opportunity to speak in the debate. The core of the review of the common funding formula was to guarantee the addressing of social need and underachievement and to improve the quality of our teaching in order to have a revised system that would be fit for purpose.

Extensive research and evidence given to the panel by all of the stakeholders that took part in the review — and that was made up of over 400 written submissions and evidence from over 130 varied stakeholder groups that the panel met ranging from schools management, educationalists and community groups — reflected the need for reform. The independent review looked at the apparent links between social deprivation and educational underachievement and at ways to close that gap by considering how the financial management framework is used within a school's budget and how that review could create a system that was fair and transparent. In Robert Salisbury's words, it will create a "more logical outcome" for schools with funding going to meet pupil need.

The review's recommendations called for increased funding for socio-economic deprivation, weighted towards schools with significant disadvantage. I welcome an opportunity to hear from the Minister on the common funding formula overall, but particularly on the rebalancing of funds for children in care, Traveller children and special needs schools, and how the impact of the recent special educational needs review will formulate management of funding to such schools. Given that the long-term core funding needs to be directed to those who are most in need, the current formula gives low levels of additional funding for pupils from socially disadvantaged backgrounds who are likely to require further additional support.

The motion calls for the establishment of the sectoral body to represent the controlled sector. A clause in the ESA Bill allows for the creation of such a body. I ask Members on the opposite Benches to tell the House why they continually fail to progress on ESA.

To conclude, reviewing the common funding formula is needed to benefit all schools, all sectors and all pupils. It lays down —

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

**Ms Boyle:** I am just about to finish. It lays down a foundation for changes that will benefit all pupils. I oppose the motion.

**Mr Newton:** I support the motion. This morning on BBC's 'Good Morning Ulster', your common funding formula was described as "robbing Peter to pay Paul". Trevor Lunn and I must be talking to the same people, because it was put to me that, again, this was acting in a Robin Hood-type manner, except there are no rich schools from which to steal to give to the poor.

Minister, you, and everyone in this Chamber, regard education as important. You like to think that there is a



desire to tackle underachievement as a way out of poverty and of increasing social mobility. A sound education is key to that mobility, but this initiative can be perceived only as somehow tinkering around the edges of the problem. It cannot be seen as a solution in any way to the problem when you take from one and give to another, but the one that you are taking from is not rich in the first place.

It is the law that all children should attend school, and we are fortunate to have that in Northern Ireland. There is a common curriculum, teachers are trained to a high standard and they are professional in their approach. All the evidence confirms that children who are well prepared at primary-school level benefit when they move to secondary-school level. However, there is lots of evidence that children coming from varying baselines will not achieve the best educational experience at secondary-school level. Children, therefore, have different experiences of their schooldays, and some benefit more than others. Some have a positive experience and some have a negative experience.

On the other hand, those children who have a negative experience are ill-prepared to move to second-level education, and the teacher who receives those children who are underachieving at primary level will have a major job trying to help them to achieve their educational or vocational outcomes.

As Mr Rogers, I think, said, the Minister needs to walk in the shoes of the teachers who are trying to address those issues. It is generally those children who come from the poorest and most socially deprived areas who are likely to achieve the lowest academic outcomes. Will the Minister's common funding formula address those issues, or will it just disadvantage others who he has taken the money from and who also need support to achieve?

The Assembly needs to send out a clear message about the future of our children and the need to address social inequalities and underachievement. There are many different approaches across the UK to tackling this cycle of disadvantage and underachievement. It remains a major social problem and restricts the life chances of many of our children at school. Gaining a better understanding of how to achieve success at school and the potential to move up and out of deprivation remains a challenge that our society and this Assembly face.

Many factors impact on our young people's ability to succeed and achieve their full potential. Many interventions have taken place in inner cities and large housing estates across the UK. That does not mean that we should not have interventions, but we have seen the reaction of school principals. We saw the reaction of schools and the attitude of school principals last week when there was a suggestion of giving free school meals to pupils. A principal from east Belfast made the point that he was not consulted about what would make a difference in his school. The approach to school meals remains, as he perceives it, a top-down one rather than a bottom-up one.

**6.15 pm**

The Minister needs to think again.

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

**Mr Newton:** You cannot disadvantage some pupils by taking away from them and giving to others in isolation in the hope —

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

**Mr Newton:** — that that will achieve the objectives that we all want to see for the less well-off pupils in our society.

**Mr Hazzard:** Go raibh maith agat, a LeasCheann Comhairle. I will be speaking against the motion this evening. Indeed, I speak against the entire insidious context in which the DUP and the Ulster Unionists have framed their discourse on the subject over the past few weeks. To approach today's debate through the toxic lens of community background is woefully inaccurate and highly dangerous. The dire consequence of poverty respects no boundary when confronted with the colour of a pupil's uniform or the confines of any particular education sector. Unfortunately, for too many of our young people, poverty is poverty. It continues to be a fundamental catalyst in high levels of educational underachievement across all communities, be they Catholic, Protestant or none of the above.

To break the link between social disadvantage and educational underachievement would be a remarkable feat for any Department of Education throughout the world. To do so with the limited resources made available to this Assembly would be an astonishing achievement that would not merely make an unprecedented impact on the educational attainment of our young people but would help to create a more equitable society. To realise such an aspiration, we must first set ourselves the task of ensuring that every child, regardless of his or her educational need, is afforded the greatest chance of success. The existing model of funding fails to maximise opportunity for all pupils. It fails to target sufficiently educational underachievement and to address adequately children with additional educational needs, such as children in care.

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

**Mr Hazzard:** No. I want to get through this today. We have heard enough from the Benches opposite.

When we have a situation in which only 34% of children entitled to free school meals are achieving five good GCSEs, compared with 68% of children who are not, we know that something must be done to remedy such a problem. The Chair talked about the:

*"blunt instrument of free school meals".*

Free school meals is actually quite a specific instrument, in that it targets individual need. The use of the term "blunt" needs to be modified. He also talked about the Bristol report. He gave half the story. The Bristol report states that the English criteria are not wide enough when it comes to income. Our criteria here are wider, so that backs up the use of free school meals.

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

**Mr Hazzard:** I want to get through my speech this evening.

**Mr Storey:** Will the Member give way on that point?

**Mr Hazzard:** Yes.

**Mr Storey:** I thank the Member for giving way. If it is not as blunt an instrument as he is trying to make it out to be, can he explain to the House, on the basis of the money that we have invested in free school meals — this follows on from

the point that Sammy Wilson made — where the evidence is that we have increased the outcomes? We still have one in four pupils leaving primary school not having attained adequate levels of numeracy and literacy. Where is the evidence that it works in Northern Ireland?

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

**Mr Hazzard:** Not a problem. In the past five years, we have seen a 10% increase in the educational achievement of children entitled to free school meals. The Chair has never given an adequate explanation of why that is. My guess is that he knows exactly why that is. We will leave that issue there.

A focus on putting our pupils first, coupled with a determination to address the fundamental issue of educational achievement in our most disadvantaged communities, appears to be at the very heart of the proposed changes to the funding formula. It goes without saying that nobody wants to see schools losing out on funding. I stress that the review proposals are still out for consultation. I encourage everybody to participate in the process, especially those schools that feel that they may lose out. However, there needs to be a realisation that limited resources have to be targeted at those in greatest need if we are to finally address the reality of educational underachievement.

I noticed that most of the DUP Members who spoke did not get around to the controlled schools body part of the motion. The DUP calls for the establishment of a sectoral body to represent controlled schools, although the wording in the motion conveniently ignores the fact that such legislative provision is indeed contained in the Education Bill, alongside the provision of the education and skills authority. Indeed, if the DUP were not so busy stalling the progression of the Bill, we could have had a controlled sectoral body in place today. Instead, it placates a small number of elitist schools that feel that they should not be accountable for the public money that they spend.

So, if the Members opposite want to look for a scapegoat to blame for the fact that a controlled sectoral body is still not in place, I suggest that they take their heads out of the sand and face reality. Despite the rhetoric from the Benches opposite, Minister O'Dowd has already facilitated the creation of the controlled sector working group and has committed significant resources to assist in its work to date in advance of the body being formally established in the months to come, hopefully. The DUP needs to realise that it will not come into being until ESA does, so I reiterate my call for the Members opposite to move beyond the narrow ground of sectarian grandstanding and start to tackle the real issues.

It is the real issues that I want to finish on. We have heard the call for alternatives, but we have not been given a single alternative, not from the DUP, not from Danny Kinahan and the Ulster Unionist Party and not from the SDLP. *[Interruption.]*

**Mr Deputy Speaker:** Order, please. The Member will take his seat. We are discussing schools, where you are not allowed to shout across the classroom, so we will apply the same standards here. Continue.

**Mr Hazzard:** This morning, I was delighted to hear on the radio the Chair finally recognise that we need to address social disadvantage. However, in this debate, the Chair ran

away from the issue by not providing an alternative. That is what we need to look to now.

I want to pick up on a point that Danny Kinahan from the Ulster Unionist Party made, and it sums up the position of that party, if it knows the position itself. Danny Kinahan today called for the DUP to join with the UUP in blocking everything that the Minister does. I ask Mr Kinahan: how does that help the children that need help? How will this improve the life chances of our young people? How will this help to tackle social inequality if the UUP and the DUP block everything that the Minister does? The naysayers opposite seem intent on modifying Einstein's theory of insanity.

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

**Mr Hazzard:** They want us to do the same thing over and over and then they do not seem overly bothered when nothing ever changes. I oppose the motion.

**Mr Beggs:** I declare an interest as a governor of Glynn Primary School and that my dad is a member of the North Eastern Education and Library Board.

The Ulster Unionist Party believes that the current common funding scheme is in need of reform. It is too complex, and the right areas are not being appropriately targeted. Therefore, we welcome the comprehensive review that Lord Salisbury undertook during the second half of last year, and it was not particularly surprising that the review reported that the current funding model was not working particularly well.

The challenge was always going to be about what was going to replace it, but, unfortunately, this is where the wheels have fallen off the wagon, and the Minister is currently trying to drive through proposals without appropriate consideration of their adverse effect. I know that the Minister has made an effort to try to consult the schools and to try to involve young people, and we have to welcome that attempt, but I have heard concern about the nature of some of the questions that were made and also the aspect of issuing a consultation to schools just before the summer break. Clearly, that was bad timing.

Nevertheless, it was not so much the manner of the consultation but the funding proposals that have emerged that give greatest concern. What is surprising is the scale of the losers. It is definitely in the order of four out of five schools in many areas that are losing money, ranging from a few hundred pounds to tens of thousands. In my constituency, numerous schools are losing five-figure sums. Larne High School is losing £23,000; Whiteabbey Primary School, more than £20,000; Greenisland Primary School, almost £20,000; Carrickfergus Model, £13,000; Carrickfergus Central, £12,000; Eden Primary School, £10,000; Victoria Primary School, £15,000; Whitehead Primary School, £10,000; and St Anthony's in Larne, £17,000. There are also a number of other schools that may not be losing five-figure sums but are having a very significant proportion of their budget —

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

**Mr Beggs:** Yes.

**Mr Storey:** I appreciate the Member confirming that his father is a member of the North Eastern Education and Library Board. Will he ensure that, when the board comes

to respond to this issue, he will use his vote to ensure that this proposal does not go any further?

**Mr Beggs:** I thank the Member for his intervention, but my father is an independent man who makes up his own mind, and I am not on the education and library board; he is. I do not understand the question.

I will return to the proposals. It was going to be very stark because the vast majority of primary schools in my constituency were losing money. That is very strange, given the proposal that additional moneys should be going to a review of the early years. I notice from the figures that nursery schools tend to be receiving some additional moneys, but virtually every primary school in my constituency was losing money.

Will the Minister also advise whether he is proposing that playgroups, which have been out of kilter with nursery schools in recent years, should have additional moneys? There does not seem to be much mention of them, or I have certainly not picked that up, but it is important that the early years are addressed. His proposal to take a considerable amount of money, particularly from the primary school sector, is surely the wrong direction and one that we should not be going in.

I firmly believe that it is appropriate to address educational underachievement, and those early years are vital. Free school meals provide one important measurement that identifies a risk of underachievement, but there is the issue of at least 8,000 pupils identified by the Audit Office who have not been registered for free school meals. Is there a danger of being over-reliant on that issue alone and not looking at the effect that that measurement will have on a range of other schools? The outworking of the proposals is going against the flow of what many have been pushing for, which is early years investment, particularly in primary schools.

It would also help if the Minister would advise how his own savings plans are going. As others said, not enough funds are ending up in the classroom. Has he been looking at the bureaucracy within his own organisations? Will we release our teachers to allow them to teach more, rather than having excessive paperwork and policy sitting on shelves behind them that consumes their time and efforts? We need to allow teachers to teach. We need to free them from the bureaucracy. Of course, when you create all that bureaucracy, you also need a bureaucrat to read it, and that is another cost, so you can have too much bureaucracy in the system. Let us get more money to the coalface — our classrooms. Then, of course, there is the £15 million that has been spent on the new Education and Skills Authority to date, even though it does not officially exist. Minister, cut waste, not schools' budgets.

Like many people, I welcome the additional £10 million that has been made available to schools, but I would like clarification. Is that a one-off top-up, or is it recurrent funding? Schools certainly need to know. We all need to know. Another area that, no doubt, is of concern to many is the voluntary schools grant, maintained integrated schools and the issue of VAT. There seems to be a lack of clarity in the figures that have been presented. Is that with or without the VAT, or is there an additional hidden cut that is still to come? We need clarity on that issue.

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

**Mr Beggs:** Surely, if schools are operating in a tax-efficient manner, that should be encouraged and supported, not penalised. I will support the motion.

**Mr McCallister:** Like others, I am somewhat disappointed with the tone of the debate, although it was probably fairly predictable. It was disappointing that, in the main motion, the DUP chose to pick a sector, and I think that has been reflected in the tone of the debate, which is unfortunate. The main focus of the debate goes to the failure at the heart of our government. We have a coalition Government here, yet we have no agreement on how we deal with those issues or how we make changes to the funding formula. We are effectively being asked to have a pupil premium on the cheap by robbing Peter to pay Paul, or by Robin Hood — whatever analogy you want to use. We should not move forward with this unless we identify the money. That is the problem.

I do not think I have heard many dissenting voices against the idea of targeting need. I am certainly one of those voices that say that we should target need and we should direct resources to the most disadvantaged, but I do not think that taking them away from some areas is the right way to do it.

6.30 pm

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

**Mr McCallister:** Certainly.

**Mr Givan:** I agree entirely with what the Member is saying about targeting disadvantage, but I am sure that he, like me, fails to understand why, in my constituency, the disadvantaged are the ones who are being robbed. Primary schools in my constituency are having money taken away and the two top-performing grammar schools in Northern Ireland, in my constituency, are going to be better off as a result of the changes that the Minister wants to put through.

**Mr McCallister:** If you look through the list, you will find those bizarre outworkings in many other constituencies. I, like Mr Rogers, represent a large rural constituency. I look around and see the profound effect that this would have on my constituency. The difficulty is that we are using a very blunt instrument, effectively only one measure, to say what that would be. I know that Mr Hazzard does not like the term "blunt instrument" when it refers to free school meals, but I am afraid that it is a very blunt instrument to do what the Minister wants to do, if we are serious about tackling disadvantage. It also has a profound effect on the rural/urban mix. It will drive some of our smaller rural schools to closure.

Look at some of the amounts being taken out. Mr Lunn talked about a school losing £30,000. That is the equivalent of one teacher and possibly more. That is the effect that it is going to have. You should not go down the road of this policy without securing the resources. That is the problem. I think —

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

**Mr McCallister:** Briefly.

**Mr Storey:** It is not an issue of securing resources. The Department has money literally coming out of its ears. It is about the way in which it spends the money. That is the

issue. There is no transparency with the Minister or the Department.

**Mr McCallister:** I hate to sound like a broken record, but you are in government with them. It is a coalition Government. The difficulty we have with this is that one of the Minister's coalition partners is attacking him and another is suggesting that they should block all the policies of the Government.

**Mr Storey:** You left them.

**Mr McCallister:** I think that, if you recall, I wanted to take them into opposition. It was not my fault that they did not want to go.

**Mr Deputy Speaker:** Order. Mr McCallister, will you resume your seat? I discourage this dialogue across the Chamber.

**Mr McCallister:** Absolutely. I am probably as surprised as you are, Deputy Speaker, that the Chair of the Education Committee would behave in such a manner.

This is where we get to when we do our politics like this. We end up with a system that has deadlock. We are now into the second Education and Skills Authority Bill. I served a stint with my colleague Mr McCrea on the Education Committee during the first ESA Bill. We are now doing the second one. We were assured, over two years ago, that it would be quite a fast track process. That was clearly wrong. There is no agreement at the heart of government. Policies of this size and magnitude, with the impact that they have on individual schools and, hence, individual pupils, should not be carried forward by one Department in such a manner. They should be government policy —

**Mr A Maginness:** Will the Member give way?

**Mr McCallister:** I do not have time, Mr Maginness.

They should be government policy driven forward properly, agreed from the heart of government and be in the Programme for Government. If we cannot find the money, we should not be proceeding with the policy.

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

**Mr McCallister:** We need better and more efficient government. Locate the money before you make the policy changes.

**Mr O'Dowd:** Go raibh maith agat, a LeasCheann Comhairle. Tá mé buíoch deis a bheith agam freagra a thabhairt ar na pointí a rinneadh le linn na díospóireachta seo. I am grateful for the opportunity to respond to the points that have been made during the debate; well, most of the points made during the debate.

The motion deals with two issues: the impact on one sector of my proposals for changes to how schools are funded, and the establishment of a sectoral representative body for that sector. It is worth noting that the proposers have avoided the substance of their own motion. Their motion deals with the needs of only one sector. Those who propose to support the motion need to read it, rather than just listen to what is said from the Benches.

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

**Mr O'Dowd:** I will give way later. Regardless of what has been said since, it is disappointing that the proposers

of the motion chose to focus on just one sector. For that reason, I will not support the motion.

My response, like my policies, will focus on the needs of all our children and young people, regardless of where they go to school or the sector in which they are educated. It is that focus on putting pupils first and a determination to address the particular issues of educational underachievement in our most disadvantaged communities that caused me to commission a review of how we fund our schools. That review, led by Sir Bob Salisbury, took time to examine specifically, and in some depth, the relationship between social deprivation and educational attainment. The review, in common with a huge body of national and international research, recognises that pupils from socially deprived backgrounds have greater obstacles to overcome and that good schools, well supported, can assist in breaking that link.

The review reiterated the need to ensure better targeting of resources to help schools provide support for young people from disadvantaged backgrounds. That support must be designed to address the level of educational underachievement, which, despite recent improvements, is still too high.

I want to clarify for the record that the figures that Mr Storey gave on underachievement at primary school level are not correct. We do not have one in four pupils leaving primary school with lower than expected outcomes. The figure is closer to one in six, which is still too high, but it is improving. The record needs to be corrected on that matter.

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

**Mr O'Dowd:** Yes.

**Mr Storey:** I will clarify for the Minister the reason why the controlled sector was mentioned. The reason why it was mentioned, as he well knows, is that it is the only sector that ends up with nobody to represent it and give it a voice. Every other sector is represented. Since April, the Minister has failed to ensure that the controlled sector is represented in area planning, yet the Catholic sector has two representatives at the table. That is not equality.

**Mr O'Dowd:** Let me digress slightly. Over three decades, the education and library boards were dominated by unionist councillors. I served on a council that refused to nominate a nationalist councillor to the education and library boards. Are you suggesting that unionist politicians were not representing the controlled sector in the time that they spent on those boards? If you are suggesting that, I agree with you. They were and continue to be interested in only a small minority of schools.

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

**Mr O'Dowd:** I will not; no.

As for the second part of your motion, there would be a fully functioning controlled sectoral support body, funded to the tune of £100,000 a year and perhaps more — sorry; it would be closer to £1 million a year — but the ESA Bill is blocked. The ESA Bill is not blocked because of an issue concerning the needs of the Protestant working class. The ESA Bill is blocked on an issue concerning the needs of a small minority of schools. It continues to be blocked on that basis. So the crocodile tears —



**Mr Storey:** On a point of order, Mr Deputy Speaker. It is clear that the Minister is misrepresenting the reasons why ESA has not been implemented. I will give him one reason, namely ownership of the controlled sector. That is nothing to do with a small group of unrepresentative, elitist schools like the one that Mr Hazzard went to.

**Mr Deputy Speaker:** That is not a point of order. I appeal to Members please to exercise a little bit more discipline and listen to the Minister.

**Mr O'Dowd:** I assume that, since it was not a point of order, I will be allocated the time that it took away from my address. What he said is news to me. That is not mentioned in the heads of agreement, although I know that agreements do not mean very much to those on that side of the Chamber. This new issue that Mr Storey has brought to my attention tonight is not mentioned in the heads of agreement. The only aspect of the heads of agreement that has been implemented was implemented by me. I implemented the controlled sectoral support body. I brought it together, funded it, made sure that it was working, and supported it.

I assure the Member that it has funding until December this year. However, if the ESA Bill has not moved on by then, it will be very hard to convince me to fund it beyond that point.

**Mr Storey:** Are you threatening now? Back to the old tactics?

**Mr O'Dowd:** There is —

**Mr Deputy Speaker:** Order. Minister, it might be helpful if you were to address your remarks through the Chair as well. That would discourage Members from engaging directly with you. We will try that out and see how it goes.

**Mr O'Dowd:** Fair enough, a LeasCheann Comhairle. I apologise for that.

**Mr Kennedy:** On a point of order, Mr Deputy Speaker. This relates to a point of accuracy. The Minister said that it was his view that unionist councillors or elected representatives formed the majority of a great many education boards throughout Northern Ireland, but that was never the case —

**Mr Deputy Speaker:** I am sorry, Mr Kennedy —

**Mr Kennedy:** That was never the case. Education boards comprised the entire community.

**Mr Deputy Speaker:** Mr Kennedy will resume his seat, please. On your own admission, you accept that that is not a point of order. Minister, continue.

**Mr O'Dowd:** The Salisbury report recommended that:

*"More funding should be directly targeted at pupils from socially-disadvantaged backgrounds"*

— and that that funding:

*"should be weighted towards schools with significant concentrations of disadvantage."*

I make no apology for wanting to target more funds towards the schools that serve our most disadvantaged communities. We cannot grow as a society and an economy if we are prepared to tolerate a situation in which children from poor families have, after 12 years' compulsory schooling, half the chance of their better-off

counterparts of reaching the levels of attainment that we all want. That is 34% compared with 68% — half the chance.

Mr Wilson commented on the Salisbury report. I welcome the fact that he has taken time out of his leadership tour to come to the Chamber today to involve himself in the debate, but I want to correct him on a few matters. Sir Bob recommended that I examine the initiatives valuing up to £90 million, and I am on record as having said that I accept that recommendation and intend to do something about it; I will do that. However, the savings involved will be minimal. Many of those initiatives are also directed towards socially disadvantaged communities.

Mr Wilson claimed that I have been less than studious or effective in managing my budget. The Member will know that I was one of the Ministers who never had to return money during any of the monitoring rounds.

**Mr Wilson:** That is because you ignored the monitoring rounds.

**Mr O'Dowd:** I did not ignore the monitoring rounds. I spent the money that was allocated to me on education. That is what I was tasked to do as Minister.

The Member referred to the savings delivery plan, which he believed in some way would manufacture new money. I told my officials that it was a paper-shuffling exercise in which I would not allow them to become involved. I do not see it as the role of any Department to shuffle papers from one Department to another. I did not get involved in politics to do that.

As to how we move forward with funding, I presented proposals — they are only proposals — but now that I have seen the increase in the delegated schools budget over the next two years, I intend to put in £30 million to increase the targeting of social need as part of those proposals.

The figures that I am citing from different schools are accurate and based on this year's budget. Next year's budget increases by almost £16 million. I suspect that there will still be winners and losers in that scenario, but the aggregated schools budget next year increases by that sum. It is difficult to forecast the funding of individual schools at this stage. You do not know how many pupils will be there, how many will be entitled to free school meals, how many will need care and so on. However, we have given schools last year's figures and said that if we were to implement based on this budget, this is what would happen, but there is an additional £16 million in next year's budget.

In my comments on looked-after children, I mentioned that we are all acutely aware of the vulnerability of these young people and the importance of ensuring that they get the maximum support possible from the schools that they attend. My proposals would deliver a significant recognition of the complex educational needs of that group of young people, which the motion criticises.

My proposals are only proposals. They are out for consultation. Mr Rogers urged me to find an alternative. I put the question back to him: come to me with an alternative. I put that question to all parties in the Chamber. The consultation is ongoing, so come to me with an alternative. I assure Members that those alternatives will be given due credence as long as they target social need. That is the key.

**6.45 pm**

As my colleague Mr Hazzard said, Mr Kinahan said that he wants the DUP —

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

**Mr O'Dowd:** I will not give way, because I am short of time.

Mr Kinahan challenged the Democratic Unionist Party to join his party in blocking everything that a Sinn Féin Minister does. I suggest that Mr Kinahan, if he thinks that he can move that agenda forward, would have to get up a lot earlier in the morning. As my colleague said, it is a very negative presentation. Mr Kinahan, too, can come forward with proposals on the way forward.

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

**Mr O'Dowd:** I will not, no.

The consultation is a genuine attempt to hear from our schools, pupils and elected representatives on the way forward. Of course, it is quite easy to get up and criticise, and say that it should not be this way. Let us hear how you would like us to tackle social deprivation and its impact on schools.

Returning to the motion, I assure Members that I will base my decisions on need, not on creed. The evidence is that children from poor families are at greater risk of underachievement. I will target those children for extra support because they are at risk, regardless of where they go to school.

I have covered many of the points in the debate. Free school meals are a targeted source of support for schools; they are not a blunt instrument. Again, Mr Hazzard raised that point. We know exactly which children require support, and we can identify them — right down to the individual child. I think, therefore, that it is important that we use free school meals.

I move now to the way forward. During the debate, and in the media during the day, it was suggested a number of times that we use funding from the Office of the First Minister and deputy First Minister (OFMDFM). Mr Kinahan came forward with that suggestion. I am happy to support Mr Kinahan and work with him in that regard. He mentioned his concern that we would be using SIF instead of the common funding formula. I believe that SIF money, although delayed, is an essential part of tackling social disadvantage in our communities, and I have no doubt that that money will find its way into communities. However, if the view of the Assembly is that we require further funding for the aggregated schools budget, let us work in common cause on that.

I totally reject suggestions that I have improperly managed or not been transparent about my budget. The Education Committee has a copy of my Department's savings delivery plan. My officials and I have been available to the Department of Education to discuss my budget. I redirected around £90 million over a couple of years, and that money was set aside for redundancies. The money referred to by Mr Wilson, which was a direct result of interventions from the Finance Minister, the Office of the First Minister and deputy First Minister and me, allowed us to stabilise the education budget. It allowed us to ensure that there were not as many redundancies as once planned. I took the proper decision to use that money to

secure posts and jobs in education, and I do not apologise for that either.

The idea that there is money swilling about in the Department of Education is utter nonsense. Compared with the same stage of the previous mandate, the education budget is down £300 million for resources. That was standing still — down £300 million. That does not take into account inflation, rising costs, wage increases etc. With the intervention from the Office of the First Minister and deputy First Minister and the Finance Minister, we are now around £150 million down from where we were at the end of the previous mandate. It was tight in the previous mandate, so it remains tight. I am using my budget as effectively and efficiently as I possibly can, but I assure Members of this: you need to get out of your head any notion that there is money swilling about the Department of Education. There are still very, very difficult times ahead for education, but, if Members wish to join me in lobbying for further funds for education, I will happily join them in doing that.

**Mr Craig:** It is with regret that I find myself coming to the debate. The proposals for primary schools are a smash-and-grab, and even those for the secondary school sector are very, very flawed. I will come on to that later.

All politics is local, and I have heard many Members focus in on their own particular circumstances this afternoon. It is no different for us in Lagan Valley, as my colleagues know by the amount of phone calls, e-mails and personal grief that we have all taken on this issue. I will give a prime example of what is happening here. Pond Park Primary School has had £27,883 taken out of its budget. Does anyone want to tell me how that is going to be funded? I know the answer; it means a redundancy. It is as straightforward as that. That school is not sitting with tons of money in excess.

The same goes for Riverdale Primary School, Meadow Bridge Primary School and Downshire Primary School. Downshire Primary School is another nice new school; it is an amalgamation that was agreed years ago. It has lost £30,455 from its budget; that money is gone. It is quite clear that that school can barely take the capacity in its new school building. What is going to happen there? If another teacher goes it will result in larger classes. How does that help those who are in that situation?

I do not want to play the sectarian card that our friend Pat suggested we were playing here today. Not a bit of it.

**Mr Storey:** It was shameful.

**Mr Craig:** I heard that and you are quite right; he is no friend of mine and no friend of ours.

Let us take a look at it. In my constituency, we have only three maintained schools. Ballymacward Primary School has had £5,500 taken from its budget. Bingo; it is gone and there is no improvement there. St Aloysius Primary School has had £3,500 taken from its budget; it is gone.

However, the most interesting one of all is St Colman's Primary School in Lisburn. I had the pleasure of attending the opening of that new school only a few months ago. I found it fascinating, because as I sat there as one who had helped to get that new school build, I was lobbied by the principal afterwards, who told me that it was too small and that they needed another classroom. They had converted their library into a classroom because the school is bunged out. What are these proposals going to do for that school?

Oh, but they can look forward to piles more funding. Sorry; they have had £44,000 trailed out of their budget.

I would ask the Minister to go and explain this situation to the man who officially opened that school.

**Mr Storey:** I wonder who that was?

**Mr Craig:** It was the deputy First Minister, Martin McGuinness. The Minister should explain to him why the school that he was so proud to open is now left in practical bankruptcy. That is where these proposals lead to. There is nothing sectarian about that.

**Mr O'Dowd:** Will the Member give way?

**Mr Craig:** The Member will give way, yes.

**Mr O'Dowd:** As the debate has gone on, Members opposite have shown a growing concern for the maintained sector, and I welcome that. Why did you not include it in your motion? Members are being asked to vote not on what you said but on what is in your motion.

**Mr Storey:** I already explained it.

**Mr Craig:** I will explain it again. The only sector that has no supporting mechanism is the controlled sector. That is why we are highlighting that fact. That is the only reason it is there; there is nothing sectarian about it.

However, I will say this, Minister: I want to nail the free school meals myth. It is a myth. I am tempted to call it something else, but I would be ruled out of order. I have in my hand a list of the 35 worst-performing schools in Northern Ireland. When we take the free school meals criteria and look at what the Minister is proposing under this funding formula, one would think that the worst-performing schools would surely do better and would get more money in the secondary sector. Actually, the worst performing school in the Province — I will not name it — is minus £17,500.

**Mr Storey:** What sector is it in?

**Mr Craig:** It is in the maintained sector. The second worst-performing school in the Province, again in the maintained sector, is minus £2,500. I do not want to go on, because I do not want to be accused of being involved in a sectarian headcount, but there are controlled and maintained schools on this list. Of the 20 worst-performing schools in Northern Ireland, six are losing money under this wonderful formula. How does that help those schools in their very difficult situation?

Members around the House have said time and time again how blunt this whole equation for free school meals is. There is a prime example of how blunt it actually is.

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

**Mr Craig:** The Member is more than happy to.

**Mr Givan:** I appreciate the Member giving way. I declare an interest as a governor of Ballymacash Primary School and Pond Park Primary School. Ballymacash targets children from loyalist estates such as Rathvarna, and Killowen, of which the Member is a governor, also takes children from that area. Largymore Primary School in Lisburn takes children from the Hillhall loyalist estate. The Member will know that, under these proposals, all those schools are losing money. The Member will know that many of those kids go on to the secondary schools —

Laurel Hill, Lisnagarvey, Forthill Integrated — yet, under these proposals, it is the grammar schools in Lisburn that are better off as opposed to the secondary schools. The system is flawed under these proposals.

**Mr Deputy Speaker:** Order. I remind Members that interventions are to be short, succinct and to the point.

**Mr Craig:** I thank the Member for that detailed intervention. It was very pointed and true. If the free school meals criterion and this new funding are going to help all these schools, where is the evidence for that?

The thing that strikes me, and I have always been proud of this fact, is that the two top-performing schools in the Province are in the constituency that I and my colleague represent. I make no bones about it — Friends and Wallace are known across the Province for their academic performances. You would think that, under this formula, there would be some penalty for them and that they are going to lose out. No. I have sat and worked the figures out. The two schools between them are going to get an additional £120,000. Well done; I congratulate those schools for getting that additional money under this formula. However, it is certainly not targeting the disadvantaged. It is certainly not targeting those who are underachieving, is it? There is something fundamentally flawed with the way that this system is working.

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

**Mr Craig:** Yes.

**Mr Storey:** Would the Member agree with me that an area of our education system that is being totally ignored is the increasing number of children who are on the special needs register? Does he further agree that there is absolutely nothing in these proposals that in any way addresses the increasing number of children on the special needs register and that it could be used as a means of directing funds to children who are in need?

**Mr O'Dowd:** Send me the proposal.

**Mr Craig:** In fact, had that criterion been used, we would have seen a much more sensible spread of the funding around these lower-performing schools. That is something that I plead with the Minister to look at.

I need to comment on another thing that a number of Members pointed out. I will not go through the list, but it concerns the timing of the consultation. I have had the primary principals' association on with me today complaining about this. The exercise was done in late June. Schools were going on their usual summer holiday, and, for two months, there were few staff members in the schools, which were actually closed. I ask the Minister to extend that consultation. Even the Minister —

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

**Mr Craig:** — is bound to have seen from the debate that there are huge, fundamental problems in here. Give the schools the time to respond properly to you, Minister.

*Question put.*

*The Assembly divided:*

*Ayes 53; Noes 24.*

## AYES

Mr Allister, Mr Anderson, Mr Attwood, Mr Beggs, Mr Bell, Mr D Bradley, Ms P Bradley, Ms Brown, Mr Buchanan, Mr Campbell, Mr Clarke, Mr Copeland, Mr Craig, Mr Cree, Mr Douglas, Mr Dunne, Mr Durkan, Mr Easton, Mr Eastwood, Mr Frew, Mr Girvan, Mr Givan, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Irwin, Mr Kennedy, Mr Kinahan, Mr McCausland, Mr I McCrea, Mr McGimpsey, Mr McGlone, Mr D McIlveen, Miss M McIlveen, Mrs McKeivitt, Mr McKinney, Mr McQuillan, Mr A Maginness, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mr Poots, Mr P Ramsey, Mr G Robinson, Mr P Robinson, Mr Rogers, Mr Ross, Mr Spratt, Mr Storey, Mr Weir, Mr Wells, Mr Wilson.

Tellers for the Ayes: Mr Anderson and Mr G Robinson.

## 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 M McGuinness, Mr McKay, Ms Maeve McLaughlin, Mr Mitchel McLaughlin, Mr Maskey, Ms Ní Chuilín, Mr O'Dowd, Ms Ruane, Mr Sheehan.

Tellers for the Noes: Mr Hazzard and Mr Sheehan.

The following Members voted in both Lobbies and are therefore not counted in the result: Mr Agnew, Mrs Cochrane, Mr Ford, Mr Lunn, Mr Lyttle, Mr McCallister, Mr B McCrea

Resolved:

*That this Assembly notes the current proposals by the Minister of Education to revise the common funding formula; further notes, with grave concern, the apparent disproportionate impact of the proposals on controlled schools; and calls on the Minister to establish, as a matter of urgency, a controlled schools body to properly represent the views of this sector in the consultation.*

(Mr Speaker in the Chair)

## Driver and Vehicle Agency: Support for Office Staff

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

Before I call Mr Robinson, I want to say to the people in the Public Gallery that the public are always welcome in the Chamber, but there should be no noise and no applause. Let me make that quite clear. But, yes, you are very welcome.

7.15 pm

**Mr G Robinson:** I beg to move

*That this Assembly supports the staff of Driver and Vehicle Agency offices in Northern Ireland; calls on the Westminster Government and the Northern Ireland Executive to take the necessary steps to retain the existing jobs and services; and further calls for new investment by the Department for Transport in equipment and technology.*

At the outset, I must state that it is an all-party and non-political motion. Contrary to what some people appear to think, given a personal and hurtful attack on me in a recent e-mail that was circulated to 108 MLAs about my capabilities to lead on this debate, I want to assure the House that I am still 100% in support of the retention of all Driver and Vehicle Agency (DVA) jobs in Northern Ireland. Of that, there is no doubt.

**Some Members:** Hear, hear.

**Mr G Robinson:** In fact, I have numerous items of correspondence from Ministers and others in support of my commitment to DVA jobs in Northern Ireland and, in particular, at the Coleraine County Hall centre in my constituency. I also welcome the fact that it is a cross-party motion to support the jobs and services that are currently in Coleraine and the other Northern Ireland offices. I look forward to a unanimous outcome to the debate.

Recently, Swansea MP, Siân James, told a Coleraine newspaper that the Driver and Vehicle Licensing Agency (DVLA) service in Swansea is under severe pressure and that the quality of service to Northern Ireland customers would suffer if operations were transferred there. She also told Coleraine media that there was a possibility of an increase in identify fraud and that scams have been uncovered by regionally based staff — yet another benefit to retaining services in Northern Ireland and proof of the quality of the staff. Now, I might be mistaken, but most MPs I know are fighting to get work for their constituencies, not saying that there is no scope for expansion due to already existing pressures, as is the case according to Siân James. However, those comments lend great weight to the campaign by local representatives who believe that jobs must stay in Coleraine and the other offices in Northern Ireland. At this stage, I want to commend all the councillors, MPs and everyone who has put their shoulders to the wheel and nailed their colours to the mast. Along with me, I think that they are doing a very good job.

Recent years have seen the north-west hit severely with job losses. We cannot, therefore, afford to lose any more.



The loss of more jobs cannot be justified, especially as performance targets are regularly exceeded by the DVA. In the past five years, 98.7 % of transactions have been completed within the timescale. That is outstanding professional service from all staff.

There is also a proposal for more online business to take place. Although I am not opposed to online business, it has to be remembered that over 60% of DVA customers are over 44 years of age. That is the age group that has the least confidence or desire to use computers. Will we really agree to a system that sees the majority of customers who live in Northern Ireland having to use a worse service because they are not confident in using computers? Personally, I think that it is hard to beat the face-to-face contact that is currently available.

The DVA office in Coleraine currently processes 100% of 66,000 refund applications within five working days. DVLA staff in Swansea will process only 95% of Northern Ireland refund applications that are received by post within 30 working days. That is an unsatisfactorily low standard of customer service.

I wholly endorse the statement from staff that the new proposals, if implemented, will see a great deterioration of that service. That is not acceptable. At a recent public meeting, it was revealed that £1.65 million has been spent on overtime at the Swansea office since local office closures began on the mainland. That further proves that the Swansea office cannot cope at present and would probably collapse entirely under the strain if the Northern Ireland operations were transferred there.

Add the additional unemployment created in Northern Ireland, and it paints a depressing picture of poorer service and more people out of work. The majority of jobs would be lost at the Coleraine centre, which is in an area that has seen many jobs lost due to the recession. Indeed, 1.25% of the entire workforce in the Coleraine area would become unemployed if the plans go ahead. It is an area of the UK that already has above-average unemployment and below-average wages. That, of course, does not include the job losses in the wider economy in Northern Ireland that would happen as a result of the loss of at least £20 million from our economy. The cost to the public purse in benefits would be immense.

There is no financial sense or justification for these proposals. At present, there is a very high satisfaction rate with DVA services among car dealers, who appreciate the speedy and easy service provided by the local offices. That would be lost under the proposals, with dealerships and customers greatly disadvantaged. Again, there would be a loss of service to the public and, in this case, to business. Let us say no to change for change's sake.

The proposals also go against the published wishes of all UK parties to see government jobs spread across all areas. I must also question why there is a long history of underfunding for the Northern Ireland DVA. That underfunding could be seen as a precursor to removing the service altogether. I am proud to say that, despite that, the Coleraine office has provided a service that, in performance terms, has outstripped that of the DVLA in the rest of the United Kingdom. I applaud the Northern Ireland staff for their magnificent achievements despite that underfunding.

I believe that, with proper funding, the Northern Ireland DVA could have the best equipment to do the required jobs and take some of the pressure off the Swansea centre. The staff are more than capable, and, indeed, there would be the possibility of creating more employment, rather than destroying it. It is my understanding that the Coleraine office carries out work for the DVLA Swansea office anyway. Indeed, I would support DVA operations being devolved so that the current situation could not happen again. That means that all aspects of the DVA would be under Assembly control. Remember that all other aspects of the DVA are already under Department of the Environment (DOE) control, so we might as well have control over all functions for the benefit of the people of Northern Ireland. We can lead the way for the rest of the United Kingdom because we have a skilled and willing workforce that can be expanded and take the strain off Swansea.

I believe that it is a scandalous failure that Stephen Hammond MP, who is charged with overseeing the current proposals, has failed to visit the Coleraine site, but, as I suggested at the recent public meeting, perhaps the union and the staff should go to see him, hosted by some of our MPs. I have to admit to receiving very disappointing responses from him to my correspondence. That, of course, mirrors the behaviour of the Secretary of State, who seems to have shown little interest in the protection of these public sector jobs.

**Mr Campbell:** I thank the Member for giving way. I confirm that we have just received confirmation from Minister Stephen Hammond that a meeting, which the Member alluded to, will take place in a few weeks and will include representatives of the workforce, local Members of Parliament and other interested bodies.

**Mr G Robinson:** I thank my colleague for that information. That shows, as I said a bit earlier, that if we all work together, we can, hopefully, get somewhere on this issue.

Compare the attitude of the Secretary of State and Minister Hammond with the positive attitude of the previous and current Environment Ministers and local MPs. There can be no doubt about their commitment to the retention of, among others, the Coleraine office.

Northern Ireland has always maintained its own vehicle register. I understand that that has proven to be a great asset for the police and has directly led to a drop in tax evasion, from 10% in 1996 to 0.7% in 2012. That is highly commendable. It is proof positive of the quality of the service and the staff — it is the staff I want to emphasise — in DVA Northern Ireland. Online services cannot replace that kind of professional service to businesses, the police or public customers. With proper investment in the DVA service, I would be confident that Northern Ireland can continue to lead the way in the United Kingdom and, indeed, relieve the undoubted stress that the Swansea operation is experiencing, all while still doing the highly efficient job that it has done over many years.

I am sure that other Members, in their contributions, will make relevant points that I may have missed due to time constraints, but at this stage I urge all Members to support the cross-party motion and to protect these much-needed jobs and the skills set of our local dedicated and loyal DVA staff in Coleraine and throughout Northern Ireland.

**Some Members:** Hear, hear.

**Mr Speaker:** Order.

**Ms Lo (The Chairperson of the Committee for the Environment):** On behalf of the Environment Committee, I support the motion and commend the Members for tabling it. The potential closure of the vehicle licensing office in Coleraine and the consequent job losses have concerned the Committee since it first became aware of plans to transfer that function to Swansea. The Committee is not opposed to the modernisation and improvement of the current system, as some of the proposed changes could result in a more convenient online service for customers in Northern Ireland, but members believe that that can be implemented by the existing experienced staff in Coleraine.

The Committee has fully supported the Minister and his predecessor in their efforts to ensure that the public sector here does not suffer savage job cuts at a time when rebuilding the economy is the top priority for the Northern Ireland Executive. We were encouraged when the Minister managed to obtain agreement from the Department for Transport to carry out an additional public consultation, and we hope that the responses received will influence the final decision of the DVLA. The Committee has also written directly to the Department for Transport to request that its officials brief us on the rationale behind the proposed closures and at the same time provide us with an opportunity to feed back our views. We are hopeful that that can be arranged soon.

I will add a few words as the Alliance Party Member for South Belfast. I very much support the motion. As Chair of the Environment Committee, I have kept a close eye on developments around the Driver and Vehicle Agency. I welcome the consultation secured by the previous Environment Minister and await with interest the analysis of the responses. The list of benefits to Northern Ireland customers outlined in the Department of Finance and Personnel (DFP) consultation is impressive. However, I can see no reason why that cannot be delivered from the office in Coleraine, which has functioned so well for so many years. Investment in the IT infrastructure for the DVA to do that is long overdue.

IT systems here have not received investment from the UK for many years as integration was being considered. Although the benefits to the customer are good, the closure of the offices in Coleraine and across the country are not good for Northern Ireland in any way. Coleraine is an unemployment hotspot. That office is an important asset for the town, and we must do all that we can to protect it. The impact on Northern Ireland would be to remove up to £22 million per annum from our economy. It is a shame that, in 2010, when the DVLA first made the proposals to relocate the system, greater attempts were not made to secure the posts and technology for Coleraine.

Although being able to undertake certain vehicle-licensing tasks online or via an automated telephone line is beneficial, some of the plan may mean a step back for the Northern Ireland customer.

Under DVLA's proposals, for example, refunds of vehicle excise duty will go to Swansea. The DVLA target is to complete 95% of refunds within 30 working days. The target for refund applications at the DVA in Coleraine is to

process 95%, the same percentage, but within five working days — what a difference.

**7.30 pm**

The Department for Transport has not considered proposals such as transferring work from Swansea to Coleraine. I hope that, following consultation, that option will be considered —

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

**Ms Lo:** — and that my fellow MLAs would support it.

**Mr Boylan:** Go raibh maith agat, a Cheann Comhairle. Ba mhaith liom cúpla focal a rá. I apologise that, being from Armagh, I might not be able to articulate certain points as well as other Members, but I have some sympathy for the people in these jobs. A couple of years ago, when I was on the Environment Committee, we had the opportunity to go to Coleraine to look at the work done there. The alarming thing in all this is that we are talking about 300-plus jobs and livelihoods, as well as the impact on mortgages and everything else. The Chair spoke about modern technology and looking at new ways forward. She is correct, but, in today's economic situation, we need to look at protecting and providing secure jobs.

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

**Mr Boylan:** Yes, certainly.

**Mr Clarke:** I agree with what the Member says about supporting jobs. That is why so many people are in the Chamber tonight listening to the tenor of the debate. However, I go back to what the Member for East Londonderry said previously about how the service has been stripped over the years. He referred to the motor trade, and it is on record that I have been involved in the motor trade for many years. While England has enjoyed the retention of registration plates, that is one of the things that we have not had in Northern Ireland. They have been stripping the service received in Northern Ireland, and what they propose now is a continuation of that stripping. Given what the Member for South Belfast said about the percentage of refunds processed, we have been disadvantaged and are being treated as second-class citizens. I am not trying to take away from the main points made by Members from Coleraine about employment.

**Mr Speaker:** Interventions should not be statements. The Member has an added minute.

**Mr Boylan:** Thank you, Mr Speaker.

I take the point that you made in your intervention, but the important thing today is to look at securing those jobs.

I took some valuable points from an earlier briefing, although I missed some of it. I heard that the service has been stripped back and run down over many years, and that is the problem. I know that previous Ministers have tried to support the DVA, but, in this case, it is a reserved matter. Every day in the Chamber, we talk about supporting and creating jobs. Tonight, in this debate, there is an opportunity for us to take this process forward and see exactly what we can do.

I want to pick up on a few points about the impact of this. Earlier, someone asked what the point was of transferring jobs from the North of Ireland to Swansea. There is no point in losing 300-plus jobs here and creating them over

there. We have heard from people across the water that Swansea cannot cope. Let us protect and support what is here now.

The Chair of the Environment Committee mentioned a loss to the local economy of £22 million. However, it is not just that; there are other jobs in the North. Other areas will lose out; not just those around Coleraine.

There is talk of moving some of the services to post offices, but those would then need to be upgraded, so why not look instead at upgrading the IT systems in this area?

My final point in support of the motion is that maybe the Finance Minister should look at devolving this matter so that we can run it from here. Perhaps Members will support that suggestion.

**Mr Rogers:** I welcome the opportunity to engage in this important debate. I was delighted to meet some of the workers earlier today. I see the debate as seeking two specific outcomes. The first is the retention of the existing functions, jobs and services at DVA in County Hall, Coleraine and the local office network, which is spread throughout Northern Ireland. The second is new meaningful investment in DVLA by the Department for Transport into hardware, IT development and services, and for the development of alternative and new methods of service delivery.

Other Members have talked about the potential job losses. Like them, I am deeply concerned about the major job losses for Coleraine and right around the North. In Downpatrick in my constituency, it could mean eight people losing their job. Those jobs must be secured in Northern Ireland. I do not accept the argument that, to deliver electronic services for motorists here, they have to be managed from Wales.

Since the start of the closure programme earlier this year affecting regional local vehicle licensing and registration offices, Swansea, in the four months of April, May, June and July, has spent over £1.65 million on overtime payments. That is totally indefensible. Clearly, DVLA, the staff and IT systems in Swansea are unable to cope with the growing workload that is now being expected of them. What chance have they of coping if the large volume of work from Northern Ireland is transferred there? That is from a Government agency already suffering from customer satisfaction standards that are well below those enjoyed by DVLA here.

The Northern Ireland motorist has stated repeatedly and unambiguously that the DVLA has performed magnificently in delivering all its services. In recent years, the customer satisfaction level for transactions with the Driver and Vehicle Agency has been consistently measured at between 98.7% and 100%. That covers all sorts of transactions. That is an incredible performance for an organisation that the paymasters in Swansea and the Department for Transport claim could be better if uprooted and dragged off to Swansea. DVLA locally outperforms all other Government agencies in customer satisfaction. Indeed, DVLA is only one of 25 holders of the customer service excellence awards in Northern Ireland.

I commend my party colleague John Dallat, who has been consistent in his approach to this issue, and the previous Minister of the Environment and the present one. Other people talked about the Northern Ireland

public. The Northern Ireland public deserve the highest quality service. If I am to re-register my car, I can take my documents to Downpatrick and the whole process takes just a few hours. What will the new process take? Weeks? Maybe it will take months, which is what we heard earlier. That is if my documents do not get mislaid or lost in the post. If I sell my car and wish to cash in my tax disc, that can be processed within two weeks if I write off to Coleraine. How long will it take if it goes to Swansea? It might take two months. Those are only two examples of how we would be accepting an inferior service.

**Mr D Bradley:** I thank the Member for giving way. He has certainly clearly outlined some of the losses to the public here in Northern Ireland. There are other losses. The service staff here have developed very good relationships with licensing and registration in Shannon and an Garda Síochána. They play a vital role in reducing car crime and improving road safety figures. If the service is moved to Swansea, that will be lost to us. It is a very significant part of the service, and it should be retained here.

**Mr Speaker:** Once again, I remind Members that those who have the Floor give the Floor and take the intervention, but then interventions should not become statements in the House. Interventions should be sharp and to the point, and then we should move on.

**Mr Rogers:** I thank the Member for his intervention. It was a very worthwhile point, but a little long-winded.

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

**Mr Rogers:** The all-party support that the workers have attracted is indication of the esteem in which they are held. However, it is much more than that; it is a clear message that every Member of the House has had enough. Our patience is exhausted with the haemorrhaging of public service jobs in Northern Ireland to shore up political support for a coalition Government who have a clear intention of destroying the public sector and dressing it up as efficiency savings. Thankfully, our MPs at Westminster are engaging in the campaign. I sincerely believe that they are working on it together, just as we are here in Stormont. These jobs are too important for this region, and we must do all in our power to ensure that they are retained in their rightful place.

**Mr Elliott:** I apologise on behalf of my colleague Robin Swann, who was to speak. Unfortunately, he has had to go to England with his young child, so we wish them well in the coming days.

This is a very important issue. We listened to the Members who spoke earlier highlight the numbers of employees in Northern Ireland who are involved in this matter. Although Coleraine is a big area of employment, we also have other centres in Armagh, Belfast, Ballymena, Downpatrick, Enniskillen, Londonderry and Omagh. The significance to the economy cannot be underestimated. I think that there is widespread and total support in the House, and I commend the previous Minister of the Environment, Mr Attwood, and the current Minister on their support for the continuance of these jobs and this service in Northern Ireland. I am led to believe that there is a manned telephone service for the people of Northern Ireland, but it does not seem to be very widely advertised or publicised. When he is up, I would like the Minister to give us some indication of whether that telephone service has been

advertised in Northern Ireland and how widely it has been made available to the public.

To me, no convincing argument has been made about moving these jobs or this service entirely to Swansea. However, I could make a very convincing argument to keep them here. That argument is based on the face-to-face and direct contact that there is Northern Ireland. How many of you have tried to contact some of the consumer advice lines, or some of the statutory agency advice lines, or, indeed, some of the big business advice lines to try to get some assistance? I would say that there a few of you. I know of one body for which there is an MLA helpline, but, one day, I tried to go through the ordinary consumer line to see what it was like. Let me tell you, it was an absolute nightmare. I spent 49 minutes on the phone trying to get someone to talk to, and I was quite impressed by the message that I kept receiving every minute:

*"Your phone call is important to us. Please do not hang up."*

I do not want to have that same service from Swansea whenever I try to phone about my driving licence or my tax disc.

A group of businesses in this community have lobbied me on this matter. They are car dealer businesses, and they feel that it is very important that they have that face-to-face contact. They have numerous problems on a weekly basis. Sometimes those are very minor problems, and they can get them sorted very quickly. I do not think that that has been taken into full consideration. They can have that face-to-face, direct contact — that personal contact, if you want. You do not have to phone the helpline number and wait for 40 minutes to get speaking to a human being instead of a machine. What is this society coming to if we cannot get that direct contact? Whether it is an advantage or a disadvantage, at least there are now MLAs in every constituency who most of our constituents can get speaking to. I think that that is helpful, because quite often in today's society, we do not do enough of that face-to-face and direct contact.

I appeal to the current Minister of the Environment to please keep up this battle and this fight. Do not let this go by the wayside, because, if we do, we will regret for years to come that we do not have this direct contact. Those 300-plus jobs are very important to the economy here, but much more than that is the importance to the wider business community and the individual face-to-face direct contact, which we will lose forever and a day. I fully support the motion, and I am fully behind —

**7.45 pm**

**Mr McGlone:** I thank the Member for giving way. I, too, support and endorse everything that he said there. What I find very useful is the ability to tax the car by telephone, but we need more resources dedicated to it at certain times of the month when almost everybody is trying to do it. That, too, is something that could be rectified in the Department. I find it a great facility to use. Once you ring through, it is very easy to call up the details of your vehicle.

**Mr Elliott:** Thank you very much, Mr McGlone. That is an internal management issue that could be improved as well.

I say this to the entire House: let us get behind the motion, let us get behind those jobs, and let us retain this service in Northern Ireland for the people of Northern Ireland.

**Mr Campbell:** I support the motion, as I hope everyone will. As has been stated by a number of Members, this is not just about job retention in the Coleraine/north Antrim area. There are over 200 jobs in that part of Northern Ireland, but there are another 100 jobs scattered right across the rest of the country. I am sure that those who are with us today from the DVA, and from the rest of the workforce, will be heartened to know that there is such support for the retention of not just the jobs but the services. That is what many hundreds of thousands of people want to know. They want to know that they are going to a high quality of service retained, and a number of Members mentioned that.

The proposer of the motion, Mr Robinson, used a very interesting stat, which is that over 60% of DVA customers are over 44 years of age. We all know that, the further up the age range that you go, the less likely people are to be computer literate and to do business on the internet. When almost two thirds of your customers are in an age range that makes them less likely to be adaptable to internet usage, you have to take that into account when providing your service. Investment is required. Given the fantastic turnaround time that exists at the moment, further investment is needed, not a diminution and elimination of the service.

I want to deal with some of the issues in the few minutes I have. This issue has not just arisen in the past few years. Back in 2005, there was an initial attempt at closure. I raised the matter then in the House of Commons, and my question for written answer was responded to by the then Minister, Dr Stephen Ladyman. After elaborating on what was going to happen between Coleraine and Swansea — that the services were going to be retained — he then said:

*"However, service to NI customers will continue to be delivered from Coleraine and NI local offices."*

That was on 4 July 2005.

I then followed that up throughout the rest of 2005 and 2006 with further questions to try to ensure that that was the case. In 2007, when the matter was still rumbling on, I raised it again at the Northern Ireland Grand Committee. In 2008, I sponsored a debate in Westminster Hall in the Houses of Parliament about the HMRC staff that are also based in County Hall in Coleraine, but, because I knew that the DVLA was still a live issue, I raised it as well at that debate to ensure that, in the words of one late Member, it had not gone away, you know.

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

**Mr Campbell:** Yes.

**Mr Clarke:** I see the case that the Member has outlined, but is he cynical that there is a different approach from the Westminster Government as to what their intention really is here, and there has been for some time?

**Mr Campbell:** Yes, I thank the Member for that.

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

**Mr Campbell:** I am glad to hear that.



It is not just a cynical approach. I think that people are looking at it as a cost-cutting measure. That is why we need to concentrate on the level of service that exists.

The issue rumbled on into last year, when I raised it again with the then Under-Secretary of State for Transport, Mike Penning — who is now the Minister of State for Northern Ireland — and, again, reassurances were given.

The most crucial reference that I want to use is this: in March this year, at Northern Ireland Questions in Westminster, I raised the issue with the Secretary of State. She was very much aware of the importance of the issue. She was in Coleraine last week; and I have discussed the matter with the transport Minister. This is her quote from six months ago:

*"It is important that he takes into account the views of Northern Ireland before he makes his decision."*

Well, if it is important that he takes into account the views of Northern Ireland, he is going to get them tonight. He is going to get them and he is going to get them unanimously. Hopefully, without exception, the opinion from Northern Ireland will be: retain the jobs; retain the services.

I alluded in an intervention to Mr Robinson's speech that the issue is going to develop in the next few weeks at Westminster. We now have a meeting agreed with Minister Hammond. Hopefully, we will be able to drive the point home. I understand that a DVD has been prepared to give him the message not just orally but visually, so that he gets the message very loud and very clear.

In conclusion, it is heartening to see unanimity around the Chamber. All too often, the press zone in on issues that we disagree upon. Here is an issue that we agree upon. It is a matter that generates all-party support. It would not be a good idea for a Minister of one party with an MLA, and local councillors from the same party, to go off on a solo run at County Hall. Hopefully, that will not happen in the future.

**Mr McKay:** Go raibh maith agat, a Cheann Comhairle. I add my support to the motion. I thank Members for staying to this late hour to discuss the issue. It is not often that we get such a good turnout for a motion at this time of the evening. It is important to have cross-party support.

I add apologies from my party colleague Cathal Ó hOisín, who cannot be with us this evening but remains fully supportive of the workers based in Coleraine and elsewhere.

The Tory Minister involved, Mr Hammond, said in recent months that it was essentially a good thing for the North to lose the jobs because there was less chance that driver and vehicle licensing services would be biased to a particular religious group. That was an absolutely extraordinary statement to make. In other words, we should be thankful for losing these jobs. I think that all sides of the debate and all sides of the House were bewildered by those comments from the Minister and the Department. Each and every one of the workers involved provides an excellent service to the entire community and has 100% support from the House in upholding their integrity. Those comments need to be put on the record.

The question has to be asked, however: why are Ministers in the Office of the First Minister and deputy First Minister (OFMDFM) and the Department of Enterprise, Trade

and Investment (DETI) working day in and day out to create hundreds of job through investment and inward investment? The Ministers are building up the blocks of a skilled workforce in full-time employment, then a London Minister comes along and knocks them all down and throws in a comment that I would say was quite ignorant, putting salt in the wound of many of those workers who are worrying about how they are going to feed their families in six months to a year's time.

This is a classic Civil Service trick of winding down and neglecting a service for, some would say, some 15 years. The Minister of the Environment needs to ask why that has been the case. Coleraine has sought funding for years to develop services, such as the telephone relicensing that other Members have referred to. Again and again, head office said no, no, no; no further funding and no improvements to services. So, it does appear that this has been a policy of deliberately running down the local service to bring us to a position where jobs would be transferred to Swansea. Despite all that, the DVA provides a world-class service, superior in many ways to Swansea, which is currently under some pressure, as Members alluded to.

Tom Elliott referred to a local service with local knowledge. I have been in contact with the service on many an occasion and have spoken to people who I actually know from the Ballymoney district.

It is worth reminding ourselves that this is not only about Coleraine. It affects people in Limavady, Ballymoney, Ballycastle, Ballymena and elsewhere.

The other part of the Civil Service trick concerns the consultation. The consultation was carried out in eight weeks over the summer, when people are on holidays etc. That is a classic trick to try to catch out the politicians and workers, and it will not be stood for.

The elephant in the room is that this should not be the call of a Tory Minister in London. It should not be the call of McLoughlin or Hammond. This decision should be made by local politicians who know the importance of the service provided, the importance of the decentralisation of public sector jobs — in this case to west of the Bann in Coleraine — and the cost to the local economy in services and jobs.

I appreciate the work that the Minister has done in the relatively short time that he has been in post. However, he needs not only to push for these jobs to be secured in the short term but to engage in talks with the Minister of Finance and Personnel and other Executive Ministers to secure support for the transfer of all DVA responsibilities to the Executive. That is how we can secure these jobs in the longer term and address the matter of the DVA being starved of the finance that is urgently needed to improve the service.

I add my support to that of the Members who have spoken. This is not only about jobs; it is about families and about parents putting food on the table and keeping a roof over people's heads. These jobs will be on the line over the next six months. We need to put our shoulder to the wheel and defend those jobs.

**Mr McQuillan:** As a representative of East Londonderry, where the Coleraine DVA office is situated, I support the motion. The closure of that office would represent a major blow to not only Coleraine but the whole local community.

For many years, the Coleraine DVA office has provided a high level of service to the population of not only Northern Ireland but the UK as a whole. Any closure would represent a failure to recognise the dedication and work ethic of the staff based there.

I have to say that I was saddened, disappointed and angered by the language used in the consultation document, which implied that the staff based there are biased on religious grounds. The comment was an insult in itself, but further insult was added when it was used as a reason to close the regional office. Perhaps any accusation of bias should be thrown at those responsible for including such a statement in the Government document. The comments fuelled further the upset of the staff and local community amid the news that their jobs were on the line. I am pleased that the mainland Minister responsible has apologised and ruled the comment out of order.

Any decision to close the office would have a devastating impact on the local community. The office employs over 300 people, which represents 15% of the local workforce. To put it in context, that is equivalent to the loss of 12,000 jobs on the UK mainland. It is well known that there are limited job opportunities out there, with the Northern Ireland economy heavily dependent on the public sector. The private sector economy in the Coleraine area could not absorb a workforce of over 300 people.

Those looking for work have to look elsewhere and outside of town, which could take them and their families out of the community. I fear that the job losses could result in families not only moving away from the area but losing their homes if they are unable to secure alternative work.

Today, we aspire to a healthy society. Such a decision has health implications, as poor health and well-being are directly linked to unemployment. The Minister must think about the stress caused by the current situation, in which staff and families are waiting to see what will happen.

Local business would suffer from a loss of trade, as local traders are dependent on the public investment in local people and the jobs that that creates. The loss of these jobs will remove a large proportion of revenue from the local economy. The impact will be devastating, as local shopkeepers and businesses in general are struggling in the current climate. Coleraine has suffered a 9.2% decline in jobs, owing to the downturn in the economy over the last few years.

In January 2013, the unemployment benefit claimant count in Coleraine was 2,045, which was an increase of 144% on the January 2008 figure. Between 2001 and 2011, the number of those employed in manufacturing fell by 38%. The construction sector has also suffered a dramatic 42% decline in the last four years. Vacancy rates in our town centre have increased by 100% in the past year. Where will this all end? I am in favour of retaining this office. With people's livelihoods in the balance, I support the motion and urge every Member of the House to do so.

#### 8.00 pm

**Mr Storey:** Like other Members, when it comes to this stage in the debate, one is always in the invidious position where most of the salient points have been made. However, that will not stop me trying to make some others.

There is an old saying that, when you make change, there should always be a compelling argument for it. In none of the documentation that we have seen to date has there been any compelling argument as to why these jobs should be relocated to Swansea. Indeed, the counterargument has been made. I have to commend all those people, many of whom are in the Public Gallery tonight, who have made an outstanding case to prove that the best place for this service to be provided is not in Swansea. That is not to be disrespectful to those who are employed in Swansea or to that location; but the best thing is for these jobs to be retained in Northern Ireland.

Look at the customer satisfaction survey that was carried out. If we were trying to defend the indefensible, or we had statistics that proved that this service was failing to meet its targets or the requirements of the public, then it would be difficult to counter the decision. However, that is not the case. I commend those in the office in Coleraine, many of them are from my own constituency of North Antrim and travel to work in Coleraine, as another Member for North Antrim has already said.

Let us look at a number of other issues that are pertinent. Some comment has been made already about the scurrilous attack that was made on staff in Coleraine. I am glad that that has been apologised for. However, surely, on the basis of that alone, the Minister is now not only duty-bound to apologise but to withdraw this consultation and ensure that such a scurrilous attack on the staff in Coleraine and in Northern Ireland is never again registered.

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

**Mr Storey:** Yes.

**Mr Clarke:** Would that be going far enough? Given that the Minister has made those comments, is he in a position to preside over a decision, now or in the future, on this service?

**Mr Speaker:** The Member can have another minute.

**Mr Storey:** The Member makes a very valid point. We have already seen in the past that Ministers who make a comment that predetermines or prejudges an outcome of a supposed consultation process are unable to continue it. For that reason and for others, this process is now not only fundamentally flawed but was discredited at the public meeting organised in Coleraine.

I commend all the parties which have lent their support to this. It is not often that, in this House, unanimity breaks out. It is an unusual thing, so people in the public gallery might see something that has not been seen for some time in Northern Ireland: their public representatives speaking with one voice. So I commend the current Minister, the previous Minister from the SDLP who worked on this issue and other Members. It is only right and proper that we also mention a Member who, unfortunately, cannot be here this evening but who has lent his support to this campaign. I refer to Mr McClarty, who has signed the motion. Our thoughts and prayers continue to be with him as he recovers, and we trust that soon he can be back amongst us. So, unanimity is a given.

I must say to Members of the House that we can have unanimity, a motion and opposition, but we need to ensure that we continue to drive this case forward. I welcome the comments made by the MP for the area, Mr Campbell,

and the efforts that have been made by our colleagues at Westminster to ensure that this matter has been raised not only in the past number of weeks but as far back as 2005.

I would like to mention a particular group that contacted me. I would be failing in my duty if I did not place this on public record and convey my appreciation and thanks to the staff at Coleraine for it. The Cloughmills Vintage Club contacted me and named particular individuals in the Coleraine office — which I will not do — and made it abundantly clear that they get an outstanding service. There are some Members who will know that vehicles from as far back as 1952 can be traced by a chassis check. I have to say that the vintage club in Clough Mills is very concerned that the service that it has received, as has been mentioned by my colleague Mr Clarke and others, will not be delivered from Swansea.

I have to make a final comment, going back to my original remarks, and it is this: if you are going to make a change, you have to make a compelling argument for that change. No such argument has been made. Therefore, Mr Speaker, in light of the motion, which I was glad to have been of some help in putting together for the debate tonight, I trust that the House will send out a very clear and unequivocal message to the Government that these jobs should remain in Northern Ireland. I commend the staff and everybody involved in the campaign.

**Mr Allister:** I, too, happily join in supporting the motion. However, I would be happier if we did not have to debate it, because there should not be a threat to these jobs. That has to be the starting point. However, for a variety of reasons, there is a threat.

I think that the resolve around the House to resist the job losses is all to the good, indeed necessary, not just to save the 200 or 300 jobs in or about Coleraine and Ballymoney, but to save what are strategically vital jobs in an area of the Province where we seldom see new job creation. How long has it been since into Coleraine or Ballymoney we have had an injection of jobs of any quantity? Yet, here, at a stroke, we have a proposition that we should be robbed of jobs in circumstances in which there is no justifiable reason and where the service, for which things have been made very difficult by dint of a lack of investment, has been performing to an exceptional degree and has built into it a local, caring dimension such that the traders who go there to tax cars and other vehicles are amongst those most complimentary about the service provided.

Very often, you meet people who, when they are dealing with officialdom, complain vehemently about bureaucracy, needless delays, and all of that. I do not hear that about the DVA office. What I hear, in contrast, is a recognition of the people who work there — real people who care about other real people and who will go the second mile to help them. No disrespect —

**Mr I McCrea:** Will the Member give way?

**Mr Allister:** Yes; I will give way.

**Mr I McCrea:** I think that this has been said on a number of occasions by various Members, but will the Member agree with me that Northern Ireland people are different from people in the rest of the United Kingdom in that we are a kind race and provide a kind voice on the other end of a phone? Does he agree that it makes a difference when you have a difficulty if there is somebody on the other end

of the phone who understands your problem and wants to help?

**Mr Allister:** Yes. It can also be a help, on occasions, if they understand the accent.

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

**Mr Allister:** To have injected into that situation the slur on the workers that there was a sectarian issue that needed to be rooted out by rooting out the jobs was, as has been said, wholly scurrilous. It is right that all scurrilous remarks should be apologised for. It is right that those who make scurrilous innuendoes and assertions should apologise for them. Not all do.

I trust that the Minister, who has apologised somewhat, will be a big enough man for that; not all are.

Another part of the motion is important. The second limb of the motion calls for new investment by the Department for Transport in equipment and technology. That is part of the reason why this service is being put in jeopardy: the absence of technology. My message is that it is not enough to save the jobs; we need to underwrite them with the support of new investment. I trust that that most assuredly will and must happen. It will have to be the second part of the campaign, which must not be forgotten. When the campaign is successful in saving the jobs, it cannot be left there. It has to be carried on to underwriting the jobs through proper investment.

I commend the staff and the union for the excellent campaign that they have run, along with politicians of various ilk. It is right to acknowledge the outgoing and the new Minister of the Environment in particular for their efforts. Frankly, the issue is more important than worrying about whether someone turned up for a photograph without the involvement of others.

My name is not on the motion; no one asked me to sign it, but I am not griping about it. It is a bigger, more important issue. I commend the SDLP Ministers for the manner in which they have addressed the issue. There is a burden on them to deliver, and I trust that they will deliver and that we can all rejoice in that.

**Mr Durkan (The Minister of the Environment):** I welcome the motion and the cross-party support that it has received. There is no doubt that the resounding opposition that has been expressed today by all Members sends a very clear signal to the British Government about the importance that the Assembly places on having our public services delivered locally and to the high standard to which we have become accustomed from vehicle licensing staff.

Let me take this opportunity to praise the staff in all the vehicle licensing offices, not only in Coleraine but across the North. Those staff have continued to deliver an exemplary service to the public despite the threat of losing their jobs, which has not just arisen over the past few months but has, unfortunately and regrettably, been the case on and off for almost 10 years.

I visited my local vehicle licensing office in Derry a few weeks ago and was struck by the dedication of staff who diligently helped customers to ensure that a high-quality service was provided. I went to Coleraine, where I talked to staff and heard at first hand their concerns not only about the potential loss of their jobs and the impact that

that might have on their families but about their genuine concerns that customers here will receive a much lower standard of service if the work is taken to Swansea.

Like many in the House, I welcome the availability of greater access to the vehicle licensing services that the DVLA is now proposing. Indeed, I would ask why it is only now that these enhanced services are being made available to citizens in the North when they have been available for almost 10 years in Britain. There has been almost a decade of neglect and underinvestment in vehicle licensing services here by the DVLA. That explains, Mr Elliott, why the telephone service is not advertised. That is because the DVLA refused to invest in it despite demand from the public for that service. It is another in a long line of examples of DVLA underinvestment.

However, despite having access to online services for almost 10 years, almost half of all vehicle licensing transactions in Britain are still conducted over the counter. Not everyone has access to the internet, nor do they necessarily have the confidence and experience to go online to pay for their motor tax. Some people need assistance to complete the necessary forms, which is why they prefer to interact on a face-to-face basis with staff in local licensing offices. That is their choice, and it should not be taken away. Without access to expert staff, some customers will, undoubtedly, be left confused, and there will be more or bigger errors. There will be lost revenue and delays in processing, which not only inconvenience customers but potentially threaten the viability of small local businesses. Small car dealers and traders rely on the quick turnaround of licensing transactions. They currently receive this service at their local licensing offices, which allows them to continue to trade in these difficult economic times.

### 8.15 pm

The ongoing closure of local offices in Britain has already resulted in backlogs of up to six weeks for some transactions, and the situation in Scotland has been labelled a "shambles" by the chief executive of the Scottish Motor Trade Association. That is not the sort of service that we want here. The Department for Transport and DVLA in Swansea attempted to bulldoze ahead with their centralisation plans, without any meaningful engagement or consultation with the public or political representatives here. However, thanks to the relentless efforts of my predecessor, Alex Attwood, they reluctantly conceded the need for a public consultation before they reached a decision on the future of vehicle licensing.

Unfortunately, the consultation process was deeply flawed. It was launched at the beginning of our holiday period in July and lasted for the minimum period of eight weeks. It was completely one-sided, amounting to little more than an announcement of the DVLA centralisation plan, without any proper consideration or evaluation of other options. It dismissed the impact on the local economy and on the lives of DVA staff, and it outrageously slurred the reputation of the agency's hard-working staff by suggesting that taking this work to Wales would avoid any risk of services being delivered in a biased, sectarian manner. I protested to Stephen Hammond in the strongest possible terms about that offensive and totally unfounded accusation, and I acknowledge his public apology in the House of Commons to DVA staff.

Not only would DVLA's proposals for centralisation lead to a poorer standard of service for the public, they would be catastrophic for our local economy. The proposal to centralise all residual work in Swansea would result in the closure of all motor tax offices in the North, with a direct loss of over 300 jobs in the public sector. When you apply the multiplier effect, as the loss of these jobs would undoubtedly impact on businesses in the private sector, the local economy would be set to lose over 500 jobs. That is the equivalent of about 20,000 jobs being lost in Britain. The annual loss to the local economy would be over £11 million in wages and over £22 million in gross value added.

As many highlighted today, the impact on Coleraine would be devastating, with 235 public sector jobs being lost in an area that depends heavily on public sector employment and in which unemployment has doubled since 2006. The impact on Coleraine would be 18 times greater than on any location in Britain where a vehicle licensing office is being closed. However, let us not forget the seven other locations that have local licensing offices — Belfast, Downpatrick, Armagh, Omagh, Enniskillen, Derry and Ballymena. The economic impact of the DVLA centralisation proposals would have a profound effect right across the North. The economic impact here is totally disproportionate. The DVLA proposals fail to take account of the local economic, social and political context, and they fly in the face of commitments by the British Government in the recent economic pact to assist the Executive in growing the local economy.

As for how vehicle licensing should be delivered here, there are other options that the DVLA could and should have considered but has chosen to ignore.

**Mr Storey:** I thank the Minister for giving way. My intervention is on that point. It also ties in with the motion that we are debating, which we are quite confident will be approved. The motion calls on:

*"the Westminster Government and the Northern Ireland Executive to take the necessary steps".*

Will he assure the House tonight that, as the Minister respondent, he will take that back to the Executive and that it will be a priority? He has outlined the steps that could be taken. Will that be endorsed not only by Hansard in this debate but by the Executive?

**Mr Durkan:** I can certainly give the House that assurance. In fact, I can tell the House that I raised this issue on Thursday at my first Executive meeting. This is a priority for me, and I believe that it is also a priority for the Executive.

There is no reason why the availability of alternative ways of licensing vehicles should lead to the closure of local offices. There is no reason for moving the work to Swansea. There is no reason why the staff in DVA could not continue to provide vehicle licensing services to those customers who prefer to renew their licences over the counter. Indeed, with the exemplary track record of customer service and high satisfaction levels, there is no reason why the British Government should not consider moving additional work here to support our local economy.

I agree with the comments of Laurence Robertson MP, the Chair of the Northern Ireland Affairs Committee. He said that the DVLA proposal is another example of how centralisation proposals by GB Departments always act



against the interests of Northern Ireland and how Northern Ireland is never considered as a suitable base for UK-wide business.

I have written, once again, to Stephen Hammond in response to the DVLA consultation. I have set out clearly a robust and comprehensive case against the centralisation proposals and the loss of local services and jobs, which is based on evidence and facts. In that, I relied heavily on an independent economic impact assessment commissioned from Oxford Economics. That independent assessment confirmed the devastating impact that the cuts would have in the North. I assure you that I will continue to drive this case. I have demanded a meeting with Mr Hammond and arrangements are being made for that.

I found the intervention from Mr Bradley on the role of DVA staff in helping to tackle car crime very interesting. Even more interesting would be an extension of that point to include its role and work with its counterparts in the South and police forces in both jurisdictions to tackle terrorism and share sensitive information about car ownership and movements on both sides of the border. I will seek further support on that point from the Justice Minister to strengthen our argument to retain these vital services.

It is imperative that Mr Hammond takes account of the local context here before he reaches a decision on the future of vehicle licensing. I have also arranged to meet the Secretary of State about the issue.

I know that many Members have responded equally strongly to the DVLA proposals, and I know that I can count on continuing support here and at Westminster. Again, I will call on my Executive colleagues to do everything possible with me to ensure that the centralisation plans are abandoned and replaced by sensible and sustainable proposals that safeguard the quality of services provided to motorists here, that provide motorists with genuine choice, that safeguard jobs and that protect our economy.

**Mr Dallat:** At the outset, I want to wish David McClarty every health in the future. I also want to wish Robin Swann success with his baby. Both Members have been unstinting in their support, and they deserve our praise.

I was very happy to draft this motion with Mervyn Storey for circulation to the other parties. I just wish that we had more opportunities for doing work like this. Today, Mr Speaker, is a good day for the Assembly, and I know that you, as Speaker, will be extremely proud that, at this late hour of the night, the Public Gallery is packed with people who have come here united and emphasising to each and every one of us the absolute need for unity. That is because, at the end of the day, we have a tremendous opponent to confront.

Today's contributions are very important. However, several Members emphasised that this is only the beginning. It is the beginning of a campaign. Yes, the consultation is over. Several Members referred to the highly offensive remarks that were made in the consultation paper. I want to say, very briefly, that those remarks were offensive, deeply hurtful and, very importantly, an illustration of just how badly informed the author of that document was. The document is not just offensive; it is totally discredited by the very fact that anybody would accuse the workers in Coleraine of bias.

There are, of course, many other myths in the document. They have told us that, to deliver electronic services for the motorist, the system must be managed in Wales. Again, like the bias comment, that is totally untrue and not necessary. In fact, the workers here could tell you that the very opposite is the truth. Let me explain for a moment. Newfangled technology — the internet — means that the DVLA IT system in Swansea can be easily accessed by a secure network connection from the DVA in Northern Ireland. If that is possible, surely it is also possible the other way.

I am pleased that our Minister, Mark Durkan, has raised this issue at an Executive meeting. That is because we need to expand our campaign to the Executive. I think that Mervyn Storey mentioned that as well.

**Mr Elliott:** I thank the Member for giving way. Very briefly, I think that this matter needs to go beyond the Executive. It might be useful, although it is not part of the motion, if, because the entire House is agreed, we ask for a cross-party delegation to support the Minister with the UK Minister.

**Mr Dallat:** I am wondering whether Tom has seen my speech, because I was coming to that. Of course, that is the natural progression to what should happen, and I believe that it is already in process. I emphasise that, when that delegation goes to London, it must be as cross-community as the unity that is shown here today.

Mark Durkan came to Coleraine, and I take full responsibility for that. He was on a half-day visit to his constituency, and I was given total freedom to choose the places he might go to. Every Member knows how that works. I make no apology for not only taking Mark H Durkan to County Hall to meet the workers but for taking him to the council offices where he met all the political parties and was hosted by the mayor. So, let us get that out of the road. That is the only wee tiff that we will have.

The First Minister and deputy First Minister are travelling the world looking for jobs. One of the workers quite rightly said to me, "Is it not a bit daft that those men were over in New York while the British Government are planning to rob 300 jobs from Coleraine?". I know that you could laugh at it, but it is plain crazy.

Let me return to the debate and to the logical arguments that have been made. The centralisation programme has started. It has already run up almost £2 million, and it will run up a great deal more. That is because it is a sham. Coleraine deals with 170,000 customers, so God bless Swansea if that descends on them on top of what is already there. It is a nonsense. The author of this discredited consultation document said that the move is about improving the service. However, could any Member tell me of any public service in Northern Ireland or anywhere else that consistently records a performance target of 98.7% to 100% across all services delivered?

I make my point.

### 8.30 pm

It is useful to mention the online service again. For 15 years, there has been no investment in Coleraine. For the past seven years, Brendan Magee, the previous chief executive, made at least seven business proposals to modernise Coleraine. Is Swansea now telling us, "Well, you did not modernise, so we will close you."?

Mr Speaker, I am heartened. When I was reflecting on this last night, and perhaps some people do not remember this, I was thinking of the shipyard workers in Gdańsk who could not take any more. They united and transformed democracy in that whole eastern part of Europe. "Solidarity" is a word that we do not use enough in here, and we need to use it more. I have heard Mark H use it consistently and frequently in recent times in relation to the workers at Coleraine.

We should make the word "solidarity" our motto, because it is the DVA workers today, but will it be Castle Court tomorrow? Where else will that right-wing coalition descend on? One contributor rightly pointed out that centralisation is bad news for Northern Ireland because we always seem to be on the losing end of it.

**Mr McCallister:** I am grateful to the Member for giving way so that I can put on record my support and wish them well in their cross-party delegation. A cross-party delegation will be key for the Minister, showing that solidarity and a forward programme of how you can not only keep the service but build on and improve it, and support extra jobs and work coming to Coleraine.

**Mr Dallat:** I thank Mr McCallister very much for his contribution, and we welcome his support.

Across the Chamber, our patience is exhausted, and for perhaps the first time in our life we will stand shoulder to shoulder. Never before have I seen so many MLAs go out to the front of this Building as I did this afternoon to greet those workers. I felt emotional about that, because this place sometimes has an image of spending too much time on motions that are perhaps not relevant. I hope that people outside will see what happened here today.

A little bit of history was made, but it is only beginning, and we cannot rest on our laurels. I am glad that the Minister is meeting the Secretary of State. I will not create any problems by saying any nasty things about the Secretary of State, other than to remind her that she has a role far more important than being a colleague of Stephen Hammond. She is, after all, the Secretary of State for Northern Ireland. She has a responsibility for the political welfare of this part.

Perhaps the Minister will remind her that this Assembly, for all its criticism, is trying to build a political and economic foundation that will give stability. We all know that it is economic instability that creates the opportunities for people who have another way of approaching our problems.

Since this Assembly came into being, we have faced many challenges. This is one that we will win — and we will win it together as long as, from this day forward, we show solidarity with those people who, at this late hour, are here to hear this debate.

**Some Members:** Hear, hear.

*Question put and agreed to.*

*Resolved:*

*That this Assembly supports the staff of Driver and Vehicle Agency offices in Northern Ireland; calls on the Westminster Government and the Northern Ireland Executive to take the necessary steps to retain the existing jobs and services; and further calls for*

*new investment by the Department for Transport in equipment and technology.*

**Mr Storey:** On a point of order, Mr Speaker. There is a stunned silence over the Assembly. However, my point of order is on another issue. I just want to correct a comment that I made during the previous debate on education for the Hansard record. I think that I may have said that there was a net loss. There was a net gain to the maintained sector of some £2,469 million. I trust that that figure will be recorded in Hansard. I apologise to the House if inaccurate information was given earlier.

**Mr Speaker:** The Member has put it on the record.

*Motion made:*

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

## Adjournment

### Death of Kirk Watters: Historical Enquiries Team Report

**Mr Speaker:** The proposer of the topic will have 15 minutes. All other speakers will have approximately eight minutes. I ask Members who are leaving the Chamber to do so in an orderly fashion.

**Mr Douglas:** I will wait till we get this crowd out.

**Mr Speaker:** Order, Members.

**Mr Douglas:** Thank you, Mr Speaker. It is with some sadness that I bring before the House this evening the tragic circumstances of the death of Kirk Watters, a young man who was just 19 years old when he was shot and killed in disputed circumstances in Belvoir Street off the Newtownards Road in 1974.

Two other young men were also shot in the same incident that night, when members of the Royal Military Police, during a disturbance in the area, claimed that they had identified four gunmen and opened fire from the back of their Land Rover. Kirk's friend, Gary Reid, also died from his injuries a couple of weeks later. Right from the outset, I want to be clear that this is not about being anti-police or anti-army: it is about the record of a young man who was killed in tragic circumstances. I want to outline some of the discrepancies of some of the reporting at the time.

A couple of years ago, two members of the Historical Enquiries Team (HET) contacted Kirk's sister Margaret and her husband Herbie. They are here tonight in the Gallery. I am delighted to see them. They were informed that the HET was carrying out a reinvestigation into Kirk's untimely death. He was a young man in the prime of his life, a former shipyard worker and soldier with the Royal Engineers. As the report stated, at the time:

*"Kirk was, clearly held in high regard by his commanders, who believed that he had a promising career ahead of him in the armed forces."*

Unfortunately, due to the death of his grandmother and his grandfather's illness, Kirk had to leave the army to look after his grandfather.

As you will appreciate, Mr Speaker, that encounter with the HET opened up all the family's hurt, anguish and wounds of some nearly 40 years ago. I believe that we in the Assembly have a moral obligation to help the Watters family to bring closure to that sad chapter in their lives. That report undoubtedly raises a number of serious questions.

Let us turn to the HET's findings. The report calls into question aspects of the original testimony of soldier A and soldier B regarding the circumstances that led to Mr Watters' death. It states that:

*"There are aspects of the evidence given by the RMP witnesses that simply cannot be true and there are strong indicators to suggest that Soldiers A and B fabricated large parts of their respective accounts."*

The report goes on to state:

*"On a specific level, there are aspects of this investigation which have not been fully explained by the RMP officers, and on some issues their statements are at variance with the evidence offered by Reserve police officers and other witnesses at the scene."*

Finally, it states:

*"It now seems incredible"*

— what a word to use in a report —

*"that even though there was evidence that cast doubt on the accounts of the RMP personnel, they were not effectively challenged to explain the contradictory evidence that the investigation had uncovered."*

The original investigation into Kirk's death was carried out by RUC Detective Inspector Hamilton, who, at the time, stated:

*"There is therefore very little evidence to substantiate the claims of soldiers A and B that they were justified in opening fire."*

Before Inspector Hamilton forwarded his report to his chief superintendent, he stated:

*"that criminal charges should be brought against soldiers A and B."*

However, at the time, the chief superintendent and the Chief Constable's office stated that, on balance, despite the evidence, no criminal charges should be brought. The DPP agreed, and the case was marked, "no prosecution". No one has ever been charged with any offence, and no record exists of internal army disciplinary action against soldier A or soldier B.

I want to be very clear: the family is not interested in retribution. They are a forgiving, committed Christian family. In light of the HET revelations, I went with the family to meet Jeffrey Donaldson MP, who wrote to the Minister of State for the Armed Forces, the Rt Hon Andrew Robathan MP. Let me just quote his response. He said:

*"I am grateful to Mrs Bowes for allowing my officials sight of the Historical Enquiries Team report on the death of her brother Kirk Watters so that we can make an informed decision on the family's request for an apology."*

That is what the request was about: purely an apology to bring closure.

On pages 60 to 61, the report states:

*"it was impossible to establish whether soldier A, soldier B or another person was responsible for Kirk's death."*

That is because Kirk was shot in the back. The bullet went right through his heart, and they were never able to find it.

The Minister then goes on to say:

*"If we were to apologise that would imply an acceptance that Mr Watters was killed by shots fired by a member of the army, and it is far from being established that this was the case. While I would like to extend every sympathy to Mrs Bowes and her family"*

*for their loss, I am afraid, therefore, that I am not able to offer the requested apology."*

In light of this family's experience, their hurt and all the wounds that have been opened up, one could easily expect to find an aggrieved family, full of anger and seeking revenge — nothing could be further from the truth. The family do not seek a high-profile inquiry that would seek to live out the case in the full glare of the media for all to see. The family simply seek an acknowledgement that their loved one was wrongly killed. They seek recognition that no forensic evidence — the report is very clear about this — was found to link Kirk to the discharge of any weapons and that there was no evidence of shots being fired at the military, and an acceptance that Kirk was an innocent victim in the wrong place at the wrong time.

To conclude, although tonight's debate cannot bring Kirk Watters back, it does at least afford the family an opportunity to hear that the Assembly — the seat of Government — listens to families of victims and shows compassion and concern for the Watters family, who still suffer from the legacy of the past.

I hope that the Minister of Justice, who was unable to attend tonight because he believes that this is an operational matter, will meet the family in the not-too-distant future to hear their story and to acknowledge their pain, suffering and loss.

**Mr Maskey:** Go raibh maith agat, a Cheann Comhairle. First of all, I thank Sammy Douglas for raising this matter tonight. I, again, place it on the record that I have not had the opportunity to speak to the family and loved ones of Kirk Watters.

Therefore, I want to be very measured and sympathetic in my remarks, which I will keep brief.

#### 8.45 pm

Sammy Douglas outlined the very tragic circumstances in which this death occurred. The fact that it happened in 1974 is a stark and sad reminder to the House that the conflict that we have gone through cast, and continues to cast, a long shadow over many families. Sammy very eloquently and passionately articulated the way in which the family do not want what he described as retribution but want some form of acknowledgement or closure and some type of apology. That strikes me as a family that would be, dare I say it — I use my words wisely — easily pleased if they were to get some acknowledgement. In other words, they would find some comfort in an acknowledgment that their son was not guilty of any wrongdoing at the time of his death. That does not appear to be an awful lot to ask. I dare say that virtually all Members of this House have, at some point, engaged with families who have been bereaved during our conflict. Many have engaged with the HET, other inquiries and so on, and we can only sympathise with this family for the continuing trauma that they will go through in reliving those very tragic events from 1974.

It is regrettable that the Minister is not here, because although it is, as he described it, an operational matter — the HET has a responsibility to the Chief Constable and so on — he could, nevertheless, have considered it right to be here to hear the case and, perhaps, speak to the family. We all understand the demarcation of those matters. The

Minister of Justice here does not have any responsibility for the running of the police or the judiciary per se, but we all have a role. I hope that the family can at least take some comfort from the fact that all the parties will give support to Sammy's Adjournment topic tonight to give the family some support. We will all deal with the Minister on this matter, and perhaps the MoD as well, to try to ensure that the family's very reasonable requests are met to allow them to get the closure that they so desperately seek.

Sammy Douglas has put on the record well that there was really no evidence at the time to back up the assertions that were made. As I said, I do not intend to go into any more detail on that, but suffice to say that this is another family bereaved during our conflict who have had a long shadow cast over their lives. At this stage, almost 40 years on, it is important that we all do as much as we can to help the family to get some type of comfort and closure. I thank the Member for raising the matter and commend the family for their stoicism over the past decades.

**Mr Attwood:** I welcome the fact that this debate has been brought to the Chamber tonight, because it is important in itself and in its timing, in that it is a week after the first visit to this part of the world of Richard Haass and Meghan O'Sullivan. I convey to the family condolences this late, 40 years after the death of their son, because pain is not determined by time; it stretches across the decades. I was not familiar with and did not know about this case until it was put on the Order Paper and only know about it from speaking to the proposer of the Adjournment debate, but, nonetheless, I have a sense that this family have great dignity, great resilience and great determination to secure for them closure in the circumstances of the case.

I agree with something the proposer said: in this case, as with all cases of victims and survivors, the needs of the victims and survivors and what they seek must have primacy. If we stand with victims and survivors, we will stand on the right side of how to deal with our past, be it by way of apology in this case or by way of other mechanisms in other cases.

As Sammy Douglas said, we have a moral obligation to bring closure to this family, just as we have an ethical obligation to deal with the past in a comprehensive and decisive way, not least given the Haass discussions. There is a need to fulfil that moral obligation and to deal with the past on an ethical basis. In this case, the family are looking for an apology, but we also have to acknowledge that other victims and survivors will look for something other than an apology; they will look for truth, accountability and justice.

On the back of this debate, and taking the Haass process into account, we have to base our moral obligation on whether the outcome of the Haass process will give victims and survivors the full menu of options when it comes to acknowledgement, truth and accountability. If, on the far side of the Haass discussions, we have not been able to secure that for all victims and survivors, including the family of Kirk Watters, then, to borrow the words of Sammy Douglas, we will have failed in our moral obligation and we will not have dealt with the past on an ethical basis.

In supporting this request from the family, I also support the requests of all the other families who seek acknowledgement, truth, accountability and apology. This Assembly and the parties in the Haass process should



judge themselves and be judged on whether we produce those options to fulfil the wishes of all families.

I acknowledge what Sammy Douglas said about the fabrication of accounts. Other Members of this House, including Mr Maskey, will corroborate this: I do not know how many times I have read testimony about how there was fabrication of accounts. If this debate has some wider significance beyond that which it has for the family of Kirk Watters, it is that we must acknowledge on this occasion that there have been claims that seem to be well grounded that members of the security forces fabricated accounts about the use of force and lethal force. There are many other examples of fabrication of accounts about the use of force and lethal force by members of state and security forces. If this debate is to have significance beyond that which it has for the family, it is for all of us to acknowledge that, just as there was fabrication in this case, there was fabrication in many other cases. The recognition that there was fabrication in many other cases provides a liberation of thinking and ambition when it comes to dealing with the past.

I also acknowledge that, at some stage in the investigation into the death of Kirk Watters, a decision was made that there should be no prosecution. How different our society would have been if wiser decisions had been made in the early 1970s on prosecutions for the illegitimate use of state force. In my view, the story of the past 30 or 40 years would have been different as a consequence.

Inasmuch as this particular case involved the use of state force and lethal force at least in disputed and, in my view, unjustified circumstances, let us recognise that, if we are to deal comprehensively with the past, there must be accountability. That accountability, in this case, may be by way of an apology, but there also needs to be accountability not just for state use of force but the use of force by terror organisations that inflicted enormous grief and pain on so many in our society. Either we deal with this comprehensively across the range of organisations, state and illegal, or we will not be able to deal with it at all.

**Mr Copeland:** I also congratulate Sammy on securing the debate. I echo Mr Alex Maskey's sadness that the Justice Minister is unable to be here.

It is late in the day, and we are all tired. Many of us have been here for eight, 10 or 12 hours. However, we must balance that against the 40 years that this family have waited for the opportunity to seek justice — if that is the right word. We are dragging ourselves slowly from the past to the future. There is a school of thought that argues that a lot of things that happened in the past should be left in the past. On some occasions, those who continually seek justice are accused of living in the past. The truth is that this family, and, I have no doubt, many others, have the past living in them. That presents all of us with a particular set of difficulties.

As many of you know, I am a former commissioned officer in the Ulster Defence Regiment. That presents me with difficulties in accepting that, in the past, things might have been done that should not have been done. I have some knowledge of the events because they happened around the start of my service. I have read a good number of HET reports, ranging from the La Mon atrocity — if that is the right word — to the murder of Tommy Herron. On occasions, I find myself shaking my head and wondering

how decisions that were taken at the time could ever have been taken, and, more importantly, how they were ever held up to the test of history and not found wanting. This case is no exception.

I understand that the weapon involved was a 9 millimetre Sterling sub-machine gun, which was not the standard infantry weapon of the day. That was the 7-62 millimetre self-loading rifle (SLR), which was capable of firing single shots repeatedly at aimed targets. A Sterling is a very inaccurate weapon. The magazine holds 28 rounds. It is my understanding, if the actuality of the reports that I have received is correct, that the magazine was changed. That indicates the firing of approximately 32 rounds. It is impossible to fire 32 rounds from a Sterling sub-machine gun and calculate or count them as aimed shots. That in itself calls into question the recognition that was given to the yellow card, which governed the circumstances under which all members of the security forces, but, most particularly, those involved in the military, could use lethal force.

The search for justice — if, again, that is the right word — is fraught with tears. One of the heaviest responsibilities that lies on us in the Chamber is not to use the past as a weapon of political debate to batter one other with but to try to begin to understand that terrible things happened. The biggest responsibility for all of us is to make sure that they do not happen again. We need to look, honestly and objectively, at the cases around which there are question marks so that such families might find some honest closure.

As I said, looking at the evidence available now, I can conclude only that this case was not best handled at the time and that there are questions that need to be answered. Above all, even after 40 years, Mr Watters was a citizen. He is entitled to the respect of a citizen, and he, his memory and his family's memory are entitled to honesty and truth. Trying, for whatever reason, to brush the issues under the carpet will do nothing to ensure that the events of the past are not repeated. It places upon all of us a very heavy duty, and it is a duty that I think we are coming to the point of being mature enough to deal with properly. No words spoken by me or in this Chamber can ever take away the events of that awful night, but they can alter perceptions and, perhaps, give this family, at long last, some peace.

## 9.00 pm

**Mr Lyttle:** I thank the Member who secured the Adjournment debate for having the courage to bring this sensitive issue to the Assembly. I also thank Members for the mature way in which they handled the debate this evening. Hopefully, that will, further to recent days, provide some encouragement to you, Mr Speaker.

I found reviewing this case a humbling and challenging experience, both as an Assembly Member working to understand how we best deal with an extremely traumatic and violent past and as a very close friend of the sister of Kirk Watters, Margaret. She is a woman whom I know to be filled with dignity, faith and, as Sammy Douglas said, forgiveness. She has held herself admirably throughout the process of the HET review of her brother's death.

The HET has received significant criticism in recent times, and, indeed, in my opinion, it is a limited way to deal with the past. However, it has clear objectives: to bring

a measure of resolution to families of victims who died during the Troubles; to re-examine Troubles-related deaths to ensure that investigations satisfy PSNI standards; to command the wider confidence of the community; and to ensure that reports make no moral or political judgement about the victims.

In reviewing the report, I found that it established the circumstances around the death of Kirk Watters. He was 19 years old and a former soldier, an apprentice tradesman with the Royal Engineers. He was also a carer for his father. When Kirk was discharged, his commanding officer stated that, without doubt, his outstanding characteristics were leadership and supervision. The report also found that Kirk was a member of the UDA and that the inquest into Kirk's death returned an open verdict, which meant that no one had been held responsible.

The HET review of the investigation considered 54 witness statements, 19 depositions, a post-mortem, an inquest report, forensic RUC reports, public prosecution reports, intelligence and photo maps. The post-mortem found that Kirk had been shot in the back. Forensics found no firearms discharge on Kirk's hands and no evidence of bullet marks in the area from which the shots that killed Kirk were fired or on the Royal Military Police Land Rover involved in the shooting. The report also found that there had been a state of disorder and tension in the area and that numerous arms finds had occurred there in recent times. The report found that the RUC detective inspector and investigating officer clearly recommended that soldier B be charged with a criminal offence in relation to the death of another man killed at the same time and in the same area as Kirk Watters but that the chief superintendent, for some reason, overruled that. Although soldier B had used excessive force that also resulted in the death of Kirk Watters, the chief superintendent ruled that he was justified in opening fire and should not be subject to criminal charges. For some reason, the Chief Constable also accepted this ruling, as did the Director of Public Prosecutions, and no charge or disciplinary action was brought.

The HET report, however, found that although the original police investigation had been initially of a good standard, there were flaws in the follow-up investigation, particularly on the part of the Royal Military Police. In particular, it found that junior staff had interviewed more senior RMP staff involved in the shooting and that the failure to address significant discrepancies between the RUC and RMP statements had compromised the investigation. It is also, therefore, of concern to me that, despite the HET ruling that the original investigation failed to adequately challenge the soldiers' witness statements, the HET review then decided that there was:

*"little value in tracing soldier B to account for discrepancies in the statement".*

I think that that is something that can be looked at again.

As has been mentioned, the conclusions of the report clearly stated that there had been a breach of the yellow card guidelines for firearm usage, which might have amounted to a criminal offence; that there was fabrication of statements, and potentially lies, designed to conceal the truth in order to protect personnel from prosecution; and that, although it is impossible to establish whether soldier A, soldier B or another person was responsible

for the death of Kirk Watters, it is highly likely that Kirk was shot after soldier B fired a burst of automatic fire at Belvoir Street.

I know that Kirk's sister is grateful for the clear understanding that the report has provided, not least in comparison to other, less evidence-based accounts, but there are questions and limitations that remain, including, as I said, why the HET review has not traced soldier B, and, indeed, the limitation of the little power that it has to compel witnesses. Despite the RMP failings in the original investigation and the high likelihood that Kirk Watters was shot dead by a burst of automatic gunfire, there has been little recognition from the MoD in relation to that. I agree with other Members that that is something that needs to be looked at.

The report also has significance to the wider challenge of how we best deal with the past. As has been mentioned, this is another review in relation to actions of the state, and if we want a comprehensive mechanism, other non-state actors need to be held accountable for their actions as well. We also need to look at how any process can actually compel witnesses to give statements or information in addition to the existing information that we have to work with. It does, however, give an insight into the complexity of victimhood and the horrendous context of fear, tension and unprecedented public disorder that existed at that time.

My party and I believe that if we are to build a better future, we need to address that traumatic past in a more comprehensive manner. The Eames/Bradley report was a good basis from which we could start. It recommended a legacy commission with powers of investigation, information recovery, thematic inquiry and storytelling as a way to get closer to truth, accountability, acknowledgement and reconciliation. The Haass process presents an opportunity for the political parties to step up to the mark to try to put that type of comprehensive mechanism, which so far has eluded us, into place.

I know that the family of Kirk Watters believe that the HET process has provided them with a degree of information, but I agree that we have a responsibility and moral obligation to improve on that process and to make sure that that opportunity and process extends to as many people as possible to ensure that truth, accountability and reconciliation are achieved across our society, that no one is held captive by the past and, indeed, that it is never allowed to happen again.

**Mr Newton:** I thank my party colleague for bringing forward this Adjournment debate on the death of Kirk Watters. Like others, I want to be very measured, but I also want to be very factual, and, with your permission, I would like to refer extensively to the HET report on the matter.

I think that it is regrettable that Minister Ford is not here. I do not understand how this is an operational matter, since the HET report has been concluded. I just do not understand that. The HET was established to assist in bringing a measure of resolution to those families of victims whose deaths are attributable to what we call the Troubles between 1969 and the signing of the Belfast Agreement. It is required to do so in a way that commands the confidence of the wider community.

On reading the report, I can see the difficulties, and I can see what I imagine is the hurt, which has been referred

to, that has been caused to the relatives of Kirk Watters. It is nearly unbelievable. The report states that, at the time when Mr Watters was shot dead, a constable, Constable Arbuthnot, heard no gunfire other than that fired by the Royal Military Police. He did not see the bullets striking the wall, as claimed by the RMP, and he did not hear the whistle blast or see gunmen. Another reserve constable who was in the same vehicle stated that he heard two low velocity shots just before the RMP opened fire, but the civilian witnesses do not substantiate the claims that other persons were firing weapons. However, partisanship, the report says, might be a factor.

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

**Mr Newton:** I will give way.

**Mr Douglas:** Does the Member agree that, as Mr Lyttle said, that time was a very traumatic experience for everybody because of the tensions? As it said in the report, a lot of young people in the area actually joined paramilitary organisations. I know that it has been alluded to that Kirk Watters was a member of the UDA, and it states in the report that he was a member of the young UDA. It also says:

*"There are no intelligence reports to suggest that Kirk had previously come to the attention of the security forces, or that they were aware of his connection to the UDA prior to his death."*

Do you agree that that suggests that the report exonerates Kirk Watters and states clearly that the security forces had no evidence that he was involved in any activity, particularly where gunfire is concerned?

**Mr Newton:** I thank the Member for his intervention. That does become quite clear later in the report.

The report states that the scene and the Land Rover were examined by a Constable McCrum from SOCO. All the strike marks that were found indicated only firing from the Newtownards Road direction, and he found no strike marks on the Land Rover. That was the same Land Rover on which strike marks were found four days later. There is, therefore, the report says:

*"little evidence to substantiate the claims of Soldiers A and B that they were justified in opening fire."*

Although we are dealing only with Kirk Watters, the report goes on to further indicate:

*"The entire circumstances surrounding the death of two youths and the injury of one more is very unsavoury."*

The evidence of the civilians in the area is clearly that there was no gunfire except that from the RMP vehicle. The evidence of Reserve Constable Porter is that soldier B ran out of ammunition. The report says that that evidence:

*"would lead one to think he had, on this occasion, lost his nerve and either accidentally, or on purpose, discharged automatic fire to his left hand side in Belvoir Street, which resulted in this terrible tragedy. There is no ballistic evidence to show that shots were discharged from Soldier 'A's' weapon, as both weapons had been cleaned before reaching DIFS."*

The report specifically says:

*"there are aspects of this investigation which have not been fully explained by the RMP officers, and on some issues their statements are at variance with the evidence offered by the Reserve police officers and other witnesses at the scene."*

That is RUC Reserve police officers.

The report goes on:

*"In these situations it is always difficult to balance the weight that one ought to attach to the latter category of witness since he may be biased, or indeed he may give an accurate account of what he himself perceived at some interval subsequent to the incident."*

**9.15 pm**

The report continues:

*"The HET has examined the original investigation carried out by the RUC and acknowledges the difficulty of comparing modern investigative processes and techniques with those which were current during the time of the 'The Troubles'."*

That is really saying that, had we had the knowledge that we have today, this case might not have been just so difficult.

This question has to be asked on behalf of Kirk Watters's family: did the RMP personnel adhere to the rules of engagement? Those rules are never to use force more than the minimum necessary to enable you to carry out your duties; to try always first to handle the situation by means other than opening fire; and, if you have to fire, to fire only aimed shots. If the magazine was empty, that may well indicate that that was not the case.

The report also states:

*"There are aspects of the evidence given by the RMP witnesses that simply cannot be true and there are strong indicators to suggest that Soldiers A and B fabricated large parts of their respective accounts."*

Given the circumstances and the content of the report, you can understand the family's feelings, concerns, hurt and, indeed, hope that something else might come out of this. I am not sure that we can offer them anything except what has been said this evening in the Chamber, where there has been a great deal of empathy with their position. Maybe, just maybe, the Haass talks will allow us to take another step forward.

*Adjourned at 9.16 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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# Written Ministerial Statements

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## Regional Development

### **Narrow Water Bridge Order (Northern Ireland) 2013 and Newry River (Diversion of Navigable Watercourse and Extinguishment of Public Rights of Navigation) Order (Northern Ireland) 2013: Decision to Proceed to Make Bridge Orders**

*Published at 4.00 pm on Tuesday 9 July 2013*

#### **Mr Kennedy (The Minister for Regional Development):**

A project to construct a bridge at Narrow Water in Warrenpoint is being taken forward by Louth County Council in partnership with Newry and Mourne District Council. My Department's role is exclusively in relation to the Bridge Orders and it has no direct involvement in delivering this scheme.

The draft Narrow Water Bridge Order (Northern Ireland) 2013 and the draft Newry River (Diversion of Navigable Watercourse and Extinguishment of Public Rights of Navigation) Order (Northern Ireland) 2013, are required to deal with the impact of the Narrow Water Bridge proposal on the Newry River, which is a public navigable waterway, as far as it relates to Northern Ireland. These orders will detail the position, dimensions and operating procedures for the bridge and the reasonable requirements for and amendments to navigation rights that need to be put in place to ensure the safety of the travelling public.

Notice of the draft Orders was published in the local Press during weeks commencing 22 and 29 April 2013 and the consultation period ended on 4 June 2013, with a total of 17 letters of objection being received. The majority of the objections were from the local mussel fishermen or those representing or supporting the fishermen.

The main reasons for objections from the mussel fishermen were the loss of navigation rights and the loss of some fishing grounds, arising from the construction of the proposed bridge in navigable waters, the proposed vessel protection systems and proposed extinguishment and diversion of navigation rights; and the restriction of fishing activities resulting from the proposed bridge operating procedures.

Following the submission of objections, Louth County Council has had a series of meetings with some of the objectors, aimed at finding an agreed resolution to the objections. My officials have been fully engaged with the Council throughout this process.

A key issue for me in this process has been the question of whether or not a public inquiry is necessary before I move to a decision on the Bridge Orders. I should emphasise that such a step is only required where I conclude that such a process might add greater substance or clarity to the information available to inform my final decision. In the context of the fact that the original objections were clearly outlined and well articulated, and the additional dialogue between Louth Council and objectors, I concluded that such a step was not necessary.

In addition, I have disclosed the objections to both the Minister for the Environment and the Minister for Agriculture and Rural Development and consulted with them on issues that could be said to fall within their competence. Neither Minister has indicated any reason why I should not proceed to make the Orders. The Agriculture Minister also specifically indicated her view that there was no need for a public inquiry.

After carefully considering all objections, the further engagement with Louth Council (following their further meetings with objectors), and the input of my two Executive colleagues, I feel that there are no outstanding issues from my Department's perspective, which would indicate that the orders should not be made. On this basis, it is now my intention to make the necessary Bridge Orders in relation to the Narrow Water Bridge project.

# Environment

## High-volume Hydraulic Fracturing

*Published at 6.00 pm on Tuesday 16 July 2013*

**Mr Attwood (The Minister of the Environment):** The Department of Environment's fundamental aim is to protect and improve the environment, promote well being, and deliver a strong and effective local government to support a thriving economy.

Within my Department the Northern Ireland Environment Agency (NIEA) seeks to safeguard the quality of the environment as a whole through effective regulation of activities that have the potential to impact on the environment. High volume hydraulic fracturing (fracking) is considered by the Agency to be such an activity.

As members will be aware, an Australian based company, Tamboran Resources, secured a Petroleum Licence from DETI to explore for shale gas reserves within the Northern Ireland section of the Lough Allen Basin, which is a cross border Basin shared with the Republic of Ireland.

I am informed that Tamboran are proposing to use an unconventional gas extraction technique known as High Volume Hydraulic Fracturing, or fracking for short.

I hope that no-one will or would adopt an approach that if gas exists in this form underground, for example in Fermanagh, that it should be extracted. The right approach is to ask: do we want to extract shale gas? Do we need to extract shale gas? Can it be done safely? Would it be done responsibly? These are the fundamental questions against which to judge fracking and to judge ourselves. A rush to fracking is ill judged. Indeed my approach is to be highly precautionary.

Fracking has generated much concern within NI, and around the world, over its potential impact upon the environment, particularly in relation to water quality, air emission issues, seismic impacts, matters of public and personal health and environmental impact to name but a few.

In response to these concerns I directed DOE and NIEA to supplement its knowledge of this process through reviewing and engaging with emerging research, studying case studies from other parts of the world and liaising with counterparts in other Environment Agencies in Britain and Ireland, and other countries where fracking is currently proposed or taking place. My responsibility as a Minister is to do so I have been doing so and that has to be the approach in the future.

Specifically:

- DOE/NIEA represents NI at the European level on the EU Technical Working Group on Unconventional Fossil Fuels and on an Interest group of the Network of Heads of European Environmental Protection Agencies;
- At UK level DOE/NIEA represents NI on the Unconventional Gas Regulators Group which includes relevant regulators from throughout the UK;
- On a cross border level, DOE/NIEA meets regularly with the Republic of Ireland's Environmental Protection Agency and are co-funding and co-leading a major research programme. A consultation on the

proposed Terms of Reference has been completed which attracted a huge scale of responses.

- DOE also participate on a NI Shale Gas Regulators Forum consisting of representatives from government departments and agencies with a potential regulatory role in relation to fracking activities. This forum, which has been formally established following a meeting between the DETI Minister, and myself will enable cross cutting issues, such as the impact of potential seismic activity on well integrity, to be discussed and assessed by the relevant regulators i.e. Geological Survey of Northern Ireland, NIEA and the Health and Safety Executive. It needs to be clearly understood that this forum is to consider the multiple issues around fracking, is not in any way to indicate support from DOE and does not compromise the authority of DOE/NIEA when it comes to planning habitats and all the relevant assessments.

I have also visited the United States, in March 2012 and March this year, where I received presentations and briefings from the U.S. Environmental Protection Agency's Office of Research and Development, and Office of Air and Radiation on the issue of hydraulic fracturing.

These presentations and briefings highlighted the work that the US EPA is doing, and its planned work, in relation to the environmental impact of hydraulic fracturing. In particular I was briefed on the US EPA's ongoing research programme on the potential impact of shale gas extraction on drinking water supplies, and also their work on potential technological and regulatory controls on gas emissions.

A senior official from NIEA accompanied me on my visit in March 2012 in order to establish relevant contacts with technical staff in the U.S. EPA and has maintained this relationship to ensure that on an ongoing basis we can benefit from the work of the U.S EPA in this area. I have to say that my sense as of the March 2013 meeting compared with the meeting a year earlier was that the precautionary approach was one clearly in evidence.

Due to the increasing level of interest and concern in relation to fracking, new studies, reports and assessments are continually being added to the body of literature on this subject, and my Department's review of available evidence will, by necessity, remain ongoing.

As studies, reports and assessments are completed, a broader evidence base will emerge which will aid decision making on the issue. It is my firm view that when it comes to assessments on fracking in relation to health, environment, water, air and other emissions(etc) and , when it comes to decisions (if any are to be made) it is only when the full scientific and research picture is complete that decisions could be made. To do otherwise given the scale of ongoing research and science is to decide in a vacuum that does not aid good decision making. This is the right, best and only way to proceed. That is why I have an enhanced precautionary approach on this issue.

The environmental regulation of fracking will be subject to the requirements and environmental standards set out in the relevant European Directives which apply in both jurisdictions. The Environmental Impact Assessment Directive will play a central role and is non-negotiable in the decision making process as it will ensure that the environmental implications of this project are taken into account before final decisions are taken and it will involve



the public in the decision making process, making it more transparent. This will ensure consistent standards are applied to regulating such an activity, should any approvals be given in the future in either NI or close to the border in the Republic of Ireland. This consistency is imperative as the environment knows no borders. I have always said that all appropriate planning and environmental standards will be strictly applied on the issue of fracking. As Planning and Environment Minister this approach will not be compromised.

On a personal level, I am acutely aware of the concern and anxiety these proposals are creating. I have therefore adopted an open door policy in terms of meeting public representatives, community groups and concerned individuals and I will continue to meet with people or groups that can contribute to this issue.

I wish to reassure people, particularly in Fermanagh, that no decisions have been taken by my Department in relation to permitting fracking. Indeed no planning applications or applications for environmental permissions have yet been received.

As I outlined earlier, in terms of the current exploration process, it is my understanding that the development company may rely on certain permitted development rights (PDR), not requiring planning permission, for limited activity such as drilling boreholes or carrying out seismic surveys for a period of up to four months. Let me be clear if the exploration works themselves are considered to require Environmental Impact Assessment, the current legislation makes it clear that in such circumstances permitted development rights do not apply. Should the development company seek to rely on PDR, I will assess if Environment Impact Assessment (EIA) is required. In any case, I am taking further legal advice if even drilling one borehole requires EIA. I will be clear and direct on this issue. I will tell people, in particular the community if a PDR entitlement exists or not.

That said, Permitted development rights are subject to conditions including pre-commencement notification to the Department giving details of locations, target minerals, details of plant, operations and timescales. All operations proposed within an Area of Special Scientific Interest (ASSI) or a site of archaeological interest is specifically excluded from these rights. My Department also has powers to restrict these permitted development rights where it is deemed that the works would adversely impact on local amenity.

I will ensure that all requirements in this regard are strictly honoured. I must again stress that they do not in any way extend to the extraction of shale gas, which constitutes development requiring planning permission.

I would like to reinforce to the elected members, and to the people of Fermanagh, that any proposals submitted to my Department by Tamboran, be it to drill for core samples, drill an exploratory well or set up office accommodation, they will be robustly assessed against the existing legislative and planning policy framework and, as I have said, any assessment has to be and can only be on the far side of research and science.

I wish to explain a number of matters further. Given the nature of Tamboran's proposals, if a full planning application involving the intention to use a high volume hydraulic fracturing technique is received the Department

would have to carefully consider whether it should be deemed a major planning application under Article 31, of the Planning (Northern Ireland) Order 1991. Article 31 allows my Department to deal with such applications under special procedures which allow for a much greater level of scrutiny of the application and the resulting decision. For example, the Article 31 process allows for a public inquiry if my Department considers it necessary. The need for a public inquiry will normally emerge through the processing of a planning application where issues raised by consultees or public representation are technical and complex and cannot be satisfactorily resolved through the normal planning process. I believe there will be significant demands for a public inquiry, should such a planning application be received.

However, as Minister, I cannot pre-judge the issue and I will instruct my Department to consider all relevant matters, if a planning application is received in relation to both Article 31 and the option of a Public Inquiry. I would note that another energy proposal – the application for a North South Interconnector – was deemed Article 31 and is proceeding by way of a Public Inquiry.

I have met with Tamboran senior management to reinforce and directly so to them that there are stringent legislative, procedural and policy requirements that apply to fracking and to confirm to Tamboran that my Department will robustly assess any proposals presented, against these stringent requirements and my firm view on the issues of science and research.

As I have outlined in this statement, my Department is proactively engaging on an international, European, UK and Ireland and local level to ensure that should a planning application or an application for an environmental permission be received, my Officials within DOE Planning and NIEA, will be best placed to assess the proposals and enable me to make decisions based on knowledge gained from around the world but set within the context of our unique landscape and environment, which is particularly the case in County Fermanagh.

I am making this statement as Environment Minister and Minister responsible for planning. The scale, wonder and beauty of our natural, built, archaeological and Christian heritage is unsurpassed on this island. It is part of the character of our lives and a big part of the economic future of this part of the island. This is a further factor that must be fully assessed as the issues develop.

## Review of the Operation of PPS 21 'Sustainable Development in the Countryside'

*Published at 6.00 pm on Tuesday 16 July 2013*

**Mr Attwood (The Minister of the Environment):** There has been a long history to planning policy for development in the countryside. PPS21 was published in final form on 1 June 2010 following work undertaken by an Executive Subcommittee on Rural Planning Policy and was endorsed by the Executive at that time. It superseded Draft PPS21 which had been published with immediate effect in November 2008, replacing draft PPS14, a very restrictive policy introduced under Direct Rule.

Whilst the publication of PPS21 some 3 years ago brought a higher level of certainty to rural planning policy in Northern Ireland following a long-drawn-out period of uncertainty, valid concerns have been raised over its practical implementation on the ground.

Early into my role as Environment Minister, several MLA's made representations to me regarding concerns that some people were not getting the same opportunity to build in rural areas compared with other parts of Northern Ireland. These concerns centred on whether the policy was being applied consistently across area planning offices; and whether some area offices were applying the policy more strictly than others. It would be wrong if the policy was not being implemented fairly in all cases.

I listened to these concerns and gave a commitment to undertake a review of the operation of the policy. This Statement is an account of my approach to this work, my interventions and my findings to date.

The operational review has been a real time assessment of what is going on in planning offices in terms of the application and consistent interpretation of PPS21. It has been focused on how the policy is being applied in practice. Its aim has been two-fold:

- firstly, informed by experiences and perceptions of all those involved in sustainable development in the countryside, to take appropriate steps necessary to ensure everyone is treated consistently; and
- secondly, to ensure appropriate flexibility on the operation of PPS21 in line with its content and substance.

When I announced the review I made it clear that it would not be a fundamental review of rural planning policy. Furthermore it was never my intent that it should recommend fundamental changes to the existing policy framework of PPS21. To do so would have required an approach outwith an operational review and would not, at an early phase of PPS21, have been appropriate.

In undertaking my review I have held discussions on the operation of the policy with a number of key stakeholders: MLAs, Planning Forum members; former members of the Independent Working Group established to examine the issue of non-farming rural dwellers; and rural stakeholders representing farming and environmental interests.

I have also taken on board the views of planning staff and of applicants and agents who are most familiar with the actual operation of the policy on the ground. I have considered planning statistics on the number of approvals

of single and replacement dwellings since the policy was published.

In particular, I took considerable time to examine a range of specific cases in order to satisfy myself that the Department's approach to the assessment of such proposals was based, not just on proper application of individual policies, but also that it had regard to the overarching aims and objectives of PPS21. This includes, managing growth to achieve sustainable development that meets the essential needs of a vibrant rural community; and facilitating the development necessary to achieve a sustainable rural economy, including appropriate farm diversification and other economic activity.

### Non farming rural dwellers

Special provision for non-farming rural dwellers remains a matter of continued interest, and was also highlighted during the review. In recognition of this, I met former members of the Independent Working Group on non-farming rural dwellers to hear first hand their expert perspectives on this matter.

These experts reiterated to me that advice previously provided to the Executive Sub-committee that the term 'non-farming rural dweller' is difficult to interpret and define and should not therefore be used to create a special category of planning policy.

I am reassured that PPS21 already provided significant opportunities for non-farming rural dwellers to live in the countryside through policy provisions including replacement dwellings; the conversion and reuse of non-residential buildings as dwellings; new dwellings within an existing cluster or ribbon of buildings; development within Dispersed Rural Communities; and a dwelling to meet compelling personal and domestic circumstances.

Consistency and flexibility were important issues to emerge from the review. Of particular concern were the policies in respect of 6 key areas: dwellings on farms; replacement dwellings; the conversion and re-use of existing buildings new dwellings in existing clusters; developments within gap sites and development in support of the rural economy. I will deal with each of these in turn.

### 1. Dwellings on Farms

Through the review I have advanced an approach to promote greater flexibility in relation to the requirements for clustering and visual linkage in respect of siting new dwellings on farms.

I took particular note of the concerns raised regarding the health and safety implications of clustering new dwellings with existing farm buildings which was raised by the UFU and others through the review.

I have impressed upon officials the need for greater regard to be given to the practicalities of requiring new dwellings to be clustered with an established group of buildings on the farm. For example, I do not expect applicants to be required to access new dwellings through busy working farmyards where an acceptable access can be achieved without detriment to integration.

It is also important to note that Policy CTY10 'Dwellings on Farms' already contains important health and safety safeguards which permit an alternative site away from

a group of buildings on the farm where this health and safety implications can be demonstrated. CTY10 and, for example, the practicality issue referred to above, and together with consistency in interpretation have produced less issues over recent times than was the case two years ago.

## 2. Replacement Dwellings

I have explored the application of Policy CTY 3 'Replacement Dwellings' with a view to identifying additional flexibility, especially in regard to the assessment of whether the dwelling to be replaced meets the essential characteristics of a dwelling. One example, where a more flexible approach has been taken relates to a proposal for a replacement dwelling in Armagh area. The structure had long ago been a dwelling however there was no roof and while the 4 walls were intact they were not 100% complete. The structure was also completely overgrown with vegetation internally and externally.

Prior to the review there would have been concerns that the structure did not qualify for replacement in accordance with Policy CTY3 as the four walls were not substantially intact. Following staff training provided as part of the review process, the application was re-assessed and a greater degree of flexibility was applied. The Department concluded that on balance the application was acceptable and approval was granted.

This demonstrates the value of the operational review. Interrogation of policy, application in real time, training and peer review leading to the right outcome.

## 3. Conversion and Reuse

Similarly, I have identified scope for more flexibility in the type of building that may be suitable for conversion to a dwelling or other use, where this would not adversely affect the character or appearance of the locality.

Policy CTY 4 – 'The Conversion and Reuse of Existing Buildings' permits proposals for the sympathetic conversion, with adaptation if necessary, of a suitable building for a variety of uses, including use as a dwelling.

My review highlighted that some Area Planning Offices had been adopting a much stricter interpretation of the policy that required the building to be converted to exhibit some special architectural features. However, this is not a requirement of the policy which states only that the conversion should maintain or enhance existing form, character and architectural features.

While the policy gives a range of examples of buildings which may be appropriate for conversion, such as former school houses and traditional barns, this list is not to be regarded as exhaustive and does not rule out the conversion of other buildings if they are of sound construction and can be converted in line with the policy criteria. This message has been communicated to staff through training and the process of peer review. Again, a positive outcome of an operational review.

## 4. Dwellings within Existing Clusters

Through the review I have identified the potential for some additional flexibility in how the policy in respect of new dwellings in existing clusters is being applied.

Policy CTY2a 'New Dwellings in Existing Clusters' provides for a dwelling at an existing cluster of development subject to identified criteria, including a requirement that the cluster is associated with a focal point such as a social/community building/facility, or is located at a cross roads.

The policy does not provide an exhaustive list of what will be regarded as a focal point and in the absence of a community building or facility applicants are free to present other evidence of a focal point within the cluster. This may be some other entity or association that serves as a hub or gathering point in the community.

Through the review, I have communicated to officials the need for appropriate flexibility. This will not mean, cluster approval here, there and everywhere. But approvals will be more consistent between DPO's and more accommodating consistent with the intention of the policy.

## 5. Ribbon Development

There were also issues raised with respect to development opportunities within gap sites. I have identified the need for additional flexibility in how such sites are defined for the purposes of CTY 8 'Ribbon Development', which allows for up to two dwellings within an otherwise substantial and continuously built up frontage.

One example, where I identified a greater need for flexibility was a proposal for a dwelling and a garage in one area which had initially been recommended for refusal. I met with the applicant who identified examples which they considered to have set a precedent. I asked my officials to consider how the application of the policy may be reviewed in light of the examples provided. After further assessment officials unanimously agreed that the application should be allowed.

Furthermore, when applying the policy officials have been reminded of the need to take account of extant permissions when assessing whether a suitable infill opportunity exists.

## 6. Development in support of the rural economy

Through the review I have also been promoting greater opportunity and flexibility to support rural business.

For example, an application was received for a dwelling in association with an existing business in one area. The proposal was originally recommended for refusal. However the local Council referred the matter to my Private Office. Given the nature of the business and the fact that the owner was retiring, a family member was taking over and lived a considerable distance away, I asked officials to reconsider their initial opinion. Permission was subsequently granted.

In addition to the areas I have outlined above, other steps I have taken to ensure consistency and flexibility generally include the following:

### Staff Training

At my request, the Department rolled out training for all planning officers on the implementation of PPS21. The training was rolled out to approximately 150 staff. The purpose of the training was to focus on those areas of PPS21 which give rise to different interpretations and to

apply a common approach to ensure consistent application of policy across all Area Planning Offices.

The training covered each of the policies in detail. It provided examples of proposals which are acceptable and those which are unacceptable when considered in the context of the relevant policy. It also identified areas where there may be scope for more flexibility within the content and substance of the policy.

### Peer Review

I have also initiated a process of peer review of applications already decided under PPS21. The purpose of this is to share best practice and increase consistency between Area Offices. Applications are discussed at the monthly Development Management Working Group and an agreed position is confirmed by the Group. Lessons learned from this peer review approach can be incorporated into the ongoing training programme and issued as further advice as necessary.

### Rural Design Guide

I also published the Rural Design Guide 'Building on Tradition'. This supplementary planning guidance to PPS21 clarifies and exemplifies the requirements of the policy and has proved to be of great assistance to planning staff in the consistent interpretation and application of PPS21, as well as helping applicants and others understand its policy requirements. I would commend this guidance to all those with an interest in development in the countryside.

### Review of Occupancy Conditions

As part of the review I have looked closely at the practice of attaching personal occupancy conditions to rural dwellings approved on the basis of site specific personal and domestic circumstances which has in some cases created difficulties for applicants in securing mortgage finance. Recently, I drafted and issued a new 'letter of comfort' which I have advised the Council for Mortgage Lenders should conclude the problems the CML or its members were creating around this issue.

### Wider actions to support the countryside

Other measures which seek to support rural areas and their communities include:

- PPS16 'Tourism' which I published in June facilitates appropriate tourism, including development in the countryside. It makes provision in the countryside for tourist amenity proposals that are not suited to an urban or village location. Similarly, it allows for tourist amenity proposals that need to be located close to existing tourist attractions in the countryside. PPS 16 also removes the much criticised tourist needs tests which had applied for tourist accommodation proposals in the countryside making it easier for developers to make sure that their proposals accord with planning policy.
- PPS4 'Planning and Economic Development' sets out the circumstances in which permission will be granted for economic development in the open countryside. It allows for redevelopment of existing employment sites in the rural area including for tourism and it allows for expansion of existing employment sites. It allows for small scale economic development on suitable sites

on the periphery of existing settlements where there are no alternatives within the settlement.

- Permitted Development Rights: The Agriculture industry represents a vital part of the Northern Ireland economy and therefore the elimination of unnecessary red tape to enable the agriculture sector to thrive in an increasingly competitive and challenging economic climate is imperative. With the continuing rise in energy and fuel bills the new PD rights introduced on 30th April 2013 for non domestic micro-generation including solar panels, ground and water source heat pumps and biomass boiler housing and fuel stores, provide farmers with opportunities to benefit from renewable energy technologies to help make savings and reduce running costs in the longer term.

Furthermore, legislative proposals to revise existing PD rights by increasing the size limitation from 300m<sup>2</sup> to 500m<sup>2</sup> for agricultural buildings and introduce new PD rights for anaerobic digestion plant on an agricultural unit were agreed by the Environment Committee on 4th July and will come into operation in August 2013.

- Improved Processing Timescales - Over the last two years there has been a huge effort made to speed up the planning process which has positively impacted on processing times for rural applications. Performance in 2012/13 has significantly improved across all categories of development. Over the most recent year, the average processing times for Major, Intermediate and Minor categories of planning application reduced by four, two and three weeks respectively compared to 2011/12. In addition, the first year Programme for Government target to process 60% of Large Scale Investment Applications within six months was also met with 72% of all such applications being processed within this timescale. Some of these large scale investment applications were in rural areas and Departmental targets were also met for processing Intermediate and Minor applications.
- Renewable Energy: Renewables is another key economic driver for Northern Ireland, particularly rural areas. A key target is the reduction in the number of live planning applications for renewable energy projects. The number of decisions issued against renewable energy applications increased by a very significant 90%, from 401 in 2011/12 to 762 in 2012/13. Almost nine in ten (89%) of renewable energy applications were approved.

The Department has worked creatively and collectively with key stakeholders to the planning process to ensure timely processing of planning applications and to discuss any areas of concern. For example, a sub group of the Planning forum has been established to focus on renewable energy applications. This group is looking at a range of measures to improve decision making for renewable energy project applications.

- Agrifood Sector: Agri food is a key economic driver for Northern Ireland but particularly the rural areas. As a result of the recent announcement by the major UK supermarkets to source more of their produce from the UK, it is anticipated that the Department is likely to receive several hundred planning applications in the near future for poultry buildings across the Province. In order to respond to this demand the



Department has established a small multidisciplinary team in the South Antrim Area Planning office and is developing appropriate level of expertise within the team. It will also work closely with the industry and all other stakeholders collectively to ensure that the applications are progressed in a fast and predictable manner to maximise this opportunity.

- Strategic Planning Policy Statement (SPPS) - Members will also be aware that I intend to bring forward a single Strategic Planning Policy Statement (SPPS) in time for the transfer of planning functions to councils in 2015. The statement will consolidate existing policy provisions, including provisions in relation to rural planning, into a shorter, more concise statement of planning policy. The statement will be subject to public and Assembly consultation.

All these measures are intended to create a positive framework that allows communities to prosper and thrive but which also protects the countryside from excessive or inappropriate developments.

Planning Statistics suggest interventions have begun to pay dividends. Most significantly the approval rate for single and replacement dwellings in rural areas has improved from 74% in 2010/11 to 88% in 2012/13. I believe that this can be attributed to the implementation of a number of measures such as the role out of training for staff, the 'peer review' of applications at a monthly management meeting, and the publication of the rural design guide.

In total there have been 8,575 applications for new single and replacement dwellings in rural areas approved since the implementation of PPS21. This represents an approval rate of 83% across this almost 3 year period.

Looking forward I believe that the process of planning and local government reform provides a great opportunity for a stronger local dimension to rural planning policy when the majority of planning powers transfer to local Councils. Post transfer the new Local Authorities will be responsible for bringing forward their own development plans with bespoke policies that are more finely tailored to local circumstances in the area, in line with prevailing regional planning policy.

In summary, this operational review into PPS21 has both identified and addressed how there can be more consistency, opportunity and flexibility in the application of PPS 21 policies.

I believe that my interventions are bearing fruit. PPS 21 is working much more effectively now and I remain more satisfied that it is fundamentally the right policy and enjoys widespread support.

My own experience is that the volume of concerns raised to me personally on the operation of the policy is much reduced. Nevertheless, I will continue to keep under close scrutiny the operation of PPS21 in order to ensure that it is properly and consistently applied going forward. This is an update on the operational review. The review is a real time, real life mechanism. It will continue. The issue of a fundamental review, in my view, does not arise, certainly at this time.

## Waste Crime: The Threat of Criminality and Organised Crime

*Published at 6.00 pm on Tuesday 16 July 2013*

**Mr Attwood (The Minister of the Environment):** I wish to bring further details to the attention of the Assembly of a major case of environmental crime in the Derry area. When I brought this matter to public attention in June, I had consulted the Speaker and agreed that I should do a written statement to the Assembly as the better way to proceed. Given the range and nature of the issues involved, I believe it is now timely to provide that further update, having already provided a lengthy private briefing to the Environment Committee.

Successful economies in the 21st century will be ones in which natural resources are used for maximum economic and social benefit. This will mean that levels of waste will be continually reduced. Eventually, 'waste' will become an obsolete concept, even if this seems beyond our imagination and ambition.

Until that happens, any residual waste that is still produced will be re-used, recycled or properly disposed of. This is required of us in ethical terms, European terms and domestic terms.

As part of pursuing these aims, environmental crime, whether it is in the guise of waste dumping, fuel laundering or other types, must be eliminated in Northern Ireland, on this island and beyond.

This type of environmental crime undermines legitimate business operators in the waste and other sectors, impinges on our overall economic development and, creates major threats to our unique and precious natural environment.

This is why I have taken decisive steps against environmental crime early in June.

On Wednesday the 5th of June, the Department of Environment (DoE) revoked the licence granted to an operator of a major waste facility in the North West. This followed an unprecedented investigation into allegations of large scale criminal offending involving the disposal of waste.

Following receipt of intelligence last year, I instructed the environmental police within the Department of Environment - the Environmental Crime Unit - to undertake a full scale investigation (known as "Operation Sycamore") into activities at the Derry site. This has been painstaking work with the aim of maximizing the chances of dealing a big blow to serious criminality and a big blow to environmental vandalism.

The scale of the unlawful waste activity is immense and dates back at least until 2009. It is sophisticated in its deception. Material was mangled and shredded to hide its original sourcing, with illegal landfills being top filled with soil and clay to deceive and hide illegal waste.

Not just tens but some hundreds of thousands of tons of waste were illegally deposited in a number of areas of land in the Mobouy area, just outside Derry. The scale of this is clearly well organized – the scale of this means it involves organized crime.

“Operation Sycamore” has to date resulted in the arrest of two individuals in connection with alleged offences and further arrests are expected as the operation continues. A number of individuals, businesses and land folios are the subject of the investigation. Appropriate enforcement notices were served in June, as detailed below.

First, the operator of the waste management facility is now required, over a period of two months, to deliver all remaining waste at the site to a legal landfill site for disposal.

Second, and separately, other notices were served on the landowners of land used for the disposal of waste requiring them to take action to prevent environmental damage by removing polluting liquid from the waste for disposal elsewhere.

Third, further notices were served on certain operators requiring those operators to take action to prevent further damage (that is to say damage which is environmental damage or damage where there are reasonable grounds to believe that the damage is or will become environmental damage) under the Environmental Liability (Prevention and Remediation) Regulations (NI) 2009. These notices require action to be taken to collect and legally dispose of liquid within the infilled waste to stop it causing harm to the environment. It is expected that this legislation will be used further to require additional measures to be taken to prevent environmental damage and also to carry out works to remove and remediate the sites.

I believe that the scale of last month’s disclosure requires fundamental intervention by government and others. As a result, I have taken a series of further measures beyond the legal interventions detailed above to address the current situation, including:

1. The creation of a “Waste Crime Taskforce” to co-ordinate and escalate work to address organized waste crime, in a comprehensive, unambiguous manner this is to put the spotlight on this crime like never before and to address the issue like never before.
2. Further support for the ECU in continuing to develop evidence against all involved in the criminality in this case and in other cases. I made a dedicated bid for additional resources in ‘June Monitoring’ in this respect. The Finance Minister supported this bid, agreed £1.5 million, monies to be used to, in this financial year, to upgrade the work of the ECU and other enforcement activities of the DOE.
3. An immediate review of other waste sites in Northern Ireland, concentrating on a “TOP 25” of locations where risk may exist, based upon current information, intelligence, past record and ongoing enforcement issues. This work involves the ECU and Waste arms of DOE: NIEA
4. Contact and communication in June with Councils and other businesses which used the Derry site, to ensure Councils activated their alternative waste collection arrangements and critically, to require Councils to provide proof of the waste trail in relation to Council collected waste, and to demonstrate that councils have exercised due diligence around the management of waste contracts.

5. Intensive assessment of ground water, water course and river water quality to determine any water quality impact arising from the illegal waste sites. Past assessment of the River Faughan, for example, indicates, currently, no raised levels of pollution. These assessments are extensive, thorough and should help ensure the early detection of water risks, if they should arise.

I directed the new Chief Executive of the Northern Ireland Environment Agency to prioritise these actions and ensure that the Agency’s resources and efforts are marshalled for a major effort to tackle environmental crime.

This effort must ensure that all those involved in the ‘waste chain’, including businesses that generate waste, councils and businesses who collect it, businesses who transport it and businesses who treat, recycle and dispose of it, must fully and properly discharge their waste responsibilities.

6. I also commissioned an Expert Review to be conducted by Chris Mills, the former Director of the Welsh Environment Agency. This work began immediately after the announcement. The work is ongoing.

Mr Mills has extensive experience in environmental protection and in his seven years as Director of the Welsh Environment Agency, he had responsibility for all aspects of the regulation of waste.

Under his leadership, the Welsh Environment Agency closed down over 270 illegal waste sites and pioneered the application of the proceeds of Crime Act 2002 to combat waste crime. To date, 14 Confiscation Orders totalling 14.7 million pounds have been successfully served on offenders. Environment Agency Wales also recently completed a successful campaign to clear over 300,000 illegally dumped tyres.

Mr Mills review will support the DoE’s on-going work to create a waste sector in Northern Ireland that complies with the law, protects the environment and underpins resource efficiency by conducting a review into:

- what transpired in relation to the waste facility at the Campsie site and to identify any failures that might have occurred in the regulation of this site, in respect of any sectors of central government.
- the external factors leading to the extensive illegal waste dumping at the Campsie site;
- the lessons this incident provides for the future development and administration of waste management, resource efficiency and enforcement programmes.

The Expert Reviewer will provide a report to the Minister for the Environment and the Chief Executive of the Northern Ireland Environment Agency no later than Thursday 31 October 2013. In addition the reviewer should provide monthly updates and, if at any stage considers an issue to be of high significance, should advise the Minister and the Chief Executive. Whilst the report should focus on the incident in question, it is expected that it will be put into the context of the structures and arrangements for the management and disposal of waste in Northern Ireland.

I wish to emphasise that Mr Mills, my Permanent Secretary and other senior staff all know and have been directed that the approach must be “robust and fearless”

Any operation which we can identify and against which there is evidence will be isolated and robust action will follow. In the interrogation of what DOE did around this facility and generally, every stone will be turned.

7. I also can confirm that other appropriate assessments of the waste management facility and adjacent lands are ongoing with the relevant agencies to mitigate risk and damage problems, be it fly infestation, fire risk or other matters.

I wish to confirm that a large number of streams of work are ongoing in relation to the North – West: the purpose is singular to address decisively the immediate and longer term issues that have been identified. The Environment Committee will be regularly updated, both in general and when otherwise needed, as events unfold, as they will.

Last month's revelations about waste dumping in the North West indicate the scale of waste crime and the threat it poses – in environmental damage, illegality, criminality and loss of revenue to the state.

The set of actions I have just outlined represent a wide ranging strategy to put waste crime front and centre in relation to criminality in Northern Ireland.

As I say, all of this requires a comprehensive response. This is why, in a separate streams of work, I have spoken with the Justice Minister, David Ford and senior PSNI in recent times to press home the need for the fullest, comprehensive, co-ordinated and decisive response to the threat. The threat of waste crime and the organised criminality involved means that the crime and assets agencies must treat this threat as a priority. Since early June, the levels of engagement and joint effort have grown significantly between the relevant organisations. This is needed, and more is needed.

The focussed and extensive actions by my Department are critical for success in eliminating environmental crime, but on their own they are not enough. A co-ordinated and powerful response from all agencies is needed and this is a further urgent element of work that I have said we need to take forward together. I shall be working to achieve this wider approach, essential to address the threat of organised crime.

In conclusion, let me re-emphasise what I have been saying over recent weeks. I have been speaking of the threat of organized criminality on the island. The volume of fuel laundering in recent months and the volume of unlawful disposal of waste revealed last month has been the reason.

## Health, Social Services and Public Safety

### Dental Hospital Inquiry Report

*Published at 12.00 noon on 22 July 2013*

**Mr Poots (The Minister of Health, Social Services and Public Safety):** I wish to make a statement to the Assembly to advise members of the full publication of the report of the statutory inquiry into the oral medicine service at the Royal Victoria Hospital's dental hospital and the associated action plan, coordinated by my Department, to address the recommendations of that report.

On 28 June 2011, when I made my statement to the Assembly on the findings of the statutory inquiry into the oral medicine service at the Royal Victoria Hospital's dental hospital and how these would be addressed, I placed the executive summary of the report, including all 45 recommendations, in the Assembly Library. I was unable at that time to provide the full report as it contained issues that were subject to regulatory processes that were not complete.

The Inquiry has now submitted a final version of its report to me and I am placing on my Department's website to-day a copy of the full Dental Hospital Inquiry Report and the associated DHSSPS Action Plan to address the recommendations of the report. Most of the 42 action points in the plan have already either been completed in full or in part. Only a small number have yet to be fully implemented. It is envisaged that all the actions should be completed or on-going by September 2014.

I wish to extend my gratitude to Mr Brian Fee QC, and his team for the comprehensive report they provided to me. This highlights that there were serious deficiencies in the quality of care provided by the Oral Medicine Department of the Dental Hospital and Belfast HSC Trust to the patients recalled, which did impact adversely on the health of some. This should not have happened and I want to ensure that it never happens again.

I hope that implementation of the Action Plan will help address the concerns that this incident has raised and that it improves public confidence in the Belfast Dental Hospital that lessons have been learnt and services are now managed in such a way to ensure patient safety and the best possible quality of services.

# Office of the First Minister and deputy First Minister

## Investment Strategy for Northern Ireland 2011-21

*Published at 9.30 am on Wednesday 24 July 2013*

**Mr P Robinson (The First Minister) and Mr M McGuinness (The deputy First Minister):** This statement is to update the Assembly on progress with the Investment Strategy for Northern Ireland 2011-21.

We launched the latest iteration of the Executive's Investment Strategy in October last year, covering the years 2011-21. This Strategy builds on the record level of investment delivered by the Executive since 2008, which has seen new roads, schools, hospitals, and other infrastructure assets delivered right across the region. It underlines our continued determination to secure the physical infrastructure we need to help deliver first-class public services, to regenerate our communities and to help our economy return to growth. The Strategy is informed by, and helps to support, our Programme for Government objectives and targets. It plays an important role too in delivering the infrastructure we need to support our Economic Strategy – building on the high quality jobs we have already attracted here by making this region a more competitive and attractive destination for inward investment. Delivering the Investment Strategy is also helping to support jobs in the hard-pressed construction industry – with the majority of contracts being won by local companies using local labour and materials.

The Investment Strategy covers a 10-year time frame, but is sufficiently flexible to respond to developments in policy and the wider economic context. For example, our recent statement on Together: Building a United Community commits us to invest substantial capital funds in shared education campuses, regeneration of urban villages and shared neighbourhood developments.

One of the benefits of the Investment Strategy is that it allows us to look back and assess our progress.

In the financial year 2012/13, some £1.3 billion was invested in capital infrastructure projects across the region, including approximately:

- £250 million under the **Networks** pillar;
- £130 million under the **Skills** pillar;
- £325million under the **Health** pillar;
- £240 million under the **Social** pillar;
- £175 million under the **Environment** pillar;
- £100 million under the **Productive** Pillar;
- £80 million under the **Justice** pillar.

During 2012/13 and the current financial year a number of important capital projects or programmes were completed. These included:

### Networks:

- New park and ride facilities at Millbrook near Larne and at Antrim and Ballymoney Stations.
- Completion of delivery of new trains and a new Train Care Maintenance and Stabling facility at Adelaide.

- Track Safety improvements work on the Coleraine to Derry-Londonderry Line and Phase One of the track renewal project.
- Completion of the upgrade of Portadown Railway Station.
- 87 new Goldliner coaches entered service, which has resulted in improved services and a 6% increase in Goldline passenger journeys.
- Major improvements on the A32 at Shannaragh were completed in March 2013 and at Cherrymount Link in June 2013. Both schemes will significantly improve traffic flow and journey times.

### Skills

- Delivery of new and refurbished schools, including St Mary's Primary School, Newcastle, Torbank Special School, Dundonald, Bangor Grammar School, Magherafelt Primary and Nursery School, St Columba's Primary School, Straw, and Lagan College, Belfast and progress is being made with 18 more new build capital schools projects. Arvalee Special School which has been destroyed by arson has been accommodated on temporary classrooms and will have priority for a new school on the Lisanelly site.

### Health

- The opening of the £276 million South West Acute Hospital in Enniskillen on time and to budget and completion of the Grangewood Mental Health and Crisis Unit, a new 30 bed acute mental health inpatient unit in Derry-Londonderry.
- Opening of the Northern Ireland Molecular Pathology Lab (NI-MPL) and Northern Ireland Biobank (NIB), in association with Queen's University Belfast.
- The new Emergency Department at Antrim Area Hospital was official opened last week. In addition, Northern Ireland's First Sexual Assault Referral Centre was completed on the Antrim Area Hospital Site by the Department of Health, Social Services and Public Safety in partnership with the Police Service of Northern Ireland.
- Substantial completion of three further capital developments representing an aggregate investment in the Health and Social Care Estate of circa £160million.

### Social

- In excess of £160 million was invested in social housing. Schemes completed during the year include: Ballymacoss Hill, Lisburn (£12.5m), Tesco Site, Broadway (£7.5m), and Bligh's Lane, Derry-Londonderry (£6m). A further 40 social housing schemes completed during the year.
- Opening of the Olympic size swimming pool in Bangor.
- The completion of 'The Venue', Ebrington marked a milestone in the transformation of the site and in Derry-Londonderry's preparations for the City of Culture 2013 and associated events programme.
- The Metropolitan Arts Centre (MAC) in Belfast's Cathedral Quarter was officially opened in April 2012.



## Environment

- Upgrade to or replacement of waste water treatment facilities at Carnmoney, Keady, Tullygarley and Brockagh Terrace and construction of a new pumping station for the Newtownards area.
- Other environmental measures such as flood alleviation and waste management.

## Productive

- Opening of the Giant's Causeway Visitor Centre and a further £6million investment in improving the region's tourism offering.
- Almost £2 million was invested in the Walled City Programme and Lighting in preparation for hosting the inaugural City of Culture.
- Over £35 million of enterprise support was offered to Invest NI clients.
- Over £30 million investment in the Rural Development and Primary Industries including significant processing and marketing, fisheries and woodland grants and the completion of a £2.5million new dairy unit and office block at Greenmount College, Antrim.

## Justice

- Investment of £30million in new police vehicles.

The Strategy also gives structure and direction to the ongoing delivery of projects and the Executive is on track to invest more than £5 billion in infrastructure projects during the current budget period to March 2015. Since the publication of the Strategy we have benefitted from additional allocations of capital and borrowing flexibility. As a result we are now in a better position to deliver the £8 billion of capital investment that was originally set out in the Strategy for the period beyond 2014/15 and will aim to go further, improving on this. Recent agreements as set out in the joint document 'Building a Prosperous and United Community' and in the Chancellor's recent Spending Round 2013 announcement will allow us to further review our infrastructure investment plans to ensure that the maximum possible capital is spent.

A significant number of projects are also currently in the process of being delivered or are in the pipeline, for example:

- Regional Sports stadia at Ravenhill, Casement Park and Windsor Park.
- New build schools projects plus the new shared campus projects at Lisanelly.
- Significant road improvement schemes.
- Ongoing regeneration work at Maze Long Kesh and Ebrington.
- The Bank Square regeneration project in Belfast and planning for the major Royal Exchange scheme.
- Significant investment in social housing.
- Health and care centres in Banbridge and Ballymena, plus two revenue funded primary healthcare hubs in Newry and Lisburn.
- A new Royal Maternity Hospital and new Regional Children's Hospital and work at Omagh Local Hospital and the Northwest Radiotherapy Unit.

- In 2012/13 investment of £160 million in water and waste water was delivered and a similar level of investment is expected in 2013/14.
- A new Community Safety College at Desertcreat and the Forensic Science Laboratory Services Accommodation project.
- A new accommodation block at Maghaberry prison.

The Strategy also allows us to plan ahead so that projects are progressed at the correct rate to take advantage of capital funding when it is available. This planning is dynamic to allow us to respond to changes in priorities and policies, unavoidable delays in certain projects and changes in the level of capital funding available.

Since the launch of the Investment Strategy the Executive has been able to announce a number of additional capital projects. In January 2013 the Education Minister announced that he was making an additional £220 million available to advance planning for a further 22 primary and post-primary new build schools. The intention is that these projects will be ready to make full use of any additional capital funding available in the next budget period. The Executive also committed to part-funding a new gas infrastructure in the West with an input of some £32.5 million – potentially leveraging a total investment of some £200 million.

Effective investment is not just about quantity. In times when budgets are tight it is even more important that we make good investment decisions that provide the maximum possible benefit for every pound spent. To this end, world-class collaborative research is ongoing between the Strategic Investment Board and Queens University on new strategic infrastructure planning models. These tools will help to ensure we deliver the right assets in the right place by providing the best information possible to inform investment decisions. It is innovation like this that will set our Investment Strategy apart – an intelligent strategy driven by evidence of what works best.

We are also continuing to examine models that will allow us to accelerate investment in infrastructure by using revenue funds in addition to capital funds. These revenue funded approaches can be used where they are affordable, offer value for money and do not undermine the future delivery of frontline services. The Minister for Health, Social Services and Public Safety recently announced two revenue funded projects to deliver integrated primary healthcare hubs for the people of Lisburn and Newry. The acceleration of these projects will allow some of the important changes set out in Transforming Your Care to take place.

All of this investment not only allows us to deliver high-class and efficient public services but supports the re-balancing of our economy by creating the physical and educational environment which supports expansion of our own businesses and attracts inward investment. Investment in infrastructure and other public works delivered by the Executive is estimated to support some 30,000 jobs per year, more through the filtering of wages out into the wider economy and many more through creating the right environment to grow and attract businesses."

The Executive values the support of the business community and is working with sector representatives to ensure that small and medium size enterprises across

the region are helped to bid for public works. To ensure that everyone has the chance to contribute, departments now publish comprehensive up-to-date information on all planned capital works funded under the Investment Strategy. This information is freely available on the Executive's Investment Strategy website, [www.isni.gov.uk](http://www.isni.gov.uk).

We are determined to maximise the impact on jobs of every pound invested in order to speed up economic recovery and when it is appropriate, departments will seek to bring forward investment in those public works that are more labour intensive in preference to schemes that would deliver a lower employment impact.

A modern, user-focused infrastructure is critical to our future success. Improving quality of life and job opportunities for our people requires continued investment in essential infrastructure – and we are pleased to report progress so far to this Assembly and look forward to the increased investment which we can deliver as a result of recent economic announcements.

## Justice

### Appointment of a Speech and Language Therapist to the Youth Justice Agency

*Published at 12:00 noon on Thursday 12 September 2013*

**Mr Ford (The Minister of Justice):** The Youth Justice Agency has been involved in an ongoing programme of work with the Royal College of Speech and Language Therapists (RCSLT) to develop support mechanisms for young people with speech, language and communication issues within the youth justice system.

A key element of this programme has been the successful piloting within the Agency's Lisburn Area Office and Woodlands Juvenile Justice Centre of an e-learning tool which had been developed by the RCSLT. An evaluation of the six month pilot published by the RCSLT in April 2013 found that 79 of the 147 (54%) young people who were assessed were identified as having communication needs. The RCSLT and the Youth Justice Agency have recognised the need for this to be addressed through the provision of speech and language therapy.

In response to this clearly identified need, I have **authorised the appointment of a dedicated Speech & Language Therapist resource for the Youth Justice Agency based at Woodlands Juvenile Justice Centre.** This temporary post will be funded by the Youth Justice Agency although the appointee will be recruited and managed via a secondment arrangement with the South Eastern Health & Social Care Trust. It is hoped to have this service up and running by the end of this calendar year.

This appointment will help to ensure that young people within the youth justice system who have speech, language and communication issues will have those needs identified at an early stage and will be offered specialised support to help them better understand their surroundings and engage more effectively in programmes to address their offending behaviour.

# Office of the First Minister and deputy First Minister

## Bright Start: The Executive's Programme for Affordable and Integrated Childcare (A Strategic Framework and Key First Actions)

*Published at 10:00 am on Wednesday 25 September 2013*

**Mr P Robinson (The First Minister) and Mr M McGuinness (The deputy First Minister):** At the start of December last year, we launched a three-month public consultation on the Childcare Strategy. We received dozens of written submissions from a range of individuals, groups and organisations, and from our own Assembly Committee. We also heard the opinions of the people who attended the public events organised by us and the events organised by the main childcare stakeholders. We have heard from people in rural areas, and those in towns and cities. We have heard the opinions of childcare providers and specialists; the views of parents; and the views of the children themselves.

Consultation has made us all the more aware that many people cannot access the type of childcare they want. It has made it clear to us that many people here need more information about the types of childcare available if they are to find the form of care that meets their needs and the needs of their children. Finally, consultation has brought home to us the extent to which many people here struggle to meet the costs of childcare.

Based on the emerging priorities from the consultation process, Bright Start has been developed, including a range of key early actions to help us deliver our vision for childcare.

Bright Start sets out the strategic direction of the Childcare Strategy and lists a number of key first actions that will be put in place to address the main priorities identified during public consultation, including:

- a shortage of childcare provision, notably in rural areas and for the key age group 4-14;
- support for children with disabilities;
- a lack of information on childcare provision;
- the high cost of childcare services; and
- the need for clear, departmental accountability for the Childcare Strategy.

Bright Start states that the long-term vision of the Childcare Strategy is to create a joined-up sustainable service, supporting development needs and positive changes for children. These key first actions attempt to address the provision of childcare services and the cost, quality and accessibility of those services.

The performance of these actions will be monitored and this process will allow further engagement to take place with key stakeholders to enable us to publish the final Childcare Strategy in 2014.

The key first actions are as follows:

We will create or sustain some 6,000 new affordable school-age childcare places – childcare for the 4-14 age group. We will achieve this through a combination of new provision and support for existing childcare providers.

Across the region, we will pilot a new approach to wrap-around care in the schools estate based on initial funding to create a minimum of 2,000 places. This could potentially rise to 3,000 places dependent on demand. We will also support the expansion and creation of 3,000 affordable places within a social enterprise model in areas in the 25% most deprived wards.

To address further the needs of rural areas, we will support, on a phased basis, a Rural Childminder Start-Up Package creating up to an additional 1,000 childminder places in rural areas. We will reinforce the above programme through supporting locally based transport schemes in rural areas, servicing networks of childminders in rural locations.

We will fund two further phases of the DHSSPS-led pilot – Improving Outcomes for Disabled Children – already underway through the Childcare Fund – which provides small capital grants enabling registered childcare settings to adapt to cater for children with a disability reinforced by training provision.

We will implement a range of improvements to the Family Support Website ([www.familysupportni.gov.uk](http://www.familysupportni.gov.uk)) to enhance it as a central source of information on childcare and providers operating at local levels.

We will develop a social media application (App) to provide better search functionality, more information channels and ultimately better and more accessible information at the touch of a button for parents.

Within the framework of the Executive's position on advertising, we will seek to promote both of the above through a publicity campaign which will also explain the benefits of registered childcare and the risks of unregistered childcare so that parents can make informed choices.

Again, within the framework of the Executive's position on advertising, we will seek to promote the financial assistance available to the many parents who find the costs of childcare a challenge, with the explicit aim of increasing uptake. This may involve an awareness-raising campaign and associated practical advice for the two forms of financial assistance currently available through the tax and benefits system to help parents with the affordability of childcare.

We will support a training programme to improve and enhance skill across the workforce.

We will work with other programmes to ensure good quality training of unemployed people as a pathway to work in childcare.

We will seek to align and promote existing initiatives to enhance the skill base and support continuing professional development in the childcare sector.

We will support initiatives to encourage greater diversity in the childcare workforce – with particular reference to males and individuals from ethnic minority communities.

We will establish a Childcare Strategy Management Forum that will meet quarterly to scrutinise and review how the early actions are being implemented. Departments with a policy interest in childcare – OFMDFM, DE, DHSSPS, DSD and DEL – will participate on the Management Forum. Local and stakeholder opinion will be represented through the Childcare Partnerships.

Conscious of public demand that a single department take the lead for childcare policy, we will agree a department that can fulfil this role and chair the Management Forum.

These first actions have been developed in line with priorities that have emerged through responses to the consultation document *Towards a Childcare Strategy* issued in December 2012. The consultation process sought views from the public, the childcare sector, parents and children in relation to childcare needs, priorities and issues. Views were obtained via a range of consultations, public meetings, workshops and written responses from stakeholders.

The first actions have also been informed by research reports and studies undertaken by the childcare sector in recent years and OFMDFM commissioned research involving parental and childcare provider surveys to statistically analyse childcare needs and parental preferences and to provide a robust evidence base to prioritise and target actions in specific thematic areas.

The first actions build on what already exists (by way of capacity, interventions and physical facilities) and aim to better join-up and improve this provision. We envisage that these actions will be implemented together, as a package, in order to maximise their impact on the accessibility, quality and affordability of childcare provision.

Some of the first actions are pilot projects designed to further refine and test uptake by parents, with a view to potential expansion thereafter. Other actions are designed to improve information in relation to childcare in order to improve parental choice and accessibility of childcare and therefore are permanent interventions.

Childcare is a critical enabler to help parents into work, move families out of poverty and help to break the cycle of inter-generational deprivation. Good quality childcare, which provides positive experiences and promotes children's opportunities to develop, is also potentially a building block for a stable and prosperous future for individuals, for families and for communities.

We are delighted, therefore, to be able to launch today *Bright Start: the Executive's Programme for Affordable and Integrated Childcare (A Strategic Framework and Key First Actions)*

## Health, Social Services and Public Safety

### Child Exploitation in Northern Ireland

*Published at 4.00 pm on Wednesday 25 September 2013*

**Mr Poots (The Minister of Health, Social Services and Public Safety):** A range of actions have been taken by my Department and the HSC sector to strengthen our protection of children and young people. In 2012, I established the Safeguarding Board for NI to support and promote effective interagency co-operation in safeguarding children. The SBNI had identified child sexual exploitation and developed an action plan to address this.

I have initiated two joint roundtable meetings with the Minister of Justice and key stakeholders this year to discuss our shared commitment to improving the lives of young people in NI through better supports for families, earlier interventions when difficulties first emerge and partnership working between the police and social services in tackling all forms of child abuse, including child sexual exploitation.

This commitment is reflected in a number of developments including the co-located team currently investigating child sexual exploitation and the investment of my Department, along with other Departments, to an Early Intervention Fund. I have also made additional investment into specialist services such as the establishment of the Sexual Assault Regional Centre which opened this year as well as the extension of existing services targeted specifically at children and young people including Children and Adolescent Services and Drug and Alcohol services.

Working with vulnerable children is undoubtedly one of the most challenging jobs there is and I am committed to supporting staff in undertaking this work, particularly those working with children who, for whatever, reason are in our care. I want to ensure that we have the most effective system of care in place that will provide young people with the stability and security they need and I will consider any changes that may be necessary to achieve this, including legislation if required.

I have directed the Safeguarding Board for Northern Ireland to undertake a thematic review of the cases that triggered the investigation in order to identify the learning from the management of those cases to inform and improve future practice.

Also, the Minister for Justice and I are setting up an independent expert-led Inquiry into child sexual exploitation in NI. I would hope that we have the full support of all parties in this endeavour, particularly those other Departments whose work substantively impacts on the lives of children and young people.

You will all be aware of recent media coverage on this matter. While the police have indicated that this investigation began with a focus on a number of young people from care they have clearly indicated that this is an issue affecting the lives of many more children living at home in the community. This is supported by evidence in the Barnardo's report 'Not a world away' and from other studies across the UK.



Judging from the public reaction to this issue I know that many, including those in this house, share with me a sense of disbelief and horror that this is happening in our society. People are also asking, and rightly so, valid questions about whether everything that can be done, is being done, to prevent, tackle and disrupt the sexual exploitation of children and young people.

It is clear to me from listening to those who work in this area that the understanding about this issue, how it can happen and how it can be stopped is developing all the time. Throughout the UK all governments, academics, professionals, the public, service providers and frontline staff are working to better understand and respond to this devastating form of sexual abuse which violates, humiliates and, in many instances, traps children into a cycle of harm.

This is the reason why I, and the Minister for Justice, have agreed to set up an independent expert-led Inquiry here to be supported and facilitated jointly by the Regulation and Quality Improvement Authority and Criminal Justice Inspectorate of NI. We are also open to the involvement of the Education and Training Inspectorate.

The proposed remit of this Inquiry will be to:

- examine the nature and extent of child sexual exploitation in Northern Ireland in conjunction with relevant agencies and stakeholders;
- determine the most pertinent issues that need to be addressed that can help to prevent, tackle and disrupt CSE;
- examine the effectiveness of current measures aimed at tackling, preventing and disrupting CSE; and
- consider the effectiveness of measures to secure the safety and wellbeing of children in care, including those at risk of CSE;
- make recommendations on what needs to be done in HSC and Justice to improve the effectiveness of these measures: and
- highlight actions that should be taken by other Departments and their agencies, including the education sector, to prevent the risk of CSE, identify children at risk of CSE and support the work the HSC and Justice agencies.

The remit is wide-ranging and not confined to children in the care system. It is intended to address both broad concerns regarding child sexual exploitation and current responses to it as well as specific concerns about the protection of children in care.

I can assure Members of my commitment and the commitment of Minister Ford to respond to the recommendations emerging from this Inquiry. I have no doubt that the recommendations will be wider reaching than justice and health and social care.

It is our intention the Inquiry will be undertaken in conjunction with a wide range of agencies and stakeholders in NI, including the Safeguarding Board for NI who bring together many of the agencies involved in working with and safeguarding children.

I will provide a further statement to the Assembly when the independent expert to lead the Inquiry has been confirmed.



# Committee Stages





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# Northern Ireland Assembly

Committee for Health, Social Services and Public Safety

25 September 2013

## Tobacco Retailers Bill [NIA 19/11-15]

### Members present for all or part of the proceedings:

Ms Maeve McLaughlin (Chairperson)  
Mr Roy Beggs  
Mr Mickey Brady  
Ms Pam Brown  
Mr Gordon Dunne  
Mr Samuel Gardiner  
Mr Kieran McCarthy  
Mr David McIlveen

**The Chairperson:** I refer Members to the paper from the Committee Clerk, which provides a summary of the Committee's position to date on all the clauses. I refer Members to a letter from the Minister about a revised amendment at clause 4. We have an updated black and red copy of the Bill, which is in hard copy for Members. I will hand over to the Committee Clerk to brief the Committee.

**The Committee Clerk:** Thank you, Chair. On the table is the letter from the Minister with the revised red and black copy of the Bill. Members will recall that, at its meeting on 11 September, the Committee asked whether a retailer that was on the register and was subsequently convicted of an illicit tobacco offence resulting in a custodial sentence, whether suspended or not, would be automatically then removed from the register. The Department agreed to consider the issue and to report back to the Committee on 18 September. So, last week, on 18 September, the Department advised that it was content to draft an amendment on that issue. It has now provided the wording of the amendment, which will be clause 4(2)(b). The Department agreed to the Committee's suggested amendment and has provided the wording of that amendment.

**The Chairperson:** Are members generally content with the Department's proposal to amend clause 4 in that way?

**Mr Beggs:** May I have some more time to study this, please?

**The Chairperson:** Certainly.

Are members content?

*Members indicated assent.*

**The Chairperson:** I remind members that this is the formal clause-by-clause consideration of the Bill, so it is a vital and essential part of the process and of our duties. It is also the final opportunity for the Committee to propose

amendments to the Bill. I want to make sure that we are clear on that.

As a result, I will formally put the Question after each clause. The Committee is required to vote that it is content with the clause; content with the clause subject to the Department's amendment; is not content and wishes to amend the clause; or that it is not content and wishes to oppose the clause. I say that just so that members are clear on that. I ask members to keep the black and red copy of the Bill in front of them as we go through the clauses.

### **Clause 1 (Register of tobacco retailers)**

**The Chairperson:** This clause provides for the creation of a register of tobacco retailers. The Department is proposing an amendment to allow for a single body, the registration authority, to maintain the register. The Committee indicated that it was generally content with the clause and the proposed amendment.

*Question, That the Committee is content with the clause, subject to the proposed amendment, put and agreed to.*

### **Clause 2 (Application for registration)**

**The Chairperson:** The clause sets out the arrangements for registration. The Department is proposing an amendment so that a person who has been convicted of an illicit tobacco offence resulting in a custodial sentence, suspended or not, shall not be allowed to register as a tobacco retailer for five years from the date of the conviction. The Committee was generally content with the clause and the proposed amendment.

*Question, That the Committee is content with the clause, subject to the proposed amendment, put and agreed to.*

### **Clause 3 (Duty to notify certain changes)**

**The Chairperson:** The clause deals with the duty to notify changes to the register. The Department proposed an amendment to change the notification period from three months to 28 days. The Committee indicated that it was generally content with the clause and the proposed amendment.

*Question, That the Committee is content with the clause, subject to the proposed amendment, put and agreed to.*

**Clause 4 (Changes to and removal from the Register)**

**The Chairperson:** The Department has proposed an amendment that will allow for a retailer who was on the register and was subsequently convicted of an illicit tobacco offence resulting in a custodial sentence, suspended or not, to be removed from the register. The Committee indicated that it was content with the clause and the proposed amendment.

*Question, That the Committee is content with the clause, subject to the proposed amendment, put and agreed to.*

**Clause 5 (Inspection of the Register)**

**The Chairperson:** The Department proposes to remove clause 5, given that the amendment to clause 1 will mean that the public can access the register from the registration authority. The Committee indicated that it was generally content. Is the Committee content to oppose clause 5 as a consequence of the departmental amendment to clause 1?

*Question, That the Committee is content to oppose the Question that the clause stand part, put and agreed to.*

**Clause 6 (Access by Department and councils to the Register)**

**The Chairperson:** The Department proposes to remove clause 6, given that it has proposed an amendment to clause 16 to allow for information on convictions, fixed penalty notices, restricted sales and restricted premises orders to be shared between councils, the registration authority and the Department. Again, the Committee indicated that it was generally content with that.

*Question, That the Committee is content to oppose the Question that the clause stand part, put and agreed to.*

**Clause 7 (Restricted premises orders)**

**The Chairperson:** The Department has proposed an amendment that will mean that three offences in five years will result in a restricted premises order; the minimum period of a restricted premises order will be 28 days, and the maximum period will be three years; and illicit tobacco offences will be included as relevant tobacco offences for restricted premises and restricted sales orders. Again, the Committee indicated that it was generally content with that.

*Question, That the Committee is content with the clause, subject to the proposed amendment, put and agreed to.*

**Clause 8 (Restricted sale orders)**

**The Chairperson:** The Department has proposed an amendment to clause 8 that will mean that three offences in five years will result in a restricted sales order and that the minimum period of a restricted sales order will be 28 days, and the maximum will be three years. Again, the Committee indicated that it was generally content with the clause and the proposed amendment.

*Question, That the Committee is content with the clause, subject to the proposed amendment, put and agreed to.*

**Clause 9 (Appeal against the making of an order under section 7 or 8)**

**The Chairperson:** The Department has proposed an amendment to clause 9 to require premises subject to a restricted premises order to display a sign and to require premises subject to a restricted premises order to remove

tobacco from the retail area. The Committee indicated that it was content with the clause and the amendment.

*Question, That the Committee is content with the clause, subject to the proposed amendment, put and agreed to.*

**Clause 10 (Offences)**

**The Chairperson:** The Department has proposed an amendment to clause 10 to create an offence for failing to display a notice if subject to a restricted premises order and to create an offence for failing to remove tobacco products from the retail area if subject to a restricted premises order. Again, the Committee indicated that it was content with the clause and the proposed amendment.

*Question, That the Committee is content with the clause, subject to the proposed amendment, put and agreed to.*

**Clause 11 (Enforcement by councils)**

**The Chairperson:** The Department proposes to remove clause 11 because it is no longer necessary because of the amendments to clauses 12 to 16. Again, members indicated that they were content with that.

*Question, That the Committee is content to oppose the Question that the clause stand part, put and agreed to.*

**Clause 12 (Powers of entry)**

**The Chairperson:** The Department has proposed an amendment to consolidate in one place in the Bill all the enforcement provisions on powers of entry, fixed penalty notices and obstruction of officers. Again, the Committee indicated that it was generally content with that.

*Question, That the Committee is content with the clause, subject to the proposed amendment, put and agreed to.*

**Clause 13 (Fixed penalties for certain offences)**

**The Chairperson:** The Department has proposed an amendment to the clause to allow for fixed penalty notices to be issued for sales from vending machines selling unpackaged cigarettes and for failure to display a warning notice. Again, the Committee indicated that it was generally content with the clause and the proposed amendment.

*Question, That the Committee is content with the clause, subject to the proposed amendment, put and agreed to.*

**Clause 14 (Use of fixed penalty receipts)**

**The Chairperson:** The Department has not proposed any amendments. The Committee indicated that it was generally content with the clause.

*Question, That the Committee is content with the clause, put and agreed to.*

**Clause 15 (Withdrawal of fixed penalty notices)**

**The Chairperson:** The Department has not proposed any amendments. The Committee indicated that it was generally content with the clause.

*Question, That the Committee is content with the clause, put and agreed to.*

**Clause 16 (Obstruction, etc. of authorised officers)**

**The Chairperson:** The Department has proposed an amendment to the clause to increase the fine for

obstructing an officer from level 3, which is £1,000, to level 5, which is £5,000. The amendment also requires every council to make information on fixed penalty notices, convictions, restricted premises orders and restricted sales orders available to every other council, the registration authority and the Department. Again, members indicated that they were generally content with that. Is the Committee content with clause 16, subject to the proposed departmental amendment?

*Question, That the Committee is content with the clause, subject to the proposed amendment, put and agreed to.*

#### **Clause 17 (Offences by bodies corporate)**

**The Chairperson:** The Department does not propose any amendments, and, again, the Committee has indicated that it is content with the clause.

*Question, That the Committee is content with the clause, put and agreed to.*

#### **Clause 18 (Amendment of the Order of 1978)**

**The Chairperson:** The Department proposes an amendment to clause 18 to increase the fine for selling to under-18s from a level 4 fine of £2,500 to a level 5 fine of £5,000. The amendment also creates an offence of proxy purchasing. Again, the Committee indicated that it was generally content. Is the Committee content with clause 18, subject to the proposed departmental amendment?

**Mr Beggs:** Just for clarification, we are largely removing a lot of what was originally in clause 18. Will you just clarify where the amendment, as explained, occurs? Is that just reflecting changing the fine from level 4 to level 5? It is all right — I see it now.

**The Chairperson:** Are you OK? Does that clarify it for you?

**Mr Beggs:** It is OK.

**The Chairperson:** OK. Thank you.

*Question, That the Committee is content with the clause, subject to the proposed amendment, put and agreed to.*

#### **Clause 19 (Statutory charges)**

**The Chairperson:** The Department does not propose any amendments to the clause. The Committee again indicated that it was generally content.

*Question, That the Committee is content with the clause, put and agreed to.*

#### **Clause 20 (Vehicles, vessels, etc.)**

**The Chairperson:** The Department is not proposing any amendments, and again members indicated that they were content with the clause

*Question, That the Committee is content with the clause, put and agreed to.*

#### **Clause 21 (Service of notices in electronic form)**

**The Chairperson:** The Department is not proposing any amendments. I remind members that they were generally content.

*Question, That the Committee is content with the clause, put and agreed to.*

#### **Clause 22 (Interpretation)**

**The Chairperson:** The Department proposes a technical amendment to the clause. I remind members that the Committee indicated that it was generally content with the clause and the proposed amendment.

*Question, That the Committee is content with the clause, subject to the proposed amendment, put and agreed to.*

#### **Clause 23 (Transitional provision)**

**The Chairperson:** The Department again proposes a technical amendment to the clause. The Committee indicated that it was generally content with the clause and the proposed amendment.

*Question, That the Committee is content with the clause, subject to the proposed amendment, put and agreed to.*

#### **Clause 24 (Regulations and orders)**

**The Chairperson:** The Department does not propose any amendments. I remind members that the Committee was generally content with the clause.

*Question, That the Committee is content with the clause, put and agreed to.*

#### **Clause 25 (Commencement)**

**The Chairperson:** The Department is not proposing any amendments, and I remind members that they were generally content with the clause.

*Question, That the Committee is content with the clause, put and agreed to.*

#### **Clause 26 (Short title)**

**The Chairperson:** The Department is not proposing any amendments to the clause. I remind members that the Committee indicated that it was generally content with the clause.

*Question, That the Committee is content with the clause, put and agreed to.*

#### **Long Title**

**The Chairperson:** The Department proposes an amendment to the long title to reflect the increased scope of the Bill as a result of the various proposed amendments.

*Question, That the Committee is content with the long title, subject to the proposed amendment, put and agreed to.*

**The Chairperson:** Thank you, members, for your cooperation.





# 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.



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# Northern Ireland Assembly

Thursday 11 July 2013

## Written Answers to Questions

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

#### Public Participation in Departmental Consultations

**Mr G Robinson** asked the First Minister and deputy First Minister to outline the measures taken to ensure maximum public participation in departmental consultations.

(AQO 3831/11-15)

**Mr P Robinson and Mr M McGuinness (The First Minister and deputy First Minister):** The Department maintains a central list of stakeholders which is used for all consultations. It is for lead policy officials to determine the most appropriate way to highlight forthcoming consultations and to encourage broad levels of participation. Typically these measures include letters or e-mails to the stakeholders; adverts in the general press and specialist press of affected groups; updates on NI Direct websites and direct invitations to key groups to respond to upcoming consultations.

Public consultation events are held in a variety of venues and areas at different times of day and evening to afford everyone an opportunity to take part.

Copies of consultation documents are usually made available in a range of languages; large font versions and easy-read formats. Braille and audio versions can also be produced as required.

#### Together: Building a United Community

**Mr Hussey** asked the First Minister and deputy First Minister how the Together: Building a United Community Strategy will be funded, given the over-commitment already in their departmental budget.

(AQO 4238/11-15)

**Mr P Robinson and Mr M McGuinness:** Details on the proposals for funding for the delivery of the actions and targets contained in Together: Building a United Community will be made in due course.

We have established design groups for each of the seven headline actions and these will produce implementation plans with indicative costs.

#### Social Investment Fund

**Mr Givan** asked the First Minister and deputy First Minister for an update on the plans to deliver projects through the Social Investment Fund.

(AQO 4239/11-15)

**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 submitted final area plans, encompassing 89 prioritised projects aimed at addressing the key objectives of the Fund. Project proposals total in excess of £100m which exceeds the amount available under the Fund.

The final plans are now subject to a quality assurance review, including the completion of the economic appraisal process for each proposed project. This process is assessing the individual projects within the plans against set criteria to ensure the most robust projects are recommended, to maximise impact on the ground.

Following the appraisal process, we will then move into the mainstream delivery phase of Social Investment Fund.

#### Children and Young People: Ten-year Strategy

**Mr Agnew** asked the First Minister and deputy First Minister, pursuant to AQW 23502/11-15, (i) how an assessment of the progress achieved over the period of the Ten Year Strategy for Children and Young People post 2016 will be carried out, given that the strategy did not run its full course; and (ii) what actions are contained within the Children and Young Persons Early Action document to deal with the high level outcomes of the Ten Year Strategy for Children and Young People, specifically

programmes relating to (a) Being Healthy; Enjoying, learning and achieving; (b) Living in safety and with stability; (c) Experiencing economic and environmental well-being; (d) Contributing positively to community and society; and (e) Living in a society which respects their rights.

**(AQW 24641/11-15)**

**Mr P Robinson and Mr M McGuinness:** When we come to consider any successor to the Ten Year Strategy account will be taken of progress of the current strategy to that point in time. The Ten year Strategy will run its full course until 2016.

The Children and Young Persons Early Action Paper identifies the key immediate priorities for children and families. It focuses efforts and resources on a joined-up approach to tackling poverty and improving the lives and experiences of children and young people. In terms of actions, the delivery of the six Signature Programmes, through the Delivering Social Change Framework, includes provision for: additional teachers to promote numeracy and literacy, Family Support Hubs, Pathways to Employment for Young People, Children's Nurture Units and Parenting Support Programmes. Proposals for future Signature Programmes are under consideration. They will be complemented by some of the projects to be supported under the Social Investment Fund which have been identified by communities. These are intended to contribute to the outcomes framework within the Ten Year Strategy for Children and Young People (2006-16) and by their nature many will address multiple outcomes.

## Planning Expertise

**Mr Allister** asked the First Minister and deputy First Minister how many staff in their Department have planning expertise.

**(AQW 24676/11-15)**

**Mr P Robinson and Mr M McGuinness:** We do not hold information in relation to planning expertise within the Department.

## Hydraulic Fracturing

**Mr McKay** asked the First Minister and deputy First Minister, in light of the amendments to the Planning Bill which will bring aspects of planning under their remit, whether they have considered any planning proposals that relate to fracking.

**(AQW 24801/11-15)**

**Mr P Robinson and Mr M McGuinness:** No planning proposals have been considered.

## G8 Summit 2013

**Mr Spratt** asked the First Minister and deputy First Minister for their assessment of the G8 Summit 2013.

**(AQO 4414/11-15)**

**Mr P Robinson and Mr M McGuinness:** The G8 summit was a tremendous success for us because it generated very significant positive international coverage. We had eight of the world's leaders here, plus the presidents of the institutions of the European Union and leaders from other influential countries and organisations. We were able to engage with them directly to welcome them here and to discuss a number of our priorities, as well as how we might engage with those countries to progress those priorities. We spent time at Lough Erne speaking directly to the G8 leaders about a number of economic, trade and investment issues. We also discussed how we could maximise our science and technology expertise internationally and how we could contribute to stabilisation in areas through sharing our conflict resolution experience. We have been following up on those issues, and we are already seeing the benefits, with the G8 countries and others agreeing to participate in an economic conference later this year.

The G8 has enabled us to raise our profile internationally in a positive way. The world's media were able to see and report at first hand the infrastructure that we have that supports investment and the products and services that our companies can offer to other countries. Everyone who saw the TV and newspaper coverage of the events at Enniskillen will know that the surroundings, the countryside and even the weather were at their best. That will greatly help our international tourism message around the world.

We have all worked hard to ensure that a very positive image has been created internationally. We have made contacts and have discussed practical initiatives for the future that will provide long-term benefits. We now need to capitalise on that and to build a legacy that will increase our exports, bring in investment, enhance our technical skills and bring more people to visit us here. We have made a lot of friends internationally, and we need to maintain and develop those friendships.

We commend those campaigners who took part in the various protests throughout the North. We saw the first peaceful G8 happen here, and that sends a very positive message. We pay tribute to all those who were involved in the preparation and successful planning of the G8 event. Although some costs were associated with hosting this world event, the benefits will be greater in the medium and longer term.

We need to continue to tell our story internationally of how we have managed the transition from conflict to peace. The G8 gave us an opportunity to tell those leaders that we intend to continue to take our community forward in a peaceful and united way.



## Department of Agriculture and Rural Development

### Forests: Cycling

**Mr Ó hOisín** asked the Minister of Agriculture and Rural Development to detail the number of Forest Service managed forests that are available for use by cyclists.

**(AQW 24655/11-15)**

**Mrs O'Neill (The Minister of Agriculture and Rural Development):** My Department's forests provide great opportunities for cyclists with approximately 125kms of way-marked trails. These trails provide a variety of challenges and range in nature from leisure cycling to mountain bike trails. There are also 32 kilometres of Sustrans routes available on Forest Service land. These are part of a wider national network of cycle trails.

Forests available for use by cyclists include Castlwellan Forest Park, Rostrevor forest, Castleward forest, Gosford Forest Park, Castle Archdale forest, Florencecourt forest, Gortin Glen Forest Park, Muckamore forest, Garvagh forest, Bineveagh forest, Downhill forest, Learmount forest and Davagh forest.

Forest Service also facilitate various cycling events in other forests with event organisers responsible for identifying trails to be used and managing events through licence arrangements with Forest Service.

I am pleased that the range of facilities has been greatly enhanced during the last number of years through my Department's commitment to working in partnership with organisations and local government. This partnership approach has secured a more diverse range of facilities and attractions in our forests, for the benefit of our rural communities and for the enjoyment of present and future generations.

### Fishing: Aid Package

**Mr Frew** asked the Minister of Agriculture and Rural Development, following the Private Members' Motion Aid Package for Fishermen, which was debated in the Assembly on 17 June 2013, to outline her Department's plans to deliver urgently a meaningful package of assistance to fishermen.

**(AQW 24662/11-15)**

**Mrs O'Neill:** As you are aware some weeks ago I announced a range of measures worth some £740,000 to help the fishing industry adapt to the changing needs of the reformed Common Fisheries Policy. During the Assembly debate in the Assembly on 17th June I said that I said I would keep the matter of further financial assistance under review. Since then I have been giving careful consideration to further options for a strategic support package and on 4th July I announced three further elements of that package.

Firstly there is an immediate need to assist the industry with cash flow problems that are making it difficult for some vessels to get to sea. I will therefore make available short-term assistance to meet a proportion of operating costs associated with harbour dues. I estimate this scheme will be worth approximately £500,000. It will be paid during the summer and will be available to all active fishing vessels under 27 metres in length.

Secondly I will be examining the potential for a fisheries loan fund to improve access to funding which is often quoted as a constraint to taking up grant opportunities. Potentially all sectors of the industry – catching, aquaculture, processing and shore based support could potentially benefit from better access to finance and it could play an important role in helping the fishing industry diversify to exploit service opportunities for the offshore renewable energy industry. Thirdly, I will be bringing forward a further plan in the autumn to address the recommendations involving the fishing industry that are contained in the Agri-Food Strategy Board's report "Going for Growth". I want to insure that our fishing industry maximises its potential so that it will continue to play an important role in the economic life of the coastal communities in which it is based.

### Portavogie Fishing Fleet

**Miss M McIlveen** asked the Minister of Agriculture and Rural Development to outline the discussions that she or her officials have had with Portavogie fishermen since the Adjournment Debate on the challenges facing the fishing fleet in Portavogie, on 11 June 2013.

**(AQW 24721/11-15)**

**Mrs O'Neill:** Officials met with fishermen and representatives of the Portavogie Trawlermen's Trading Company on 28 June, and I met with Jim Shannon MP and Michelle McIlveen MLA on 1st July. At both meetings the case for assistance was made strongly.

You will be aware of the range of measures I announced some weeks ago, worth some £740,000 to help the fishing industry adapt to the new challenges that will flow from the reformed Common Fisheries Policy. I have been giving careful consideration to further options for a strategic support package and have announced three further elements of that package.

In the short term I have decided to make further immediate assistance available. This assistance will help the industry with the immediate cash flow problems that are inhibiting some vessels from getting to sea and will be based on a proportion of harbour dues paid. It will be available to all active fishing vessels under 27m in length and is estimated to be worth in the region of £500,000.

For the longer term I also want to address access to finance, which is often quoted by fishing industry representatives as one of the reasons why fishing businesses have not taken up grant opportunities. My Department will examine the need for intervention in the form of a loan fund. Potentially all sectors of the industry – catching, aquaculture, processing and shore based support could potentially benefit from better access to finance and it could play an important role in helping the fishing industry diversify to exploit service opportunities for the offshore renewable energy industry.

Finally, I will be bringing forward a further plan in the autumn to address the recommendations involving the fishing industry that are contained in the Agri-Food Strategy Board's report "Going for Growth". I want to ensure that our fishing industry maximises its potential so that it will continue to play an important role in the economic life of the coastal communities such as Portavogie.

## Ash Dieback

**Mr Weir** asked the Minister of Agriculture and Rural Development for her assessment of the number of trees that have been lost as a result of Ash Dieback disease.

(AQW 24734/11-15)

**Mrs O'Neill:** Since the first findings of ash die-back in the north were confirmed on 16 November 2012, the approximate number of ash trees subject to destruction notice is 70,000.

Further information on the disease and reporting finding is available on the Department's website at the following link <http://www.dardni.gov.uk/ash-dieback>

## Underspend

**Mr McQuillan** asked the Minister of Agriculture and Rural Development what was her departmental underspend in the last financial year.

(AQW 24757/11-15)

**Mrs O'Neill:** My department's provisional outturn underspend for the three main budgetary categories for 2012/13 was set out with that for all departments in the Minister for Finance and Personnel's 1 July Statement to the Assembly on this exercise and the 2013/14 June Monitoring Round. A summary of the DARD elements in this Statement is as follows:

	Final Plan £ million	Provisional Outturn £ million	Underspend £ million	Underspend %
Resource	207.9	207.8	-0.1	-0.1
Ringfenced Resource	12.4	12.1	-0.3	-2.6
Capital	22.3	22.0	-0.2	-1.1
<b>Total</b>	<b>242.6</b>	<b>241.9</b>	<b>-0.6</b>	<b>-0.2</b>

## Severe Weather: Fallen Cattle

**Mr McMullan** asked the Minister of Agriculture and Rural Development for a breakdown of the number of (i) beef; and (ii) dairy cattle that died as a result of the severe weather around Easter 2013, including those with or without offspring.

(AQW 24949/11-15)

**Mrs O'Neill:** The details of a total of 995 cattle have been forwarded for the Hardship Payment. These died as a result of the severe weather around Easter 2013. Of these 353 had offspring and 642 had not. DARD holds this information as categorised in the table at annex A.

(Statistics are correct as at 4/7/13 however subject to change as information is still being processed in relation to this event).

Dairy cattle < 3 mths	Beef cattle < 3 mths	Dairy or beef cattle 3-6 mths	Dairy or beef cattle 6-12 mths	Dairy or beef cattle 12- 18 mths without progeny	Dairy or beef cattle 18-48 mths without progeny	Dairy or beef cattle 48 + mths without progeny	Dairy cattle 12-48 mths with progeny	Beef cattle 12-96 mths with progeny	Dairy cattle 48 + mths with progeny	Beef cattle 96 + mths with progeny
311	92	31	66	34	83	25	10	152	67	124

## Calves: Registration

**Mrs Dobson** asked the Minister of Agriculture and Rural Development how many calves were newly registered on the Animal and Public Health Information System, in each month of the last three years.

(AQW 24965/11-15)

**Mrs O'Neill:** Over the last three financial years by month the following calves were registered on APHIS.

#### Birth Notifications

	2010/11	2011/12	2012/13
April	65,366	61,875	65,452
May	67,182	75,732	66,730
June	54,108	51,872	54,953
July	41,571	39,812	41,204
August	31,078	34,738	33,360
September	33,597	33,532	31,003
October	32,912	35,014	38,128
November	34,240	37,732	37,014
December	25,385	29,188	27,525
January	37,607	38,658	39,740
February	35,848	38,547	33,360
March	49,819	50,002	44,587
<b>Total</b>	<b>508,713</b>	<b>526,702</b>	<b>513,056</b>

## Department of Education

### Together: Building a United Community

**Mr Allister** asked the Minister of Education, pursuant to AQW 23815/11-15, (i) how; and (ii) when he was consulted on these issues.

**(AQW 24315/11-15)**

**Mr O'Dowd (The Minister of Education):** I had discussions with OFMdfM regarding educational issues relevant to my Department prior to the announcement.

### School Transport: Cost

**Mr Frew** asked the Minister of Education what was the cost to his Department of transporting post-primary school pupils from the Ballymena Borough Council area to schools outside Ballymena in 2012/13; and what was the cost for pupils from other council areas travelling in to post-primary schools in Ballymena.

**(AQW 24450/11-15)**

**Mr O'Dowd:** The North Eastern Education and Library Board has informed me that the cost of transporting post-primary school pupils from the Ballymena Borough Council area to schools outside Ballymena in 2012/13 was £955,902.08. The cost for pupils from other council areas travelling in to post-primary schools in Ballymena was £678,612.55.

### Judicial Reviews

**Mr Lunn** asked the Minister of Education how many Judicial Review cases have been taken against his Department in each of the last three years; and to detail the cost to his Department of this litigation in each year.

**(AQW 24653/11-15)**

**Mr O'Dowd:** The information requested is detailed in the table below which provides details of Judicial Review cases which commenced in the last three financial years.

Year	Number of Judicial Review Cases Commencing	Cost of Litigation £s
2010/11	2*	137,315.00
2011/12	1	172,685.78
2012/13	0	30,690.24

\* These cases incurred expenditure over more than one financial year.

The figures provided do not include the cost of departmental officials as it is not possible to disaggregate these from their other duties.

## Project Bank Accounts

**Mr McGlone** asked Minister of Education, in order to facilitate proper payments to contractors, sub-contractors and suppliers, for an update on the adoption of Project Bank Accounts as good practice within his Department.

(AQW 24700/11-15)

**Mr O'Dowd:** I would refer the member to the answer to AQW 22019/11-15, tabled by Tom Elliott and published in the official report on the 3rd of May 2013.

## Schools: Defibrillators

**Mr Hazzard** asked the Minister of Education how many schools have access to a defibrillator; and whether he has any plans to ensure that all schools install this piece of equipment.

(AQW 24729/11-15)

**Mr O'Dowd:** The Department does not hold any record of how many schools have access to a defibrillator.

Recently the 5 Education and Library Boards, with support of the British Heart Foundation, have established an Inter-Board Working Group which has compiled a specification for defibrillators for schools. This will enable a tender process to be completed. In addition the Working Group will devise a guidance document that will outline the conditions of using a defibrillator, training requirements and maintenance.

It is hoped to go to tender in October 2013 and the approved product identified by the end of 2013.

When this process has been completed, my Department will consider the best way forward regarding the matter of defibrillators.

## Causeway School: Closure

**Mr Swann** asked the Minister of Education whether he has been consulted by the North Eastern Education and Library Board on the closure of the Causeway School.

(AQW 24766/11-15)

**Mr O'Dowd:** I have not been consulted by the North Eastern Education and Library Board on the closure of the Causeway School. The service provided by the School is non-statutory and the Board is not, therefore, required to consult with me.

## Freedom of Information

**Mr Swann** asked the Minister of Education whether, in answers to written questions, he gives an answer that would be consistent if the same question was asked under a Freedom of Information request.

(AQW 24795/11-15)

**Mr O'Dowd:** Under the Freedom of Information Act the Department is only required to provide information already held in recorded form. It does not have to create new information. However, in responding to Assembly Questions, the Department may create new information.

## Primary School Admissions

**Lord Morrow** asked the Minister of Education, pursuant to AQW 23764/11-15, to detail the figures broken down by the (i) catholic maintained; (ii) controlled; (iii) integrated, and (iv) Irish language sectors.

(AQW 24819/11-15)

**Mr O'Dowd:** The breakdown of the number of children not admitted to their first preference primary school is as follows:

Controlled Primary	502
Catholic Maintained	279
Non-Catholic Maintained	3
Grant-Maintained Integrated	57
Controlled Integrated	24
<b>Total</b>	<b>865</b>

### Notes:

- The statistics are liable to change right up to the start of the 2013/14 school year, as more children will obtain places in their first preference schools due to withdrawal of applications, additional places being approved by the Department, or as a result of successful appeals.



2 Since compiling the information for AQW 23764/11-15, the Boards have revised the overall numbers from 850 to 865.

## Schools: Invitations to Visit

**Mrs Dobson** asked the Minister of Education to list the schools to which he has been invited since May 2011, broken down by sector.

**(AQW 24841/11-15)**

**Mr O'Dowd:** The information requested is detailed below:-

### 2011

#### Catholic Maintained Primary Schools

- |  |                                      |
|--|--------------------------------------|
| ■ St Mary's Primary, Newtownbutler           | ■ St Brigid's Primary, Magherafelt   |
| ■ St Colmcille's Primary, Downpatrick        | ■ St Luke's Primary, Dunmurry        |
| ■ Primate Dixon Primary, Belfast             | ■ St Patrick's Primary, Gortin       |
| ■ St Mary's Primary, Derry                   | ■ Carrick Primary, Warrenpoint       |
| ■ Holy Trinity Primary, Enniskillen          | ■ St Nicholas Primary, Ardglass      |
| ■ St Mary's Primary, Dungannon               | ■ St Mary's Girls' Primary, Strabane |
| ■ St Clare's Convent Primary, Newry          | ■ Barrack St Boys', Strabane         |
| ■ St Teresa's Primary, Lurgan                | ■ St Mary's Primary, Armagh          |
| ■ Derrylatinee St Francis Primary, Dungannon | ■ St Bernard's Primary, Newtownabbey |
| ■ St Mary's Primary, Stewartstown            |                                      |

#### Catholic Maintained Secondary Schools

- |                                      |                                   |
|--------------------------------------|-----------------------------------|
| ■ Lismore Comprehensive, Belfast     | ■ De La Salle, Belfast            |
| ■ St Mark's High, Warrenpoint        | ■ St Rose's High, Belfast         |
| ■ St Patricks' College, Dungannon    | ■ St Mary's High, Newry           |
| ■ St Paul's JHS, Lurgan              | ■ St Killian's College, Ballymena |
| ■ St Louise's Comprehensive, Belfast | ■ St Patrick's College, Banbridge |
| ■ St Genevieve's High, Belfast       | ■ Corpus Christi College, Belfast |
| ■ Sacred Heart College, Omagh        | ■ St Genevieve's High, Belfast    |
| ■ St Mary's High, Belleek            | ■ St Colm's High, Dunmurry        |
| ■ St Columbanus College, Bangor      | ■ St Patrick's College, Maghera   |
| ■ St Joseph's College, Belfast       | ■ Drumcree College, Portadown     |
| ■ St Colm's High, Draperstown        | ■ St Mary's High, Newry           |
| ■ Holy Trinity High, Warrenpoint     |                                   |

#### Catholic Maintained Special School

- St Gerard's Education Resource Centre, Belfast

#### Controlled Grammar Schools

- |                               |                               |
|-------------------------------|-------------------------------|
| ■ Wellington College, Belfast | ■ Ballyclare High, Ballyclare |
| ■ Sperrin High, Magherafelt   |                               |

#### Controlled Integrated Primary Schools

- |  |   |
|--|---|
| ■ Forge Integrated Primary, Belfast            | ■ St Patrick's & St Brigid's Primary, Ballycastle |
| ■ All Children's Integrated Primary, Newcastle | ■ St Anne's Primary, Derry                        |
| ■ Bangor Central Integrated Primary, Bangor    | ■ St Francis Primary, Lurgan                      |
| ■ Clea Primary, Keady                          | ■ Tannaghmore Primary, Craigavon                  |
| ■ St Joseph's Primary, Newcastle               | ■ Roan St Patrick's Primary, Eglisli, Dungannon   |
| ■ St Joseph's Primary, Armagh                  | ■ St Patrick's Primary, Castlewellan              |
| ■ St Bronagh's Primary, Rostrevor              | ■ Holy Rosary Primary, Belfast                    |

#### Controlled Integrated Secondary Schools

- |  |                                       |
|--|---------------------------------------|
| ■ Brownlow Integrated College, Craigavon | ■ Priory Integrated College, Holywood |
|--|---------------------------------------|

#### Controlled Nursery School

- Magherafelt Nursery, Magherafelt

**Controlled Primary Schools**

- Model Primary, Derry
- Ballyoran Primary, Portadown
- Millburn Primary, Coleraine
- Holywood Primary, Holywood
- Redburn Primary, Holywood

**Controlled Secondary School**

- Devenish College, Enniskillen

**Controlled Special Schools**

- Ceara School, Lurgan
- Castle Tower School, Ballymena
- Mitchell House, Belfast

**Grant-Maintained Integrated Primary School**

- Omagh Integrated Primary, Omagh

**Other Maintained Primary Schools**

- Gaelscoil na gCrann, Omagh
- Bunscoil Bheann Mhadagain, Belfast
- Gaelscoil Ui Dhochartaigh, Strabane
- Bunscoil Bheanna Biorche, Castlewellan

**Voluntary Grammar Schools**

- St Dominic's High, Belfast
- St Michael's Grammar, Craigavon
- Foyle College, Derry
- St Patrick's Grammar, Armagh

**2012****Alternative Education Provision**

- Loughshore Resource Centre, Belfast

**Catholic Maintained Grammar School**

- St Louis Grammar, Kilkeel

**Catholic Maintained Nursery Schools**

- College Farm Nursery, Armagh
- Holy Trinity Nursery, Lisburn

**Catholic Maintained Primary Schools**

- St Mary's Primary, Killyleagh
- St Mary's Primary, Brookeborough
- Holy Child Primary, Belfast
- St Olivier Plunkett Primary, Belfast
- St Brigid's Primary, Newry
- St Mary's Primary, Tassagh
- Our Lady of Lourdes, Greencastle
- St Therese Primary, Derry
- St Joseph's Convent Primary, Newry
- St Patrick's Primary, Madden
- St John's Primary, Middletown
- Holy Trinity Primary, Cookstown
- St Paul's Primary, Belfast
- St Mary's Primary, Strabane
- Ballyhackett Primary, Coleraine
- Christ the Redeemer, Belfast
- Good Shepherd Primary, Belfast
- Good Shepherd Primary, Derry
- St Patrick's Primary, Castlewellan
- St Patrick's Primary, Ballygalget
- Mercy Primary, Belfast
- Dromintee Primary, Newry
- Holy Family Primary, Omagh
- St Malachy's Primary, Armagh
- St Patrick's and St Brigid's Primary, Ballycastle
- Holy Family Primary, Derry
- Mount St Catherine's Primary, Armagh
- Carrick Primary, Warrenpoint
- St Oliver Plunkett Primary, Belfast
- Ballymacward Primary, Lisburn
- Primate Dixon Primary, Coalisland
- Edendork Primary, Dungannon

**Catholic Maintained Secondary Schools**

- Edmund Rice College, Newtownabbey
- St Rose's Dominican College, Belfast
- St Clare's Primary, Newry
- Drumcree College, Portadown
- St Genevieve's High, Belfast
- St Patrick's College, Downpatrick
- Holy Trinity College, Cookstown
- St Killian's College, Carnlough
- Christian Brothers, Belfast
- St Mary's High, Lurgan
- Corpus Christi College, Belfast
- Colaiste Chaitriona, Armagh

**Controlled Grammar Schools**

- Regent House Grammar, Newtownards
- Portadown College, Portadown

**Controlled Integrated Primary School**

- Bangor Central Integrated Primary, Bangor

**Controlled Integrated Secondary School**

- Priory Integrated College, Holywood

**Controlled Nursery Schools**

- Harrison Nursery, Lurgan
- Pond Park Nursery, Lisburn
- Hope Nursery, Belfast
- Hollywood Nursery, Holywood
- Academy Nursery School, Derry

**Controlled Primary Schools**

- Ballyoran Primary, Portadown
- Taughmonagh Primary, Belfast
- Knockmore Primary, Lisburn
- Brookeborough Primary, Enniskillen
- Ballyholme Primary, Bangor
- Botanic Primary, Belfast
- Lurgan Model Primary, Lurgan
- Ballyoran Primary, Portadown
- Malvern Primary, Belfast
- Strandtown Primary, Belfast
- Hollywood Primary, Holywood

**Controlled Secondary Schools**

- Saintfield High, Belfast
- Markethill High, Armagh
- Orangefield High, Belfast
- Ashfield Girls' Belfast

**Controlled Special Schools**

- Roddensvale Special, Larne
- Glenveagh Special, Belfast
- Fleming Fulton, Belfast
- Fleming Fulton, Belfast
- Sandleford School, Coleraine
- Knockavoe Special, Strabane
- Rossmar Special, Limavady
- Knockevin Special, Downpatrick
- Castle Tower Special, Ballymena
- Harberton Park, Belfast
- Ceara Special, Lurgan
- Woodlands Speech & Language Unit, Derry
- Mitchell House, Belfast

**Grant Maintained Integrated Primary Schools**

- Bridge Integrated Primary, Banbridge
- Maine Integrated Primary, Randalstown
- Millennium Integrated Primary, Saintfield

**Grant Maintained Secondary Schools**

- Oakgrove Integrated College, Derry
- Newbridge Integrated College, Banbridge

**Grant Maintained Integrated Secondary School**

- Drumagh Integrated, Omagh

**Other Maintained Primary Schools**

- Bunscoil Bheanna Biorche, Castlewellan
- Gaelscoil Ui Dhochartaigh, Strabane
- Bunscoil an Traonaigh, Lisnaskea
- Gaelscoil na mBeann, Kilkeel

**Other Maintained Secondary School**

- Coláiste Feirste, Belfast

**Other Maintained Special School**

- Jordanstown Special, Newtownabbey

**Voluntary Grammar Schools**

- Methodist College, Belfast
- Our Lady and St Patrick's College, Belfast
- St Patrick's Grammar, Downpatrick
- Belfast High, Belfast
- St Joseph's Grammar, Donaghmore

**2013****Catholic Maintained Primary Schools**

- St Mary's Primary, Draperstown
- St Peter's Primary, Moy
- St Caireall's Primary, Castlederg
- St Mary's Primary, Newcastle
- Clea Primary, Keady
- St Ita's Primary, Carryduff
- Holy Family Primary, Derry
- Moneynick Primary, Dungannon
- St Columba's Primary, Straw
- Hollybush Primary, Derry
- Envagh Primary, Omagh
- St Columbkille's Primary, Carrickmore
- Tannaghmore Primary, Lurgan
- Grange Primary, Kilkeel
- Drumduff Primary, Beragh
- Armagh Christian Brothers Primary, Armagh

**Catholic Maintained Secondary Schools**

- St Joseph's High, Crossmaglen
- St Killian's College, Ballymena
- Mercy College, Belfast
- St Eugene's High
- St Patrick's High, Keady
- St Patrick's Co-Ed College, Maghera
- St Patrick's College, Dungannon
- St Patrick's Academy, Lisburn
- St Colm's High, Draperstown
- St Joseph's College, Coleraine
- St Paul's High, Bessbrook
- Holy Trinity College, Cookstown
- Saint Catherine's College, Armagh
- St Peter's High, Derry

**Controlled Grammar School**

- Ballyclare High, Ballyclare

**Controlled Integrated Primary School**

- All Children's Integrated Primary, Newcastle

**Controlled Nursery Schools**

- Barbour Nursery, Lisburn
- Edenderry Nursery, Belfast
- Magherafelt Nursery, Magherafelt

**Controlled Primary Schools**

- Carrickfergus Central Primary, Carrickfergus
- Darkley Primary, Armagh
- Castle Gardens Primary, Newtownards
- Knockloughrim Primary, Magherafelt
- Duneane Primary, Antrim
- Creavery Primary, Antrim
- Ballysillan Primary, Belfast

**Controlled Secondary Schools**

- Newtownbreda High, Belfast
- Newry High, Newry

**Controlled Special Schools**

- Arvalee School and Resource Centre, Omagh
- Glenveagh Special, Belfast
- Fleming Fulton, Belfast
- Park School, St Gerard's Resource Centre, Belfast
- Beechlawn Special, Hillsborough
- Woodland Speech & Language Unit, Derry

**Grant Maintained Integrated Secondary School**

- New Bridge Integrated College, Banbridge
- Shimna Integrated College, Newcastle

**Grant Maintained Integrated Primary School**

- Phoenix Integrated Primary, Cookstown

**Other Maintained Primary Schools**

- Gaelscoil Ui Neill, Coalisland
- Gaescoil Aodha Rua, Dungannon

**Voluntary Grammar School**

- St Joseph's Grammar, Dungannon
- St Michael's Grammar, Lurgan
- Portora Royal, Enniskillen
- St Louis Grammar, Ballymena
- Victoria College, Belfast



## Primary School Admissions

**Mr Weir** asked the Minister of Education how many of the 850 pupils who were unable to obtain a place at their first choice primary school were unable to obtain a place at their (i) second; (ii) third; (iii) fourth; (iv) fifth; or (v) sixth choice school.  
(AQW 24871/11-15)

**Mr O'Dowd:** The breakdown of this information can only be compiled by the Education and Library Boards and I am informed that it is not available in the form requested at this time as the process of placing children is ongoing. I will write to you when the information becomes available.

## Primary School Admissions

**Mr Weir** asked the Minister of Education for a breakdown by (i) Education and Library Board area; and (ii) constituency of the 850 pupils who were unable to obtain a place at their first choice primary school.  
(AQW 24872/11-15)

**Mr O'Dowd:** The breakdown of the 850 pupils who were unable to obtain a place at their first choice primary school by Education and Library Board area was provided in my answer to AQW 23764/11-15.

Since then, AQW 24819/11-15 has updated the figure of 850 to 865 and the following table gives a breakdown by Board area and by school management type:

Management Type	BELB	WELB	NEELB	SEELB	SELB	Total
Controlled	158	12	93	174	65	502
Maintained	72	18	16	108	65	279
Other Maintained	0	1	0	2	0	3
Grant Maintained Integrated	11	1	9	14	22	57
Controlled Integrated	2	0	0	22	0	24
<b>Total</b>	<b>243</b>	<b>32</b>	<b>118</b>	<b>320</b>	<b>152</b>	<b>865</b>

**Note:** The statistics are liable to change, right up to the start of the 2013/14 school year, as more children obtain places in their first preference schools due to withdrawal of applications, additional places being approved by the Department, or as a result of successful appeals.

The breakdown of this information by constituency area can only be compiled by the Education and Library Boards and I am informed that it is not available in the form requested at this time.

## GCSE and A-level Exams: Pupil Numbers

**Mr Storey** asked the Minister of Education how many pupils sat (i) GCSE; and (ii) A-level exams in each of the last three years, broken down by the examining body.  
(AQW 24958/11-15)

**Mr O'Dowd:** The answer is contained in the tables below:

### (i) GCSE examination entries by Awarding Organisation

Awarding Organisation	Number of Pupils with 1 or more GCSE examination entry		
	2008/09	2009/10	2010/11
EDEXCEL	650	718	1359
WJEC	657	750	590
CCEA	22466	22376	22037
OCR	5253	5002	4131
AQA	19128	19133	17916
<b>Total Pupils</b>	<b>22957</b>	<b>22823</b>	<b>22598</b>

**Source:** RM data solutions

(ii) **A-Level Examination Entries by Awarding Organisation**

Awarding Organisation	Number of Pupils with 1 or more A-Level examination entry		
	2008/09	2009/10	2010/11
EDEXCEL	2754	2349	2422
WJEC	456	451	450
CCEA	10049	10593	10892
OCR	809	853	810
AQA	4260	3908	3840
<b>Total Pupils</b>	<b>11312</b>	<b>11819</b>	<b>12103</b>

Source: RM data solutions

**Council for the Curriculum, Examinations and Assessment**

**Mr Storey** asked the Minister of Education to outline the resources expended by the Council for the Curriculum Examinations and Assessment on (i) the dissemination of information; and (ii) training schools on examinations and assessment.

(AQW 24964/11-15)

**Mr O'Dowd:** CCEA is funded to deliver a range of statutory functions related to the curriculum, assessment and examinations. In 2012/13 this was circa £31m. The dissemination of information is an embedded element within all of CCEA activities. Similarly, the training of teachers on aspects of examinations and assessment is fundamental to the delivery of CCEA's statutory responsibilities and is therefore also an embedded element. CCEA does not hold records in a format that could isolate costs related to the activities highlighted.

**Education and Library Boards: Supplier Payments**

**Mr Storey** asked the Minister of Education, in relation to the prompt payment of invoices, how much each Education and Library Board paid suppliers in each month of the 2011/12 financial year.

(AQW 24966/11-15)

**Mr O'Dowd:** The amounts paid to suppliers in each month of the 2011/12 financial year, as provided by the Education and Library Boards are set out in the table below.

Education and Library Board:	April 2011 £'000	May 2011 £'000	June 2011 £'000	July 2011 £'000	Aug 2011 £'000	Sept 2011 £'000	Oct 2011 £'000	Nov 2011 £'000	Dec 2011 £'000	Jan 2012 £'000	Feb 2012 £'000	Mar 2012 £'000
North Eastern	10,022	16,220	7,631	4,460	4,266	7,332	8,619	6,121	7,771	7,452	8,259	10,870
Belfast	10,612	6,770	8,218	14,790	8,104	6,960	10,095	8,902	8,501	9,814	8,396	10,667
Western	18,439	6,476	16,908	10,324	5,537	8,924	9,950	8,465	9,197	8,639	12,351	12,478
South Eastern	10,997	7,342	7,684	12,635	4,373	5,929	7,862	5,797	6,402	7,808	8,388	10,550
Southern	9,021	8,877	17,207	4,785	4,674	8,713	7,824	9,658	6,337	8,407	13,909	11,357

**Maze/Long Kesh Site**

**Mr Allister** asked the Minister of Education how his Department and schools will relate to, and use, the proposed Conflict Resolution Centre and prison buildings at the Maze site; and to outline any related material which may be produced.

(AQW 24986/11-15)

**Mr O'Dowd:** While the proposed Conflict Resolution Centre and prison buildings at the Maze site are likely to provide important educational opportunities for our young people, it is a matter for schools to decide how they deliver the curriculum. The Department does not prescribe resources or programmes to be used by schools in their delivery of the curriculum, which provides teachers with greater flexibility to decide on the educational resources and programmes they wish to use to enhance teaching and learning. This also includes educational visits outside of the classroom.

Funding for Community Relations activities is made available to schools and youth groups through the Community Relations, Equality and Diversity (CRED) Enhancement Scheme. This application based scheme is managed by the Education and

Library Boards, but like the curriculum, it is up to individual schools/youth groups to decide how the funding is best used to meet the needs of their young people.

If requested the Department could of course facilitate the dissemination of materials produced by the Centre to schools by making them available via the C2k managed ICT service. For example, the Department recently offered to make available, via the C2k exchange, a holocaust learning resource produced by the Imperial War Museum in London.

### **Schools: Transformation to Integrated Status**

**Mr Ross** asked the Minister of Education whether he has received representations from primary and post-primary schools which wish to change their designation to integrated for 2014/15.  
(AQW 24990/11-15)

**Mr O'Dowd:** Under Article 68 of the Education Reform (NI) Order 1989, any existing grant-aided school is eligible to transform to integrated status. A Development Proposal would be required if such a change is proposed. No such proposals for transformation in 2014/15 have been received by the Department of Education.

### **Regional Vision Resource Base**

**Miss M McIlveen** asked the Minister of Education for his assessment of the Regional Vision Resource Base; and whether funding will be extended for this service beyond 31 March 2014.  
(AQW 24997/11-15)

**Mr O'Dowd:** I understand that the Regional Vision Resource Base provides a very effective service that has had a significant impact on enhancing access to the curriculum and independent learning for children and young people with a visual impairment.

As the Centre continues to develop its expertise in this highly specialist area, the speed at which materials are produced is well in excess of previous models delivered at individual board level. Furthermore, the sharing of expertise, the partnerships developed and the fact that the Centre operates on a regional basis ensures that a more streamlined, equitable and informed service will continue to develop across all board areas.

It is anticipated that a similar level of funding will be available in 2014-15 to that in place for 2013-14 but this will be confirmed prior to the start of the next financial year. In regard to future years, the Chancellor of the Exchequer recently announced the 2015-16 Spending Round outcome which provided a budget for the Executive to allocate to departments in that year. It is likely to be next year before any decisions on departmental allocations for 2015-16 are agreed by the Executive.

### **Blind and Partially Sighted Children and Young People**

**Mr Hazzard** asked the Minister of Education what consideration he has given to a cross sectoral review, in partnership with the Department of Health, Social Services and Public Safety on services to blind and partially sighted children and young people.  
(AQW 25021/11-15)

**Mr O'Dowd:** At present the Department of Education's (DE's) policy focus regarding children and young people (CYP) with a visual impairment (VI) is on implementing the policies already in place for raising standards and tackling barriers that CYP with a VI may face in fully accessing the curriculum.

To this end, DE continues to support the Royal National Institute of the Blind's (RNIB's) Vision Strategy for the north of Ireland through membership of the Vision Strategy Steering Group. This Group is made up of members from across the Health, Social Care and Education spectrums.

In practical terms, this involved the formation of four Priority Action Groups (PAGs) tasked with meeting the priorities arising from the Strategy. PAG 3 deals specifically with Education and Employment and includes representation from DE, the Department for Employment and Learning, Education and Library Boards (ELBs), Health and Social Care, the special school sector, voluntary organisations and service users.

In light of the above policy approach, I do not consider it necessary, at this stage, to undertake a cross sectoral review specifically with DHSSPS.

### **Blind and Partially Sighted Children and Young People**

**Mr Hazzard** asked the Minister of Education what consideration he has given to the introduction of a dedicated habilitation service within the education sector for young people who are partially sighted or blind.  
(AQW 25022/11-15)

**Mr O'Dowd:** My response to AQW 25021/11-15 outlined my Department's current policy with regard to children and young people with a visual impairment.

At present, the Department of Education has no plans to introduce a dedicated habilitation service for children and young people with a visual impairment.

## GCSE and A-level Exams: Choice of Examination Board

**Mr Allister** asked the Minister of Education whether parents will retain the right to choose that their children continue to sit English Board GCSEs and A Levels.

**(AQW 25040/11-15)**

**Mr O'Dowd:** At present, an open qualifications market operates here. This means that schools can choose the qualifications they offer to pupils. This will continue to be the case for as long as awarding organisations offer qualifications which match our curriculum and policies.

## Area Planning: Post-primary Schools

**Mr Frew** asked the Minister of Education what process and procedure the North Eastern Education and Library Board has employed to assess the 8000 plus responses from the public regarding Post Primary school area planning; and for his assessment of this process.

**(AQW 25092/11-15)**

**Mr O'Dowd:** The North Eastern Education and Library Board has confirmed that the process and procedure used to assess responses to consultations are as follows.

All individual responses to a consultation are made available to members of the Board for detailed consideration prior to the relevant Committee meeting.

Government guidelines, e.g. Cabinet Office Guidance on Consultation (August 2012), local Public Sector Guidance and best practice, are followed by the Board when considering responses to consultation.

The process includes:

- analysing each response carefully;
- having a focus on the evidence given by those submitting responses to back up arguments presented;
- ensuring there is greater emphasis on the qualitative nature of responses while noting the quantitative;
- providing a summary of who responded;
- providing a summary of the views expressed and how they link to the decision making process;
- publishing a Consultation Report to Board Members prior to Committee discussion and more widely via the Board Website.

In completing the above in respect to the Area Planning process, the North Eastern Education and Library Board has deployed an officer with expertise in consultation processes from outside its Education Department, and therefore an officer not directly involved in face to face consultation meetings or the Area Planning process, to bring internal independence to the scrutiny of responses received.

The NEELB has indicated that it is assuming the 8,000 responses you refer to are those submitted by Cambridge House Grammar School and confirmed that these will be assessed in the manner outlined above.

I am content with the approach outlined by the NEELB with regard to their consultation and assessment of responses.

## Schools: Rugby

**Mrs Dobson** asked the Minister of Education what steps he is taking to promote the uptake of rugby amongst pupils at (i) primary; and (ii) post-primary schools.

**(AQW 25099/11-15)**

**Mr O'Dowd:** Physical Education is a compulsory Area of Learning for all pupils through Years 1-12. As with all Areas of Learning in the curriculum, delivery of PE, including the choice of which sports or games to be offered, is a matter for each school. The Department delegates as much funding as possible to schools who are best placed to make decisions on curricular delivery to meet the needs of their pupils.

## Schools: Rugby

**Mrs Dobson** asked the Minister of Education what specific steps he will take to ensure that the funding and promotion of rugby in schools is equal to that of other sports.

**(AQW 25100/11-15)**

**Mr O'Dowd:** Physical Education is a compulsory Area of Learning within the revised curriculum for all pupils through Years 1-12. The revised curriculum which has been taught to all pupils of compulsory school age since 2009/10 provides more flexibility for teachers 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. In line with this flexibility, the Department's policy is to delegate as much funding as possible to schools and it is up to schools to decide what is taught and how it is taught under each Area of Learning.



The decision on what sports or games are offered to pupils and the funding they wish to allocate to chosen sports or games is therefore a matter for each school.

## Department for Employment and Learning

### Freedom of Information

**Mr Swann** asked the Minister for Employment and Learning whether, in answers to written questions, he gives an answer that would be consistent if the same question was asked under a Freedom of Information request.

(AQW 24794/11-15)

**Dr Farry (The Minister for Employment and Learning):** Under the Freedom of Information Act the Department is only required to provide information already held in recorded form; it does not have to create new information. However, in responding to Assembly Questions, I may supplement this information.

### University of Ulster: Sports Shirts

**Mr Allister** asked the Minister for Employment and Learning why students attending the Jordanstown campus of the University of Ulster can be asked to leave if they wear a Glasgow Rangers football shirt but not if they wear a GAA shirt.

(AQW 24802/11-15)

**Dr Farry:** My Department provides funding to the local Higher Education Institutions for teaching and learning and research purposes. The Institutions, however, are responsible for their own policies and procedures.

My officials contacted the University of Ulster for a response. The University advised that it has no record of disciplinary action being taken against any student connected with the wearing of a sports shirt. The University also advised that it does not currently have a policy in relation to the wearing of sport shirts. However there are plans to develop a good relations policy, in conjunction with the Students Union.

As my Department has no remit in this matter, you may wish to contact the University of Ulster directly if you require further clarification.

### Deaf or Hard of Hearing Students

**Mr McCarthy** asked the Minister for Employment and Learning how many students who (i) are deaf; or (ii) have partial hearing loss attended each (a) university; and (b) Regional College, in each of the last three years.

(AQW 24812/11-15)

**Dr Farry:** The table below details the number of students who are deaf or hard of hearing enrolled in Northern Ireland Higher Education Institutions in the academic years 2009/10, 2010/11 and 2011/12. The figures combine deaf and hard of hearing as there is no differentiation within the Higher Education datasets.

#### (a) Institution

	2009/10	2010/11	2011/12
Queen's University, Belfast	61	70	40
University of Ulster	66	71	55
Stranmillis/St Mary's	10	7	3
<b>Total</b>	<b>137</b>	<b>148</b>	<b>98</b>

**Source:** Higher Education Statistics Agency

#### Notes:

- 1 The latest available data are for academic year 2011/12.
- 2 The figures relate to actual student numbers.
- 3 Information on disability is collected on the basis of a student's self assessment.
- 4 HESA's disability coding frame changed in 2010/11 and therefore the figures for 2009/10 are not directly comparable with the 2010/11 and 2011/12 figures.
- 5 Due to the small numbers and potential disclosure issues, numbers for Stranmillis and St Mary's are combined.

The table below details the number of students who are deaf or hard of hearing enrolled in Northern Ireland Further Education Colleges in the academic years 2009/10, 2010/11 and 2011/12. The figures combine deaf and hard of hearing as there is no differentiation within the Further Education datasets.

**(b) FE College**

	2009/10	2010/11	2011/12
Belfast Metropolitan	127	40	36
Northern Regional	48	79	78
South Eastern Regional	77	109	88
Southern Regional	76	83	85
South West	102	75	92
North West Regional	41	52	37
<b>Total</b>	<b>471</b>	<b>438</b>	<b>416</b>

**Source:** Further Education Statistical Record

**Notes:**

- 1 The latest available data are for academic year 2011/12.
- 2 The figures relate to actual student numbers.
- 3 Information on disability is collected on the basis of a student's self assessment.

**Blind or Partially Sighted Students**

**Mr McCarthy** asked the Minister for Employment and Learning how many students who (i) are blind; or (ii) have partial sight loss attended each (a) university; and (b) Regional College, in each of the last three years.

**(AQW 24813/11-15)**

**Dr Farry:** The table below details the number of students who are blind or have partial sight loss enrolled in Northern Ireland Higher Education Institutions in the academic years 2009/10, 2010/11 and 2011/12. The figures combine blind and partial sight loss as there is no differentiation in the Higher Education datasets.

**(a) Institution**

	2009/10	2010/11	2011/12
Queen's University, Belfast	35	34	26
University of Ulster	28	60	55
Stranmillis/St Mary's	8	3	2
<b>Total</b>	<b>71</b>	<b>97</b>	<b>83</b>

**Source:** Higher Education Statistics Agency

**Notes:**

- 6 The latest available data are for academic year 2011/12.
- 7 The figures relate to actual student numbers.
- 8 Information on disability is collected on the basis of a student's self assessment.
- 9 HESA's disability coding frame changed in 2010/11 and therefore the figures for 2009/10 are not directly comparable with the 2010/11 and 2011/12 figures. The University of Ulster also made changes to its online admission systems that may have reduced replies to the disability question in 2009/10.
- 10 Due to the small numbers and potential disclosure issues, numbers for Stranmillis and St Mary's are combined.

The table below details the number of students who are blind or partially sighted enrolled in Northern Ireland Further Education Colleges in the academic years 2009/10, 2010/11 and 2011/12. The figures combine blind and partial sight loss as there is no differentiation within the Further Education datasets.

**(b) FE College**

	2009/10	2010/11	2011/12
Belfast Metropolitan	110	40	41
Northern Regional	36	26	46
South Eastern Regional	52	63	43

	2009/10	2010/11	2011/12
Southern Regional	55	43	30
South West	65	59	47
North West Regional	44	58	50
<b>Total</b>	<b>362</b>	<b>289</b>	<b>257</b>

**Source:** Further Education Statistical Record

**Notes:**

- 1 The latest available data are for academic year 2011/12.
- 2 The figures relate to actual student numbers.
- 3 Information on disability is collected on the basis of a student's self assessment.

## Deaf or Hard of Hearing Students

**Mr McCarthy** asked the Minister for Employment and Learning how many students who (i) are deaf; or (ii) have partial hearing loss began their studies at each (a) university; and (b) Regional College, but did not complete them, in each of the last three years.

**(AQW 24814/11-15)**

**Dr Farry:** Data on drop-out rates for Higher Education Institutions are obtained from the Higher Education Statistics Agency, and are currently only available for new full time undergraduate entrants who fail to return to Higher Education in the following academic year. Because of the small numbers and the potential identification of individuals, data for the universities and drop outs over the last 3 years have been combined. The figures combine deaf and hard of hearing as there is no differentiation within the Higher Education datasets.

In 2010/11 there were 19 full-time undergraduate entrants who were deaf or have partial hearing loss, 12 in 2009/10 and 26 in 2008/09. Of these 57 new entrants across the 3 years of entry, 4 did not continue onto the next year of their course.

The Number of Students recorded as deaf/hard of hearing who withdrew from courses at Further Education Colleges, 2009/10 - 2011/12 is detailed below. The figures combine deaf and hard of hearing as there is no differentiation within the Further Education datasets.

### FE College

	2009/10	2010/11	2011/12
Belfast Metropolitan	25	10	6
Northern Regional	4	5	14
South Eastern Regional	21	18	15
Southern Regional	8	15	19
South West	8	12	14
North West Regional	8	11	8
<b>Total</b>	<b>74</b>	<b>71</b>	<b>76</b>

**Source:** Further Education Statistical Record

**Notes:**

- 1) Further Education figures are for the number of individual students who have withdrawn from their programme of study before completion date.
- 2) The above data pertain to students recorded as Student Disability=3 (Deaf or Hard of Hearing)

## Blind or Partially Sighted Students

**Mr McCarthy** asked the Minister for Employment and Learning how many students who (i) are blind; or (ii) have partial sight loss began their studies at each (a) university; and (b) Regional College, but did not complete them, in each of the last three years.

**(AQW 24815/11-15)**

**Dr Farry:** Data on drop-out rates for Higher Education Institutions are obtained from the Higher Education Statistics Agency, and are only currently available for new full time undergraduate entrants who fail to return to Higher Education in the following academic year. Because of the small numbers and the potential identification of individuals, data for the universities and drop

outs over the last 3 years have been combined. The figures combine blind and partially sighted as there is no differentiation within the Higher Education datasets.

In 2010/11, there were 13 full-time undergraduate entrants who were blind or partially sighted, 10 in 2009/10 and 14 in 2008/09. Of these 37 blind or partially sighted new entrants across the 3 years of entry, 4 dropped out and did not continue onto the next year of their course.

The Number of Students recorded as blind/partially sighted who withdrew from courses at Further Education Colleges 2009/10 – 2011/12 is detailed below. The figures combine blind and partially sighted as there is no differentiation within the Further Education datasets.

FE College	2009/10	2010/11	2011/12
Belfast Metropolitan	19	10	6
Northern Regional	7	2	10
South Eastern Regional	10	13	4
Southern Regional	4	5	6
South West	7	7	5
North West Regional	5	3	10
<b>Total</b>	<b>52</b>	<b>40</b>	<b>41</b>

**Source:** Further Education Statistical Record

**Notes:**

- 1) Further Education figures are for the number of individual students who have withdrawn from their programme of study before completion date.
- 2) The above data pertain to students recorded as Student Disability=2 (Blind or Partially Sighted)

## Access to Work Scheme

**Lord Morrow** asked the Minister for Employment and Learning whether the Access to Work scheme is available to people aged 19 years and over who have a learning disability; if so, whether this is being promoted for take-up through transition agencies; and if not, whether he will make the scheme available to all.

**(AQW 24823/11-15)**

**Dr Farry:** The Department's Access to Work programme is available to all people with disabilities, including those with a learning disability, who are aged 16 or over, and who require specialist support to move into employment or are experiencing problems in work due to the nature of their disability. This includes support at interview, financial assistance with travel to work, and in-work support such as special aids and equipment or a dedicated support worker.

The Department, through its Disability Employment Service and the Employment Adviser teams in the local Jobs and Benefits Offices and Jobcentres, works closely with the transitions agencies, including the Department of Education's Special Education Team and the Transitions Officers within the Education and Library Boards and with those organisations who advocate specifically on behalf of people with learning disabilities. All of these specialist disability organisations are fully aware of the Access to Work programme and the benefits that it can offer.

## North-South Higher Education Joint Working Group

**Mr Flanagan** asked the Minister for Employment and Learning whether his Department has engaged or sought to engage with the North-South Higher Education Joint Working Group.

**(AQW 24849/11-15)**

**Dr Farry:** I understand that, on 31 May 2013, the Presidents of Dundalk, Letterkenny and Sligo Institutes of Technology addressed the Joint Committee on the Implementation of the Good Friday Agreement on the issue of cross-border student access to higher education.

In particular, they recommended the establishment of a North-South Higher Education Joint Working Group. The Committee supported this proposal and agreed to make recommendations to the Education Ministers in both jurisdictions.

I can confirm that my Department has not yet received any correspondence from that Committee in relation to this proposal.



## Blind or Partially Sighted Students

**Mr McCarthy** asked the Minister for Employment and Learning how many blind, or partially sighted students, achieved a third level degree or equivalent in each of the last three years.

**(AQW 24859/11-15)**

**Dr Farry:** The table below details the number of students who reported they are blind or have partial sight loss that achieved an undergraduate degree or equivalent at Northern Ireland Higher Education Institutions in the academic years 2009/10, 2010/11 and 2011/12.

Academic year	Number of students who are blind or have partial sight loss that achieved an undergraduate degree or equivalent
2009/10	13
2010/11	32
2011/12	23

**Source:** Higher Education Statistics Agency

### Notes:

11. The latest available data are for academic year 2011/12.
12. Figures in the tables are unrounded.
13. Information on disability is collected on the basis of a student's self assessment.
14. HESA's disability coding frame changed in 2010/11 and therefore the figures for 2009/10 are not directly comparable with the 2010/11 and 2011/12 figures.

## Students: Irish Citizenship

**Mr Durkan** asked the Minister for Employment and Learning whether prospective students who have lived in Northern Ireland for three years and obtained Irish Citizenship while resident within Northern Ireland prior to their application for student finance are eligible under Student Finance Northern Ireland guidelines to access student support.

**(AQW 24953/11-15)**

**Dr Farry:** The requirement under the Regulations is that prospective students must have been ordinarily resident in the United Kingdom (UK) and Islands throughout the three year period preceding the first day of the first academic year of the course to be entitled to student financial support. Consequently, if prospective students, regardless of whether they have obtained Irish citizenship while in Northern Ireland or not, can comply with this residency requirement they are eligible for student support. However, if there are any restrictions placed on the student's passport or travel documents by the relevant Borders Agency, the student may not be entitled to student financial support.

## Department of Enterprise, Trade and Investment

### Investment: First-time Prospective International Investor Visits

**Mr Eastwood** asked the Minister of Enterprise, Trade and Investment to detail the number of first-time prospective international investor visits that were made to each constituency in 2012/13.

**(AQW 24616/11-15)**

**Mrs Foster (The Minister of Enterprise, Trade and Investment):** In the period from 1 April 2012 to 31 March 2013 Invest NI hosted a total of 174 first time prospective international investor visits to all Northern Ireland Parliamentary Constituency Areas (PCAs). The detail of these visits to each PCA is provided below – Table 1.

**Table 1: FDI inward visits (Credible1) to NI Parliamentary Constituencies (FY 2012-13)**

	Financial Year 2012/13		
	First	Repeat	Total
Belfast East	43	10	53
Belfast North	30	6	36
Belfast South	52	11	63
Belfast West	7	2	9

	Financial Year 2012/13		
	First	Repeat	Total
East Antrim	16	0	16
East Londonderry	3	0	3
Fermanagh & South Tyrone	0	0	0
Foyle	4	0	4
Lagan Valley	6	1	7
Mid Ulster	0	0	0
Newry & Armagh	2	1	3
North Antrim	4	0	4
North Down	1	0	1
South Antrim	5	0	5
South Down	1	0	1
Strangford	0	0	0
Upper Bann	0	0	0
West Tyrone	0	0	0
<b>Total</b>	<b>174</b>	<b>31</b>	<b>205</b>

**Notes:**

- 1) A credible visit is defined as one where Invest NI can claim to have promoted Northern Ireland and arranged a visit programme to a District Council Area or Parliamentary Constituency Areas, for a potential inward investor, who has an identifiable project proposal.
- 2) In addition to the above listed visits, Invest NI has also facilitated a number of visits by other organisations e.g. influencers, overseas governments and trade bodies, which serve to strengthen FDI & Trade links in overseas markets.

It is important to note that Invest NI does not determine the location of an inward investment project. This decision is taken by the investor. Invest NI does work closely with the company when preparing a visit programme to ensure that the locations to be visited meet their requirements and also provide the best opportunity for Invest NI to sell Northern Ireland as viable location for the company.

**Investment: First-time Prospective International Investor Visits to Foyle**

**Mr Eastwood** asked the Minister of Enterprise, Trade and Investment, pursuant to AQW 21912/11-15, to detail why no jobs were promoted by first-time international investors in the Foyle constituency in 2012/13.  
**(AQW 24618/11-15)**

**Mrs Foster:** In the period from 1 April 2012 to 31 March 2013 Invest NI hosted a total of four first time prospective international investor visits to the Foyle constituency. Regrettably none of these potential investors has decided to locate in the Foyle constituency or elsewhere in Northern Ireland, at this time.

The investment process undertaken by international companies is typically a lengthy and detailed process, influenced by a number of external factors. Invest NI does not publically comment on its engagement with individual companies, unless an investment is agreed and then announced. Such comment would be prejudicial to Invest NI's efforts to secure existing and future inward investment projects.

Northern Ireland competes for Foreign Direct Investment (FDI) against some much larger regions and nation states. In order to maximise our presence in overseas markets, Invest NI focuses on selling Northern Ireland as a whole. It is important to clarify that location decisions are a matter for individual companies, which can take time and are the subject of considerable international competition. Recent trends have shown that investors favour reducing their risk by locating their businesses in areas where they can draw on a large pool of skilled labour and where they believe investment and cost risk will be minimised.

Invest NI continues to pursue a number of opportunities to bring investment to the Foyle constituency and the agency will continue to engage with stakeholders in the constituency, in order to maximise the local inward investment proposition.

## Invest NI

**Mr Allister** asked the Minister of Enterprise, Trade and Investment, pursuant to AQW 23962/11-15, to identify each occasion when Invest NI has challenged any assisted company in regard to its non-compliance with employment legislation and to outline the action that resulted.

**(AQW 24685/11-15)**

**Mrs Foster:** No such issue of non-compliance has been drawn to Invest NI's attention.

## Electricity: Price Increases

**Mr Allister** asked the Minister of Enterprise, Trade and Investment, in relation to protecting the interests of electricity consumers, to detail the information held on the comparative increases in electricity prices by Northern Ireland Electricity and those imposed in the Republic of Ireland, in the last five years.

**(AQW 24736/11-15)**

**Mrs Foster:** My Department does not routinely collect or hold information of this nature.

## Electricity: Interconnector to Wales

**Mr Allister** asked the Minister of Enterprise, Trade and Investment, consequent upon the sale of SONI to Eirgrid and Eirgrid owning and controlling the interconnector to Wales, how she will ensure that there will be no manipulation of the flows, which could affect the market price to the detriment of consumers.

**(AQW 24737/11-15)**

**Mrs Foster:** This is a regulatory issue, not a matter for my Department. The Single Electricity Market (SEM) Committee is the decision making authority on all SEM matters and has responsibility for ensuring that the market is operated in a non-discriminatory, fair and transparent manner.

## Electricity: Licences

**Mr Allister** asked the Minister of Enterprise, Trade and Investment to outline the protections that exist to ensure licences will not be changed or decisions made to move to all-island management of Northern Ireland Electricity/Electricity Supply Board and SONI/Eirgrid.

**(AQW 24738/11-15)**

**Mrs Foster:** Licensing matters are an issue for the Utility Regulator, not my Department. Any transactions of the nature raised in this question would require extensive consultation and examination by the Regulatory Authorities in Northern Ireland and the Republic of Ireland. The sector is also fully privatised and my Department has no formal remit to examine or challenge commercial investment decisions that may give rise to change in structures or ownership of companies. That said, my Department's principal objective, set out in the Energy (Northern Ireland) Order 2003, is to protect the interests of consumers and, in the event of any development of this nature, full consideration of issues would be given at the appropriate point.

## Jobs Fund: Down District Council

**Mr Hazzard** asked the Minister of Enterprise, Trade and Investment what percentage of jobs (i) supported; and (ii) created through the Jobs Fund were specific to the Down District Council area.

**(AQW 24758/11-15)**

**Mrs Foster:** Between 1st April 2011 and 31st March 2013, the Jobs Fund promoted a total of 5,060 jobs and created a total of 2,699 jobs. As a result of local businesses bringing forward viable projects for support, 2% of the promoted jobs and 2% of the created jobs were located within Down District Council area.

## Invest NI Regional Offices

**Mrs Overend** asked the Minister of Enterprise, Trade and Investment whether her Department plans to relocate Invest NI regional offices following the proposed Review of Public Administration and boundary changes.

**(AQW 24891/11-15)**

**Mrs Foster:** Invest NI currently has 5 Regional Offices and a further 3 points of presence in satellite offices across Northern Ireland. The 5 Regional Offices are located in Omagh (West), Newry (South), Belfast (East), Londonderry (North West) and Ballymena (North East). The satellite offices are in Enniskillen, Coleraine and Craigavon. These points of presence align well with the 11 council model.

Invest NI, and indeed my Department, continue to work closely with Councils on the transfer of economic development functions under RPA.

## Visa Waiver Pilot

**Mrs Overend** asked the Minister of Enterprise, Trade and Investment what discussions she has had with the governments of the Republic of Ireland and Westminster regarding any necessary security upgrades before a visa waiver pilot is taken forward. (AQW 24892/11-15)

**Mrs Foster:** This issue will be taken forward under the recently announced Economic Pact for Northern Ireland, which contains a commitment to develop a reciprocal pilot waiver scheme for the UK and Ireland.

I have previously discussed this matter with my counterparts in the Republic of Ireland Government and with Westminster through the Northern Ireland Office.

## Department of the Environment

### Compliance, Improvement and Review Team

**Mr Agnew** asked the Minister of the Environment, pursuant to AQW 20928/11-15, what other audits have been carried out by the Compliance, Improvement and Review Team as part of its ongoing Audit Programme. (AQW 22041/11-15)

**Mr Attwood (The Minister of the Environment):** The Compliance, Improvement and Review Team (CIRT) is a small multidisciplinary team. Its work programme involves reviews of the key systems and processes of Development Management and Development Plan within Local and Strategic Planning Divisions.

Its 2012/13 annual audit programme included work on deferred income, planning fees and decision making processes within Development Management. The Team also provided advice and guidance on compliance issues particularly in relation to fees to its operational colleagues.

### Wind Turbines

**Mr McNarry** asked the Minister of the Environment why he is allowing wind turbine schemes to proceed, given that Eirgrid in the Republic of Ireland has already paid out 142 million euros to shut down wind turbines. (AQW 23727/11-15)

**Mr Attwood:** It is my understanding that the issue you refer to relates to the curtailment of electricity productions from wind turbines on the occasion where there is too much energy is being produced at any one time for the grid to be able to accommodate.

The Executive has, through the Strategic Energy Framework, confirmed that by 2020 40% of electricity consumption should be from renewable sources. Wind farm electricity generation is the most established large-scale source of renewable energy in Northern Ireland and will continue to play a vital role in meeting the renewable energy target.

To date my Department has granted planning permission to 70 wind farm developments. This is delivering in a very significant way on the requirements set out at the highest level of government.

### Gaelectric: Post-installation Noise Surveys

**Mr Wells** asked the Minister of the Environment whether he is aware of the recent case in County Roscommon in the Republic of Ireland where it is alleged that Gaelectric failed to carry out post-installation noise surveys of its turbines. (AQW 24039/11-15)

**Mr Attwood:** I am aware of the case referred to in the AQ, but clearly it is out with the authority of the NI Government. Senior planning managers attended a meeting in early July with the CEHOG in relation to noise conditions. I have asked for an update in due course, to consider the issues identified in the Roscommon case and to discuss these matter with the industry.

### Wind Turbines

**Lord Morrow** asked the Minister of the Environment, given the existent climate in Northern Ireland and the Republic of Ireland, for his assessment of the impact on wind farms in Northern Ireland from Eirgrid's decision to pay in excess of 140 million Euros to shut down wind turbines. (AQW 24147/11-15)

**Mr Attwood:** It is my understanding that the issue you refer to relates to the curtailment of electricity productions from wind turbines on the occasion where there is too much energy is being produced at any one time for the grid to be able to accommodate.

The Executive has, through the Strategic Energy Framework, confirmed that by 2020 40% of electricity consumption should be from renewable sources. Wind farm electricity generation is the most established large-scale source of renewable energy in Northern Ireland and will continue to play a vital role in meeting the renewable energy target.



To date my Department has granted planning permission to 70 wind farm developments. This is delivering in a very significant way on the requirements set out at the highest level of government.

## Welfare Reform

**Mr Copeland** asked the Minister of the Environment for his assessment of how Welfare Reform will impact on the aims and objectives of his Department.

(AQW 24266/11-15)

**Mr Attwood:** Welfare Reform - in the image of the Conservative/Liberal Democrat coalition – will have profound, multiple negative impact on Welfare claimants in NI. There is some need to simplify welfare law and enable people to work. But this is not the primary London ambition, which is to cut the cost of welfare, failing to recognise the particular circumstance in NI with higher disability and invalidity and the very different housing matrix that prevails here.

This has an impact in a comprehensive and deeply negative way. This impacts on the life of this place and the life of all departments, including DOE.

## Planning Policy Statement 16

**Mr Swann** asked the Minister of the Environment whether the implementation of PPS 16 was supported by the results of the Oxford Economics research into forecasting tourism accommodation demand.

(AQW 24267/11-15)

**Mr Attwood:** The assessment of the performance and future potential of all sectors of the tourism industry in Northern Ireland is carried out by DETI and the Northern Ireland Tourist Board. This includes the forecasting of tourism accommodation demand.

The research referred to in the Member's question was commissioned by DETI, and completed in 2011. There was no specific engagement with DOE officials on this research. However, the formulation of PPS 16 involved close liaison between DOE officials and officials within DETI and the Northern Ireland Tourist Board who agreed its contents prior to publication.

## Hydraulic Fracturing

**Mr Agnew** asked the Minister of the Environment whether any separate permissions, in addition to those which would normally be granted to companies with conventional oil and gas wells, are required for companies to conduct hydraulic fracturing; and if so, to provide details.

(AQW 24540/11-15)

**Mr Attwood:** There is an existing environmental regulatory framework for dealing with all types of developments with the potential to impact upon the environment, including conventional and unconventional oil and gas projects. The suite of regulations that will apply to specific development types will be determined on a case by case basis, appropriate to each individual operator's proposed activities, working practices and location.

I have always said that it is essential to see the fullest range of science before any decisions are taken on hydraulic fracturing. The output from scientific research will enable us to determine the adequacy of the existing regulatory framework and whether additional regulation would be required. That is how we should proceed.

I adopt an 'enhanced precautionary' approach to the issue of hydraulic fracturing. It is on the far side of water, emissions, health and other assessments that this matter could or should be considered.

## District Councils: Recruitment Process for Chief Executives

**Mr McCarthy** asked the Minister of the Environment to outline the recruitment process for Chief Executives of the new councils.

(AQO 4403/11-15)

**Mr Attwood:** There is a need for strong leadership in the local government reform process, both in the run up to 2015 and in the years beyond, not only at a political level, but also operationally. The chief executives of the 11 newly formed councils will be critical to the success of the local government reform process. Clearly, much will be asked of those appointed, and they will need to have the experience, leadership qualities and skills required to transform local government.

Taking legal advice on this matter into account, I have decided to recruit the new council chief executives through full, open competition. I believe that this is the fairest and most effective way to fill the posts. These posts are fundamentally different to the current chief executive posts. Not only will all councils cover a geographically larger area and serve a bigger population base, but they will also deliver significant new functions and operate within a new governance and performance framework. The job specification should clearly reflect this growth, the task of building a new organisation and the transformation challenges inherent in the job.

There has been a call at political level to make these appointments as soon as possible, so the Statutory Transition Committees will be given powers in the Statutory Transition Committee Regulations, which I have laid recently, to appoint the chief executive designate for their corresponding successor councils. It is anticipated that chief executives will be in place by the end of this year, and they will then transfer across to the successor councils once they are formed in 2014.

The recruitment process will be rigorous and include assessment centre testing and interview stages. The Local Government Staff Commission will oversee the process.

### **District Councils: Capacity Building for Councillors**

**Mr Clarke** asked the Minister of the Environment how his Department plans to provide capacity building for councillors in relation to planning, post implementation of the Review of Public Administration.

**(AQO 4404/11-15)**

**Mr Attwood:** The Planning Reform & Transfer Project Office was set up to ensure the smooth delivery of planning to local government in 2015. As part of that work, a team comprising officers from both the Department and local government has been scoping out planning-specific training /capacity building requirements for both members and all affected staff. This work has been fed into the overall local government reform training programme.

That programme comprises 2 phases to coincide with the timeline for Statutory Transition Committees and the shadow councils.

Phase 1 runs from now up to May 2014; phase 2 will run up to April 2015 when the Executive funding expires.

In parallel, consideration will also be given to the ongoing needs of councillors once planning transfers. However, any capacity building post April 2015 will have to be funded by the new councils.

### **Landfill Site, Campsie**

**Mr P Ramsey** asked the Minister of the Environment for an update on the action being taken in relation to the large scale illegal landfill site recently discovered in the Campsie area of Foyle.

**(AQO 4405/11-15)**

**Mr Attwood:** Firstly, the very intensive and complex criminal investigation remains ongoing with a view to using the full force of the law to deal with alleged offenders connected with this situation. Evidence retrieved from the waste in the ground is being painstakingly analysed and its producer identified wherever possible. This information can then be used to determine where the waste should have ended up and what businesses were involved in its handling.

At present I am expecting my officials to submit a prosecution case to the PPS in the next 2 to 3 months.

The waste management facility remains closed and a number of authorisations relating to transfrontier movement of waste associated with it have been terminated.

The Department is carrying out an intensive targeted programme of water quality monitoring in the area of the illegal landfill in order to fully quantify the extent of the likely environmental harm involved and to provide a means of alerting us if the situation deteriorates. We believe that water pollution from leachate presents the most immediate risk of harm.

It is my firm intention that those who carried out these activities will be forced to pay for the mess they have created – however I remain ready to take immediate action to prevent harm to the environment or health if this becomes necessary.

Finally, I have asked the former Chief Executive of the Welsh Environment Agency, Chris Mills, to conduct a full and robust review of this incident.

### **International Appalachian Trail: Ulster Way**

**Mr Storey** asked the Minister of the Environment for an update on the proposal to develop the International Appalachian Trail using the existing Ulster Way.

**(AQO 4406/11-15)**

**Mr Attwood:** I support the concept of the International Appalachian Trail (IAT) and convened a meeting earlier this year with the European Vice President of the IAT together with representatives from the Northern Ireland Tourist Board and from the seven councils along the proposed route.

Officials in the Northern Ireland Environment Agency subsequently wrote to the relevant councils seeking nominees to sit on a Northern Ireland IAT Working Group. Thus far three councils have provided nominations and confirmed they are content that the route of the IAT is dual branded with the Ulster Way. I welcome the support of councils as it is clearly important that each would have a crucial role in ensuring that the standard of the IAT is appropriate to its international status.

I understand that the IAT Steering Group intends to launch the IAT at a local event in August 2013 and I welcome this positive development.

### **Quarries: Safety**

**Ms Ruane** asked the Minister of the Environment when he proposes to bring forward legislation to deal specifically with safety at quarries.

**(AQO 4407/11-15)**

**Mr Attwood:** Due to issues identified to me and my own concerns, I have been addressing this matter. As outlined below, I have intervened in order to attempt to address the real risks and tragic potential of disused quarries.

Specifically, in order to decide upon the most appropriate courses of action I have met with, the Quarry Products Association to discuss the range of safety issues and their awareness raising campaigns. As a result, there was a gathering of all relevant bodies on 3 July 2013 to identify further actions and a number are now being rolled out. I have also written to district councils, confirming to them of their responsibilities and asking that they undertake a review of disused quarries, including a site inspection and risk assessment.

The review of disused quarries is expected to conclude later in the year. However, due to the ongoing risks I again wrote to the Councils recently to urge that, in the short-term, Councils identify places of highest risk and identify how to mitigate that risk.

I have also written to Arlene Foster regarding extending the role of the Health and Safety Executive. She has agreed that her officials will cooperate in developing an improved system of handover meetings to the district councils.

I have also sought advice from my planning officials on whether the Review of Old Mineral Permissions regime could be extended to make disused quarries safer, though this does not provide a means to address disused sites.

The situation is different when quarries cease to operate. When operations at a quarry cease, some responsibility for ensuring appropriate fencing and safety measuring is in place passes to district councils under the statutory nuisance regime. The Quarries (Northern Ireland) Order 1983 (as amended by Clean Neighbourhoods and Environment Act 2011) states that a quarry (worked or unworked) shall be deemed to be a statutory nuisance if it is:

- (a) not provided with an effective and properly maintained barrier so designed and constructed so as to prevent any person from accidentally falling into the quarry; and
- (b) by reason of its accessibility from a highway or place of public resort, it constitutes a danger to members of the public.

In cases where the fence is sufficient to prevent an accidental fall or where an individual has trespassed over private land to reach the quarry face, district councils are not required to take action by way of serving a notice requiring improved fencing. There may be legal limitations on all of this, which is one of the areas which may require action.

There is a regime addressing safety at operational quarries in line with current health and safety legislation. It is enforced by the Health and Safety Executive Northern Ireland.

This is a challenging issue – I have initiated immediate action to address immediate issues, as I develop longer term actions. This reflects my concerns and that of many others.

### **Sprucefield Retail Park: Bulky Goods Site**

**Mr Craig** asked the Minister of the Environment what communication or discussions he has had with Lisburn City Council in the past month regarding his decision to re-designate Sprucefield Retail Park as a bulky goods site.

**(AQO 4408/11-15)**

**Mr Attwood:** On 11 January this year I gave advance notice of what my Department intends to adopt in relation to retailing issues with regard to the Belfast Metropolitan Area Plan (BMAP), subject to completion of all necessary statutory processes.

I should advise that the criteria restricting the type of goods to be sold to bulky was contained within the policy relating to Sprucefield Regional Shopping Centre in the draft BMAP, published November 2004. The advance notice of January this year confirmed that restriction in relation to bulky goods.

I wrote recently to both the Right Worshipful the Mayor and the Chief Executive of the Council to clarify that I remain convinced that the proposed policy in relation to Sprucefield was faithful to planning policy and the Regional Development Strategy, informed by present economic and retail circumstances and the right approach for retail and all the town and city centres within 60 minutes driving distance of Sprucefield (including Lisburn City centre).

### **Planning Enforcement Notices**

**Mr McAleer** asked the Minister of the Environment how many planning enforcement notices his Department has served on rural businesses and enterprises in the Western Division in the last five years.

**(AQO 4409/11-15)**

**Mr Attwood:** A manual count from the Planning Register has identified that from May 2008 – May 2013 (inclusive) 83 planning enforcement notices were served on rural businesses and enterprises in the Western Area Office covering the Omagh, Fermanagh, Cookstown, Strabane and Dungannon Council Areas.

### **Taximeters for Belfast Public Hire Drivers**

**Mr Kinahan** asked the Minister of the Environment how taximeters for Belfast Public Hire drivers will be regulated during the interim period before the legislation relating to taxi fares and taximeters is implemented.

**(AQO 4410/11-15)**

**Mr Attwood:** In response to industry concerns raised during a recent consultation, the Belfast Public Hire taximeter requirements will remain unchanged. The status quo will continue until taximeter regulations are brought forward in 2014.

## Fuel Laundering

**Mr Humphrey** asked the Minister of the Environment for an update on what his Department is doing to address fuel laundering.

(AQO 4411/11-15)

**Mr Attwood:** Fuel laundering is a complex issue which necessitates a considered composite response from a range of regulatory and enforcement bodies. My Department is an essential player in this. Officers from NIEA's Environmental Crime Unit (ECU) are continuing to conduct joint investigations with the PSNI and HMRC when fuel laundering plants are detected. ECU is a member of the Organised Crime Taskforce Cross Border Fuel Fraud Group and a number of key operational activities have arisen via this network. We are also running a joint campaign with the Crimestoppers charity to encourage members of the public, particularly in rural communities, to report - anonymously and therefore without fear - those who are dumping fuel waste. You may also be aware of the Department's pilot Flytipping Pilot Programme, which has been removing fuel laundered waste from participating Council areas – some 19 in total at present – at a cost to date of £527,026.15 for 1550.68 tonnes of laundered fuel waste.

These are representative of actions been taken. However, the scale of the fuel laundering/waste threat is such that all responses need to be escalated. That is why I made a bid for further monies to address, in year, the threat of these activities, why I met Minister Ford on this two weeks ago, why I hope to speak of this at the NSMC on 5 July and take forward a range of other measures so organised crime on the island is faced head on.

## Cycling

**Ms Lo** asked the Minister of the Environment how cycling is incorporated into planning requirements for new developments.

(AQW 24707/11-15)

**Mr Attwood:** I can advise that my Department has a number of mechanisms in place to ensure that cycling provision is an important consideration in determining planning applications for new developments.

In terms of planning policy – Planning Policy Statement (PPS) 13 'Transportation and Land Use' sets out my Departments commitment to incorporating cycle paths into new developments and promoting more sustainable modes of transportation.

More specifically however, Policy AMP 3 'Cycle Provision' of PPS 3 (Revised) 'Access Movement and Parking' actually states that planning permission will only be granted for development providing jobs, shopping, leisure and services (including educational and community uses) where specific needs of cyclists are taken into account.

Furthermore, Policy QD 1 'Quality in New Residential Environments' of PPS 7 'Quality Residential Environments' advises that all proposals for residential development will be expected to conform to a number of criteria, including the support of a movement pattern that incorporates walking and cycling.

In terms of Development plans, a number of those published more recently have identified existing as well as proposed cycle networks and, where appropriate, the key site requirements of zonings and development opportunity sites requiring the provision of cycle paths or further enhancements to the cycle network.

In addition, development plans have introduced policies which directly impact on the National Cycle Network – such as Policy OSR 1 'Public Rights of Way and Permissive Paths' of the Draft Northern Area Plan 2016 which states that permission will not be granted for development proposals which would have an adverse impact on the route, character, function or recreational value of the Ulster way, the National Cycle Network, public rights of way or permissive paths.

## Gasification: Maydown

**Mr Agnew** asked the Minister of the Environment whether consultation took place with neighbouring regions, such as Donegal, on the proposed gasification facility in Maydown in order to comply with EU regulations.

(AQW 24715/11-15)

**Mr Attwood:** Prior to the submission of a full planning application the Department carried out a scoping exercise under The Planning (Environmental Impact Assessment) Regulations (NI) 1999 to establish the content of the required Environmental Statement.

As part of the scoping exercise the Department consulted a number expert consultees at an early stage of the process. No transboundary issues were identified. The Department therefore considered that the proposal would not have any significant effects on a neighbouring EU Member State and that transboundary consultation in this case was not required.

## Gasification: Isle of Wight

**Mr Agnew** asked the Minister of the Environment for his assessment of the decision of the Isle of Wight Council in June 2011 to overhaul its waste management practice in order to reduce dependence on a gasification plant.

(AQW 24716/11-15)

**Mr Attwood:** It is my understanding from the publically available information that the Isle of Wight's revised approach to waste management practice derived from ongoing problems since the gasification plant was retro-fitted into a small conventional incinerator plant in 2008. This particular plant's subsequent unreliability was reported to be due to the unsuccessful reuse of



the flue gas cleaning system of the old incinerator in the retrofit, leading to dioxin emission levels exceeding the legal limit, and requiring it to be shut down on more than one occasion.

The Isle of Wight Council has not to my knowledge expressed any objection to gasification as a technology, and it continues to be a key element in its waste management plan. If the gasification plant were to fail completely, the Council would still have to divert a further 12,000 tonnes of waste per annum from landfill to avoid landfill tax and landfill allowance penalties of up to £2.28m in 2014/15.

The Isle of Wight's plans for reducing its dependency on the gasification plant involve activities which are already in place or about to be introduced by our own councils, including expanding the range of materials collected at kerbside, reducing residual waste collections from weekly to fortnightly and providing caddies for food waste collection. Councils in Northern Ireland have already taken the enhanced recycling which these activities generate into account in determining the quantum of residual waste which they will still have to divert from landfill.

### **Asbestos: District Councils**

**Mr Weir** asked the Minister of the Environment what plans his Department has to introduce by-laws for local councils governing the removal of asbestos.

**(AQW 24805/11-15)**

**Mr Attwood:** The management of asbestos as a hazardous waste is covered in Northern Ireland by the Hazardous Waste Regulations (Northern Ireland) 2005.

Bye-laws affect localised areas and are not usually made by central government but by statutory bodies such as district councils, under enabling Primary powers. However, Bye-laws cannot be made in respect of matters which are already dealt with in legislation. Therefore, from an environmental perspective, because hazardous waste is already dealt with adequately under the Hazardous Waste Regulations the Department of the Environment has no plans for to introduce bye-laws for local councils governing the removal of asbestos.

### **Asbestos: District Councils**

**Mr Weir** asked the Minister of the Environment for his assessment of the adequacy of the legislation and regulations governing the management of asbestos by councils.

**(AQW 24806/11-15)**

**Mr Attwood:** There are two pieces of legislation covering the management of asbestos in Northern Ireland, The Control of Asbestos Regulations (Northern Ireland) 2012 and The Hazardous Waste Regulations (Northern Ireland) 2005.

The Control of Asbestos Regulations are administered by the Health and Safety Executive Northern Ireland (HSENI). You may wish to contact the HSENI for further information on the application of these Regulations. For ease of reference I attach web address to the HSENI Asbestos Advisory Service site, [www.hseni.gov.uk/guidance/topics/asbestos](http://www.hseni.gov.uk/guidance/topics/asbestos).

The Hazardous Waste Regulations, which are administered by this Department, set out the regime for the control and tracking of the movement of hazardous waste, including asbestos, in Northern Ireland. Part 4 bans the mixing of hazardous waste during disposal or recovery operation or by anyone who produces, collects or transports hazardous waste. Part 5 requires documents to be completed whenever hazardous waste is removed from premises, (which includes removal from ships and removal by pipeline). The Regulations require that all hazardous waste produced in Northern Ireland must be accompanied by the appropriate documentation for transfer within the United Kingdom. Part 6 requires producers, holders, carriers, consignors and consignees to keep records, which must kept for no less than 3 years and gives the Department a right of inspection.

I am content that these environmental controls are adequate for the management of asbestos within the auspices of waste management.

### **Coastal Paths: North Down**

**Mr McCarthy** asked the Minister of the Environment for an update on the upgrades of the North Down Coastal Paths by the Northern Ireland Environment Agency.

**(AQW 24810/11-15)**

**Mr Attwood:** The upgrading of paths is the responsibility of the local authority which in this case is North Down Borough Council. You may therefore wish to approach North Down Borough Council directly regarding its plans to upgrade the coastal path.

I am however aware that the North Down coastal path is an important section of the Ulster Way. The Northern Ireland Environment Agency through its Natural Heritage Grant Programme provided £60,000 to North Down Borough Council between 2008 – 2010 for upgrades to two sections of the route to make them accessible for cyclists and all-ability use.

## Legal Costs

**Mr Agnew** asked the Minister of the Environment to detail (i) the number of legal cases, including judicial reviews, which his Department has defended since 2007; (ii) the number of these legal challenges the Department lost; and (iii) the total costs incurred by his Department on the cases which it lost.

**(AQW 24825/11-15)**

**Mr Attwood:** The Department has defended 125 legal cases, including judicial reviews since 2007. The number of legal challenges lost was 42. The cost incurred on cases which the Department lost was £515,521.

Business Area	Number of Cases	Cases lost	Cost of cases lost £
Department (excluding agencies)	31	7	160,207
Northern Ireland Environment Agency	46	11	82,596
Driver and Vehicle Agency	48	24	272,718
<b>Total</b>	<b>125</b>	<b>42</b>	<b>515,521</b>

## Wind Turbines: Planning Guidance

**Mr Weir** asked the Minister of the Environment whether planning guidance on wind turbines varies in accordance with the height of the proposed turbine; and to outline these variations.

**(AQW 24873/11-15)**

**Mr Attwood:** PPS18 'Renewable Energy' sets out my Departments planning policy in respect of renewable energy and includes specific measures in relation to wind energy development. These provisions include a requirement that this form of development should not unacceptably impact visual amenity or landscape character through the number, scale, size and siting of turbines.

These provisions within Policy RE 1 of PPS 18 apply to all wind energy development requiring planning permission, regardless of the height of the proposed turbine.

In assessing whether a particular turbine height is acceptable at a particular location the Department will on a case-by-case basis consider the individual circumstances of the overall development scheme, including the local landscape setting.

To assist with the assessment NIEA have prepared Supplementary Planning Guidance to PPS18 'Wind Energy Development in Northern Ireland's Landscapes'. This provides broad, strategic guidance in relation to the landscape and visual impacts of wind energy across 130 landscape character areas through NI. It identifies turbine height as a key principle affecting how wind energy development may be accommodated in the landscape and advises that, in general, it is preferable for turbine height to be proportionate to landform and landcover and landform.

Where however the hub height of any proposed turbine exceeds 15 metres the Planning (Environmental Impact Assessment) Regulations (Northern Ireland) 2012 require the Department to screen the application to determine whether full Environmental Impact Assessment is required.

## Heavy Goods Vehicle Tests

**Mr Dallat** asked the Minister of the Environment how many heavy goods vehicles were presented at test centres in each of the last five years; and how many of these vehicles failed the test at the first attempt.

**(AQW 24875/11-15)**

**Mr Attwood:** The number of Heavy Goods Vehicles presented at test centres for a full test in each of the last five years (1 April 2008 to 31 March 2013), together with the number that passed or failed the test, is set out in the table below.

### Full Test Pass Rates for Heavy Goods Vehicles by Test Centre - 2008/09 to 2012/13

Test Centre		2008/09	2009/10	2010/11	2011/12	2012/13	Total
Armagh	Tests Conducted	1,978	2,155	2,010	2,014	1,888	10,045
	Pass	1,308	1,439	1,319	1,320	1,346	6,732
	Fail	670	716	691	694	542	3,313
	Pass %	66.1%	66.8%	65.6%	65.5%	71.3%	67.0%
	Fail %	33.9%	33.2%	34.4%	34.5%	28.7%	33.0%

Test Centre		2008/09	2009/10	2010/11	2011/12	2012/13	Total
Ballymena	Tests Conducted	1,892	1,923	1,799	1,804	1,611	9,029
	Pass	1,227	1,247	1,158	1,254	1,156	6,042
	Fail	665	676	641	550	455	2,987
	Pass %	64.9%	64.8%	64.4%	69.5%	71.8%	66.9%
	Fail %	35.1%	35.2%	35.6%	30.5%	28.2%	33.1%
Balmoral	Tests Conducted	1,816	1,815	1,916	1,771	1,675	8,993
	Pass	1,419	1,430	1,560	1,413	1,384	7,206
	Fail	397	385	356	358	291	1,787
	Pass %	78.1%	78.8%	81.4%	79.8%	82.6%	80.1%
	Fail %	21.9%	21.2%	18.6%	20.2%	17.4%	19.9%
Coleraine	Tests Conducted	1,551	1,595	1,567	1,536	1,301	7,550
	Pass	1,008	1,099	1,049	1,042	901	5,099
	Fail	543	496	518	494	400	2,451
	Pass %	65.0%	68.9%	66.9%	67.8%	69.3%	67.5%
	Fail %	35.0%	31.1%	33.1%	32.2%	30.7%	32.5%
Cookstown	Tests Conducted	2,336	2,183	2,135	1,983	1,913	10,550
	Pass	1,389	1,316	1,305	1,108	1,117	6,235
	Fail	947	867	830	875	796	4,315
	Pass %	59.5%	60.3%	61.1%	55.9%	58.4%	59.1%
	Fail %	40.5%	39.7%	38.9%	44.1%	41.6%	40.9%
Craigavon	Tests Conducted	1,698	1,709	1,874	1,880	1,833	8,994
	Pass	1,150	1,313	1,442	1,442	1,514	6,861
	Fail	548	396	432	438	319	2,133
	Pass %	67.7%	76.8%	76.9%	76.7%	82.6%	76.3%
	Fail %	32.3%	23.2%	23.1%	23.3%	17.4%	23.7%
Downpatrick	Tests Conducted	1,266	1,101	930	894	751	4,942
	Pass	908	747	656	603	535	3,449
	Fail	358	354	274	291	216	1,493
	Pass %	71.7%	67.8%	70.5%	67.4%	71.2%	69.8%
	Fail %	28.3%	32.2%	29.5%	32.6%	28.8%	30.2%
Enniskillen	Tests Conducted	1,368	1,418	1,447	1,476	1,319	7,028
	Pass	829	893	860	801	759	4,142
	Fail	539	525	587	675	560	2,886
	Pass %	60.6%	63.0%	59.4%	54.3%	57.5%	58.9%
	Fail %	39.4%	37.0%	40.6%	45.7%	42.5%	41.1%
Larne	Tests Conducted	1,138	1,057	1,006	966	982	5,149
	Pass	820	779	756	750	775	3,880
	Fail	318	278	250	216	207	1,269
	Pass %	72.1%	73.7%	75.1%	77.6%	78.9%	75.4%
	Fail %	27.9%	26.3%	24.9%	22.4%	21.1%	24.6%

Test Centre		2008/09	2009/10	2010/11	2011/12	2012/13	Total
Lisburn	Tests Conducted	1,739	1,697	1,642	1,580	1,568	8,226
	Pass	1,248	1,311	1,175	1,115	1,127	5,976
	Fail	491	386	467	465	441	2,250
	Pass %	71.8%	77.3%	71.6%	70.6%	71.9%	72.6%
	Fail %	28.2%	22.7%	28.4%	29.4%	28.1%	27.4%
Londonderry	Tests Conducted	1,308	1,396	1,375	1,360	1,232	6,671
	Pass	795	831	851	772	744	3,993
	Fail	513	565	524	588	488	2,678
	Pass %	60.8%	59.5%	61.9%	56.8%	60.4%	59.9%
	Fail %	39.2%	40.5%	38.1%	43.2%	39.6%	40.1%
Mallusk	Tests Conducted	4,255	3,712	3,644	3,424	3,190	18,225
	Pass	3,137	2,810	2,703	2,609	2,470	13,729
	Fail	1,118	902	941	815	720	4,496
	Pass %	73.7%	75.7%	74.2%	76.2%	77.4%	75.3%
	Fail %	26.3%	24.3%	25.8%	23.8%	22.6%	24.7%
Newry	Tests Conducted	2,400	2,489	2,630	2,688	2,638	12,845
	Pass	1,674	1,630	1,674	1,710	1,606	8,294
	Fail	726	859	956	978	1,032	4,551
	Pass %	69.8%	65.5%	63.7%	63.6%	60.9%	64.6%
	Fail %	30.3%	34.5%	36.3%	36.4%	39.1%	35.4%
Newtownards	Tests Conducted	1,187	1,139	1,175	1,017	963	5,481
	Pass	631	628	685	625	609	3,178
	Fail	556	511	490	392	354	2,303
	Pass %	53.2%	55.1%	58.3%	61.5%	63.2%	58.0%
	Fail %	46.8%	44.9%	41.7%	38.5%	36.8%	42.0%
Omagh	Tests Conducted	1,188	1,136	1,120	1,083	1,091	5,618
	Pass	733	717	708	708	718	3,584
	Fail	455	419	412	375	373	2,034
	Pass %	61.7%	63.1%	63.2%	65.4%	65.8%	63.8%
	Fail %	38.3%	36.9%	36.8%	34.6%	34.2%	36.2%
Overall	Tests Conducted	27,120	26,525	26,270	25,476	23,955	129,346
	Pass	18,276	18,190	17,901	17,272	16,761	88,400
	Fail	8,844	8,335	8,369	8,204	7,194	40,946
	Pass %	67.4%	68.6%	68.1%	67.8%	70.0%	68.3%
	Fail %	32.6%	31.4%	31.9%	32.2%	30.0%	31.7%

**Source:** DVA, BSP Report V4

**Notes:**

- 1 The above data does not include Re-Tests or FTA's.
- 2 The above data includes small numbers of repeat full tests, when re-tests were not carried out following an initial failed full test.



## Driving Licence Fees

**Ms Lo** asked the Minister of the Environment why the fees charged for driving licences by the DVA in Northern Ireland are higher than those charged by the DVA in the rest of the UK.

**(AQW 25058/11-15)**

**Mr Attwood:** Driving licensing fees in NI were maintained at the same level as those in GB from 2004 until October 2012, despite the cost of producing licences here being higher due to the lack of economies of scale available in GB. The gap in income resulting from maintaining fee parity was balanced by surplus funds from the UK-wide vehicle registration fee, however, the downturn in vehicles registrations ended this source of funding.

The new fees were necessary to assist with the full recovery of the costs associated with the administration of driver licensing in NI and to minimise the extent of the deficit in the fee account. This deficit has been exacerbated by falling volumes, particularly in respect of the fee paying transactions and a significant increase in costs. It should be noted that the income generated from driver licensing fees will not wholly eliminate the fee account deficit and a 'subsidy' payable by the Department will still be required.

Prior to introducing the increased driver licensing fees, the Department carried out public consultation between 14 May 2012 and 8 July 2012.

## Department of Finance and Personnel

### Children's Rights

**Mr Allister** asked the Minister of Finance and Personnel whether a child has a right, in legislation or otherwise, to social contact with its father upon the separation of its parents; and for his assessment of the adequacy of any such provisions.

**(AQW 24531/11-15)**

**Mr Wilson (The Minister of Finance and Personnel):** Article 9(3) of the United Nations Convention on the Rights of the Child ("UNCRC") provides that State Parties must respect the right of a child who is separated from one or both parents to maintain personal relations and direct contact with both parents on a regular basis, unless it is contrary to the child's best interests.

The Children (Northern Ireland) Order 1995 does not set out specific rules on contact post-separation. However it does clearly state that, in determining any question with regard to the upbringing of the child, the court must treat the child's welfare as the paramount consideration. As the UNCRC shows, it is generally accepted that it is in a child's best interests to maintain contact with his or her non-resident parent, provided the contact is safe, and I believe that, when our courts consider applications for contact, they seek to ensure that the child has a continuing relationship with both parents. However, separation is not an easy process and difficulties can arise. My Department is currently considering how the law on contact is operating in practice, with a view to determining whether any amendments to that law are required.

### Barnett Formula

**Mr Allister** asked the Minister of Finance and Personnel why, in the application of the Barnett formula, there is a rebate in respect of a VAT adjustment; and whether this applies in other parts of the UK.

**(AQW 24566/11-15)**

**Mr Wilson:** I refer the Member to the HMT Statement of Funding Policy which states:

*"Northern Ireland value added tax abatement: the changes to the Northern Ireland Executive's budget determined through the Barnett Formula are abated to reflect the fact that under Section 99 of the Value Added Tax Act 1994, the Northern Ireland Executive, unlike departments in the rest of the United Kingdom, do not require provision to meet Value Added Tax expenditure since any valued added tax paid by the NIE is refunded by HM Customs and Excise."*

### Tourist Attractions in County Down

**Mr Weir** asked the Minister of Finance and Personnel to detail (i) the top ten tourist attractions in County Down, in terms of visitor numbers; and (ii) the number of visitors each received, in the last available year.

**(AQW 24731/11-15)**

**Mr Wilson:** This information is sourced from the Northern Ireland Statistics and Research Agency's Visitor Attraction Survey. It is important to note that the Visitor Attraction Survey is a voluntary survey and all data presented in the report is based solely on the visitor numbers provided by attractions choosing to take part in the survey. Visitor numbers are accepted in good faith from the proprietor of the attraction.

**Top Ten County Down attractions in terms of visitor numbers 2012**

Attraction	Visitor Numbers 2012
Delamont Country Park	577,320
Dundonald International Ice Bowl	459,308
Newry Cathedral	200,000
Scrabo Country Park	180,000
The Saint Patrick Centre	91,780
Kilbroney Park	85,794
North Down Museum	69,148
Rowallane Garden	51,615
Newry and Mourne Museum	34,719
Ards Arts Centre	33,332

**Branded Apparel for Non-front Line Staff**

**Mr Allister** asked the Minister of Finance and Personnel how much his Department has spent on branded apparel for non-frontline staff, in each of the last three years.

**(AQW 24784/11-15)**

**Mr Wilson:** Expenditure on branded apparel for non-frontline staff by my Department in each of the last three years is provided in the following table.

Financial Year	Total Expenditure (£000)
2010/11	Nil
2011/12	Nil
2012/13	6.6

**Barnett Consequentials: Comprehensive Spending Review Announcement**

**Mr Weir** asked the Minister of Finance and Personnel to detail the Barnett consequentials of the Chancellor's recent Comprehensive Spending Review announcement.

**(AQW 24808/11-15)**

**Mr Wilson:** The Chancellor's Spending Round announcement on Wednesday 26th June 2013 detailed the UK's budget for the financial year 2015-16 and provided an overall envelope for the Executive's 2015-16 Budget.

Our 2015-16 Resource DEL will be £10.2 billion, and our 2015-16 Capital DEL will be £1.1 billion.

The following table outlines the consequentials received and these were added to our agreed baseline for 2015-16 to produce the outcome above.

		£m
Resource DEL	UK Allocation	NI Consequential
<b>Barnett Adjustments</b>		
Education	1,453.4	48.7
Health	2,055.8	68.3
Business Innovation & Skills	-653.7	-17.4
Transport	-247.8	-8.3
CLG: Communities	-116.1	-3.9
CLG: Local Government	-2,550.2	-14.8
Home Office	-448.3	-10.8
Justice	-563.7	-17.8
Law Officers	-18.0	-0.5
Energy & Climate Change	-65.0	-0.5

		£m
Resource DEL	UK Allocation	NI Consequential
Environment, Food & Rural Affairs	-139.7	-4.6
Culture Media & Sport	-58.9	-1.9
Work & Pensions	-346.7	-10.1
HM Revenue & Customs	-103.5	0.0
Treasury	-11.7	0.0
Cabinet Office	-30.1	-0.1
Single Intelligence Account	74.6	0.4
Small Departments	0.0	0.4
	<b>-1,769.5</b>	<b>27.1</b>
<b>Non Barnett Adjustments</b>		
NI security		29.5
Air Passenger Duty		-2.3
Student Loan Impairments		40.5
Council Tax		1.1
		<b>68.8</b>
<b>Total Adjustments</b>		<b>95.9</b>
<b>Baseline</b>		<b>10,070.6</b>
<b>NI Outcome</b>		<b>10,166.5</b>

		£m
Capital DEL	UK Allocation	NI Consequential
<b>Barnett Adjustments</b>		
Education	1,191.0	39.9
Health	87.0	2.9
Business Innovation & Skills	2,798.0	74.3
Transport	2,007.0	67.3
CLG: Communities	1,158.7	38.6
Home Office	-75.0	-1.8
Justice	48.7	1.5
Energy & Climate Change	136.2	0.9
Environment, Food & Rural Affairs	56.6	1.9
Culture Media & Sport	-22.0	-0.7
Work & Pensions	-51.0	-1.5
HM Revenue & Customs	15.8	0.0
HM Treasury	-1.3	0.0
Cabinet Office	-6.4	0.0
Single Intelligence Account	77.0	0.4
Small Departments	0.0	0.1
	<b>7,420.2</b>	<b>223.9</b>
<b>Non Barnett Adjustments</b>		
NI Security		1.5
		<b>1.5</b>

		£m
Capital DEL	UK Allocation	NI Consequential
Total Adjustments		225.4
Baseline		834.6
NI Outcome		1,060.0

### Irish Bank Resolution Corporation Employees

**Mr McDevitt** asked the Minister of Finance and Personnel what actions he plans to take to protect the Irish Bank Resolution Corporation employees, based in the Belfast office, who have been advised that they will be made redundant on statutory terms on 2 August 2013.

(AQW 24834/11-15)

**Mr Wilson:** As outlined in my 2 July 2013 correspondence to yourself, I have written to Mr Frank Daly (Chairman, NAMA) seeking an update on the IBRC staff. Mr Daly has advised that current plans include the recruitment by Capita and NAMA of relevant existing IBRC NAMA unit staff, including those in Belfast. It is NAMA's understanding that as part of the process, Capita is examining retaining a Belfast office and that it is seeking to progress its plans with the Special Liquidator.

Mr Daly anticipates that in addition to opportunities with Capita and NAMA, the successful tenders for the new portfolio to be acquired by NAMA from the Special Liquidator towards the end of the year will create employment opportunities for current IBRC staff.

I also raised this issue with Minister Noonan when we met on 13 June 2013. He has noted my concerns and indicated that he would look into this matter. I will continue to monitor this situation closely as it develops.

### Blacklisting: Public Contracts

**Mr Flanagan** asked the Minister of Finance and Personnel what steps he has taken to ensure that companies involved in blacklisting are not awarded public contracts.

(AQW 24836/11-15)

**Mr Wilson:** I have not taken any steps to prevent companies involved in blacklisting being awarded public contracts.

The Public Contracts Regulations (2006), which govern all public procurement, permits the exclusion of contractors from contract awards on limited grounds. These require the economic operator to have been subject to a criminal conviction or a finding following a formal investigation by the NI Human Rights Commission, the Equality Commission for Northern Ireland or an Employment tribunal. There is little scope to move beyond these grounds and any attempt to do so could be subject to legal challenge.

### Blacklisting: Public Contracts

**Mr Flanagan** asked the Minister of Finance and Personnel what contact he has had with trades unions on strategies to ensure that companies involved in blacklisting are not awarded public contracts.

(AQW 24837/11-15)

**Mr Wilson:** I have not had any contact with trade unions on this matter. This is a difficult area as there is little scope to exclude such companies under current legislation.

### Blacklisting: Procurement Reform Bill

**Mr Flanagan** asked the Minister of Finance and Personnel what plans he has to include blacklisting in the Procurement Reform Bill.

(AQW 24839/11-15)

**Mr Wilson:** There are no plans to introduce a Procurement Reform Bill in Northern Ireland.

### Welfare Budget Cap

**Mr Durkan** asked the Minister of Finance and Personnel for his assessment of the impact of the proposed welfare budget cap.

(AQW 25004/11-15)

**Mr Wilson:** As part of the recent UK Spending Round statement for the 2015-16 year, the Chancellor of the Exchequer outlined plans to introduce a cap on welfare expenditure.

The rationale for this cap is to improve spending control, supporting fiscal consolidation and ensuring the welfare system remains affordable. A nominal cap will be set from 2015-16, and will be set over a five year forecast period.



In terms of the specifics of how the cap will operate, at this stage HM Treasury have not provided any further detail beyond what the Chancellor outlined in his Spending Round on 26 June 2013. I intend seeking clarification from HM Treasury on this matter in order that the implications for Northern Ireland can be fully assessed. I will update the Minister for Social Development and the Executive Sub Group on Welfare Reform in due course.

## Department of Health, Social Services and Public Safety

### Dalriada Urgent Care: Moneymore Out of Hours Service

**Mr I McCrea** asked the Minister of Health, Social Services and Public Safety to detail the areas covered by the Dalriada Out of Hours Service in Moneymore.

(AQW 24590/11-15)

**Mr Poots (The Minister of Health, Social Services and Public Safety):** The geographical area normally covered by the Moneymore Centre is to the west and north west of Lough Neagh and covering Moneymore, Magherafelt, Maghera, Bellaghy, Castledawson, Cookstown, Coagh, Tobermore, Stewartstown.

### Dalriada Urgent Care: Moneymore Out of Hours Service

**Mr I McCrea** asked the Minister of Health, Social Services and Public Safety what areas doctors travel from to cover the Dalriada Out of Hours Service in Moneymore.

(AQW 24591/11-15)

**Mr Poots:** All doctors on Dalriada Urgent Care's register are free to work in any of its Centres. There are approximately 39 doctors who generally cover the Moneymore Out of Hours Service Centre, on a 4 week rotating basis; 18 are from the Mid Ulster area and 11 come from other localities covered by Dalriada Urgent Care.

### Dalriada Urgent Care: Medical Equipment and Supplies

**Mr I McCrea** asked the Minister of Health, Social Services and Public Safety by what means Dalriada Surgeries are stocked with medical equipment and supplies.

(AQW 24592/11-15)

**Mr Poots:** Dalriada Urgent Care has a regional contract with Victoria Pharmaceuticals primarily for the supply of pre-packed and over-labelled medicines. It sources items such as multi-sticks, syringes, needles in other ways, for example, through community pharmacy.

The main items of medical equipment in surgeries and cars are –

- defibrillators purchased over time from Cardiac Services; replacement pads are obtained from Cardiac Services;
- Nebulisers, O2 monitor and blood sugar monitors purchased from medical equipment suppliers;
- Supplies such as nebuliser and oxygen masks and sample bottles obtained from Health and Social Care Business Services Organisation.

### Fire and Rescue Service: Job Applicants

**Mr Campbell** asked the Minister of Health, Social Services and Public Safety to detail the number of people who (i) applied; and (ii) were appointed to the Fire and Rescue Service in each of the last three years, broken down by community background.

(AQW 24614/11-15)

**Mr Poots:** The table below details the number of applicants and appointees for the three calendar years 2010 to 2012.

Year	Applicants				Appointees			
	Protestant	Roman Catholic	Other	Total	Protestant	Roman Catholic	Other	Total
2010*	0	4	3	7	11	9	4	24
2011**	2764	2426	578	5768	16	13	1	30
2012	26	34	9	69	16	19	4	39

\* appointments may be made in a different year(s) from when the applications were received.

\*\* the number of applicants reflects the wholetime recruitment exercise which ran in the second half of 2011

## Prisons: Prescription Drug Risks

**Lord Morrow** asked the Minister of Health, Social Services and Public Safety whether all prisoners that have prescription drugs of a high and medium risk score, as defined in the template on the Northern Ireland Prison Service policy document, are administered on a 'see to take' basis during their first week in custody; and if so, (i) when this commenced; and (ii) will this practice be extended beyond the first week in custody.

**(AQW 24648/11-15)**

**Mr Poots:** Within the Northern Ireland Prison Service, in line with the "In Possession Policy", which has been operated by the South Eastern HSC Trust since November 2010, all prisoners are assessed, by means of 'In Possession' (IP) Risk Assessments, on their suitability for storing and taking their own prescribed medication within one week of committal.

If the outcome of the Risk Assessments is that prisoners are assessed as IP, the position should be reviewed at least annually. If the outcome is that prisoners are not suitable for IP, medications will be given as supervised administration (known as supervised swallow). This will be extended beyond the first week in custody and reviewed after one month or when a trigger factor occurs. Trigger points include, overdose incidents; if a prisoner found hoarding or trading medication; and deteriorating mental health.

## Nursing Care

**Mr Milne** asked the Minister of Health, Social Services and Public Safety, over the last three months, how many people in each Health and Social Care Trust area, who had been assessed as requiring residential care, have been reassessed as requiring nursing care.

**(AQW 24682/11-15)**

**Mr Poots:** The following table is based on information provided by each HSC trust and details the number of people, across all programmes of care, in their area who were in residential care who have been reassessed as requiring nursing care in the last 3 months:

Belfast HSC Trust	4
Western HSC Trust	33
Southern HSC Trust	18
South Eastern HSC Trust	24
Northern HSC Trust	50

## Project Bank Accounts

**Mr McGlone** asked the Minister of Health, Social Services and Public Safety, in order to facilitate proper payments to contractors, sub contractors and suppliers, for an update on the adoption of Project Bank Accounts as good practice within his Department.

**(AQW 24698/11-15)**

**Mr Poots:** The Health Estates Investment Group of the Department will implement the agreed strategy for the use of Project Bank Accounts in line with the guidance currently being produced by the Department of Finance and Personnel's Central Procurement Directorate.

## Legal Costs

**Mr Agnew** asked the Minister of Health, Social Services and Public Safety to detail (i) the number of legal cases, including judicial reviews, which his Department has defended since 2007; (ii) the number of these legal challenges the Department lost; and (iii) the total costs incurred by his Department on the cases which it lost.

**(AQW 24824/11-15)**

**Mr Poots:** The information requested is not readily available and could only be provided at disproportionate cost.

## Misuse of Legal Drugs

**Mr Elliott** asked the Minister of Health, Social Services and Public Safety whether he plans to amend legislation to ensure the opportunity for drug abuse from legal drugs is reduced.

**(AQW 24832/11-15)**

**Mr Poots:** Within the UK the relevant legislation governing medicines is the Human Medicines Regulations 2012 and, in some cases, the Misuse of Drugs Act 1971. These are reserved matters for the Government at Westminster to lead on in consultation with the devolved administrations. This is important as it is vital to have a consistency of approach and message across the UK.

Following approaches from various departments, including DHSSPS, the UK Government enacted legislation to amend the Misuse of Drugs Act to incorporate a new classification for placing new drugs otherwise known as 'legal highs' under temporary control for up to 12 months.

## Bonfires: Injuries

**Ms S Ramsey** asked the Minister of Health, Social Services and Public Safety how many people (i) were walk-ins at; and (ii) were brought by ambulance to Accident and Emergency departments as a result of injuries sustained at bonfires, in each of the last three years.

(AQW 24850/11-15)

**Mr Poots:** Information on the number of people that (i) were walk-ins at; and (ii) were brought by ambulance to Accident and Emergency departments as a result of injuries sustained at bonfires is not currently available and could only be provided at disproportionate cost.

## Bonfires: Ambulance Service and Fire and Rescue Service Call-outs

**Ms S Ramsey** asked the Minister of Health, Social Services and Public Safety for a breakdown of the (i) Ambulance Service; and (ii) Fire and Rescue Service call-outs to incidents at bonfires in each of the last three years.

(AQW 24851/11-15)

**Mr Poots:**

- (i) Information on the number of Ambulance Service call-outs to incidents at bonfires is not available.
- (ii) The number of call-outs to incidents at bonfires made by the Northern Ireland Fire and Rescue Service (NIFRS) in each of the last three years is given in the table below:

Year	No. of call-outs to incidents at bonfires <sup>1</sup>
2010/11	586
2011/12	380
2012/13	303

**Source:** Northern Ireland Fire and Rescue Service (NIFRS)

- 1 Relates to the number of calls which resulted in a NIFRS vehicle being dispatched, and which were subsequently classified as a 'bonfire' incident

## Personality Disorder Unit

**Mr McDevitt** asked the Minister of Health, Social Services and Public Safety where the £3 million funding, secured under his predecessor for the establishment of a personality disorder unit, has been spent; and what services are being funded.

(AQW 24853/11-15)

**Mr Poots:** In the last Comprehensive Spending Review (CSR) £1.1m was allocated for the development of Personality Disorder services. Due to budgetary pressures, this was less than the anticipated investment to underpin the Northern Ireland Personality Disorder Strategy 'Personality Disorder: A Diagnosis for Inclusion' (June 2010).

The £1.1M has been used to progress work in the following areas:

- Development of community-based Personality Disorders services across the Region;
- Development of a regional clinical network to share services, skills and expertise, including PBNI and Prison Health;
- Development of a training strategy, with a particular focus on raising the capacity of primary care and other mainstream services to meet the needs of the Personality Disorder population;
- Adoption of recovery principles which allow service users and carers to protect their own mental health and offer peer support, education and training;
- Joint training with Forensic services, where appropriate; and
- Development of an Integrated Care Pathway based on NICE Guidelines.

## Scoliosis

**Mr B McCrea** asked the Minister of Health, Social Services and Public Safety how many people are on the waiting list for scoliosis surgery; and what is the waiting time from referral to operation.

(AQW 24867/11-15)

**Mr Poots:** There were 41 patients waiting for surgery to treat scoliosis of the spine at the 31st March 2013, the most recent quarter for which official statistics are available.

Northern Ireland reports hospital waiting times on the basis of outpatient, inpatient and diagnostic waiting times, not waiting times from referral to treatment.

At the 31st March 2013, the average inpatient waiting time for surgery to treat scoliosis of the spine, measured from the date the decision to admit was taken, was 40.8 weeks.

It should be noted that inpatient waiting time information is collected on the basis of the type of procedure the patient is waiting for, rather than the condition that the patient is diagnosed with. Procedures used for treatment of scoliosis of the spine were identified using the Office of Population Censuses and Surveys tabular list of operations and procedures (OPCS-4) codes V41—Instrumental correction of deformity of spine and V42 – Other correction of deformity of spine. The figures in the answer refer to intended procedures only.

## Vending Machines

**Mr Lunn** asked the Minister of Health, Social Services and Public Safety whether he plans to advise Health and Social Care Trusts on changes to the goods sold in vending machines in Emergency Departments, given the high-sugar and high-calorie content of the products normally on sale.

**(AQW 24868/11-15)**

**Mr Poots:** Vending machines on Health and Social Care Trust premises offer a variety of choices for visitors and staff as well as patients. The options include bottled water, hot and cold beverages and low-calorie or sugar-free products, as well as those with high sugar content.

Nutrition provided in health and social care facilities is kept under review and in that context the Public Health Agency (PHA) has advised that action on vending machines is being taken forward as part of a wider initiative to improve the availability and encourage uptake of healthier choices provided for staff and visitors within health and social care catering facilities across Northern Ireland.

## Prostate Cancer

**Mr McMullan** asked the Minister of Health, Social Services and Public Safety how much his Department has spent on the study of prostate cancer in each of the last five years.

**(AQW 24874/11-15)**

**Mr Poots:** The table below shows the annual funding allocated directly for prostate cancer research from the regional Health and Social Care R&D Fund, managed by the HSC R&D Division, Public Health Agency. Funding comprises both support for research projects and support for staff to undertake clinical trials of potentially beneficial new treatments. Prostate cancer trials account for some 15% of all cancer trials activity so the sum included in the table represents 15% of the total HSC R&D allocation for cancer trials.

This allocation of monies has levered into NI significant additional investment from other sources that include charities, government and private sector. Those additional funds are not included in the table.

Year	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14	Total
Total £	138,210	245,435	294,039	237,895	280,602	292,959	1,489,139

## Finance, Procurement and Logistics

**Mr McClarty** asked the Minister of Health, Social Services and Public Safety when he first became aware of the (i) content of the letter, under the heading "FPL stock accounting issues" dated 7 March 2013 and emailed from the Business Services Organisation's Finance Director to his Department's Senior Responsible Officer/Deputy Secretary; and (ii) the New Risk No 17 added to the Business Services Organisation's Corporate Risk Register on 30 January 2013 with a risk classification of "extreme"; and by which date will the Finance Procurement and Logistics solution be fully implemented.

**(AQW 24888/11-15)**

**Mr Poots:** My Departmental staff are aware of the content of the letter relating to 'FPL stock accounting issues' and the addition of the new Risk No 17 added to the BSO's Corporate Risk Register. Whilst the specific content of the above correspondence has not been brought to my attention, I am aware of the problems that have been experienced during the implementation of the FPL system and the measures being taken to address them.

The final phase of implementation of the FPL system is expected to be completed in September 2013, with the implementation of shared services to follow.

## Scoliosis

**Mr B McCrea** asked the Minister of Health, Social Services and Public Safety what criteria is used to decide who gets an urgent appointment at the scoliosis clinic.

**(AQW 24889/11-15)**



**Mr Poots:** A patient will be offered an urgent appointment at a scoliosis clinic if they have a noted respiratory compromise due to scoliosis, if they have a noted neurological interference due to scoliosis or if the referral is a consultant tertiary referral for urgent appointment at a scoliosis clinic.

## Drug Abuse

**Mr Durkan** asked the Minister of Health, Social Services and Public Safety how many people in each Health and Social Care Trust area were treated for drug abuse in the last twelve months, broken down by age.

(AQW 24898/11-15)

**Mr Poots:** Information on the number of people who were treated for drug abuse is published on the Department of Health, Social Services and Public Safety website. The latest published information is for 2011/12 and can be found at the following weblink: [http://www.dhsspsni.gov.uk/dmd\\_bulletin\\_2011-12.pdf](http://www.dhsspsni.gov.uk/dmd_bulletin_2011-12.pdf)

## Learning Disabilities

**Mr P Ramsey** asked the Minister of Health, Social Services and Public Safety how he will ensure that robust arrangements are in place so that the future needs and wishes of people with a learning disability and their family carers are (i) identified at the earliest possible stage; (ii) planned for; and (iii) delivered when required.

(AQW 24901/11-15)

**Mr Poots:** The needs of individuals (both adults and children) with learning disabilities, their families and carers will vary throughout the life of the individual and may involve many agencies, including a range of statutory, independent and voluntary sector organisations.

Individuals with learning disabilities may also have associated physical, sensory, mobility, emotional and personal care needs. For health and social care services, they have a right of access to primary, emergency and elective healthcare services in the same way as any other citizen. Programmes are in place to enhance access to primary health care services for people with disabilities, including annual health checks, and employment of health facilitators in the community.

I recognise the importance of early intervention, especially for children with learning disabilities. Most of these services are planned for through Children's Services Planning arrangements, and integrated working is promoted through the Children's and Young People's Strategic Partnership. However, I recognise that more can always be done, to enhance early years support for children with learning disabilities and manage transitions better.

It is intended to amend the Children (Northern Ireland) Order 1995 to require Health and Social Care Trusts to ascertain the wishes and feelings of children in need in their area in connection with decisions about the provision of services to them to safeguard them and promote their welfare. Trusts will also be required to give due consideration to the wishes and feelings expressed by children in need in these circumstances. This will be done by way of the Adoption and Children Bill, which I intend to introduce in the Assembly in 2014.

Individual care plans and regular review of these plans are the best way to promote effective service delivery to meet assessed needs. Carers are also entitled to a carers assessment. I expect that succession planning for the care of loved ones to be part of these processes.

## Self-directed Support

**Mr P Ramsey** asked the Minister of Health, Social Services and Public Safety what plans he has to introduce self-directed support or individual budgets.

(AQW 24904/11-15)

**Mr Poots:** Self-directed support is currently being widely rolled out in Northern Ireland - by way of Direct Payments. This is where a HSC Trust provides an individual with a cash payment, in lieu of social care services, which they can use to purchase the necessary support to meet their assessed needs. Access to Direct Payments as a means of delivering social services in Northern Ireland has been available since 1996.

HSC Trusts continue to explore new and innovative ways of providing personalised support to individuals and carers. A personalised budget (or "personal budget") is another way of delivering self-directed support, a concept which has been piloted in the Southern Trust. A personalised budget is an amount of money that is identified and allocated to meet the assessed needs of a particular individual; the money is retained by the Trust, but the service user will be told the amount available, and can direct how the money will be spent and what type of services will be purchased.

Additionally, the HSC Board, in partnership with a wide range of stakeholders, is in the process of planning the roll-out of personal budgets across the region. Intended Measurements of Success of the project include: by March 2015, 100% of those eligible for a social care service will have a record of their personal budget, and 20% of those individuals in receipt of a social care service will access some form of self-directed support i.e. Direct Payments, a managed budget or mixed provision.

## Castlederg Ambulance Station

**Ms Boyle** asked the Minister of Health, Social Services and Public Safety whether he has any plans to improve (i) the entrance road and abutting entrance walls to Castlederg Ambulance station; and (ii) the overall state of the grounds to the old hospital site; and whether he has any plans to deal with the issue of dumping taking place at this site.

(AQW 24932/11-15)

**Mr Poots:** The old Derg Hospital site is owned by my Department; however, it is maintained on our behalf by the Western Health and Social Care Trust (the Trust). The Trust carried out remedial works to the entrance road to Castlederg Ambulance station in 2012. Recently, the Trust as part of its ongoing maintenance, reviewed the condition of road and walls and plans to carry out the necessary repairs to the damaged section of wall and also the road surface by autumn this year.

The grounds of the old Derg hospital site are maintained in line with the rest of the Trust's estate with grass around the ambulance station being regularly cut during the growing season. This is currently being reviewed to determine how the visual amenity of the grounds on the rest of the site could be improved. The Trust is aware of the issue of illegal dumping and is continuing to monitor the situation to determine appropriate measures to prevent reoccurrence.

## Tobacco Control

**Mr Beggs** asked the Minister of Health, Social Services and Public Safety to detail the number of full time equivalent staff who work on the enforcement of tobacco control in (i) his Department; (ii) the Health and Social Care Board; (iii) the Public Health Agency; and (iv) each district council.

(AQW 24933/11-15)

**Mr Poots:** In Northern Ireland, district councils have sole responsibility for the enforcement of tobacco control legislation. No other staff in my Department, the Public Health Agency or the Health and Social Care Board have responsibility for this area of work.

My Department, through the Public Health Agency, provides funding for 12 Tobacco Control Officer posts in Northern Ireland. These officers are responsible for co-ordinating tobacco control enforcement activity across all 26 district councils. To assist the work of the Tobacco Control Officers, district council based Environmental Health Officers occasionally undertake certain duties in relation to tobacco enforcement. However, information on the amount of time spent on such duties is not available.

## Urgent Respite Care: Carrickfergus

**Mr Copeland** asked the Minister of Health, Social Services and Public Safety to detail the number of urgent respite care places available in the Carrickfergus area on a weekly basis; and how many spaces were available in each of the last four weeks.

(AQW 24948/11-15)

**Mr Poots:** This information is not held centrally and was therefore requested from the Northern Health and Social (HSC) Trust. Their response is provided below.

### Children's Services

There are no dedicated respite places for urgent or emergency situations and there have been no requests for such a place within the four week period preceding the 5th July 2013.

### Adult Services

Respite care is normally provided on a planned basis within Adult Learning Disability service, with 6 dedicated residential respite beds (Ellis Court Respite Service) and 2 dedicated nursing respite beds (Castlevue Nursing Home) in the Carrickfergus area.

Should the need arise for any emergency respite care, colleagues from the Multi-Disciplinary Team would firstly check with already established Northern HSC Trust services for availability, if not available then the Trust would spot purchase a residential or nursing bed.

## Adoption

**Mr Weir** asked the Minister of Health, Social Services and Public Safety how many children have been adopted in each of the last ten years.

(AQW 24976/11-15)

**Mr Poots:** It is assumed that the question refers to the number of children adopted from care in each of the last ten years.

The number of children adopted from care in Northern Ireland can be found in the statistical bulletin 'The Adoption of Looked After Children in Northern Ireland.' This publication was produced biennially from 2002 to 2012. It will now be available on an annual basis and can be found on the Department's website at the following link:

[http://www.dhsspsni.gov.uk/index/stats\\_research/stats-cib/statistics\\_and\\_research-cib-pub/children\\_statistics/statistics\\_and\\_research-cib\\_adoption.htm](http://www.dhsspsni.gov.uk/index/stats_research/stats-cib/statistics_and_research-cib-pub/children_statistics/statistics_and_research-cib_adoption.htm)

## Adoption and Foster Care

**Mr Weir** asked the Minister of Health, Social Services and Public Safety how many people were registered as potential (i) adoptive; and (ii) foster parents in each of the last ten years.

**(AQW 24978/11-15)**

**Mr Poots:**

- i Information is not centrally available on the number of people registered as potential adoptive parents in each of the last ten years, nor could this information be sourced from Health and Social Care Trusts due to disproportionate costs. The nearest available figures to those requested are detailed below for your information.

The number of people who have successfully completed an assessment and been approved as an adoptive carer in each of the last three years is detailed in Table 1 below.

**Table 1: The Number of People who have undergone an Assessment and been Approved as an Adoptive Carer during year ending 31 March**

Year	No. Approved as an Adoptive Carer
2011	88
2012	113
2013	119

**Source:** Health and Social Care Board Delegated Statutory Functions Corporate Parenting Returns

**Note:** These figures have not been validated by DHSSPS. Figures for 2012 and 2013 include those approved for inter-country adoption. Figures for 2013 are provisional and potentially subject to change.

- ii. This information could not be sourced from Health and Social Care Trusts due to disproportionate costs. Figures are centrally available for the number of registered foster parents at 31 March in each of the last three years. These figures are detailed in Table 2.

**Table 2: The Number of People Registered as a Foster Parent at 31 March**

Year	No. Registered as a Foster Carer
2011	1,969
2012	2,010
2013	2,125

**Source:** Health and Social Care Board Delegated Statutory Functions Corporate Parenting Returns

**Note:** These figures have not been validated by DHSSPS. Figures for 2013 are provisional and potentially subject to change.

## Foster Care

**Mr Weir** asked the Minister of Health, Social Services and Public Safety how many children were fostered in each of the last ten years.

**(AQW 24980/11-15)**

**Mr Poots:** The number of children fostered at 31 March in each of the last ten years can be found in the publications 'Children's Social Care Statistics' (Table 3.6) and 'Children Order Statistical Tables' (Table 3.3) available on the Department's website at the following link:

[http://www.dhsspsni.gov.uk/index/stats\\_research/stats-cib/statistics\\_and\\_research-cib-pub/children\\_statistics/stats-cib-children\\_order.htm](http://www.dhsspsni.gov.uk/index/stats_research/stats-cib/statistics_and_research-cib-pub/children_statistics/stats-cib-children_order.htm)

## Diabetic Macula Oedema

**Mr McDevitt** asked the Minister of Health, Social Services and Public Safety whether he has any plans to make Ranibizumab available to qualifying patients for the treatment of diabetic macula oedema, given its proven effectiveness and the National Institute for Health and Care Excellence recommendation.

**(AQW 24994/11-15)**

**Mr Poots:** NICE Technology Appraisal TA274 on ranibizumab for treating diabetic macular oedema was endorsed by my Department in March 2013. The HSC Board are currently developing a Service Notification which will detail arrangements for implementing the guidance. Once this Service Notification has been agreed, it will represent my Department's formal policy position on implementation.

## Regulation and Quality Improvement Authority

**Mr Agnew** asked the Minister of Health, Social Services and Public Safety whether resources are available to meet the extra demand on the Regulation and Quality Improvement Authority for the reviews and inspections due to the increased number of private care homes resulting from Transforming Your Care.

(AQW 24995/11-15)

**Mr Poots:** The principal source of funding for the Regulation and Quality Improvement Authority (RQIA) is grant-in-aid paid by my Department. If any shift in Departmental policy leads to a requirement for more resources to meet the demand for reviews and inspection, RQIA would seek additional funding from the Department by way of a suitable Business Case and it would be considered according to guidance from the Northern Ireland Guide to Expenditure and Appraisal.

## Belfast Health and Social Care Trust: Pneumatic Blood Tubing System

**Ms S Ramsey** asked the Minister of Health, Social Services and Public Safety what contingency plans are in place in the Belfast Health and Social Care Trust in the event of a complete tubing system failure for the delivery of blood; and who is responsible for the repair and maintenance of the tubing system.

(AQW 25006/11-15)

**Mr Poots:** The Belfast Health and Social Care Trust has advised that the pneumatic tube system is not used for the delivery of blood for transfusion, but is used to send blood samples for cross-matching and typing in order to determine what blood or blood products can be issued.

It is used for urgent samples, but samples that have been difficult to obtain and where it may be difficult to obtain further samples eg from young children or babies, are normally hand delivered by porters. This method of delivery is also used as the contingency back up when the pneumatic tube system is out of order.

The contract for repair and maintenance of the pneumatic tube system was awarded to Sumetzberger Ireland (Phil-Tec) for the period 1 January 2010 to 31 December 2014.

## Royal Victoria Hospital: Accident and Emergency Department

**Ms S Ramsey** asked the Minister of Health, Social Services and Public Safety whether the Belfast Health and Social Care Trust has provided (i) changing facilities for Band 1 PCSS staff; and (ii) a work base for porters in the new Accident and Emergency department at the Royal Victoria Hospital, Belfast.

(AQW 25007/11-15)

**Mr Poots:** The design ethos behind the new Critical Care Building at the Royal Victoria Hospital is to create a multi-disciplinary working environment throughout it. Multi-disciplinary teams including the Patient and Client Support staff (PCSS) who are based in the Emergency Department will share changing accommodation within the building with other disciplines.

A multi disciplinary office which porters will access has been provided adjacent to the ambulance entrance to the Emergency Department.

## Nursing and Residential Care Homes: Enforcement

**Mr Agnew** asked the Minister of Health, Social Services and Public Safety to list the enforcement actions taken against older peoples' nursing or residential care homes by the Regulation and Quality Improvement Authority in (i) 2011; (ii) 2012; and (iii) 2013.

(AQW 25023/11-15)

**Mr Poots:** Details of enforcements actions taken by Regulation and Quality Improvement Authority (RQIA) are published on the RQIA website.

Enforcement activity from April 2011 to March 2012 is published on Pages 32-35 of the RQIA Annual Report and Accounts 2011/12 which may be found at:

[http://www.rqia.org.uk/cms\\_resources/Annual%20Report%202011-12%20Published%20Version.pdf](http://www.rqia.org.uk/cms_resources/Annual%20Report%202011-12%20Published%20Version.pdf)

Enforcement activity on 2012/13 is available on the RQIA website at: [http://www.rqia.org.uk/inspections/enforcement\\_activity.cfm](http://www.rqia.org.uk/inspections/enforcement_activity.cfm). This will be collated in the RQIA Annual Report and Accounts 2012/13 when it is published in August.

## Western Health and Social Care Trust: Flexicare Scheme

**Mr McDevitt** asked the Minister of Health, Social Services and Public Safety why the Flexi-Care scheme in Western Health and Social Care Trust has been cancelled; and what measures he will put in place to ensure that carers are afforded respite.

(AQW 25073/11-15)

**Mr Poots:** The Western HSC Trust have advised that a range of low-intensity support services are provided in partnership with the voluntary and independent sector through the Flexicare service. This is funded on a recurring basis and there are agreed volumes of service to be provided each year, specified within each service level agreement.

During 2012, the Trust in partnership with the Department of Agriculture and Rural Development (DARD) was able to extend the Flexicare model as part of its tackling poverty and social exclusion agenda, particularly for clients in rural areas.



This was a time-limited extension and funding for this programme came to an end on 1st April 2013 and the initiative is currently being evaluated.

The Trust continues to provide Flexicare from its recurrently funded budget without any reduction in service volumes.

## Wind Turbines

**Mr Gardiner** asked the Minister of Health, Social Services and Public Safety what assurances he can give that wind turbines are constructed and located following established guidance and best practice there is no possibility of risk to the health of the local population.

**(AQW 25140/11-15)**

**Mr Poots:** My Department has no role in respect of the construction and location of wind turbines.

The Public Health Agency is regularly asked by the Planning Service to comment on potential health effects of proposed wind turbine development. This response will often depend on the specific details of the proposed development. However, in general, the view of the Public Health Agency is that, provided established guidance and best practice in relation to placement of wind turbines and mitigation measures is undertaken, there is minimal to no risk to the health of the population associated with such facilities.

## Department of Justice

### Prison Service: Hot or Cold Debriefs

**Lord Morrow** asked the Minister of Justice, pursuant to AQW 23174/11-15 (i) to explain the disparity between the answer relating to follow up checks conducted by the Personnel Governor at Maghaberry Prison and the Northern Ireland Prison Service Welfare Officer on the female nursing officer who found 'Mr C' and Issue of Concern number (32), highlighted by the Prisoner Ombudsman; (ii) why a hot de-brief did not take place as highlighted at Issue of Concern number (31); and (iii) whether a cold de-brief took place, including the date, and if not, to outline the reasons for this.

**(AQW 24196/11-15)**

**Mr Ford (The Minister of Justice):**

- (i) The response to AQW/23174/1 1-15 relates to follow up checks that were conducted with a male officer who found Mr C. There are no records of either of the two nursing officers involved in the incident having been subsequently absent from work.
- (ii) A hot de-brief did not take place as the seriousness of Mr C's medical condition was not known at the time of the incident.
- (iii) Once the seriousness of Mr C's medical condition was confirmed, a cold de brief was scheduled. This cold de brief was held on Tuesday 13 March 2012 and the minutes were shared with the Prisoner Ombudsman's Office.

### Prisons: Self-harm

**Lord Morrow** asked the Minister of Justice to explain the disparity between AQW 24026/11-15 and the 2009/10 Northern Ireland Prison Service Annual Report which states, 'From April 2009 all acts of self harm however minor are centrally collated in order to identify patterns and trends', and to clarify if this practice has ceased, and if so, from what date.

**(AQW 24598/11-15)**

**Mr Ford:** Electronic records have been examined and discussions held with current NIPS staff. This has clarified that NIPS did not centrally collate all acts of self harm however minor to identify patterns and trends before 2010. The central collation of the information is ongoing.

### Prisons: Staff Affected by Deaths or Near Deaths in Custody

**Lord Morrow** asked the Minister of Justice to detail (i) if support mechanisms, as recommended by the NI Prisoner Ombudsman, are in place for Northern Ireland Prison Service staff affected by deaths or near deaths in custody; (ii) when these mechanisms were implemented in each prison; and (iii) the responsibility for ensuring such support is in place.

**(AQW 24687/11-15)**

**Mr Ford:** Support mechanisms are in place for staff who have been affected by deaths or near deaths in custody. Carecall have been responsible for providing the counselling service to the Northern Ireland Prison Service since 1 July 2006. From November 2002 until Carecall took over responsibility, Trauma Management Recovery provided an independent counselling service for staff provided. In addition, at any time following an incident staff can discuss any concerns they have with their Line Manager, Personnel Manager, local Personnel Units and Staff Welfare.

These systems have been in place in each prison establishment for a number of years and the Suicide and Self Harm Prevention Policy/Standard Operating Procedure highlights a hot de-brief as a relevant time to identify whether staff require specific support.

The Governing Governor has overall responsibility for ensuring this support is in place in his establishment.

### **Project Bank Accounts**

**Mr McGlone** asked Minister of Justice, in order to facilitate proper payments to contractors, sub contractors and suppliers, for an update on the adoption of Project Bank Accounts as good practice within his Department.

**(AQW 24706/11-15)**

**Mr Ford:** On 8 January 2013, the Minister of Finance and Personnel announced that Project Bank Accounts (PBAs) would be introduced to projects awarded by Central Procurement Directorate (CPD) that have a construction value in excess of £1 million and which contain a significant subcontracting element.

CPD is finalising guidance which details how PBAs will be implemented within projects awarded by it. PBAs are now being included in projects which are suitable for their adoption and which are led by CPD.

### **Northern Ireland Police Fund**

**Mr Girvan** asked the Minister of Justice to explain why the Northern Ireland Police Fund has recently employed additional staff when services have been cut due to 'austerity measures'.

**(AQW 24709/11-15)**

**Mr Ford:** I have been advised by the Northern Ireland Police Fund (NIPF) that there is no correlation between the past requirement for efficiency savings and the recent engagement of one member of staff on a temporary basis. The purpose of this short term specialist post is to enhance governance arrangements and support the Fund in ensuring that its business objectives, including the provision of client services, can be achieved and that the Fund has proper procedures in place which will help secure future funding streams.

### **Northern Ireland Police Fund**

**Mr Girvan** asked the Minister of Justice whether the additional wage bill is being deducted from the grant provided to the Northern Ireland Police Fund by his Department.

**(AQW 24710/11-15)**

**Mr Ford:** My Department does not make any deductions from the grant funding to Northern Ireland Police Fund in respect of any salaries and wages.

### **Prisons: Self-harm**

**Lord Morrow** asked the Minister of Justice, pursuant to AQW 24026/11-15, (i) if he will revise his answer given that Appendix 7 of the Northern Ireland Prison Service Annual Reports and Accounts, up to and including 2009-2010, details statistics pertaining to incidents of self harm, Prisoners at Risk and Supporting Prisoners at Risk processes opened and deaths by suicide; (ii) to provide an explanation for the disparity in his answer and; (iii) to demonstrate, by collating such information, how there would be a disproportionate cost.

**(AQW 24711/11-15)**

**Mr Ford:** A revision of AQW 24026/11-15 is not necessary.

As stated in AQW 24026/11-15 electronic records began in 2010. To provide the breakdown of the information requested from January 2008 to 2010 would require a manual check of the records of all prisoners who self harmed or committed an act of suicide or attempted suicide, to determine whether they were under the SPAR process at the time.

### **Prison Service: Inaccurate Information**

**Lord Morrow** asked the Minister of Justice, pursuant to AQW 23884/11-15, whether Northern Ireland Prison Service staff conducted a review of all responses to Questions for Written Answer prior to answer. and if not, to outline the reason why checks for relevance and accuracy were not carried out.

**(AQW 24725/11-15)**

**Mr Ford:** NIPS staff did not conduct a review of all responses to Questions for Written Answer. Checking each of the 1438 answered during the current and previous assembly mandate could only be provided at a disproportionate cost

### **James Clyde Reilly**

**Lord Morrow** asked the Minister of Justice for a breakdown of the costs incurred by the Northern Ireland Prison Service in relation to the matter of James Clyde Reilly and his subsequent High Court challenge.

**(AQW 24762/11-15)**

**Mr Ford:** The Northern Ireland Prison Service is not as yet in receipt of a bill of costs for the Judicial Review challenge taken by James Clyde Reilly.

### Hydebank Wood Young Offenders Centre

**Lord Morrow** asked the Minister of Justice to outline any incidents and/or allegations against the prisoner during time spent in sentenced and remand custody at Hydebank Young Offenders Centre since his committal in December 2012.

(AQW 24763/11-15)

**Mr Ford:** The Information requested is sensitive personal data as defined at Section 2 of the Data Protection Act 1998. To provide this information would constitute a breach of the data subject's rights under that Act and would be contrary to the first, second and sixth data protection principles.

### Prisons: Deaths in Custody

**Lord Morrow** asked the Minister of Justice how many deaths in custody are awaiting final inquest at the Coroners Court, broken down by year of death.

(AQW 24822/11-15)

**Mr Ford:** There are 25 deaths recorded by the Prison Service that have a Coroner's verdict outstanding.

The table below shows the deaths recorded by the Prison Service, broken down by year.

Year	Deaths recorded by NIPS with a Coroner's Verdict outstanding.
2007	2
2008	1
2009	3*
2010	3*
2011	5*
2012	9
2013	2*

\* Includes one death which occurred out of prison custody, but has been recorded by the Prison Service due to the circumstances of the death.

### Legal Costs

**Mr Agnew** asked the Minister of Justice to detail (i) the number of legal cases, including judicial reviews, which his Department has defended since 2007; (ii) the number of these legal challenges the Department lost; and (iii) the total costs incurred by his Department on the cases which it lost.

(AQW 24826/11-15)

**Mr Ford:** The information requested is not readily available in the format requested and a response could only be provided by undertaking additional work at disproportionate cost.

### Outstanding Fines

**Mr Elliott** asked the Minister of Justice, following the recent judgement by the Court of Appeal, if there is any progress on how to retrieve the estimated £7.5m in outstanding fines.

(AQW 24838/11-15)

**Mr Ford:** My officials in the Northern Ireland Courts and Tribunals Service are working to relist the relevant Crown Court cases in the new legal term which begins in September.

In relation to Magistrates' Courts cases, officials are developing revised arrangements as outlined in the recent Divisional Court judgment.

### Human Trafficking Cases

**Lord Morrow** asked the Minister of Justice, pursuant to AQW 24361/11-15, if this answer constitutes all current human trafficking cases in the court system, including that of case number 13/049483 at Banbridge Magistrates Court; and if not to clarify (i) all cases with an element of human trafficking; and (ii) associated offences/allegations where relevant.

(AQW 24847/11-15)

**Mr Ford:** The answer to AQW24361/11-15 included active court cases with a human trafficking charge brought under the Sexual Offences (Northern Ireland) Order 2008 or the Sexual Offences Act 2003. Case number 13/049483 was included in the previous answer.

### Committee for Justice, Equality and Defence Report

**Lord Morrow** asked the Minister of Justice for his assessment of the Oireachtas' Committee for Justice, Equality and Defence report which recommended the criminalisation of payment for sexual services; and the implications, if any, for Northern Ireland.

(AQW 24848/11-15)

**Mr Ford:** This report has been prepared with regard to the particular circumstances of the Republic of Ireland. My officials will consider the contents within the context of general policy research into the law on prostitution.

I will also have opportunities to discuss such issues with the Minister of Justice and Equality, Alan Shatter TD, in the context of inter governmental meetings on criminal justice cooperation.

### Branded Apparel for Non-front Line Staff

**Mr Allister** asked the Minister of Justice how much his Department has spent on branded apparel for non-frontline staff, in each of the last three years.

(AQW 24877/11-15)

**Mr Ford:** The Department of Justice, including its Agencies but not its arm's length bodies, has had no expenditure on branded apparel for non-frontline staff in each of the last three financial years.

### Drug Abuse

**Mr Durkan** asked the Minister of Justice to outline the actions his Department is taking to tackle crime related to illegal drug abuse, in particular to protect children and young adults in (i) the Foyle constituency; and (ii) the rest of Northern Ireland.

(AQW 24899/11-15)

**Mr Ford:** My Department is working with DHSSPS and a number of other Departments and agencies, to deliver the outcomes defined in the New Strategic Direction for Alcohol and Drugs 2011- 16. One of the key priorities identified is to address alcohol and drug –related crime. In addition alcohol and drugs issues have also been identified as key components in the Community Safety Strategy for Northern Ireland.

In May 2013, I launched the Strategic Framework for Reducing Offending which recognises the complexity of offending and the need to tackle offending and crime through better coordinated partnerships. My Department has commenced a series of meetings to identify opportunities to shape and influence strategies and programmes that will contribute to the Framework's key aims. This will include better targeting of programmes or interventions, to tackle behaviours such as drug misuse.

My Department and the Policing Board jointly fund Policing and Community Safety Partnerships to develop local solutions to locally identified issues. Within the Foyle constituency the Policing and Community Safety Partnership have allocated approximately £46,000 to implement a range of projects that aim to tackle drug issues within the local community which should lead to an impact on the level of crime. The majority of funded projects are diversionary in nature, targeting those at risk of offending and may address a number of issues and not solely focus on illicit drugs.

Between August 2013 and March 2014, the Derry PCSP will provide approximately £36,000 to four projects that will target 8 to 21 year olds with a range of workshops to raise awareness of illicit drug and alcohol problems and these will link to efforts to tackle other issues such as anti-social behaviour and healthy relationships. In addition the Derry PCSP secured a further £10,000 from Criminal Confiscation Receipts to deliver the 'Foyle Tackling Drugs' Campaign. This project will deliver 8 counselling sessions to 25 young or vulnerable adults and will provide training to 20 community activists to assist with their efforts to tackle drug and alcohol issues within their communities.

The Department of Justice also funds three Health Trusts, including the Western Health and Social Care Trust, to provide addiction staff in a custody environment with a view to engaging with arrested offenders who wish to tackle their illicit drug misuse problems. The aim is to address their illicit drug issues through encouraging them to engage in treatment and so reduce their need to perpetrate offences. While these projects target those over the age of 18 years they will encourage any young person to engage with suitable services.

### Legal Services Commission

**Lord Morrow** asked the Minister of Justice to detail (i) the loss incurred by the NI Legal Services Commission due to false claims made by Ling Mo Ho (13/034412) in respect of a non-existent interpretation services company; (ii) how the fraud was discovered; and (iii) the amount that has been, or is expected to be, repaid.

(AQW 24908/11-15)

**Mr Ford:** The Northern Ireland Legal Services Commission is currently bound by reporting restrictions contained in an order made by the Trial Judge on the 7 June 2013 in relation to this case and cannot respond until those restrictions are removed.



## Cruelty to Animals

**Mr Weir** asked the Minister of Justice to detail the number of people that have been sentenced for offences related to cruelty to animals, in each of the last five years.

**(AQW 24936/11-15)**

**Mr Ford:** During the period for which the most recent conviction statistics are available animal cruelty offences were prosecuted under the Welfare of Animals Act (Northern Ireland) 1972 and the Wildlife (Northern Ireland) Order 1985.

The table below gives the number of convictions for animal cruelty for the calendar years 2005 to 2009 (the latest year for which figures are currently available) and therefore predates the Welfare of Animals Act 2011.

### Number of convictions for animal cruelty, 2005-2009

Year	Number of convictions
2005	24
2006	17
2007	21
2008	17
2009	11

Data are collated on the principal offence rule; only the most serious offence for which an offender is convicted is included.

Data for 2005-2006 should not be directly compared with data from 2007 to 2009 as the data sets are sourced from different systems.

## Department for Regional Development

### Road Surety Bonds: Strangford

**Miss M McIlveen** asked the Minister for Regional Development to detail the developments in the Strangford constituency that have a road surety bond; and for how long each has been outstanding.

**(AQW 22392/11-15)**

**Mr Kennedy (The Minister for Regional Development):** Details of the developments in the Strangford Constituency that have a road surety bond are listed below:

Development	Date Bonds Issued
<b>Down</b>	
Carnglave Manor, Spa, Ballynahinch	4 October 2002
Crossgar Road, Shrigley, Killyleagh	8 June 1998
Malone Heights, Downpatrick	11 February 2004
Park Lane, Crossgar Road, Saintfield	14 September 2001
Park Lane, Crossgar Road, Saintfield	22 December 2004
Inishmore, Killyleagh	8 October 2003
Todds Hill, Saintfield	22 August 2005
Todds Hill, Saintfield	26 January 2007
Edengrove Park, Lisburn Road, Ballynahinch	8 May 2003
Edengrove Park, Lisburn Road, Ballynahinch	8 July 2005
Chestnutt Meadows, Ballynahinch	30 May 2003
Chestnutt Meadows, Ballynahinch	18 December 2007
Chestnutt Meadows, Ballynahinch	16 November 2005
Inishmore, Killyleagh	29 April 2004
Old Coach Way, Saintfield	24 January 2012
Magheraknock Road, Ballynahinch	14 June 2010

Development	Date Bonds Issued
Inishmore, Killyleagh	16 May 2007
Ballynahinch	27 January 2009
The Mill, Saintfield	23 October 2007
Alder Grange, Darragh Cross, Saintfield	15 November 2009
Riverside Road, Ballynahinch	17 December 2009
Drummond Brae, Crossgar Road, Ballynahinch	18 March 2011
41 Crossgar Road, Saintfield	21 September 2012
Strawberry Fields, Strangford	25 March 2009

Development	Date Bonds Issued
<b>Ards</b>	
The Willows, Stanvilla Road, Newtownards	31 December 2001
Portview Heights, Main Road, Portavogie	23 February 1993
Strangford View, Ardview Road, Killinchy	23 June 1988
Tern Park, Portaferry Road, Newtownards	4 September 1998
Teal Rocks, Portaferry Road, Newtownards	24 July 1995
Teal Rocks, Portaferry Road, Newtownards	5 November 1998
Teal Rocks, Portaferry Road, Newtownards	21 March 1996
Teal Rocks, Portaferry Road, Newtownards	15 April 1996
Teal Rocks, Portaferry Road, Newtownards	29 October 1996
Aldergrange, Manse Road, Newtownards	14 May 1996
New Court, Portavogie	31 December 2001
Portview Height, Main Road, Portavogie	4 February 1997
Saltwater Close, Stump Road, Ballywalter	23 July 1997
Stanfield Court, Newtownards	22 April 1999
The Moatlands, Victoria Road, Ballyhalbert	7 December 1998
The Moatlands, Victoria Road, Ballyhalbert	16 February 2000
Spinners Court, Railway Street, Comber	30 July 2001
The Beeches, Beechvale Road, Killinchy	20 April 2001
Warnocks Road, Portavogie	21 January 2002
Warnocks Road, Portavogie	7 May 2002
New Court, Portavogie	7 June 1999
Laburnum, Comber	17 June 2002
Castle Meadows, Kircubbin Road, Cloughey	19 June 2007
Warnocks Road, Portavogie	30 January 2002
Larksborough, Bowtown Road, Newtownards	29 April 2003
Bowtown Road, Newtownards	29 April 2003
Laburnum Way, Comber	21 January 2002
The Moatlands, Victoria Road, Ballyhalbert	9 February 2001
The Moatlands, Victoria Road, Ballyhalbert	2 May 2001
The Moatlands, Victoria Road, Ballyhalbert	6 June 2002

Development	Date Bonds Issued
<b>Ards</b>	
Sanctuary Cove, Cooks Brae, Kircubbin	4 December 2001
The Tides, New Road, Portavogie	20 April 2001
The Moatlands, Victoria Road, Ballyhalbert	4 October 2002
The Moatlands, Victoria Road, Ballyhalbert	1 July 2003
The Moatlands, Victoria Road, Ballyhalbert	22 December 2004
The Tides, New Road, Portavogie	14 September 2001
Castle Meadows, Kircubbin Road, Cloughey	29 April 2003
Sanctuary Cove, Cooks Brae, Kircubbin	4 October 2002
The Tides, New Road, Portavogie	21 March 2005
East Street, Newtownards	21 April 2005
East Street Court, Newtownards	24 March 2005
Hawthorne Rise, Stump Road, Ballywalter	23 March 2004
The Brambles, Stump Road, Ballywalter	21 April 2004
The Beeches, Beechvale Road, Killinchy	27 July 2004
Shore Road, Ballyhalbert	1 March 2004
Castle Meadows, Kircubbin Road, Cloughey	9 April 2004
Princetoon, Main Road, Portavogie	17 May 2004
Princetoon, Main Road, Portavogie	5 August 2005
Fox Hollows, Comber Road, Ballygowan	4 March 2005
Rubane Road, Kircubbin	22 April 2004
Shorelands, Main Road, Cloughey	13 August 2004
Shore Road, Ballyalbert	7 February 2007
St Andrews Point, Shore Road, Ballyhalbert	3 February 2009
Ballyhelmin, Shore Road, Ballyhalbert	22 March 2010
St Andrews Point, Ballyhalbert	13 May 2011
St Andrews Point, Ballyhalbert	16 May 2011
Shorelands, Main Road, Cloughey	17 May 2008
Sanctuary Cove, Cooks Brae, Kircubbin	26 August 2010
Whitechurch Meadows, Ballywalter	2 May 2008
Castle Meadows, Kircubbin Road, Cloughey	26 November 2010
Greyabbey Road, Ballywalter	20 September 2005
South of Judes Crescent, Newtownards	14 October 2005
Lakeview, Belfast Road, Newtownards	26 January 2008
Shorelands, Main Road, Cloughey	21 June 2012
Ardmore Manor, Belfast Road, Ballygowan	9 January 2007
Mark Street/Thomas Street, Newtownards	7 November 2008
Church Road, Kilmoody	29 June 2007
Rubane Road/McKenna Road, Kircubbin	28 December 2006
Rubane Road/McKenna Road, Kircubbin	27 November 2006
Ballybarnes Meadow, Newtownards	30 January 2006

Development	Date Bonds Issued
<b>Ards</b>	
Main Street, Carrowdore	5 September 2006
New Road, Portavogie	28 March 2007
The Tides, New Road, Portavogie	4 December 2006
The Tides, New Road, Portavogie	12 February 2009
The Stables, Main Street, Carrowdore	12 October 2006
70-90 Bangor Road, Newtownards	11 July 2008
Old Belfast Road, Newtownards	12 June 2009
Quarry Road, Lisbane	29 August 2012
The Forge, Moss Road, Ballygowan	23 April 2010
Demesne Wood, Portaferry	6 February 2008
McBriar Meadow, Main Street, Carrowdore	27 November 2007
McBriar Meadow, Main Street, Carrowdore	6 November 2007
McBriar Meadow, Carrowdore	13 November 2012
Olivers Close, Ballygalget	19 June 2008
5 The Straits, Lisbane	16 May 2011
70-90 Bangor Road, Newtownards	25 August 2010
Lakeview, Belfast Road, Newtownards	4 August 2008
Lakeview, Belfast Road, Newtownards	11 August 2008
7A Hazelwood Lane, Lisbane	9 February 2012
Ardnavey Park, Ballydrain Road, Comber	3 September 2009
Ardnavey Park, Ballydrain Road, Comber	22 September 2009
Ardnavey Park, Ballydrain Road, Comber	15 March 2013
Ardnavey Park, Ballydrain Road, Comber	8 March 2013
Tullynagardy Road, Newtownards	15 March 2012
The Brae, Ballygowan Road, Ballygowan	9 June 2010
River Hill, Bangor Road, Newtownards	14 December 2010
North Road, Newtownards	6 March 2013
Bartleys Grange, Ballywalter	19 April 2011
5 The Straits, Lisbane	21 April 2011
Dunsy Way, Comber	26 November 2010
51 Newtownards Road, Comber	21 October 2011
Tullynagardy Road, Newtownards	25 September 2012
Tullynagardy Road, Newtownards	14 February 2013
210-218 Donaghadee Road, Newtownards	19 April 2011
Quarry Road, Lisbane	29 August 2012
Blenheim Drive, Newtownards	13 December 2011
Loch Cuan, Dakota Avenue, Newtownards	28 September 2012
The Forge, Moss Road, Ballygowan	13 February 2013



## Road Surety Bonds: North Down

**Mr Weir** asked the Minister for Regional Development to detail the developments in the North Down constituency that have a road surety bond; and for how long each has been outstanding.

**(AQW 22506/11-15)**

**Mr Kennedy:** Details of developments in the North Down constituency that have a road surety bond are provided in the table below:

Development Address	Developer Name	Date Bonded
The Brambles, Rathgael Road, Bangor	William McCormick	25 January 1999
Ashfield Manor, Bangor	Boland Reilly Homes Ltd	14 June 2006
Ballycrochan Road, Bangor	Boland Reilly Homes Ltd	04 May 2005
Upritchard Court, Bangor	Mar Properties Ltd	21 March 2002
Downshire Lane, Downshire Road Bangor	Thalassa Developments	08 October 2003
Riverwood Vale, Bangor	James McAlorum Ltd	07 February 2005
Upritchard Court/Crescent, Bangor	R & A Developments Ltd	19 May 2003
Seapark Lane, Holywood	Seapark Construction Ltd	04 February 2004
Clifton Road, 97-99 Clifton Road, Bangor	R & A Developments Ltd	30 August 2005
Upritchard Gardens, Bangor	New Quay Developments Ltd	14 June 2006
Shaftesbury, Former Bangor Dairies, Bangor	M M M Design And Build Limited	08 October 2003
Upritchard Court/Crescent, Bangor	Mar Properties Ltd	08/Jul/2005
Upritchard Court, Bangor	New Quay Developments Ltd	10 August 2006
Hanover Chase, Bangor	James G. Mc Alorum Ltd	21 December 2009
Hanover Chase, Bangor	James G. Mc Alorum Ltd	25 January 2013
Brook Lane, Rathgael Road, Bangor	Ramola Ltd	31 March 2005
Ballycrochan Road, Bangor	Boland Reilly Homes Ltd	14 June 2006
Phase 3 - Sites 78-113, Shaftesbury, Former Bangor Dairies, Bangor	M M M Design And Build Ltd	08 October 2004
Shaftesbury, Former Bangor Dairies, Bangor	M M M Design And Build Ltd	08 October 2004
Shaftesbury, Former Bangor Dairies, Bangor	Gorsfield Developments Ltd	30 August 2005
Shaftesbury, Former Bangor Dairies, Bangor	M M M Design And Build Ltd	05 March 2009
Linen Crescent/Rathgill Parade, Bangor	Hagan Homes Ltd	24 September 2007
Woodvale Gardens, Rathgael Road, Bangor	Mornington Developments Ltd	15 September 2006
Rockfield Glen, Bangor	James G. Mc Alorum Ltd	26 May 2009
Myrtle Grove, The Beeches, Bangor	James G. Mc Alorum Ltd	21 December 2009
Crawfordsburn Lane, Bangor	Miradon Developments Ltd	15 May 2012
Ballycrochan Road, Bangor	Boland Reilly Homes Ltd	29 October 2009
Ballycrochan Road, Bangor	Boland Reilly Homes Ltd	18 January 2011
Ballycrochan Road, Bangor	Boland Reilly Homes Ltd	18 January 2011
Linen Crescent, Rathgill Parade, Bangor	Hagan Homes Ltd	02 March 2010
Green Road, Conlig	Northland Developments	27 September 2010
Green Road, Conlig	Northland Developments	02 February 2011
Rathmore Road, Bangor	Simpson Developments Ltd	22 May 2012
Rossinver Gardens, Bangor	W J Law & Co. L L P	08 September 2010
Glendowan Way, Bangor	W J Law & Co. L L P	02 April 2012
Glendowan Way, Bangor	W J Law & Co. L L P	20 February 2013

Development Address	Developer Name	Date Bonded
Old Belfast Road, Bangor	Mc Closkey & O' Kane Building Company Limited	01 August 2011
Beechfield Avenue, Bangor	Dunlop Homes Ltd	06 January 2011
Beechfield Avenue, Bangor	Dunlop Homes Ltd	01 March 2012
Beechfield Avenue, Bangor	Dunlop Homes Ltd	01 March 2012
Gransha Road, Bangor	Farrans ( Construction ) Ltd	27 September 2011
Linen Crescent, Bangor	Hagan Homes Ltd	29 December 2011
Linen Crescent, Bangor	Hagan Homes Ltd	29 December 2011
Linen Crescent, Bangor	Hagan Homes Ltd	21 May 2012
Gibson's Lane, Bangor	Oaklee Homes Group Ltd	22 July 2010
Stonebridge Row, Green Road, Conlig	Northland Developments	31 August 2010
Rathgael Road, Bangor	Northland Developments	07 December 2010
Old Belfast Road, Bangor	Mc Closkey & O' Kane Building Company Ltd	21 November 2011
Old Belfast Road, Bangor	Mc Closkey & O' Kane Building Company Ltd	21 November 2011
Old Belfast Road, Bangor	M M M Design And Build Ltd	21 December 2011
Primacy Road, Bangor	Trinity Housing Ltd	16 July 2012
Cotswold Gardens, Donaghadee Road, Bangor	Dunlop Homes Ltd	14 August 2012
South Circular Road, Bangor	Clanmil Housing Association Ltd	26 June 2012
Rathgill Parade, Bangor	Hagan Homes Ltd	25 November 2009

## Roadside Monuments

**Mr Weir** asked the Minister for Regional Development, pursuant to AQW 23391/11-15, to detail how many of the nineteen listed are (i) Republican; and (ii) Loyalist.

**(AQW 24127/11-15)**

**Mr Kennedy:** My Department's most recent assessment indicates there are nineteen illegal roadside monuments to terrorists.

Eighteen of these monuments are Republican, whilst the identity of one monument cannot be definitively determined as it is currently blank.

## Parking Tickets

**Lord Morrow** asked the Minister for Regional Development, pursuant to AQW 23622/11-15, to detail the other towns in which parking tickets have not been issued since the beginning of Decriminalised Parking Enforcement in 2006.

**(AQW 24245/11-15)**

**Mr Kennedy:** It is not possible to list all the towns where Penalty Charge Notices (PCNs) have not been issued, however, the towns and villages where the lowest numbers of PCNs have been issued since the beginning of Decriminalised Parking Enforcement in 2006 are as follows:

Town	2006/07	2007/08	2008/09	2009/10	2010/11	2011/12	2012/13
Ahoghill	2		1	1	2	1	3
Airport (Aldergrove)		2			3	6	
Annalong						6	
Ardglass				5	2		
Ballinamallard		3	1			1	
Ballygowan		7	4			2	
Ballynure	1			2			

Town	2006/07	2007/08	2008/09	2009/10	2010/11	2011/12	2012/13
Bellaghy			2				
Broughshane		1					9
Castledawson			4	1			
Castlerock		2		2			
Clough					1		
Cullybackey			1				
Cushendall			1	2			
Doagh				1			
Donaghmore		2	3		5	1	
Dungiven			1			1	6
Ederney	1						
Glenavy	3				2		
Groomsport			1				
Hilltown		1					
Lisbellaw		1	5	4	4	4	
Maguiresbridge		2					
Pomeroy		1					
Portaferry	3	2			3	1	
Portavogie				6			
Portballintrae						4	3
Stewartstown		7	9	9			
Templepatrick				1			
Tempo		1		5			
Toome			1	2	4		

My Department must prioritise its limited Traffic Attendant resource in order to provide an effective and balanced enforcement service. Although it is not possible to cover every restriction, officials do respond where complaints or requests for enforcement are received.

### Parking: Self-regulation by Drivers

**Lord Morrow** asked the Minister for Regional Development for a definition of the term 'self-regulation by drivers' in terms of parking.

(AQW 24359/11-15)

**Mr Kennedy:** I can advise the Member the term 'self-regulation by drivers' is intended to refer to drivers who adhere to applicable parking restrictions, irrespective of whether Traffic Attendants are in attendance to enforce against illegal parking.

### Park and Ride: Donaghadee

**Mr Weir** asked the Minister for Regional Development to outline the action he is taking to facilitate a Park and Ride scheme in Donaghadee to encourage more people in the area to use public transport.

(AQW 24427/11-15)

**Mr Kennedy:** In 2011 I endorsed my Department's 'Strategic Review of Park and Ride'. The subsequent report presented recommendations for the delivery and prioritisation of Park and Ride facilities.

A Park and Ride Programme Board, with representation from Departmental Divisions, Transport NI and Translink, was established with the responsibility of co-ordinating and prioritising the implementation of Park and Ride projects.

The Programme Board compiled the 'Park and Ride Strategic Delivery Programme 2013 – 2015' which prioritised the delivery of the Park and Ride projects up to 2015.

I am conscious of the demand for Park and Ride facilities in the North Down area. The Strategic Delivery Programme for 2013 – 2015 includes proposals for increased Park and Ride facilities in the Bangor and Cultra areas of North Down. However, at present, there are no plans for a priority Park and Ride facility in Donaghadee.

## Murals and Graffiti

**Ms Lo** asked the Minister for Regional Development how his Department decides the difference between murals and graffiti. (AQW 24560/11-15)

**Mr Kennedy:** I do not endorse or support the unauthorised use of my Department's property for any purpose and in this respect my Department does not make any distinction between murals and graffiti.

## Magherafelt Bypass

**Mr I McCrea** asked the Minister for Regional Development to detail the proposed timescale of the commencement to completion of the Magherafelt bypass. (AQW 24575/11-15)

**Mr Kennedy:** I can advise the Executive has now considered my paper tabling the options for the reallocation of A5 funding to other major road projects and, I am delighted to confirm the Executive has approved the allocation of £40m for the construction of the Magherafelt Bypass.

This early decision will hopefully pave the way for construction work to begin in Autumn 2014. With a two year construction period, the new road could be open to traffic by 2016.

## A5 Road Scheme: EU Habitats Directive

**Mr Elliott** asked the Minister for Regional Development, given the importance of an EU environmental designation, for his assessment of whether it will be possible to resolve the issues relating to the EU Habitats Directive in relation to the A5 road scheme. (AQW 24604/11-15)

**Mr Kennedy:** My Department and its advisors are currently engaging with relevant interested parties to address the environmental concerns identified during the recent legal challenge into the A5 scheme. A report to inform the Appropriate Assessment of the impacts on the River Foyle and tributaries and River Finn Special Areas of Conservation is being prepared and will be publically consulted on.

However, it is important that the outcomes of any assessment are not pre-judged and therefore I will need to see all the evidence provided in the report and the outcome of the public consultation exercise before I can make further decisions.

## Cycle Lanes: Outside Belfast and Derry

**Mr Ó hOisín** asked the Minister for Regional Development to detail the location of cycle lanes outside of (i) Belfast; and (ii) Derry. (AQW 24652/11-15)

**Mr Kennedy:** I can advise the Member that details of the location of cycle lanes outside Belfast and Londonderry are included in the table below

**Location of cycle lanes outside Belfast and Londonderry**

Council Area	Location
Lisburn City Council	Chapel Hill (out bound)
	Queensway McKinstry Road to Grand Street.
	Wallace Ave (out bound)
North Down Borough Council	A2 Tillysburn to Holywood
	Abbey Street, Bangor (Bus Station to Dufferin Avenue)
	Ballycrochan Road Bangor
	Bexley Road Bangor
	Newtownards Road Bangor (Abbey Street to Abbey Hill Drive)
	Silverbirch Road Bangor
Castlereagh Borough Council	A55 Upper Knockbreda Road
	Woodstock Road / Cregagh Road



Council Area	Location
Newtownabbey Borough Council	Bridge Rd, Newtownabbey
	O'Neill Road / Station Road
Carrickfergus Borough Council	High Street (contra flow)
Newry & Mourne District Council	Armagh Road Newry (Fiveways to Canal Street)
	Kilmorey Street Newry (Greenbank Indust Estate to River Street)
	A2 Dual Carriageway (Newry to Warrenpoint, both directions)
	Armagh Road, Newry(@ A1 dual carriageway)
	A1 Belfast Road, Newry (Corcreechy Road to Buckshill Road)
	Knockcree Avenue Kilkeel (Mourne Esplanade to Greencastle St)
	Mourne Esplanade Kilkeel (Harbour Road to Manse Road), both directions
	Sheppard's Way Newry (Armagh Road to Tandragee Road)
	Tandragee Road, Newry (at new roundabout to Carnbane Industrial Estate)
Ards Borough Council	Abbot Drive Newtownards (Movilla Road to Bowtown Road)
	Movilla Road Newtownards (Old Movilla Road to Abbott Drive)
	A20 Southern Distributor (Portaferry Road to Blair Mayne North)
	Killinchy Street Comber (Ballydrain Road to Cherryvalley Line)
	Newtownards Road Comber (Copeland Link to Darragh Road)
	A21 Dual Carriageway (Ards to Comber, Southbound)
Down District Council	Dundrum Road Newcastle (Murlough to town centre)
	Castlewellan Road Newcastle (Town Centre to Corriffs Road)
	Belfast Road Downpatrick (New Bridge Street to Business Park)
Armagh City & District Council	A28 Newry Road, (Ashley Park to Edenaveys Road Inc part of Link Road to Greenfield Drive)
	A29 Moy Road, (Ent to Spires Retail Park to Drumcairn Road inc Drumcairn Road up to Abbey Park)
	Main Street Blackwatertown, (River Blackwater to ent of P.S).
	Main Street Killylea, (Ent to P.S to Ent of Church of Ireland)
Banbridge District Council	Lurgan Road, Banbridge (Banbridge Academy to Seapatricks Road)
Craigavon Borough Council	A50 Gilford Road, Portadown (from 30mph signs to Moyallon PS)
	B2 Mullahead Road, Portadown (Gilford road to Knock Bridge)
	A27 Lurgan Road, Portadown (Seagoe Hotel to Batchelors Walk)
	A50 Carrickblackler Road, Portadown (advisory on both sides)
	A27 Bridge Street, Portadown (across Bann Bridge, including under bridge)
	Eastway Lurgan (from factory entrance to Ballynamoney Roundabout)
	A3 Portadown Road, Lurgan (Roundabout 1 to Old Portadown Rd)
	Pinebank, Lurgan (Roundabout 1 to Beech Path)
	A76 Lough Road, Lurgan (Silverwood Road to Railway Station)
	Portadown Bann side / towpath (Bann Bridge to Knock Bridge)
	Craigavon off road network including City Park, Kernan, Mandeville, Knockmenagh, Drumgor, Legahory, Moyraverty, Monbrief & Tullygally

Council Area	Location
Coleraine Borough Council	A2 Downhill to Millennium Bridge Coleraine
	Millennium Bridge, Coleraine
	A2 from Millennium Bridge, Coleraine to Portstewart
	A2 from Millennium Bridge to Windy Hall via Lodge Road Roundabout to Council Boundary
	C91 Mountsandel Road, Coleraine from Lodge Road Roundabout to Loughan
	A29 Atlantic Road, Coleraine from Coleraine to Ballysally Roundabout
	Lever Road/Heatherlea Avenue, Millbank Avenue, Portstewart
Coleraine Borough Council	A2 Portstewart to Portrush Black Rock
	A2 Croc-Na-Mac to Dunluce Road, Portrush
	B17 Bushmills Road Roundabout/Cloyfin Road to Coleraine
	A29 Greenmount Roundabout to U391 Dunderg Road, Macosquin
	B119 Sea Road Hezlett House to Castlerock
Limavady Borough Council	A37 Broad Road from Greystone to By-pass
	A37 Limavady By-pass Broad Road via Seacoast Roundabout to Ballykelly
	U270 Edenmore Road from 30mph Speed Limits to Greystone
	C570 Greystone Road from B68 Irish Green Street to A37 Broad Rd
	U272 Scroggy Road from Greystone to Ballyquin
	B68 Ballyquin from Scroggy Road to County Park
	A37 Limavady By-pass from Greystone to Ballykelly
	B201 Windyhill Roundabout to Dowland Road
Moyle District Council	A2 Bushmills from Diamond via Train Station along B145 Ballaghmore Road to Portballintrae
	A2 Whitepark Road, Lisnagogue Village to School
Outside Londonderry City Boundary	A5 Newbuildings from Woodside Road towards city to entrance to Derry City Council soccer pitches
	Drumahoe Road from A6 junction to Hazelbank Drive
Antrim Borough Council	A6 Randalstown/Castle Roads, Antrim from Castle Gardens to Ballygroobey Roundabout
	Newpark to Old Steeple Road, Antrim via Ballycraig Road, Greystone Road Roundabout
	Greystone Road, Carntall Gardens, Craigmore Park and Kilbride Gardens
	A26 Ballymena Road, Antrim from Kilbegs Roundabout to Townparks Roundabout
Antrim Borough Council	Staffordstown Road, Randalstown from Moneynoick Road to Mount Shalgus Lane
	B18 Roguery Road, Toomebridge from Cloghogue Road to Loughbeg Road
Ballymoney Borough Council	A26 Frosses Road, Ballymoney from 260 metres east Kirk Road to Semicock Road
	A26 Frosses Road, Ballymoney at junction with Seacon Road
	Seymour Street, Ballymoney
	Rodeing Foot, Ballymoney
	Meetinghouse Street, Ballymoney
	Armour Avenue, Ballymoney from Rodeing Foot to park entrance
	Intermediate Road, Ballymoney
	Raceview Avenue / Drive, Ballymoney

Council Area	Location
Ballymena Borough Council	A42 Broughshane Road, Ballymena from Ecos Roundabout to Knockan Road
	A42 Galgorm Road, Ballymena from Old Galgorm Road to Church Road, Gracehill
	A26 Larne Road Link, Ballymena from Larne Road to Crebilly Road
	Crebilly Road, Ballymena from Larne Road Link to Ballykeel 2
	A26 Ballee Road West, Ballymena from Ballee Roundabout to Pennybridge Industrial Estate
Larne Borough Council	A8 Belfast Road from Pound Street to Old Belfast Road
	Millbrook Roundabout

### Personal Injury and Vehicle Damage: Compensation

**Mr Dallat** asked the Minister for Regional Development to detail the number of compensation claims which could not be defended by the Central Claims Unit for damage to motor vehicles and personal injuries, made in the last three years, due to (i) potholes/damages missed on inspection; (ii) lack of inspections; (iii) late inspections; and (iv) poor repairs.

(AQW 24656/11-15)

**Mr Kennedy:** The table below provides details of the number of claims for compensation payments made in each of the last three financial years, in respect of personal injury and vehicle damage, which the Department was unable to defend on the grounds that it could not raise a defence under Article 8 of the Roads (NI) Order 1993. Information as to the reasons why these claims could not be defended is not readily available in the form requested.

Year	Type of Claim	
	Personal Injury	Vehicle Damage
2010/2011	232	1,574
2011/2012	273	1,476
2012/2013	311	587

### Personal Injury and Vehicle Damage: Compensation

**Mr Dallat** asked the Minister for Regional Development to detail the total amount of compensation paid out in the last three years for (a) personal injuries; and (b) damage to motor vehicles/property; and to breakdown these figures between incidents on (a) roads; and (b) footpaths.

(AQW 24658/11-15)

**Mr Kennedy:** The information requested by the Member is not available in the form requested as my Department does not maintain details of compensation payments which distinguish between incidents which occurred on roads or footpaths.

However, details of all personal injury and vehicle / property damage compensation paid in each of the last three financial years relating to incidents on public roads as a whole, are provided in the table below:

Year	Personal Injury	Vehicle / Property Damage
2010/2011	£1,921,179.00	£408,413.02
2011/2012	£1,925,743.33	£370,451.58
2012/2013	£1,882,050.84	£188,286.22

### Street Lighting in North Down: Cost of Electricity

**Mr Weir** asked the Minister for Regional Development to detail the amount spent on electricity for street lighting in North Down, in each of the last five years.

(AQW 24691/11-15)

**Mr Kennedy:** My Department does not hold such information on a constituency basis.

### Project Bank Accounts

**Mr McGlone** asked the Minister for Regional Development, in order to facilitate proper payments to contractors, sub-contractors and suppliers, for an update on the adoption of Project Bank Accounts as good practice within his Department.

(AQW 24704/11-15)

**Mr Kennedy:** On 8 January 2013 Minister Wilson announced that Project Bank Accounts (PBAs) would be introduced for contracts awarded by Central Procurement Directorate (CPD) that have a construction value in excess of £1 million and which contain a significant subcontracting element. This will apply to contracts that CPD awards for a range of government departments.

CPD is finalising guidance which details how PBAs will be implemented within such contracts.

I can confirm that my Department will examine this guidance once it issues to consider how PBAs could be used for the construction contracts we award.

## Cycle Lanes: North Down and Ards

**Mr Weir** asked the Minister for Regional Development to detail the cycle lanes in (i) North Down Borough Council; and (ii) Ards Borough Council areas.

(AQW 24733/11-15)

**Mr Kennedy:** Details of the locations of cycle lanes in the North Down Borough Council and Ards Borough Council areas are included in the table below:

### Location of cycle lanes

Council Area	Location
North Down Borough Council	A2 Tillysburn to Holywood
	Abbey Street, Bangor (Bus Station to Dufferin Avenue)
	Ballycrochan Road Bangor
	Bexley Road Bangor
	Newtownards Road Bangor (Abbey Street to Abbey Hill Drive)
	Silverbirch Road Bangor
Ards Borough Council	Abbot Drive Newtownards (Movilla Road to Bowtown Road)
	Movilla Road Newtownards (Old Movilla Road to Abbott Drive)
	A20 Southern Distributor (Portaferry Road to Blair Mayne North)
	Killinchy Street Comber (Ballydrain Road to Cherryvalley Line)
	Newtownards Road Comber (Copeland Link to Darragh Road)
	A21 Dual Carriageway (Ards to Comber, Southbound)

## Resurfacing: Ballyhenry Area of Newtownabbey

**Mr McCarthy** asked the Minister for Regional Development whether he plans to prioritise road resurfacing in the Ballyhenry area of Newtownabbey once funding that had been allocated to the A5 road scheme is redesignated within his budget.

(AQW 24745/11-15)

**Mr Kennedy:** My Department has not directly received any reallocation of A5 funding at this stage. However, it was successful in receiving additional structural maintenance funding from the June Monitoring round. Officials will now consider areas within Newtownabbey for inclusion in any programme of additional work. I can confirm my Department's current resurfacing programme for 2013-14 includes the Sandyknowes Roundabout in the Ballyhenry area of Newtownabbey.

## Ballyclare Link Road

**Mr McCarthy** asked the Minister for Regional Development if he plans to provide financial assistance to build the Ballyclare Link Road once funding that had been allocated to the A5 road scheme is redesignated within his budget.

(AQW 24746/11-15)

**Mr Kennedy:** Following the recent Court ruling on the A5 scheme and in accordance with financial procedures, I declared a reduced requirement of £108m in relation to the A5 allocation.

In the June monitoring round, I secured over £31m in funding for roads maintenance and for the purchase of around 80 new buses. In addition, around £40m has been agreed to enable work to start on the Magherafelt Bypass next year.

The Ballyclare Relief Road is a non-strategic road scheme connecting Templepatrick Road, Doagh Road and the Rashee Road. The project is developer-led and is primarily required to support development proposals within Ballyclare, including access to approved housing development on lands west of Ballyclare. The road scheme received planning approval in January 2011.



As the Strategic Road Improvement Programme gives priority to upgrading the strategic road network, the provision of the Ballyclare Relief Road would not be considered a high priority in the current circumstances.

## Underspend

**Mr McQuillan** asked the Minister for Regional Development what was his departmental underspend in the last financial year. (AQW 24756/11-15)

**Mr Kennedy:** My Department had an excellent 2012-13 provisional outturn position with a Resource DEL underspend of £2.6m (0.5%) and a Capital DEL underspend of £1.2m (0.3%), comparing very favourably with other Departments and the overall NI Block position as set out in the Finance Minister's 1 July Statement to the Assembly on '2012-13 Provisional Outturn and 2013-14 June Monitoring'.

## Bus Shelters

**Mr Weir** asked the Minister for Regional Development to detail the number of bus shelters in each constituency. (AQW 24780/11-15)

**Mr Kennedy:** I can advise the Member that the current contract my Department has with Adshel has delivered 1,362 bus shelters in Northern Ireland at no cost to my Department. Whilst details of the distribution of these bus shelters is not available in the form requested, details of the number of bus shelters in each Council area, are provided in the table below:

Council Area	Replacement	New Shelters		Total
		Advertising	Non- Advertising	
Belfast	216	116	151	483
Castlereagh	44	23	67	134
Newtownabbey	19	40	77	136
Antrim	12	13	24	49
Ards	12	9	15	36
Armagh	5	4	13	22
Ballymena	9	10	4	23
Ballymoney	0	5	4	9
Banbridge	7	3	1	11
Carrickfergus	4	6	17	27
Coleraine	11	5	16	32
Cookstown	5	2	1	8
Craigavon	7	12	17	36
Derry	37	8	28	73
Down	11	6	10	27
Dungannon	0	9	9	18
Fermanagh	0	0	0	0
Larne	3	2	4	9
Limavady	0	9	10	19
Lisburn	21	11	47	79
Magherafelt	4	5	4	13
Moyle	0	0	2	2
Newry & Mourne	5	6	10	21
North Down	12	19	27	58
Omagh	0	11	7	18
Strabane	4	5	10	19
<b>Total</b>	<b>448</b>	<b>339</b>	<b>575</b>	<b>1,362</b>

In addition, my Department maintains approximately 20 bus shelters mostly located in the Greater Belfast area which pre-date the current contract.

Other bus shelters have been provided across Northern Ireland by local Councils and Translink.

### **Landfill Site at Mobouy Road, Derry**

**Mr Agnew** asked the Minister for Regional Development whether the route of the A6 strategic road proposal is affected by any of the sites where the illegal landfill at Mobouy Road, Derry.

**(AQW 24786/11-15)**

**Mr Kennedy:** I can confirm the route of the A6 Londonderry to Dungiven dual carriageway traverses areas identified as potentially containing illegal landfill.

### **Landfill Site at Mobouy Road, Derry**

**Mr Agnew** asked the Minister for Regional Development whether his Department was aware of the extent, scale and content of the illegal landfill uncovered at Mobouy Road, Derry when the Environmental Impact Assessment (EIA) was carried out as part of the A6 strategic road proposal; and whether the fact that the EIA did not identify and address the likely significant and adverse environmental effects from the landfill renders that EIA inadequate as a basis on which to allow the road scheme to proceed.

**(AQW 24788/11-15)**

**Mr Kennedy:** The presence of potentially contaminated land influenced the choice of the preferred route for the scheme. The Environmental Statement, published in December 2011 and examined at the September/October 2012 Public Inquiry, comprehensively examined all known potential areas of contaminated land along the line of the new road, including the lands identified by NIEA at Mobouy Road, and details measures to reduce or eliminate those effects. I am therefore content that the risks associated with encountering contaminated land at Mobouy Road, Londonderry have been fully assessed as part of the Public Inquiry process.

### **Landfill Site at Mobouy Road, Derry**

**Mr Agnew** asked the Minister for Regional Development what impact the discovery of the illegal landfill site at Mobouy Road, Derry, will have on the findings of the Public Inquiry into the A6 strategic road proposal, given that this issue was not assessed as part of the Environmental Impact Assessment process and was not part of the inquiry.

**(AQW 24789/11-15)**

**Mr Kennedy:** The potential for encountering contaminated land at a number of locations along the route of the proposed A6, including the lands identified by the Northern Ireland Environment Agency at Mobouy Road, was fully assessed as part of the Environmental Statement. I am therefore content the risks associated with encountering contaminated land at Mobouy Road, Londonderry have been fully assessed as part of the Public Inquiry process.

### **Landfill Site at Mobouy Road, Derry**

**Mr Agnew** asked Minister for Regional Development whether he has made, or intends to make, the European Commission aware of the implications, financial or otherwise, of the discovery of the illegal landfill site at Mobouy Road, Derry, given that it is co-funding the A6 strategic road proposal.

**(AQW 24790/11-15)**

**Mr Kennedy:** Design work on this section of the A6 was not co-funded by the European Commission and therefore I am not aware of any implications, financial or otherwise, that would require me to inform it of the ongoing investigation into alleged illegal dumping at Mobouy Road, Londonderry.

### **Northern Ireland Water: Ernst & Young**

**Mr McGlone** asked the Minister for Regional Development whether Ernst & Young has carried out any work for Northern Ireland Water since its inception in 2007; and to detail the nature and monetary value of any work.

**(AQW 24829/11-15)**

**Mr Kennedy:** I have been advised by Northern Ireland Water that between its inception in 2007 and 2010 the company has engaged Ernst & Young to carry out work to the value of £1,713,329. A further £360 was spent in 2012 in relation to a VAT conference. The total paid to Ernst & Young was £1,713,689.

Details are provided in the table below:

Date	Service Type	Total £
2007-2010	Staff Substitution ■ Internal Audit Function	574,741
2008-2009	Staff Substitution:- ■ Data Quality Task Group ■ Customer Income Review	42,481
2007-2010	Consultancy:- ■ Customer Hub ■ Business Operating Model ■ Price Control 10 ■ Tariff Modelling ■ Transformation Programme	413,071
2009	Customer Services Contract Transition	601,631
2008-2009	Professional Fees:- ■ VAT ■ Taxation of PILON Payments ■ Corporate Risk Workshop ■ Price Control 10 Assurance ■ Subsidy Assurance Framework	70,905
2008	Company Secretary Support:- ■ Cost Apportionment	10,500
2012	Conference /course Fees	360
	<b>Total</b>	<b>£1,713,689</b>

### Northern Ireland Water: Ernst & Young

**Mr McGlone** asked the Minister for Regional Development (i) whether Ernst & Young carried out any work, on an ex gratia basis, between July 2009 and July 2010 for, or in relation to, Northern Ireland Water; (ii) for whom was any such work carried out; (iii) who was the recipient of the work; and (iv) who instructed the work to be carried out.

(AQW 24830/11-15)

**Mr Kennedy:** I have been advised by Northern Ireland Water that the company is only aware of one small piece of work having been carried out by Ernst & Young on an ex gratia basis between July 2009 and July 2010. It is unclear whether this was requested by the previous Chief Executive or whether it was offered voluntarily by Ernst & Young.

### Public Transport: Wi-Fi

**Mr McKay** asked the Minister for Regional Development how the quality of Wi-Fi on Translink Goldline services compares to that on Northern Ireland Railways.

(AQW 24843/11-15)

**Mr Kennedy:** Translink advise that Wi-Fi equipment on Ulsterbus Goldline and NI Railways fleets is provided and fitted by the industry leader in terms of supply in UK and Ireland.

The respective fleet types and associated equipment used are capable of providing similar levels of capacity/quality. The most significant influence on quality will be network coverage provided by the various mobile phone network providers and the extent to which mobile black spots occur across the bus and rail networks.

### Ballycastle: Rail Link

**Mr McKay** asked the Minister for Regional Development what assessment has been made of (i) extending a rail link to Ballycastle; and (ii) the tourism benefits this could bring.

(AQW 24910/11-15)

**Mr Kennedy:** No assessment has been made by my Department of the feasibility of extending a rail link to Ballycastle or of any tourism benefits that this might bring.

My Department has consulted on the prioritisation of future railways investment up to 2035. This invited discussion about possible extensions to the rail network. Whilst the response included calls for railway extensions to various towns, there were no requests for a rail link to Ballycastle.

### Student Travel Discounts

**Mr Flanagan** asked the Minister for Regional Development why mature students do not receive student discount on Ulsterbus services when discount is available on services provided by Northern Ireland Railways.

(AQW 24913/11-15)

**Mr Kennedy:** Translink have commercial responsibility for these matters and have advised that a discount for mature students using rail services was introduced separately from bus because a mature student travelling by rail is not able to obtain as good a discount without the use of the 24+ Railcard. Mature students using both Metro and Ulsterbus services can avail of the best discounts through standard Smartlink products which are available for bus journeys.

### Roads: South Down

**Mr Rogers** asked the Minister for Regional Development what plans his Department has to improve roads infrastructure in South Down to assist in the delivery of the South East Coast Master plan.

(AQW 24918/11-15)

**Mr Kennedy:** During the spring of each year my Department's Roads Service presents their respective Minor Works programmes to each Council, which sets out the schemes they hope to construct during the current financial year and beyond, subject to the necessary funding being available.

I have arranged for copies of the relevant council reports to be forwarded directly to you.

### Waterside Railway Station: Out-of-hours and Weekend Arrangements

**Mr Ó hOisín** asked the Minister for Regional Development to outline the out-of-hours and weekend arrangements for passenger accommodation at Waterside Railway Station.

(AQW 24963/11-15)

**Mr Kennedy:** Translink has advised me that Waterside Railway Station is open from 06.45 to 18.00 Monday to Friday, 07.00 to 18.00 on Saturday and 09.00 to 20.00 on Sunday, which matches the peak passenger flows to/from Londonderry. Outside these times the station operates as an unstaffed halt with customer access/egress via the accessible night gate. There is a covered waiting area on the platform.

With the reopening of the line between Londonderry and Coleraine, Translink will continue to monitor the opening hours of the ticket office and station facilities in light of any changes in passenger numbers.

## Department for Social Development

### Dignity at Work: Sports Shirts

**Mr Allister** asked the Minister for Social Development, pursuant to AQW 23810/11-15, whether it is in line with the Dignity at Work Policy for GAA sportswear to be brought into the work place.

(AQW 24533/11-15)

**Mr McCausland (The Minister for Social Development):** The NICS Dignity at Work policy includes guidance on common forms of unwanted, unreasonable and offensive conduct, and makes specific reference to sportswear which may be deemed offensive by others, such as football, GAA and rugby tops.

The Department's position is therefore that it would not normally be appropriate for such sportswear to be brought into the workplace

### Housing Executive: Overpayment of Contractors

**Mr Weir** asked the Minister for Social Development what action he has taken to ensure there is no repeat of the Housing Executive's overpayment of contractors.

(AQW 24555/11-15)

**Mr McCausland:** My oral statement on 10 June 2013 clearly sets out the actions I have taken. I introduced special accountability measures last year, which includes a monthly accountability meeting between my Permanent Secretary and the Housing Executive's Chief Executive where the position on these actions and other key issues is reported. My Permanent Secretary has already instigated a further governance review by my Department's Head of Internal Audit to assess the outcome of the implementation of the recommendations of the Housing Executive governance review in 2010, the special accountability measures and the ASM recommendations. It will also look at the lessons learned by the Housing Executive in



respect of the management of response maintenance and the extent to which they have been applied to the management of planned maintenance contracts.

Terms of reference have also been developed for work by DFP's Performance and Efficiency Delivery Unit (PEDU), which will support the internal audit team. The focus of PEDU's work will be on the contract management processes. I have recently sent the terms of reference for this work to Minister Wilson to agree.

My officials have also been reviewing the oversight arrangements in place, including the update of the management statement and financial memorandum between my Department and the Housing Executive. My Permanent Secretary has also written to the Chairman to advise him of additional actions to be put in place by my officials.

I also believe that it may now be appropriate to introduce an inspection regime to the landlord function of the Housing Executive and I have instructed my officials to proceed with the necessary arrangements.

Finally, I appointed a new Chairman and Vice –Chairman who I have been meeting monthly to discuss key issues of concern and who are determined to put in place clear governance and assurance systems and to tackle the issues and make the organisational changes that are required to bring this organisation into line and to ensure that appropriate services are delivered to tenants along with value for public money.

## Urban Regeneration: Murals

**Ms Lo** asked the Minister for Social Development what criteria are used when deciding whether to paint over existing murals which are within urban regeneration scheme areas.

(AQW 24574/11-15)

**Mr McCausland:** During the design of public realm schemes, Departmental Officials and Landscape Architects consider all aspects of the scheme area including: new street lighting; resurfacing footpaths; semi-mature tree planting; and boundary treatments. When considering defaced property, officials will seek to identify any pieces of community art within the scheme area, and apart from these will clean or repaint the affected surface, with the owner's agreement. Consultation is also carried out with relevant statutory bodies, including the local council and DRD Roads Service.

## Campbell Tickell Investigation

**Mr Allister** asked the Minister for Social Development, pursuant to AQW 24342/11-15, whether the contract was offered on a single tender basis, and if so, why and did the Permanent Secretary agreed this.

(AQW 24623/11-15)

**Mr McCausland:** The contract was appointed on a single tender basis as agreed by the Permanent Secretary. In view of the scale of the overpayments the Permanent Secretary accepted the arguments of the Board that they needed an expert to look at this as quickly as possible. Had the Permanent Secretary not agreed to this course of action there would have been major concerns about the timeliness of any investigation and possible further overpayments. This procurement process was in line with relevant guidance for the direct award of contracts (single tender action) and the use of consultants.

## Campbell Tickell Investigation

**Mr Allister** asked the Minister for Social Development, pursuant to AQW 24342/11-15, for his assessment of whether Campbell Tickell is uniquely placed to complete the work.

(AQW 24624/11-15)

**Mr McCausland:** I have been advised by the Northern Ireland Housing Executive that Campbell Tickell has previous experience and reported on a wide range of matters, including frauds, mismanagement, financial malpractice, complex financial issues, governance and management issues and previously conducted a statutory inquiry for the then Housing Corporation, looking into mismanagement in a specialist housing association.

## Social Housing: Waiting Lists

**Mr Girvan** asked the Minister for Social Development to detail the current social housing waiting lists in the (i) Newtownabbey 1; (ii) Newtownabbey 2; and (iii) Antrim districts.

(AQW 24650/11-15)

**Mr McCausland:** The tables below detail the social housing waiting list and those in housing stress at 1 June 2013 for the Housing Executive's Newtownabbey 1, Newtownabbey 2 and Antrim district office areas.

**Table 1 – Waiting List**

	Elderly	Large Adult	Large Family	Single	Small Adult	Small Family	Total
Newtownabbey 1	165	25	41	424	58	185	898
Newtownabbey 2	189	24	63	418	44	231	969

	Elderly	Large Adult	Large Family	Single	Small Adult	Small Family	Total
Antrim	117	19	74	470	70	243	993

**Table 2 – Housing Stress (30 points or more)**

	Elderly	Large Adult	Large Family	Single	Small Adult	Small Family	Total
Newtownabbey 1	103	16	21	249	30	104	523
Newtownabbey 2	117	13	33	253	23	136	575
Antrim	65	6	41	231	26	136	505

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: Occupancy Rates

**Mr Girvan** asked the Minister for Social Development to detail the occupancy rates for Housing Executive units in the (i) Newtownabbey 1; (ii) Newtownabbey 2; and (iii) Antrim districts.

**(AQW 24651/11-15)**

**Mr McCausland:** At 31 May 2013, the Housing Executive had 6,680 properties within their Newtownabbey 1, Newtownabbey 2 and Antrim local office areas. Of these, 176 properties were vacant; with only 29 in a lettable condition. The remainder were vacant for a variety of reasons such as undergoing repairs or decanting of tenants.

The table below details the breakdown of vacant stock by the various Housing Executive local offices in question.

Local Office area	Total Stock	Tenanted Stock	Total Vacant
Newtownabbey 1	2,168	2,060	108
Newtownabbey 2	2,138	2,115	23
Antrim	2,374	2,329	45
<b>Total</b>	<b>6,680</b>	<b>6,504</b>	<b>176</b>

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: Overpayment of Contractors

**Mr Allister** asked the Minister for Social Development, in relation to his announcement concerning the £18m overpayment on planned maintenance by the Northern Ireland Housing Executive (NIHE), who was the Director in charge at that time; and what position does that person presently hold within the NIHE.

**(AQW 24679/11-15)**

**Mr McCausland:** The Housing Executive has advised that the planned maintenance contracts ran from January 2008 to January 2013 and operational responsibility for the contracts rested with their Design and Property Services division. During the period of the contract there have been three Directors of that division as follows:-

- John McPeake was Director prior to the contract commencing until December 2010. He is currently the Chief Executive of the Housing Executive.
- Dolores Ferran served as Acting Director from January 2011 until March 2012 and is currently Assistant Director Housing Policy.
- Siobhan McCauley was appointed as Director from April 2012 and is the current post holder.

### Ballykeel: Housing Development

**Mr Frew** asked the Minister for Social Development for an update on the proposed Housing Development adjacent to Ballykeel, Ballymena.

**(AQW 24689/11-15)**

**Mr McCausland:** Fold are currently on site, refurbishing 47 units at the St. Patricks Barracks site and this is due to complete in December 2013. There is a second phase in year one (2013/14) of the Social Housing Development Programme for 10 units however planning issues may lead to this number reducing to closer to 2 units.

Ballykeel Estate comprises two Housing Executive Common Landlord Areas- Ballykeel One and Ballykeel Two. Connswater registered a site at Crebilly Road, close to Ballykeel 2 CLA in March 2013. The Housing Executive advised Connswater at that time that they would not be in a position to support the site for social housing as there is no projected housing need for Ballykeel 2.

The Housing Executive has extensive land holdings in the area and should housing need emerge the development of these lands will be investigated in the first instance.

## Project Bank Accounts

**Mr McGlone** asked Minister for Social Development, in order to facilitate proper payments to contractors, sub contractors and suppliers, for an update on the adoption of Project Bank Accounts as good practice within his Department.

**(AQW 24701/11-15)**

**Mr McCausland:** All of my Department's construction projects are awarded through the Department of Finance and Personnel's Central Procurement Directorate. On 8 January 2013 the Finance Minister Sammy Wilson, announced that Project Bank Accounts would be introduced to projects awarded by Central Procurement Directorate that have a construction value in excess of £1 million and contain a significant subcontracting element.

Central Procurement Directorate is currently finalising guidance detailing how Project Bank Accounts will be implemented in contracts which they award. The establishment of Project Bank Accounts is now being included in relevant projects let by Central Procurement Directorate.

## Social Security Appeal Tribunals

**Mr Campbell** asked the Minister for Social Development how many Social Security Appeal Tribunals in the last 12 months have had the initial hearing adjourned because the appellant's GP did not submit a full medical history record, broken down by constituency.

**(AQW 24713/11-15)**

**Mr McCausland:** The information cannot be provided in the format sought. The Appeals Service arranges for appeals to be heard at venues throughout Northern Ireland. 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 district.

The table below outlines the number of appeals adjourned on the first date of hearing in the period 1 June 2012 to 31 May 2013 where the record noted that it was due to General Practitioner medical records not being available or incomplete.

Tribunal District	Appeals Adjourned
Armagh	19
Ballymena	72
Ballymoney	7
Banbridge	16
Belfast	362
Coleraine	39
Cookstown	17
Craigavon	45
Downpatrick	35
Dungannon	22
Enniskillen	32
Limavady	28
Londonderry	52
Magherafelt	10
Newry	59
Newtownards	55
Omagh	29
Strabane	12
<b>Overall Total Appeals Adjourned</b>	<b>911</b>

## Homelessness

**Mr Girvan** asked the Minister for Social Development (i) to detail the number of people under the age of 18 who are classified as homeless; (ii) what support is available for these people; and (iii) whether, and how, this information is shared with the Department of Health, Social Services and Public Safety.

**(AQW 24722/11-15)**

**Mr McCausland:** In relation to (i), the Housing Executive advises that at 1 June 2013, 85 people aged 16/17 were accepted as statutorily homeless (Full duty applicants).

In relation to (ii), the Housing Executive launched its new "Homelessness Strategy for Northern Ireland 2012 – 2017" in May 2012. The strategy 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. More detailed information on the Homelessness Strategy can be found on the Housing Executive website at [www.nihe.gov.uk](http://www.nihe.gov.uk).

In addition the Housing Executive, through Supporting People funding, supports five dedicated young people's services with a total of 168 spaces throughout Northern Ireland as set out in the table below: -

Organisation	Address	Units	Contract Value £
First Housing Aid & Support Services	Jefferson Court	20	313,986
Simon Community	242 Antrim Rd	10	210,376
Simon Community	3-5 Malone Road	42	347,853
Simon Community	Mount St Mews	16	174,362
Triangle Housing	Floating Support	80	563,818

In relation to (iii), the Housing Executive works in partnership with the Health and Social Care Trusts via a joint working protocol designed to meet the housing and support needs of young people. Young individuals who present as homeless are jointly assessed for accommodation and care/support requirements. This is used as a gateway to support/care services where required for those presenting.

The protocol is monitored and reported via the Regional Reference Group for young homeless. This group has representation from the Housing Executive, the Health and Social Care Board and each of the five Trusts, along with representatives from the Voluntary and Community sector. While the Housing Executive does not share the information collected directly with the Department of Health, Social Services and Public Safety, the Housing Executive understands that the Health and Social Care Boards may do so.

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: Faulty Insulation

**Ms Ruane** asked the Minister for Social Development how many houses in (i) Rathfriland; and (ii) South Down have been affected by faulty insulation such as formaldehyde foam.

**(AQW 24747/11-15)**

**Mr McCausland:** I assume the Member is referring to Housing Executive houses, most of which were cavity insulated 25 to 30 years ago. The Housing Executive believes that it was mainly with fibre or bead insulation although some properties may have had urea formaldehyde insulation also.

The information requested is not available. However, following a University of Ulster report on fibre based insulation, which recommended further extensive studies on this issue the Housing Executive has decided to undertake a technical survey of 300 of its properties to examine the quality of the insulation. Until that survey is complete the Housing Executive will not know if there is a wider problem with cavity insulation and, if so, to what extent.

A private company, Energy Store, has recently carried out some inspections of cavities. One of these was in the Rathfriland area and the survey confirmed that this private dwelling had a problem with insulation board and fibre.

## Social Housing: Fermanagh

**Mr Lynch** asked the Minister for Social Development how many social housing new builds were completed in the Fermanagh District Council area, in each of the last three financial years.

**(AQW 24771/11-15)**

**Mr McCausland:** The table below details the number of social housing new builds completed in each of the last three years in the Fermanagh District Council area.



Year	Scheme	Units
2010/11	Enniskillen EMI, Phase 1	30
	Rural Acquisitions Fermanagh	2
	3 Cherry Walk, Enniskillen	1
2011/12	Ballaghmore Heights, Enniskillen	10
	Fermanagh Acquisitions	1
	Carrowshee Park, Lisnaskea	19
	Adrain Heights, Donagh	5
	Enniskillen Acquisitions	2
	Apex Acquisitions, Enniskillen	2
2012/13	PSNI Site, 48 Main St., Lisbellaw	12
	Aghagay Meadows, Newtownbutler	3

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 Stress: Fermanagh

**Mr Lynch** asked the Minister for Social Development how he plans to address the increase in housing stress in the Fermanagh District Council area.

(AQW 24772/11-15)

**Mr McCausland:** At March 2013, which is the most recent date that information is available from the Housing Executive, there were 302 first preference housing stress applicants on the waiting list for Fermanagh District. The Housing Executive allocates properties in accordance with the Housing Selection Scheme with properties usually allocated to the relevant applicant with the highest points once they become available.

Based on March 2012 waiting list figures there is an additional five year social new build requirement of 74 for Fermanagh district. The Housing Executive has advised that at 31 March 2013 there were 62 general needs units on-site within Fermanagh District, with a further 13 general needs listed on the three year Social Housing Development Programme 2013/16. Stock turnover and new build, both on-site and programmed, should help to address the level of housing stress in the district.

### Universal Credit: Pilot Schemes

**Mr Weir** asked the Minister for Social Development what co-ordination is taking place with the Department for Work and Pensions on the monitoring of the pilot schemes for the introduction of Universal Credit.

(AQW 24776/11-15)

**Mr McCausland:** My officials continue to be engaged with the Department for Work and Pensions on the progress from the operation of the Pathfinder. The Universal Credit Programme in Northern Ireland receive regular updates which will help inform plans for the launch of Universal Credit in Northern Ireland. Officials are continuing to discuss how best the two departments can work together as the Universal Credit Pathfinder is rolled out across Great Britain.

Howard Shiplee, the new Department for Work and Pensions Director General for Universal Credit, will also be visiting Northern Ireland in mid July, providing an opportunity to discuss directly progress not only on the operation of the Pathfinder but plans for the wider rollout of Universal Credit nationally and the impact for Northern Ireland

### Housing Executive: Overpayment of Contractors

**Mr Allister** asked the Minister for Social Development how, and when, the Board of the Northern Ireland Housing Executive was involved in the decision to delist four contractors arising from the alleged overpayment of £18m.

(AQW 24783/11-15)

**Mr McCausland:** The Housing Executive has advised that no contractor has been delisted. The position is that the four planned maintenance contractors in question will not receive any new contracts from the Housing Executive until matters relating to planned maintenance have been resolved.

### Delay in Answering AQW 1004/11-15

**Mr Allister** asked the Minister for Social Development, pursuant to AQW 24480/11-15, will he now answer parts (ii) and (iii) of the question.

(AQW 24798/11-15)

**Mr McCausland:** I would advise the Member that a response to AQW 24480/11-15 has already been provided.

## Legal Costs

**Mr Agnew** asked the Minister for Social Development to detail (i) the number of legal cases, including judicial reviews, which his Department has defended since 2007; (ii) the number of these legal challenges the Department lost; and (iii) the total costs incurred by his Department on the cases which it lost.

**(AQW 24827/11-15)**

**Mr McCausland:** I would advise the Member that the Department does not hold the information in the format requested and it is therefore not possible to provide an answer to this question.

## Fitness for Work Tests

**Mr Lunn** asked the Minister for Social Development whether his Department intends to engage with Paul Litchfield as he carries out his independent review of fitness for work tests.

**(AQW 24869/11-15)**

**Mr McCausland:** I can confirm that Dr. Paul Litchfield will conduct the fourth Independent Review of the Work Capability Assessment. As with the three previous independent reviews, conducted by Professor Harrington, the fourth review will extend to Northern Ireland.

Officials from my Department have been in contact with Dr Litchfield since his appointment on 26 February 2013 and as part of this year's review, Dr Litchfield will visit Northern Ireland in September 2013. On 10 July I launched the Call for Evidence for the review of the Work Capability Assessment in Northern Ireland and this will inform Dr. Litchfield's independent report which will be laid before the Assembly by the end of 2013.

## Fitness for Work Tests

**Mr Lunn** asked the Minister for Social Development, in the event that the Welfare Reform Bill becomes law, what consideration will be given to the progressive nature of conditions such as Parkinson's, cystic fibrosis and multiple sclerosis in (i) fitness for work tests; and (ii) mobility criteria assessments for the Personal Independence Payment.

**(AQW 24870/11-15)**

**Mr McCausland:** The Welfare Reform Bill contains no proposed changes to the Work Capability Assessment for Employment Support Allowance.

Subject to the Welfare Reform Bill successfully completing its passage through the Assembly, it is anticipated that Personal Independence Payment will be introduced in Northern Ireland in spring 2014.

The assessment criteria for Personal Independence Payment were designed in collaboration with independent specialists in disability, social care and health and there has been extensive engagement with disabled people and their organisations, including three formal consultation exercises which resulted in a number of changes to the criteria. In addition, consultation was recently launched in relation to the Moving Around activity of the Mobility Component of Personal Independence Payment and this will end on 5 August 2013.

The assessment criteria take account of all types of disabilities including physical, sensory, mental, intellectual, cognitive, and neurological impairments. Entitlement is not based on having a particular health condition or impairment but considers the claimant's individual circumstances and the impact of their health condition or impairment on their ability to carry out key everyday activities. A key consideration is not just whether they can complete the activities but that they can do so safely, to an acceptable standard, repeatedly and in a reasonable time period.

Personal Independence Payment has been designed to ensure that decisions on entitlement, award lengths and timing of reviews are appropriate and evidence-based and all awards, regardless of duration, will be reviewed periodically to ensure that the individual continues to receive the correct amount of benefit.

Health Professionals, who will conduct the assessments for Personal Independence Payment, will receive specialist training in assessing the impact of disabilities. As part of the assessment, the Health Professional will be asked to provide advice on when it would be appropriate to review the claim. This advice will be used to inform decisions on the duration of benefit awards and when it would be sensible to review the claim to ascertain if a claimant's circumstances have changed. Where a Health Professional considers that an individual's needs are likely to continue but may increase, as in the case of progressive conditions, the Health Professional should provide advice on a medically appropriate review point to ensure that the case is reviewed and increased support provided where appropriate. In addition, a claimant can ask for their award to be reviewed at anytime if they feel that their condition has deteriorated.

## Teenage Kicks Mural at Bridge End, Belfast

**Mr Lytle** asked the Minister for Social Development, pursuant to AQW 24576/11-15 to (i) list the bodies that were consulted regarding the removal of the Teenage Kicks mural at Bridge End; and (ii) what criteria is used to establish what constitutes community art.

**(AQW 24943/11-15)**

**Mr McCausland:**

- (i) The bodies consulted with on the Bridge End Environmental Improvement Scheme were East Belfast Partnership, The Ballymac Friendship Centre, DRD Roads Service and Belfast City Council. Specific discussions in respect of the graffiti were with East Belfast Partnership and the representative of the Ballymac Friendship Centre.
- (ii) There are no formal criteria for establishing what constitutes community art within an area. Officials take advice through local consultation from established community representatives, relevant statutory bodies, including the local council and DRD Roads Service.

**Landlord Registration Scheme**

**Mr Durkan** asked the Minister for Social Development for an update on the landlord registration scheme.

**(AQW 24951/11-15)**

**Mr McCausland:** My original intention was to have Landlord Registration in place by the Summer. However, in order to facilitate the direct payment to landlords of the housing cost element of Universal Credit, it is necessary to make a number of practical changes to implementation. In addition the Head of the Civil Service issued a directive to all Departments that when developing new programmes involving online or telephone interaction with citizens or business services, there should be a presumption in favour of using NI Direct programme. My Department is therefore now working with NI Direct to ensure there is a fully functional landlord registration scheme in place as quickly as possible and certainly before the end of 2013.

**Universal Credit: Waiting Period**

**Mr Durkan** asked the Minister for Social Development for his assessment of the impact of the proposed introduction of a one week waiting period for benefit payments.

**(AQW 25002/11-15)**

**Mr McCausland:** On 26 June 2013, as part of the Spending Review, the Chancellor of the Exchequer, Mr George Osborne, announced a further three measures under Welfare Reform. These include a proposal to introduce a seven-day waiting period before new Universal Credit claimants can claim benefit if they have not had a Universal Credit claim in the previous six months, where at least one person is subject to conditionality. It is proposed to introduce this measure in 2015 -16. A full assessment will be made when more details on the proposed changes are available.





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# Northern Ireland Assembly

Friday 19 July 2013

## Written Answers to Questions

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

#### Sexual Orientation Strategy

**Mr Brady** asked the First Minister and deputy First Minister why a Sexual Orientation Strategy has not been published.  
(AQO 3824/11-15)

**Mr P Robinson and Mr M McGuinness (The First Minister and deputy First Minister):** As outlined in Together: Building a United Community, we are committed to publishing a Sexual Orientation Strategy this year. A consultation document that will inform public consultation on the strategy is currently under consideration in the Department. The Strategy will be published once the consultation process has been completed. Our officials continue to engage with the sector on a regular basis to update it on the development of the consultation document.

#### Gordon Gallagher

**Mr Allister** asked the First Minister and deputy First Minister, pursuant to AQO 3823/11-15, whether the use of the first person singular by the First Minister indicates that the deputy First Minister is not willing to provide the Gallagher family with all available help and assistance.  
(AQW 22112/11-15)

**Mr P Robinson and Mr M McGuinness:** We would refer the member to the answer to AQO 3823/11-15 which was given in the Assembly on 22 April 2013.

#### Defamation Act 2013

**Mrs D Kelly** asked the First Minister and deputy First Minister what discussions they have had with the Minister of Finance and Personnel regarding an extension to the Defamation Act 2013.  
(AQO 4067/11-15)

**Mr P Robinson and Mr M McGuinness:** The Defamation Act 2013 is now law but does not extend to Northern Ireland. There were no discussions with the Minister of Finance and Personnel about the Defamation Bill during its passage through Parliament

#### Legislation

**Mr Weir** asked the First Minister and deputy First Minister to list the current or planned legislation that their Department will bring to the Assembly before the end of the current term.  
(AQW 24252/11-15)

**Mr P Robinson and Mr M McGuinness:** The Programme for Government contains our commitment to progress legislation to extend age discrimination legislation to the provision of goods, facilities and services. The Programme also refers to our plan to introduce any Assembly legislation necessary to implement any agreed changes to post-2015 structures of Government, and this will be confirmed in due course.

Other requirements for primary legislation relating to OFMDFM responsibilities may arise during this mandate and these will be reviewed on a regular basis.

#### Legislative Timetable

**Mr Easton** asked the First Minister and deputy First Minister for an indicative Executive legislative timetable for 2013 – 2015.  
(AQW 24547/11-15)

**Mr P Robinson and Mr M McGuinness:** We are currently considering how Executive Ministers' future legislative intentions might best be conveyed to the Assembly at a time and in a way most helpful to the conduct of its business.

## Play and Leisure Implementation Plan

**Mr Eastwood** asked the First Minister and deputy First Minister for an update on the Play and Leisure Implementation Plan. (AQW 24667/11-15)

**Mr P Robinson and Mr M McGuinness:** Officials are currently reviewing the Executive's existing Play and Leisure Implementation Plan. The review will outline progress to date as well as identifying any barriers to delivery of actions within the lifespan of the Plan which runs to 2016 and how to address these. UNCRC adopted a General Comment on Article 31 (Play & Leisure) on 1st February 2013. The General Comment will inform the review. Initial findings are that there has been substantial progress across the Executive in delivering the plan.

## Childcare Strategy

**Mr Lyttle** asked the First Minister and deputy First Minister when the childcare strategy will be published, given that the target date for publication was 30 June 2013. (AQW 25005/11-15)

**Mr P Robinson and Mr M McGuinness:** We expect to make an announcement on the Childcare Strategy in due course.

## Victims and Survivors Service

**Mr Eastwood** asked the First Minister and deputy First Minister what consultations were embarked upon before changes were made to the Victims and Survivors Service. (AQW 25013/11-15)

**Mr P Robinson and Mr M McGuinness:** A public consultation on the Strategy for Victims and Survivors was undertaken in August 2008, followed by a public consultation on the Victims and Survivors Service in August 2009.

## Victims and Survivors Service

**Mr Eastwood** asked the First Minister and deputy First Minister why assessment by the Victims and Survivors Service is compulsory before victims can gain support from voluntary and community groups. (AQW 25014/11-15)

**Mr P Robinson and Mr M McGuinness:** A Needs Review by the Victims and Survivors Service (VSS) is not required for victims and survivors who wish to avail of services and assistance provided by Victims and Survivors Groups through the Social Support Programme.

A Needs Review by the VSS is only required for victims and survivors who wish to avail of interventions from the Health and Wellbeing Programme.

## Department of Agriculture and Rural Development

### Hardship Scheme Payments

**Mr Swann** asked the Minister of Agriculture and Rural Development when farmers will receive payments under the Hardship Scheme, which had been scheduled for payment at the end of June 2013. (AQW 24840/11-15)

**Mrs O'Neill (The Minister of Agriculture and Rural Development):** As at 30 June 2013, 1,395 Letters of Offer have been issued to farmers advising them of their hardship payment entitlement and including a claim form for signature and return to my Department.

As at 2 July, 930 hardship payments have been made to farmers.

It is expected that all agreed claims will be paid by 5 July. Any remaining cases, where numbers or type of animal are being queried, will be paid once these matters have been cleared.

### Registered Herdkeepers

**Mrs Dobson** asked the Minister of Agriculture and Rural Development, pursuant to AQW 24422/11-15, to detail the total number of registered herd keepers, in each of the last three years. (AQW 24915/11-15)

**Mrs O'Neill:** The number of operational registered herd keepers, on 31st March in each of the last three financial years (i.e. 31-3-11, 31-3-12 and 31-3-13), is given in the table below.

**Operational Registered Keepers**

	2010/11	2011/12	2012/13
Cattle	27,357	27,446	27,226
Sheep	11,994	12,420	12,834
Pigs	1,431	1,527	1,429
Goats	546	541	487

**Cruelty to Animals**

**Mr Weir** asked the Minister of Agriculture and Rural Development to detail (i) the range of offences that can be prosecuted as cruelty to animals; and (ii) the maximum sentence for each offence.

**(AQW 24935/11-15)**

**Mrs O'Neill:** The welfare of animals here is protected by the Welfare of Animals Act 2011. The word "cruelty" does not appear in the Act. There are however, a range of offences relating to activities which may cause an animal to suffer unnecessarily.

- (i) Section 4 of the Act sets out the circumstances in which a person who causes or permits an animal to suffer commits an offence. It is an offence to cause physical or mental suffering, whether by a positive act or an omission, to an animal;

Section 5 makes it an offence to carry out a prohibited procedure on any protected animal. Prohibited procedures are those which involve interference with the sensitive tissues or bone structure of the animal for example, ear cropping of dogs;

Section 6 creates a number of offences regarding the cosmetic docking of dogs tails;

Section 7 creates offences relating to the administration to a protected animal of any poisonous substance or drug without lawful authority or reasonable excuse;

Section 8 creates a number of offences regarding animal fighting including keeping or training an animal for use in such a fight or organising or attending an animal fight;

Section 9 creates an offence for failing to ensure the welfare of animals for which a person is responsible; and

Section 14 creates offences regarding the abandonment of animals for which a person is responsible.

- (ii) Section 31 sets out clearly the penalties for breaches of the Act. A person found guilty of a range of offences under the Act is liable by summary conviction to imprisonment for a term not exceeding 6 months and/or a fine not exceeding level 5 (currently £5,000). Section 31 also sets out the serious offences which the prosecutor can decide to try either by summary conviction or by indictment. The maximum penalty for conviction on indictment is imprisonment for a term not exceeding two years and/or an unlimited fine.

As well as the penalties set out above, Section 32 of the Act enables the courts to confiscate an animal from an owner who has been convicted of an offence in relation to that animal. Section 33 confers a power on a court to disqualify a person from owning, keeping or participating in the keeping of animals; and from being party to any arrangements to control or influence the way in which animals are kept.

**Cruelty to Animals**

**Mr Weir** asked the Minister of Agriculture and Rural Development whether, in relation to cruelty to animals, convictions can include offences committed against all species of animal, and if not, to detail which animals are excluded.

**(AQW 24940/11-15)**

**Mrs O'Neill:** The welfare of animals here is protected by the Welfare of Animals Act 2011. The word "cruelty" does not appear in the Act, this has been replaced by the term "unnecessary suffering" which is all embracing. Within the Act "animal" means a vertebrate other than man. The Act does not therefore apply to any invertebrate animals.

However, the Department may by regulations, in the future, extend the definition of "animal" so as to include invertebrates of any description but only if the Department is satisfied, on the basis of scientific evidence, that animals of the kind concerned are capable of experiencing pain or suffering.

The offences in Section 4 of the Act in relation specifically to unnecessary suffering apply to all vertebrate animals including wild animals. However, it is important to note that many of the other offences in the Act apply only in relation to "protected animals". A "protected animal" is one which is: (a) commonly domesticated here; (b) is temporarily or permanently under the control of man; or (c) is not living in a wild state. Whether or not an animal is considered a protected animal will therefore be based on the circumstances rather than its species.

## Central Investigation Service

**Mr Swann** asked the Minister of Agriculture and Rural Development to detail all Memoranda of Understanding and Service Level Agreements that the Central Investigation Service holds with any other organisation.

**(AQW 24941/11-15)**

**Mrs O'Neill:** The Central Investigation Service currently has 6 Service Level Agreements with other organisations. They include the Office of the First Minister and Deputy First Minister, the Special European Union Programmes Body, the Department of Finance and Personnel, the Department of Culture Arts and Leisure, the Public Prosecution Service and the NI Prison Service.

## Branded Apparel for Non-front Line Staff

**Mr Allister** asked the Minister of Agriculture and Rural Development how much her Department has spent on branded apparel for non-frontline staff, in each of the last three years.

**(AQW 24992/11-15)**

**Mrs O'Neill:** Details of the spend on branded apparel, defined as clothing bearing the departmental logo, for non-frontline staff is set out in the table below. The spend information for 2010/11 is incomplete as records which identified spend for front and non frontline staff from April 2010 to 12 December 2010 were destroyed when the store area in Dundonald House was flooded during the heavy rainfall in June 2012.

Year	Spend
2010-11 (13 Dec 2010 – 31 March 2011)	£30.67
2011-12	£141.30
2012-13	£967.34

## Central Investigation Service

**Mr Swann** asked the Minister of Agriculture and Rural Development whether she has lobbied Central Investigation Service staff in relation to a case they were investigating.

**(AQW 24999/11-15)**

**Mrs O'Neill:** I have not lobbied Central Investigation Service staff in relation to any case they were investigating.

## Department of Education

### Nursery School Admissions

**Mr Storey** asked the Minister of Education how many children in each Education and Library Board area did not receive their first preference choice of nursery school.

**(AQW 24956/11-15)**

**Mr O'Dowd (The Minister of Education):** The pre-school admissions process is preference based: therefore those children not offered a place by their 1st preference setting may be offered a place in another setting listed by their parents as a preference on their application.

The table below details the number of children in each education and library board area who were not offered a place by their first preference provider broken down between statutory nursery and voluntary and private pre-school settings.

	No. of children not offered 1st preference statutory nursery	No. of children not offered 1st preference voluntary/private setting
BELB	467	60
WELB	604	49
NEELB	561	81
SEELB	641	98
SELB	749	72
<b>Total</b>	<b>3022</b>	<b>360</b>

At the end of the 2013/14 pre-school admissions process, 99.9% of target aged children, whose parents fully engaged with the process, were offered a funded place in a pre-school setting.



## Preschool Admissions

**Mr Storey** asked the Minister of Education how many children in each Education and Library Board area did not receive their first preference choice of pre-school provision.

**(AQW 24957/11-15)**

**Mr O'Dowd:** The pre-school admissions process is preference based: therefore those children not offered a place by their 1st preference setting may be offered a place in another setting listed by their parents as a preference on their application.

The table below details the number of children in each education and library board area who were not offered a place by their first preference provider broken down between statutory nursery and voluntary and private pre-school settings.

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<b>Total</b>	<b>3022</b>	<b>360</b>

At the end of the 2013/14 pre-school admissions process, 99.9% of target aged children, whose parents fully engaged with the process, were offered a funded place in a pre-school setting.

## Nursery School Provision: Cookstown

**Mr McGlone** asked the Minister of Education whether extra capacity is available for over-subscribed nursery schools and nursery units in the Cookstown District Council area.

**(AQW 25018/11-15)**

**Mr O'Dowd:** Figures provided by the Southern Education and Library Board (SELB) indicate that at the end of stage two of the pre-school application process, only one child whose parents had participated in the full process had not been allocated a pre-school placement.

A number of parents decided not to nominate further preferences at stage two and a number of children, therefore, remain unplaced. However, I understand that the Southern Education and Library Board Pre-School Education Advisory Group is actively seeking to engage a new provider, located in Cookstown, to cater for the unplaced children in the area.

In relation to the statutory sector, I will consider all Development Proposals submitted to me in light of demand.

## Legal Costs

**Mr Agnew** asked the Minister of Education to detail (i) the number of legal cases, including judicial reviews, that his Department has defended since 2007; (ii) the number of these legal challenges the Department lost; and (iii) the total costs incurred by his Department on the cases which it lost.

**(AQW 25026/11-15)**

**Mr O'Dowd:**

Number of Legal Cases Defended Since 2007	14*
Number of Legal Cases Lost by the Department	4
Payments made to Date for Legal Cases Lost by the Department	£1,762,000

\* For 6 of these cases final judgements have not yet been received.

## Hospitality

**Mr Allister** asked the Minister of Education, pursuant to AQW 19484/11-15, whether the figures includes the hospitality spend by arm's length bodies in 2011/12; and to detail any hospitality spend by arm's length bodies in 2011/12.

**(AQW 25045/11-15)**

**Mr O'Dowd:** The response to AQW 19484/11-15 does not include the Department's arm's-length bodies. The amount spent on hospitality by the Department's arm-length bodies in 2011/12 was £638k.

## Preschool Admissions

**Mr Weir** asked the Minister of Education how many children in each constituency did not receive their first choice pre-school place.

**(AQW 25085/11-15)**

**Mr O'Dowd:** The pre-school admissions process is preference based: therefore those children not offered a place by their 1st preference setting may be offered a place in another setting listed by their parents as a preference on their application.

Information on the number of children who did not receive their first choice pre-school place is not held in the format requested and could be obtained only at disproportionate cost. Education and Library Boards are, however, able to provide the information requested broken down by District Council.

District Council	No. of children not offered a place by their first preference pre-school provider
Antrim	73
Ards	50
Armagh	114
Ballymena	102
Ballymoney	7
Banbridge	130
Belfast	527
Carrickfergus	42
Castlereagh	202
Coleraine	47
Cookstown	82
Craigavon	210
Derry	282
Down	81
Dungannon	112
Fermanagh	100
Larne	8
Limavady	68
Lisburn	251
Magherafelt	69
Moyle	5
Newry & Mourne	173
Newtownabbey	289
North Down	155
Omagh	127
Strabane	76
<b>Total</b>	<b>3382</b>

At the end of the 2013/14 pre-school admissions process, 99.9% of target aged children, whose parents fully engaged with the process, were offered a funded place in a pre-school setting.

## Savings Delivery Plan

**Mr Weir** asked the Minister of Education why his Department has yet to produce a savings delivery plan.

**(AQW 25086/11-15)**

**Mr O'Dowd:** Your assertion that my Department has not produced a Savings Delivery Plan is incorrect. A Savings Delivery Plan for the Budget 2011-15 period was first published by my Department in 2011. This has been kept under review and

updated to reflect changes in spending plans. Any subsequent revisions have been notified to the Education Committee, with the latest version of the plan the subject of discussion with the Committee on 24 April 2013. The plan is published on the Department's website at [www.deni.gov.uk/index/about-the-department/8-admin-of-education-pg/departamental-budgets-and-accounts/budget\\_2011-2015\\_savings\\_delivery\\_plan.htm](http://www.deni.gov.uk/index/about-the-department/8-admin-of-education-pg/departamental-budgets-and-accounts/budget_2011-2015_savings_delivery_plan.htm). The latest version is reproduced below.

#### Budget 2011-15: Savings Delivery Plan for the Department of Education

Savings Area	£ms			
	2011-12 Plan	2012-13 Plan	2013-14 Plan	2014-15 Plan
Home to School Transport	5.0	5.0	5.0	5.0
ICT in Schools	12.0	16.5	16.9	16.8
Professional Support for Schools	15.0	25.0	20.5	25.0
Entitlement Framework	6.0	8.0	11.0	12.7
AccessNI Costs	1.0	1.0	1.0	1.0
Capacity Building	3.8	3.8	2.2	1.8
ELB Centre Resource Budget Efficiencies	2.0	6.3	6.3	6.3
ALB Administration & Management Costs	15.0	15.3	11.9	15.3
Procurement Goods & Services and Energy	5.0	10.0	15.0	20.0
Teacher Substitution Costs	3.0	5.3	5.5	5.8
GTCNI	1.0	1.0	1.0	1.0
School Meals Service (ELB School-related Centre Resource Budget)	0.0	1.0	1.0	1.0
Departmental Administration (incl ESAIT)	2.7	3.2	3.7	4.2
Funding for RPA Institutions	2.9	0	0	0
Primary Principals - Transfer Interviews (ELB School-related Centre Resource Budget)	0.5	0.5	0.5	0.5
Aggregated Schools Budget	26.55	45.15	74.05	89.85
<b>Total Savings</b>	<b>101.5</b>	<b>146.9</b>	<b>175.5</b>	<b>206.1</b>

**Note:** Table may not add due to roundings.

#### Savings Delivery Plan

**Mr Weir** asked the Minister of Education to outline the cooperation to date between his Department and the Department of Finance and Personnel on a savings delivery plan.

**(AQW 25088/11-15)**

**Mr O'Dowd:** The Executive did not define nor agree savings targets for each Department across the Budget 2011-15 period. Rather it was left to each Minister to deliver their priorities and Programme for Government commitments from the resources allocated to them.

In view of this I agreed and published a clear and transparent Savings Delivery Plan (SDP) which sets out the level of savings to be delivered by my Department between 2011-12 and 2014-15 so as to remain within budget. I remain firmly of the view that the SDP for education was for me to agree as Minister and I did not see the need for engagement with the Department of Finance and Personnel.

#### Free School Meals

**Mr Lyttle** asked the Minister of Education, in light of his announcement to extend the free school meals eligibility criteria by September 2014, what similar support will be available for Year 8 students who are starting post-primary education in September 2013.

**(AQW 25091/11-15)**

**Mr O'Dowd:** On 11 June 2013 I announced my intention to apply the same eligibility criteria for free school meals for both primary and postprimary pupils. This will mean that postprimary pupils from the lowest income families will be supported with access to free school meals in the same way as primary pupils.

I am pleased to advise that an estimated 15,000 children from lower income households will benefit as a result of the change. It will also ensure that the postprimary schools they attend will be supported in a similar way. This will require further additional funding which I will make available.

The changes to the criteria will take effect from September 2014 hence students starting postprimary education in the 2013/14 school year will continue to be assessed for free school meals eligibility under the existing free school meal criteria.

All applications for free school meals for the 2014/15 school year, however, will be assessed under the extended free school meal eligibility criteria. Consequently, in the 2014/15 academic year those eligible will include a number of students who may be ineligible under the current criteria.

I would emphasise, therefore, that if an application for free school meals for the 2013/14 school year is deemed ineligible under the current criteria this should not deter parents or guardians from applying for free school meals for the 2014/15 school year.

## Qualifying Period for Graduate Teachers

**Mrs Dobson** asked the Minister of Education, in light of the concerns raised by teachers who graduated before 2010, for his assessment of the impact of the requirement by some schools that applicants for teaching posts, who are not in permanent teaching posts, must be qualified in the period from June 2010 up to and including the June 2013 cohort of graduate teachers. **(AQW 25115/11-15)**

**Mr O'Dowd:** The requirement that teachers must be qualified in the period from June 2010 to June 2013 applies only to the additional 230 teaching posts being provided by the Delivering Social Change Signature Project on improving literacy and numeracy as announced by OFMdfM - "An additional 230 recent graduate teachers who are not currently in work will be employed to deliver tuition, where appropriate, for children in primary and post primary schools who are currently struggling to achieve even basic educational standards."

A copy of an extract of the project implementation plan, which explains the rationale for the June 2010 date, is provided below<sup>1</sup>.

This worthwhile project will provide much needed employment opportunities for many newly qualified teachers (NQTs).

I am aware of the concerns raised by teachers who graduated prior to June 2010; over the last few years I have taken a number of significant steps to improve employment prospects of NQTs. These steps include:

- urging employers to give preference to NQTs and experienced non retired 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.

Recent Graduate Teachers, defined as those who have graduated from June 2010, year-on-year, up to and including the potential cohort of graduates in June 2013, who are not in a permanent teaching post are eligible to apply for the 230 additional teaching posts being made available to support selected schools deliver the two-year Delivering Social Change Signature Project to improve Literacy and Numeracy.

In furtherance of the stated policy aims of the Northern Ireland Executive and in keeping with all the legal requirements to ensure employment equality, this programme has been developed in consultation with the Equality Commission for Northern Ireland and the Teaching Unions. It takes account of the Equality Commission's publication 'Age Discrimination in Northern Ireland - A Guide for Employers' and relevant case law.

The objective justification for establishing eligibility from the year 2010, as an interpretation of the term "recent", is based on statistical information from GTCNI issued in Jan 2013. (Please see Table 1).

These statistics confirm that in June 2010 fewer than 50% (i.e. 45%) of the recently graduated teachers were gaining employment. Furthermore they demonstrate that from this year up to and including graduation in June 2012 there has been a 15% year-on-year decline in the number of graduates gaining employment either in a permanent or significant temporary capacity.

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1 Rationale - Employment of 230 Recent Graduate Teachers



**Table 1<sup>2</sup>**

Year of Graduation	Totals for all institutions, all programmes and all subjects				
	No of Graduates	Currently registered	% of total graduates who are currently registered	Currently registered with an Open job record	% of those registered who are employed
June 2012	629	475	75.52%	78	16.42%
June 2011	649	524	80.74%	160	30.53%
June 2010	681	540	79.30%	243	45.00%
June 2009	691	558	80.75%	335	60.04%
June 2008	735	591	80.41%	379	64.13%
June 2007	812	644	79.31%	482	74.84%

When these statistics are further analysed by age (please see Table 2 below) it can be clearly demonstrated that the youngest age band (i.e. 24 years and under) constitutes only 1% of the total current active working teaching population locally.

The next age band (25-29 years) accounts for a total of 10% of the total active teaching population. These statistics, demonstrate that setting eligibility criteria from June 2010 will target the “24 and under” and “25-29” age bands which, when combined, constitute a smaller proportion of the total number of teachers employed (i.e.11.05%) compared with the majority of other single age bands.

Such information serves to support the proposition that to define “recent graduate teachers” as those who have graduated from June 2010, in effect aims to target the cohort of qualified teachers who are experiencing the greatest difficulty in securing employment. To widen the scope of eligibility beyond June 2010, to encompass other graduate year groups, would in fact dilute the objective to target teachers who are most disadvantaged in terms of their ability to secure meaningful employment.

As the eligibility criterion is widened so would there be a consequential increase in the number of applicants. This would have a detrimental impact on recent graduate teachers on the basis that they would be the first candidates eliminated in a shortlisting exercise which serves to facilitate a manageable shortlist for interview by increasing the work experience criterion. Therefore, defining eligibility as those who have graduated from June 2010 up to and including the cohort who will graduate in 2013 is deemed to be in keeping with the OFMDFM’s target to recruit 230 recently graduated teachers.

**Table 2<sup>3</sup>**

Teachers by Age Range	Totals	Percentage
24 and under	204	1.05%
25 to 29	1940	10.00%
30 to 34	3348	17.27%
35 to 39	3349	17.27%
40 to 44	3312	17.08%
45 to 49	2525	13.02%
50 to 54	2234	11.52%
55 to 59	2042	10.53%
60 to 64	406	2.09%
65 and over	31	0.16%
<b>Totals</b>	<b>19,391</b>	<b>100%</b>

Consideration has been given to the legitimacy of targeting recently graduated teachers, as has been referenced in the Office of the First Minister and deputy First Minister’s announcement on the Delivering Social Change Programme: “An additional 230 recent graduate teachers who are not currently in work will be employed to deliver tuition, where appropriate, for children in primary and post primary schools who are currently struggling to achieve even basic educational standards”.

<sup>2</sup> Source: GTCNI data January 2013

<sup>3</sup> Source: GTCNI data February 2013

Consideration focussed initially on the skills set required to support raising standards in literacy and numeracy and it has been determined that in many instances the appropriate skills set can be accessed through experienced teachers employed within a school.<sup>4</sup>

This approach is based on advice received from the Equality Commission. It is supported by the statistical information on the composition of the teaching population accessed through GTCNI (table 1 and 2 above) and is a positive action measure deemed appropriate, under the Employment Equality (Age) Regulations (Northern Ireland) 2006.

The Regulations only permit two types of positive action to be taken by employers. These are:

- affording persons of a particular age or age group access to facilities for training which would help to fit them for particular work;
- encouraging persons of a particular age or age group to take advantage of opportunities for doing particular work.

The Regulations state that these two types of lawful positive action may only be taken where, in regard to the work in question, it reasonably appears to the employer that taking the action will prevent or compensate for disadvantages linked to age suffered by persons of the targeted age or age group. In addition to the educational benefit of this programme, it provides an opportunity to combat the disadvantage faced by recent graduate teachers in trying to obtain employment in the profession. Whilst the opportunities are limited to the two year period of the implementation of this programme it is anticipated that it will nonetheless substantially enhance the employment opportunities of this cohort of recently graduated teachers.

In the predominant number of cases where the school eligible to access resources under this programme has the capacity to second an existing teacher, the recruitment exercise would seek to appoint a supernumerary teacher to backfill the release of the seconded teacher.

It is in this set of circumstances that meaningful employment, on a sustained two year basis, should be offered to recent graduate teachers as per the stated objective from the OFMDFM.

In line with this proposal it would then be reasonable to assume that in the main such an approach would serve to advantage younger people, but not exclusively so, as it could also be argued that anyone of any age could be a new or recently graduated teacher i.e. on the basis of a 35 year old re-training and being eligible. However, if it is accepted that younger people would in fact benefit from this approach the concept of "intergenerational fairness" ( i.e. facilitating access to employment by young people, enabling older people to remain in the workforce, sharing limited opportunities to work in a profession fairly between the generations) maybe a relevant factor in this case.

It would have to be highlighted that there will be no displacement of older teachers as a consequence of this programme as the additional resource will be supernumerary to the schools staffing structure. In addition, it could be argued that the secondment opportunities for experienced (older) teachers offer the chance to up-skill, capacity build and by implication create much needed employment opportunities to (potentially younger) recently graduated teachers.

## Department for Employment and Learning

### Branded Apparel for Non-front Line Staff

**Mr Allister** asked the Minister for Employment and Learning how much his Department has spent on branded apparel for non-frontline staff, in each of the last three years.

(AQW 24928/11-15)

**Dr Farry (The Minister for Employment and Learning):** The Department did not incur any expenditure on branded apparel for non-frontline staff, in the last three years.

### One Plan

**Ms Maeve McLaughlin** asked the Minister for Employment and Learning whether a business case from the University of Ulster on expanding the Magee campus and the physical expansion of the campus on the grounds of Foyle College would assist the target of 9,400 places as contained in the One Plan.

(AQW 24969/11-15)

**Dr Farry:** Although the One Plan contains the aspiration of a university with 9,400 full-time equivalent students by 2020, the current Programme for Government does not contain such a commitment. Rather the Programme for Government contains an undertaking to develop the One Plan for the regeneration of Derry/Londonderry, incorporating the key sites at Fort George and Ebrington.

If a proposal were to be taken forward to expand the Magee campus in line with the vision set out in the One Plan, then a full economic appraisal would be required. To date the university has submitted a strategic outline case (SOC) which is a precursor to the full business case. However, the full business case will need to prove that there is sufficient demand for higher education places in Derry~Londonderry and that the decision to fund the expansion of Magee would not be to the

4 TIMSS and PIRLS 2011 found that, across countries, students who had teachers with at least ten years of experience had higher achievement in reading at the 4th grade, and in mathematics and science at the 4th and 8th grades.

detriment of higher education in other parts of Northern Ireland. There is a risk that a business case would be unable to prove this and approval for expansion may not follow.

On the other hand, if higher education numbers in Northern Ireland are increased, as has been done over the last few years, there is no specific requirement for a business case. The funding of places is calculated annually on a formula funding basis and is approved by myself and this applies to any additional places made available during the year.

The One Plan itself contains an interim target of 1,000 additional undergraduate places by 2015. I have been working to increase the number of undergraduate places throughout the Northern Ireland higher education sector since taking office and, to date, I have allocated an additional 1,200 places to the sector with 572 of these going to the University of Ulster. The university has undertaken to deploy all these places at its Magee campus. I believe that this represents excellent progress towards the 2015 target.

I remain fully committed to the expansion of higher education provision in Northern Ireland and will continue to seek opportunities to secure the resources necessary to increase the numbers further. I have, for example, made a bid for an additional 450 undergraduate places under the Delivering Social Change framework. If the bid were to be successful, this would mark yet another significant step towards achieving the 2015 target.

I believe that my approach to the expansion of the Northern Ireland Higher Education sector, together with the University of Ulster's commitment to deploy its additional places at the Magee campus will benefit all institutions, our economy and best assist Magee in realising the interim target of 1,000 additional places by 2015.

### Postgraduate Students: Financial Support

**Lord Morrow** asked the Minister for Employment and Learning what financial support or grant package is available to full-time PhD students carrying out non-funded research as part of their degree.  
(AQW 24972/11-15)

**Dr Farry:** My Department provides the funding to Queen's University Belfast and the University of Ulster to administer the postgraduate studentship awards scheme. Historically the Universities have allocated over 95% of these awards to PhD students. The universities have always selected, by open competition, the students to receive these awards, within the limits of the funding available. This year I announced funding for an additional 100 PhD places in economically relevant subjects split between Queen's University Belfast and the University of Ulster. Furthermore, I aim to increase the number of places year on year to double the total number of PhD awards to 1,000 by 2020.

The Department for Employment and Learning funded postgraduate studentship awards are non-means tested and non-repayable. The PhD studentships include a maintenance award for the student of £13,726 plus tuition fees and other expenses.

An alternative source of funding is a Professional and Career Development Loan (PCDL). This is a bank loan which is designed to help people pay for work-related learning to help gain experience, training and qualifications to improve job skills or launch a new career. The borrower must repay the money borrowed but, with PCDLs, the interest is paid on the loan while the borrower is learning and for up to one month afterwards. A learner can borrow anything between £300 and £10,000 to help fund up to two years of learning (or up to three years if the course includes one year of relevant practical work experience). Further information is available by telephoning 0800100900 or visiting:

<https://nationalcareersservice.direct.gov.uk/>

### University of Ulster: Magee Campus

**Ms Maeve McLaughlin** asked the Minister for Employment and Learning why he did not bid in the June Monitoring Round for the physical expansion of the University of Ulster - Magee campus.  
(AQW 25001/11-15)

**Dr Farry:** The monitoring rounds within the financial year are designed to deal with in-year pressures and easements. Funding transferred between programmes and between departments must be used by 31 March otherwise the funding is lost as it cannot be carried forward. In-year monitoring is, therefore, not a suitable mechanism to use when considering a project such as the expansion of the Magee campus of the University of Ulster which would require additional funding on a recurrent basis.

### ESOL Provision Pilot

**Ms Lo** asked the Minister for Employment and Learning for his assessment of the ESOL provision pilot to asylum seekers since its introduction; and to detail (i) how many people have participated in the pilot; and (ii) how many participants, who may have been given refugee status during the course, were able to obtain employment.  
(AQW 25056/11-15)

**Dr Farry:** In August 2012 my Department introduced a pilot programme to enable colleges to deliver free English for Speakers of other Languages (ESOL) classes to asylum seekers and their dependants. The six months eligibility rule for access to ESOL and other further education provision for asylum seekers was also removed. Asylum seekers are defined as those who have applied to the UK Border Agency for refugee status.

Belfast Metropolitan College is the main provider of ESOL courses delivered to asylum seekers in Northern Ireland. Early indications from the college are that in the period from 1 August 2012 to 31 March 2013 some 123 asylum seekers participated in the pilot programme gaining the language skills necessary to help them integrate into the community and encourage a sense of belonging and equality. Since 1 April 2013, a further 64 asylum seekers have been assessed, although they are a mixture of returning learners and new applicants.

The pilot programme will be completed at the end of August 2013, after which my officials will be carrying out a full evaluation. The aim of the evaluation will be to ensure that the new policy is working effectively, and to consider if it is necessary to make any changes to its operation. The evaluation is not expected to be completed until the end of October 2013, and I will then be in a position to confirm the actual number of programme participants. Where possible, the evaluation will attempt to identify the number of participants who secured refugee status during the course of the pilot and who were, consequently, able to obtain employment.

I can also confirm that the current pilot arrangements will remain in place during the period of the evaluation.

## Supporting Refugees

**Ms Lo** asked the Minister for Employment and Learning what plans his Department has to support refugees in improving their chances of employment.

**(AQW 25057/11-15)**

**Dr Farry:** When asylum seekers are granted a positive decision (refugee status with indefinite leave to remain, Humanitarian Protection, leave outside the immigration rules or Discretionary Leave to Remain) they can claim state benefit on the same terms as a British National. Refugees may, therefore, claim Jobseekers Allowance and have access to work and training programmes.

All asylum seekers with refugee status are issued with a status document (which grants the leave) and a letter from the Home Office confirming this. These documents detail the type of leave that has been granted and statements relating to their right to work; and access to the NHS and social services.

As a condition for receipt of JSA, claimants must attend fortnightly interviews at their local Jobs and Benefits Office or JobCentre, where they receive tailored support from a Department for Employment and Learning (DEL) Personal Adviser and access to DEL programmes and services to help them into work.

My Department also provides English for Speakers of Other Languages (ESOL) courses as part of its mainstream further education provision. Having the opportunity to develop English language and employment skills is of vital importance to refugees. It provides economic independence, and enables refugees to integrate better within their local community. Colleges may charge a small fee for provision, with concession fees applicable to those entitled to means tested benefits. Refugees can also access the full range of further education provision.

In addition, although not aimed specifically at refugees, DEL funds a migrant workers employment rights project to deliver employment rights clinics and advice and information to migrant workers. The Employment Agency Inspectorate also prioritises inspections and complaints investigations if there is a concern for workers and work-seekers from migrant communities, and has provided information seminars on migrant workers' rights along with other agencies.

DEL has a place on a number of forums including the NI Strategic Migration Partnership, the Race Equality Forum's Immigration Sub-group and Belfast City Council's migrant forum, all of which are concerned with migrant worker (including asylum seeker and refugee) issues. DEL is also a member of DOJ's Organised Crime Task Force, Immigration and Human Trafficking sub-group.

## Postgraduate Students: Financial Support

**Mr Durkan** asked the Minister for Employment and Learning whether his Department plans to provide funding and support to students wishing to study to Masters and Doctorate level, given the lack of employment opportunities.

**(AQW 25146/11-15)**

**Dr Farry:** My Department provides the funding of some £20 million to Queen's University Belfast and the University of Ulster to administer the postgraduate studentship awards scheme. This enables the universities to offer fully funded post-graduate places. Around 500 places are currently available. Historically, the Universities have allocated over 95% of these awards to PhD students. They select, by competition, the students to fill these awards within the limits of funding available. This year I announced further funding for an additional 300 PhD places over the next three years in economically relevant subjects. My aim is to double the number of places available by 2020.

The Department for Employment and Learning funded postgraduate studentship awards are non-means tested and non-repayable. They include an award to the student of £13,726 for PhD studentships (or £6,863 for Masters studentships) plus tuition fees and other expenses.

## Department of Enterprise, Trade and Investment

### NI2012

**Ms Maeve McLaughlin** asked the Minister of Enterprise, Trade and Investment for a breakdown of the (i) £17,836,506 Tourism Impact; and (ii) £42,200,518 Economic Impact, as identified in the evaluation of ni2012.  
(AQW 24774/11-15)

**Mrs Foster (The Minister of Enterprise, Trade and Investment):** The ni2012 evaluation identified that the economic impact was £17,836,506 and the tourism impact was £42,200,518.

#### (i) Economic impact - £17 million

The economic impact measures the net additional benefit to the economy from outside Northern Ireland. It includes expenditure from visitors from out of state coming to Northern Ireland because of ni2012; expenditure by event organisers in Northern Ireland; and income generated by event organisers. It excludes any expenditure by event organisers that went out of state, for example artist fees.

#### (ii) Tourism impact - £42 million

The tourism impact includes the above economic impact and adds in the impact from domestic tourism. A domestic visitor is defined as someone who travels to an event or short break outside their local authority area. The tourism impact does not include those who attended events within their own local area.

### Branded Apparel for Non-front Line Staff

**Mr Allister** asked the Minister of Enterprise, Trade and Investment how much her Department has spent on branded apparel for non-frontline staff, in each of the last three years.  
(AQW 24785/11-15)

**Mrs Foster:** The Department of Enterprise, Trade and Investment does not provide branded apparel for non-frontline staff.

### Wind Turbines

**Mr Weir** asked the Minister of Enterprise, Trade and Investment to outline the actions her Department is taking to connect wind turbines to the electricity network.  
(AQW 24860/11-15)

**Mrs Foster:** The connection of wind turbines to the electricity grid is a matter for Northern Ireland Electricity (NIE) operating under a regulatory framework determined by the Utility Regulator and as detailed in the company's licence. My Department has no statutory role or remit in this process.

### Red Tape

**Mrs Overend** asked the Minister of Enterprise, Trade and Investment to detail (i) the future involvement of her Department in the recently announced review of business red tape; (ii) how she will involve the business sector in this review; (iii) how the review will take account of other ongoing work such as the Review of Employment Law by the Department for Employment and Learning.  
(AQW 24893/11-15)

**Mrs Foster:**

- (i) My Department will take the lead role in ensuring completion of this review. Consideration is currently being given to identifying the best approach to conducting the review.
- (ii) The review will provide business with the opportunity to share and articulate their views on red tape, and I will also want it to draw upon the experiences of the UK Government in delivering its regulatory reform policies.
- (iii) This review of business red tape will build on the commitments to better regulation that are already being taken across the Executive, including the Review of Employment Law being undertaken by the Department for Employment and Learning.

### Hydraulic Fracturing

**Mr Flanagan** asked the Minister of Enterprise, Trade and Investment, given her statement in the Impartial Reporter of 28 March 2013 on hydraulic fracturing in Co. Fermanagh, 'Gas exploration should have a relatively small impact on the local community and landscape', (i) to outline how many exploration wells and appraisal wells she believes would be required to determine shale gas potential in the area; and (ii) for her assessment of the view of a geologist from the Petroleum Affairs



Division of the Department of Communications, Energy and Natural Resources who stated that 'many exploration and appraisal wells' would be required to assess the potential for shale gas.

**(AQW 24916/11-15)**

**Mrs Foster:**

- (i) The sole Petroleum Licence currently issued by my Department in respect of Co. Fermanagh is held by Tamboran Resources Pty Ltd. Tamboran has indicated that a test site of about 6 acres within which about 7 test wells would be drilled should be sufficient to establish the technical and commercial viability of the shale gas resources in Fermanagh.
- (ii) It is important to distinguish between exploration and production phases. If the DCENR geologist means that extended production testing from a substantial number of wells would be required to define the variability in the shale gas potential within the sedimentary basin, then my Department would agree. Indeed the characterisation of production from the Bundoran Shale Formation throughout the basin would inevitably continue into the development or production phase rather than be restricted to the exploration phase. Many production wells could also be termed appraisal wells in this context.

### **Invest NI: Job Promotion and Creation**

**Ms Maeve McLaughlin** asked the Minister of Enterprise, Trade and Investment to outline (i) the reason that all information regarding jobs promoted and created by InvestNI is not made publicly available, given that public money is funding this work; and (ii) how the accountability of InvestNI can be demonstrated in the absence of this information.

**(AQW 24975/11-15)**

**Mrs Foster:**

- (i) All information regarding the number of jobs promoted by Invest NI is publicly available and is regularly reported on in press releases and in the Invest NI Annual Report. Where job creation data is currently available, such as for the Jobs Fund, this is also made publicly available.

Invest NI has recently developed a system to enable the reporting of jobs created; however, as offers typically have a three to five year life span, a detailed and meaningful analysis of this job creation data will not be possible until the end of each contract period. In the interim Invest NI will continue to report on the number of jobs promoted, as this is the only employment-based measure available, apart from the Jobs Fund, when an offer of assistance is provided.

- (i) Invest NI's performance has been scrutinised by the Northern Ireland Audit Office whose report stated that performance in Invest NI's most recent Corporate Plan period has been the strongest to date. They also stated that "Invest NI's performance reporting has been relatively clear and transparent".

### **Israel: Illegal Settlements**

**Mr Flanagan** asked the Minister of Enterprise, Trade and Investment to detail any current operations, within her Department's remit, that either directly or indirectly assist illegal Israeli settlements.

**(AQW 25046/11-15)**

**Mrs Foster:** The Department does not have any current operations.

### **Ethical Trade and Investment**

**Mr Flanagan** asked the Minister of Enterprise, Trade and Investment whether she would consider banning trade and investment that is unethical, damaging to human rights and complicit in illegal activities such as the settlement of occupied territory.

**(AQW 25049/11-15)**

**Mrs Foster:** Invest NI is responsible for targeting overseas markets that represent the best opportunity for Foreign Direct Investment (FDI) or Northern Ireland exports. That is not to say that the agency acts without regard to other factors.

When considering whether to target a new market for either FDI or export development, advice is sought from colleagues at both the Foreign and Commonwealth Office and UK Trade and Investment on human rights and other issues.

I am therefore satisfied that any of the countries in which Invest NI is active can be considered suitable trading partners.

### **Broadband: North Down**

**Mr Weir** asked the Minister of Enterprise, Trade and Investment what action is being taken to improve broadband facilities in North Down.

**(AQW 25075/11-15)**

**Mrs Foster:** My Department has initiated the Northern Ireland Broadband Improvement Project, which aims to ensure that, by 2015, virtually all premises in Northern Ireland, including North Down, are able to avail of a broadband download speed of at least 2Mbps, and at least 90% of premises are provided with superfast broadband, with speeds in excess of 24Mbps.

DETI proposed a potential area of intervention and engaged with the industry and the public in September 2012 to help affirm where it might intervene. The area of intervention has to comply with State Aid rules and has been subject to continual refinement, both from the market and consumers.

On 5 July 2013, my Department published the outcome of this initial engagement, coupled with a refined intervention area, which is subject to a further public consultation. I can confirm that, at this time, a number of postcodes in the North Down area have been included for consideration.

### **Broadband: Next Generation Project**

**Mrs Hale** asked the Minister of Enterprise, Trade and Investment whether there are plans to upgrade rural broadband service in the Blackskull area, under the Next Generation Broadband Project.

**(AQW 25077/11-15)**

**Mrs Foster:** The Next Generation Broadband Project has now been completed.

The Department has initiated a new Broadband Project, the Northern Ireland Broadband Improvement Project. (NIBIP)

The intervention area is being finalised and a consultation document has recently been issued. I can confirm that, at this time, the Blackskull area (BT25 1JL), has been included for consideration under the superfast element of the project.

### **Electricity Generation: Cost**

**Mr Gardiner** asked the Minister of Enterprise, Trade and Investment to detail the average cost of generating one kilowatt of electricity from (i) coal; (ii) natural gas; (iii) wind; (iv) hydro; (v) solar; and (vi) nuclear.

**(AQW 25136/11-15)**

**Mrs Foster:** Information on estimated, levelised generation costs has been published in a report by the Department of Climate Change and relates to the main technologies likely to be deployed in the UK over the next 15 years.

The report acknowledges that these cost estimates are highly sensitive to a range of factors, such as the underlying data and assumptions used, including assumptions on capital costs, fuel and carbon costs, operating costs and load factors.

The October 2012 Report on Electricity Generation Costs can be referenced at:

[www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/65713/6883-electricity-generation-costs.pdf](http://www.gov.uk/government/uploads/system/uploads/attachment_data/file/65713/6883-electricity-generation-costs.pdf)

### **Electricity Generation: Wind**

**Mr Gardiner** asked the Minister of Enterprise, Trade and Investment to detail the approximate number of megawatts currently being taken from the national grid by wind farms in order to provide the power necessary to assist in generating electricity from wind.

**(AQW 25138/11-15)**

**Mrs Foster:** According to information provided by Northern Ireland Electricity, during the period 1 April 2012 to 31 March 2013, participating wind farms i.e. those selling electricity into the Single Electricity Market, imported a total of 1,113 MWh of electricity. This is equivalent to 0.13% of the 868,573 MWh of electricity exported by these wind farms over the same period.

## **Department of the Environment**

### **Flooding: Drumnakilly**

**Mr Agnew** asked the Minister of the Environment what action he intends to take to bring a resolution to the flooding issue with the quarry in Drumnakilly, given that the situation is impacting on the cancer treatment of a local resident.

**(AQW 18546/11-15)**

**Mr Attwood (The Minister of the Environment):** I refer the Member to the answer of AQW 18854/11-15.

### **Flooding: Drumnakilly**

**Mr Agnew** asked the Minister of the Environment when the flooding in Drumnakilly, County Tyrone was first reported to his Department; and what action departmental organisations have taken to resolve this issue.

**(AQW 18854/11-15)**

**Mr Attwood:** I have personally visited the affected residents and I have made it very clear that every stone will be turned over to address this issue. I have deployed a series of interventions in doing so, as I believe this is an intolerable situation.

Flooding is primarily an issue for the Department of Agriculture and Rural Developments (DARD) Rivers Agency. However I am acutely aware of the issues surrounding this site and in addition to the flooding issue there are planning and water quality issues currently ongoing, which do fall within my Department's remit.

I directed officials in the Northern Ireland Environment Agency to take the lead on finding a resolution to this issue acknowledging that issues of planning and water fall to DOE and flooding fall to DARD. NIEA encouraged a multi-agency approach to this issue.

As part of this approach, at a meeting between NIEA and Rivers Agency, on 24 January 2013, it was identified that a number of investigatory actions were required to identify the specific cause or causes of the flooding and ultimately to determine how the issue can be resolved.

There are no designated watercourses in the immediate vicinity and maintenance of drainage systems is the responsibility of landowners, however NIEA, Rivers Agency and Road Service have undertaken investigations on the site to determine the cause of the flooding. These investigations revealed two significant blockages. One blockage consisted of a plastic fertiliser bag in a gully on the McKiernan's property and the second blockage, in the storm line below the McKiernan's property, consisted of silt and other debris.

The plastic bag blockage was removed and the sand and gravel cleared by jetting the pipeline. Once the 2nd blockage was removed the floodwater began to dissipate immediately. A follow up Rivers Agency inspection of the site, on 14 February 2013, confirmed that the flooding had ceased.

Further investigatory works of the drainage system around the property at this location were undertaken by Rivers Agency on 8 March 2013. This investigation has identified a number of issues related to the culvert network system. Rivers Agency has informed me that a condition report and CCTV surveys of this network will be forwarded to the residents for their information and action.

There continues to be an issue with discharge of water from the sand quarry upstream of the affected property. There is no record of the quarry owner having received consent from Rivers Agency, to discharge storm water from the quarry. In order to get retrospective consent the Quarry owner made application on 31 January 2013 in accordance with the Drainage (NI) Order 1973 to discharge storm water into the upstream end of the culvert that runs through the affected property. I am advised that Rivers Agency is currently withholding consent until a detailed drainage assessment has been carried out and submitted to the Agency for approval.

I will write to Minister O'Neill on this issue to express both my thanks for the efforts of her Agency so far in resolving this issue in the short term, but also to ask her to make every effort to bring this discharge under her Department's regulatory control.

The owner of the site has previously been prosecuted by NIEA, found guilty and been fined a total of £40,000 for past incidents of pollution. NIEA has also submitted a file to the Public Prosecution Service recommending a further prosecution be taken against the site owner for a number of further pollution incidents that occurred between November 2011 and April 2012.

In addition to this action, an Article 8 Prevention Notice was issued to the site owner under the Water (Northern Ireland) Order 1999. This required that the discharge from the site must cease with immediate effect and that an application for the discharge must be made to the Department. Adequate treatment facilities to ensure compliance with any consent issued are also to be provided. Once the Discharge Consent has been obtained the discharge can recommence.

An application for the Water Order consent has not yet been received by the Department and this is not expected until the site owner has received Rivers Agency Consent to discharge the quantity required. NIEA have raised the need to consider the application, with Rivers Agency, as a matter of urgency.

NIEA has visited the site and have confirmed that a non-polluting discharge is occurring. As this discharge is a combination of natural drainage and natural springs the Department is currently considering whether sufficient evidence exists to support a prosecution for breach of the Article 8 Notice.

DOE Planning has also previously prosecuted the owner of the quarry, for an unauthorised development, and are currently progressing an existing enforcement case in relation to the location of a washing plant on the site.

Moreover, planning applications for the site were presented to Omagh District Council on 14 February 2013 with recommendations for refusal, which the Council concurred with.

More recently, there have been some further developments in respect of proposed action including possible remedial action by the quarry owner. I have written to a local resident in respect of these matters

This is representative of the seriousness with which I take this matter. The conduct of the owner - in the past and now is unacceptable and these measures aim to take action and mitigate/end flooding risks.

## **Parkgate Quarry: Planning Application**

**Mr Kinahan** asked the Minister of the Environment for an update on the Parkgate Quarry planning application. (AQW 20086/11-15)

**Mr Attwood:** Following the deferral meeting the Department undertook a further round of consultations regarding the issues raised by objectors and a number of local Councillors.

Following this both Rivers Agency and NIEA asked for further information. Rivers Agency requested a drainage assessment (received on 26 March 2013) and has confirmed that a hydrological survey is not required. NIEA Natural Heritage asked for an updated newt survey (received 20 June 2013).

This information will be advertised as required by the EIA regulations. Given the public interest in the application, advertisement will be after the July fortnight holidays. A period for public comment and consultation will then take place. My officials will bring this application back to Antrim Borough Council for consideration once all comments and consultation responses have been received and considered.

### Driver and Vehicle Agency: Drivers' Registration Details

**Mr Ross** asked the Minister of the Environment to detail (i) the companies that paid for drivers' registration details from the Driver and Vehicle Agency (DVA) in the last financial year; and (ii) the total amount that DVA received from these sources. (AQW 21813/11-15)

**Mr Attwood:** Vehicle licensing is an excepted matter which is the responsibility of the Secretary of State for Transport. It is administered in Northern Ireland by the Driver & Vehicle Agency (DVA) under a formal agreement with the Driver and Vehicle Licensing Agency (DVLA) of the Department for Transport.

In relation to the release of information, DVA acts in accordance with the policy set by DVLA. The relevant legislation permitting the release of information from the vehicles register is regulation 27 (1) (e) of the Road Vehicles (Registration and Licensing) Regulations 2002 which states "(1) The Secretary of State may make any particulars contained in the register available for use - ... (e) by any person who can show to the satisfaction of the Secretary of State that he has reasonable cause for wanting the particulars to be made available to him".

Under these provisions, vehicle keeper data is released to a range of undertakings such as finance companies, car park enforcement companies, insurance companies, garages and solicitors.

The table below shows the main companies to which vehicle keeper information was released within the last financial year (April 2012 to March 2013).

Category	Company
Finance Companies	<ul style="list-style-type: none"> <li>■ Black Horse Ltd</li> <li>■ Bluestone Credit</li> <li>■ Burlington Credit</li> <li>■ Close Motor Finance Ltd</li> <li>■ Eurodebt Recovery Ltd</li> <li>■ FGA Capital UK Ltd</li> <li>■ Ford Credit</li> <li>■ GMAC UK PLC</li> <li>■ Hermes Property Services</li> <li>■ Lexus Financial Services</li> <li>■ Liberty Leasing</li> <li>■ Logbook Loans NI</li> <li>■ Lombard</li> <li>■ Mobile Money Ltd</li> <li>■ Motability Operations</li> <li>■ NIIB Group Ltd</li> <li>■ RCI Financial Services</li> <li>■ Toyota Finance</li> <li>■ Volkswagen Financial Services Ltd</li> </ul>
Car parking enforcement companies	<ul style="list-style-type: none"> <li>■ Anchor Security Services Ltd</li> <li>■ Car Park Services Ltd</li> <li>■ Civil Enforcement Ltd</li> <li>■ Euro Parking Collection</li> <li>■ Excel Parking Services</li> <li>■ National Parking Control</li> <li>■ ParkingEye</li> <li>■ UK Parking Patrol</li> </ul>

Category	Company
Insurance Companies	<ul style="list-style-type: none"> <li>■ A1 Claims Solutions</li> <li>■ Acromas</li> <li>■ Admiral Insurance</li> <li>■ Albany Assistance Ltd</li> <li>■ Allianz</li> <li>■ Aviva Insurance</li> <li>■ AXA Insurance</li> <li>■ City Underwriting Services</li> <li>■ Claims Management &amp; Adjusting Ltd</li> <li>■ Cunningham Lindsey UK</li> <li>■ Diamond Insurance</li> <li>■ Direct Line</li> <li>■ Drive Assist UK Ltd</li> <li>■ Elephant</li> <li>■ Endsleigh Insurance Services</li> <li>■ Europa General</li> <li>■ Highway Insurance</li> <li>■ Liability and Motor Service Ltd</li> <li>■ Liverpool Victoria</li> <li>■ MIS Claims</li> <li>■ Markerstudy Insurance</li> <li>■ NIG Insurance</li> <li>■ Nabneys Insurance Claims</li> <li>■ NFU Mutual</li> <li>■ Prestige Underwriting Services</li> <li>■ Priority Investigations</li> <li>■ Quinn Insurance</li> <li>■ RSA Insurance</li> <li>■ Sabre Insurance Company Ltd</li> <li>■ Service Underwriting</li> <li>■ Sims</li> <li>■ Swift Cover</li> <li>■ Tesco Underwriting</li> <li>■ Translink Claims</li> <li>■ Zenith Insurance</li> <li>■ Zurich Insurance</li> </ul>
Mileage Companies	<ul style="list-style-type: none"> <li>■ HPI</li> <li>■ VMC Ltd</li> </ul>
Garages	<ul style="list-style-type: none"> <li>■ DA Stewart Accident Repair</li> <li>■ The Motor Gym Ltd</li> </ul>

The DVA does not sell keeper details but, a £2.50 or £5.00 administrative fee (dependant on the nature of the enquiry) is charged to cover the cost of dealing with requests under the reasonable cause provisions. In the last financial year, the total revenue received for release of keeper information to companies was £44,912.50. This revenue goes to the Driver and Vehicle Licensing Agency of the Department for Transport.

However, I am concerned about the release of information and have written to DfT in that regard and the conduct of car park companies. I would refer the matter to AQW 21814/11-15 in that regard.

### Driver and Vehicle Agency: Drivers' Registration Details

**Mr Ross** asked the Minister of the Environment what importance is placed by the Driver and Vehicle Agency on drivers' data protection; and how his Department ensures the integrity of companies who pay for getting information on drivers.  
(AQW 21814/11-15)



**Mr Attwood:** Vehicle licensing is an excepted matter which is the responsibility of the Secretary of State for Transport. It is not a devolved matter. It is administered in Northern Ireland by the Driver & Vehicle Agency (DVA) under a formal agreement with the Driver and Vehicle Licensing Agency (DVLA) of the Department for Transport.

In relation to the release of information, DVA is governed by the policy as set by DVLA. The relevant legislation permitting the release of information from the vehicles register is regulation 27 (1) (e) of the Road Vehicles (Registration and Licensing) Regulations 2002 which states “(1) The Secretary of State may make any particulars contained in the register available for use - ... (e) by any person who can show to the satisfaction of the Secretary of State that he has reasonable cause for wanting the particulars to be made available to him”.

Some of the circumstances considered to be ‘reasonable cause’ include

- matters of road safety
- events that occur as a result of vehicle use
- the enforcement of road traffic legislation
- the collection of taxes

Enquirers are required to give full details of why they want the information and how it will be used and DVA evaluates this information very carefully, in line with procedures and on a case by case basis, before deciding if the information will be disclosed.

The evidence that enquirers are required to produce varies depending on the nature of the enquiry. For example, enquirers are asked to provide details of their Companies House registration, if applicable, and their Data Protection Registration Number. Enquirers may also be required to produce further supporting documentation, such as a court order, a copy of a finance agreement, or a copy of a landowner’s agreement. If the enquirer is unable to provide the documentation required, the information is not disclosed and the application is rejected.

The DVA takes its responsibility to protect personal details on the vehicle register seriously and any complaints about alleged abuse of information supplied are investigated fully. Abuses would result in future requests being refused. Additionally, any legitimate complaints about information obtained unlawfully would be passed to the Information Commissioner to consider prosecution.

As a result of careful handling of these enquiries there have been very few legitimate complaints from customers in Northern Ireland, none of which have identified abuse of the facility to obtain information for unlawful or malicious purposes.

There is a particular arrangement entered into by DVLA in relation to the release of information to companies which manage car parks. Again, DVA is governed in this regard by the arrangement DfT have entered into. I have concerns about this arrangement – I met the BPA in London on 8 March 2013, together with one of their members (Civil Enforcement Ltd.). As I outlined my concerns including: punitive “fines”, failure to properly advertise “terms and conditions”, the appearance of the “demand” and its contents, no right of appeal (etc).

Since then, I have met the Chief Executive of BPA in Belfast and received unsatisfactory answers to a series of questions and issues. As a result, I have taken a series of further actions:

- Written to BPA repeating concerns that the approach of BPA is to protect its fee paying members, not the customer;
- Written to DRD suggesting that DRD should review its membership of BPA;
- Asked for Counsels advice on the legal basis on which BPA members issue and seek payment of “penalties”;
- Sent a letter to DfT requesting a review by DfT of the code of practice issued by BPA and it’s evident inadequacies and how the release of driven information should be handled meanwhile;
- A ‘notice’ has been drafted for release to the Northern Ireland public so that the public know more fully their entitlements.

I am determined that aggressive conduct is addressed and the industry better regulated and the customers protected.

## Single-use Plastic Bag Levy

**Ms McCorley** asked the Minister of the Environment for an estimate of how much capital will be raised by the Single Use Plastic Bag levy in the first financial year of its operation.  
(AQO 3845/11-15)

**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 are £1.7m in 2013/14 and £3.4m in 2014/15. These estimates are lower than previous assessments of £2.3m and £4.6m respectively. These are adjusted figures, informed by the recent Welsh experience, reduced from the £2.3million and £4.6million respectively in recent assessments.

## Environmental Enforcement

**Mr Agnew** asked the Minister of the Environment, pursuant to AQW 20926/11-15, whether the original minerals Environmental Impact Assessment (EIA) screenings that were reviewed by the Strategic Planning Division’s Minerals Team, with assistance

from the Development Management Guidance Team, were carried out in compliance with the EIA Directive (Directive 85/337/66C); and what records have been kept of these reviews.

**(AQW 22228/11-15)**

**Mr Attwood:** The exercise to check that EIA screening was done properly was to ensure that the requirements of the Planning (Environmental Impact Assessment) Regulations 1999 and 2012 were fulfilled. The Regulations transpose the EU Directive. I am satisfied that there is full compliance. Any actions arising from the review are recorded on the individual planning application files.

## Together: Building a United Community

**Mr Hussey** asked the Minister of the Environment what discussions he has had with the Office of the First Minister and deputy First Minister in relation to the proposals included in "Together: Building a United Community."

**(AQW 22925/11-15)**

**Mr Attwood:** The First Minister and deputy First Minister held no discussions with me prior to their statement of 9 May 2013. At the subsequent Executive meeting, I raised with and expressed at length to FM&DFM my views on their 9 May statement. At the Executive meeting of 23 May 2013, FM&DFM presented the Publication of the Good Relations Strategy - Together: Building a United Community. It was noted that FM&dFM were publishing their document and that a special Executive meeting would be convened. A special Executive meeting was not convened, but the issue was discussed at the Executive meeting of 27 June 2013. The FMDFM Strategy did not receive endorsement and I explained why this was not the right step to take. The Executive agreed its determination to work to build a united community, acknowledged the 'Together: Building a United Community' document as a positive starting point, and committed itself to its delivery.

## Planning Policy Statement 21

**Mr I McCrea** asked the Minister of the Environment how many planning applications have been granted under PPS 21 where the farm dwelling is situated on a site across a road from the established group of farm buildings, broken down by Planning Office.

**(AQW 24775/11-15)**

**Mr Attwood:** The Department does not hold the required information on its IT system. A manual search of all planning application files would be required to retrieve the information and this would result in the diversion of staff from normal duties for an unreasonable period of time. This would have an adverse impact on the Department's ability to provide the statutory public service for which it is obligated.

In the period June 2010 to 31 March 2013, the Department has granted planning permission for a total of 12,486 planning applications for single dwellings in the rural area. Table 1 below details the number of new single dwellings in the rural area that were granted planning permission since June 2010, broken down by Local Government District and grouped by local area office.

**Table 1 - The number of approved applications for new single dwellings in rural areas, from June 2010 to March 2013, broken down by Local Government District and grouped by local area office**

		2010-11 (from June 2010)	2011-12	2012-13	Total
Belfast	Belfast	1	0	0	1
	<b>Total</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>1</b>
Downpatrick	Ards	61	73	85	219
	Castlereagh	22	17	11	50
	Lisburn	82	113	129	324
	North Down	16	9	13	38
	<b>Total</b>	<b>181</b>	<b>212</b>	<b>238</b>	<b>631</b>
Northern	Ballymoney	44	74	47	165
	Coleraine	69	74	68	211
	Derry	41	49	44	134
	Limavady	51	69	60	180
	Moyle	46	49	47	142
	Strabane	47	63	50	160
	<b>Total</b>	<b>298</b>	<b>378</b>	<b>316</b>	<b>992</b>

		2010-11 (from June 2010)	2011-12	2012-13	Total
South Antrim	Antrim	64	99	71	234
	Ballymena	95	119	96	310
	Carrickfergus	10	14	5	29
	Larne	35	36	45	116
	Newtownabbey	25	40	29	94
	<b>Total</b>	<b>229</b>	<b>308</b>	<b>246</b>	<b>783</b>
Southern	Armagh	133	248	150	531
	Banbridge	64	89	81	234
	Craigavon	56	84	87	227
	Down	69	112	119	300
	Newry And Mourne	165	263	212	640
	<b>Total</b>	<b>487</b>	<b>796</b>	<b>649</b>	<b>1,932</b>
Western	Cookstown	88	132	71	291
	Dungannon	151	135	94	380
	Fermanagh	125	213	125	463
	Magherafelt	153	115	123	391
	Omagh	125	156	98	379
	<b>Total</b>	<b>642</b>	<b>751</b>	<b>511</b>	<b>1,904</b>
<b>Total</b>		<b>1,838</b>	<b>2,445</b>	<b>1,960</b>	<b>6,243</b>
					<b>12,486</b>

## Stonebridge Development

**Mr Agnew** asked the Minister of the Environment whether the stone bridge in the Stonebridge village development in Green Road, Newtownards is listed, or is likely to be listed, for preservation purposes.  
(AQW 24945/11-15)

**Mr Attwood:** I have been informed that this structure is not listed and that it was considered for listing in the past. However I have been informed that in the most recent survey of this area in 2010/11, the Department asked for an updated record and received a report indicating that the bridge had been demolished.

This is clearly not the case and I have therefore asked departmental officers to visit the structure to reconsider its architectural and historic interest. To meet the statutory test of Article 42 of the Planning Order (1991) such a structure must be of 'special architectural or historic interest' to be protected as a listed building. I will let you know the outcome of this consideration.

## Stonebridge Development

**Mr Agnew** asked the Minister of the Environment whether his Department is aware of a threat to the stone bridge in Stonebridge village development, Green Road, Newtownards; and whether they intend to take any action to ensure that the bridge remains intact.  
(AQW 24946/11-15)

**Mr Attwood:** Concern has been expressed to my department by a member of the public who resides in the Stonebridge Development. He has noted that works have recently commenced beside the bridge which in his view appear to be providing access to a new development called 'Bridgelee'. I have been informed that permission for this work (Planning reference W/2007/0273/F) issued in 2008 and that though this involves alterations to the slip road to the bridge, to provide sightlines to the entrance of the development, this does not involve the removal of the bridge.

You will be aware from my answer to your other question on this structure (AQW 24945/11-15), that this feature is not listed but that this will now be the subject of a review. Under Article 42 of the Planning Order (1991) only buildings of 'special architectural or historic interest' can be protected in this way.

## Landfill Site at Mobouy Road, Derry

**Mr Agnew** asked the Minister of the Environment whether the illegal landfill at Mobouy Road, Derry poses any threat to the integrity of the River Faughan and Tributaries Special Area of Conservation.

(AQW 24955/11-15)

**Mr Attwood:** I am fully aware of the ecological significance of this area, particularly in terms of our salmon population and the general biodiversity the river system supports. I have instructed officials to closely monitor the site in question and the river itself for as long as is necessary.

Since closure of the waste premises, regular NIEA inspections have taken place to monitor the site. We have also undertaken significant additional chemical and biological monitoring of the River Faughan close to and downstream of this site. This programme of monitoring is in addition to the normal monitoring of the River Faughan, as part of the routine monitoring of all Northern Ireland's rivers and water bodies.

NIEA is also working closely with a number of other agencies, including Derry City Council, Northern Ireland Water and the Northern Ireland Fire and Rescue Service, to ensure that any wider risks from the site are recognised and addressed.

To date no significant water quality impacts in the River Faughan have been identified through this monitoring programme, although pollution of a tributary that flows past the formerly licensed waste management facility has been detected – enforcement action in relation to this will form part of the wider investigation. This monitoring will continue in order that any problems are picked up early in order that action can be taken. The monitoring on site and in water are extensive and I have directed they continue to be so.

## Tree Felling

**Mr Agnew** asked the Minister of the Environment how many consents have been given by his Department, and its agencies, to fell trees between the period 1 March to 31 August, in each of the last three years.

(AQW 24961/11-15)

**Mr Attwood:** There are 3 types of request for works to trees, felling trees protected by a Tree Preservation Order, felling within a Conservation Area and felling those trees covered by a retention condition in a planning approval.

The Department does not hold the information requested on the planning portal and it is not held centrally on one single database. To collate this would require each Tree Officer to manually check the issued consent notices. Currently there are around 800 confirmed TPOs which would need to be searched manually. In addition to this, records for Conservation Areas and retention conditions would also need to be searched manually.

A manual search of all the relevant files would result in the diversion of staff from normal duties for an unreasonable period of time. This would have an adverse impact on the Department's ability to provide the statutory public service for which it is obligated.

## Wind Turbines

**Mr Weir** asked the Minister of the Environment how many wind turbines are located in each constituency.

(AQW 25050/11-15)

**Mr Attwood:** The Department welcomes the contribution that renewable projects make to the reduction of carbon emissions and acknowledges the importance of processing these applications in a consistent and timely manner.

The Department can provide the number of applications for wind turbines that have been approved for each constituency; however it does not gather information on the number of wind turbines that have been constructed following approval.

Table 1 below details the number of wind turbine approvals, broken down by parliamentary constituency, for each of the last 5 years.

**Table 1 Wind Turbines Approved from 2008/2009 to 31st May 2013\***

	2008/2009				2009/2010				2010/2011			
	Single wind turbine	Small Wind farm	Large wind farm	Total	Single wind turbine	Small Wind farm	Large wind farm	Total	Single wind turbine	Small Wind farm	Large wind farm	Total
Belfast East	0	0	0	0	0	0	0	0	0	0	0	0
Belfast North	0	0	0	0	0	0	0	0	0	0	0	0
Belfast South	0	0	0	0	1	0	0	1	0	0	0	0
Belfast West	0	0	0	0	2	0	0	2	0	0	0	0
East Antrim	10	1	0	11	4	0	0	4	2	0	0	2

	2008/2009				2009/2010				2010/2011			
	Single wind turbine	Small Wind farm	Large wind farm	Total	Single wind turbine	Small Wind farm	Large wind farm	Total	Single wind turbine	Small Wind farm	Large wind farm	Total
East Londonderry	19	0	0	19	8	0	2	10	3	0	1	4
Fermanagh and South Tyrone	12	1	1	14	7	2	0	9	11	1	1	13
Foyle	1	0	1	2	2	0	0	2	0	0	0	0
Lagan Valley	16	1	0	17	7	0	0	7	8	0	0	8
Mid Ulster	5	0	0	5	11	0	0	11	12	1	0	13
Newry and Armagh	33	0	0	33	6	1	0	7	4	0	0	4
North Antrim	20	0	1	21	10	2	1	13	16	1	0	17
North Down	2	0	0	2	3	0	0	3	1	0	0	1
South Antrim	13	0	0	13	10	1	1	12	5	2	0	7
South Down	49	0	0	49	10	0	0	10	12	0	0	12
Strangford	21	0	0	21	6	0	0	6	2	0	0	2
Upper Bann	6	0	0	6	3	0	0	3	2	0	0	2
West Tyrone	17	1	3	21	12	0	4	16	39	2	4	45
<b>Total</b>	<b>224</b>	<b>4</b>	<b>6</b>	<b>234</b>	<b>102</b>	<b>6</b>	<b>8</b>	<b>116</b>	<b>117</b>	<b>7</b>	<b>6</b>	<b>130</b>

\* Up to 31st May 2013 is the date of our latest published information on Renewable Energy.

#### Wind Turbines Approved from 2008/2009 to 31st May 2013\*

	2011/2012				2012/2013				1st April 2013 to 31st May 2013			
	Single wind turbine	Small Wind farm	Large wind farm	Total	Single wind turbine	Small Wind farm	Large wind farm	Total	Single wind turbine	Small Wind farm	Large wind farm	Total
Belfast East	0	1	0	1	1	0	0	1	0	0	0	0
Belfast North	0	0	0	0	1	0	0	1	0	0	0	0
Belfast South	0	0	0	0	0	0	0	0	0	0	0	0
Belfast West	2	0	0	2	1	0	0	1	1	0	0	1
East Antrim	9	0	0	9	22	0	0	22	1	0	0	1
East Londonderry	18	0	2	20	48	2	1	51	9	0	1	10
Fermanagh and South Tyrone	31	0	1	32	111	0	2	113	7	0	0	7
Foyle	1	0	0	1	5	0	0	5	1	0	0	1
Lagan Valley	1	0	0	1	14	0	0	14	1	0	0	1
Mid Ulster	33	2	0	35	68	2	1	71	8	0	0	8
Newry and Armagh	13	0	0	13	42	0	0	42	4	0	0	4
North Antrim	40	1	0	41	48	4	0	52	8	0	0	8
North Down	2	0	0	2	1	0	0	1	1	0	0	1



	2011/2012				2012/2013				1st April 2013 to 31st May 2013			
	Single wind turbine	Small Wind farm	Large wind farm	Total	Single wind turbine	Small Wind farm	Large wind farm	Total	Single wind turbine	Small Wind farm	Large wind farm	Total
South Antrim	20	1	0	21	5	1	0	6	5	0	0	5
South Down	15	0	0	15	28	1	0	29	3	0	0	3
Strangford	8	0	0	8	14	0	0	14	3	0	0	3
Upper Bann	7	0	0	7	3	0	0	3	0	0	0	0
West Tyrone	69	1	1	71	86	1	2	89	15	0	0	15
<b>Total</b>	<b>269</b>	<b>6</b>	<b>4</b>	<b>279</b>	<b>498</b>	<b>11</b>	<b>6</b>	<b>515</b>	<b>67</b>	<b>0</b>	<b>1</b>	<b>68</b>

\* Up to 31st May 2013 is the date of our latest published information on Renewable Energy.

## Decentralising Public Sector Jobs

**Mr Ó hOisín** asked the Minister of the Environment what plans his Department has to decentralise public sector jobs. (AQO 3848/11-15)

**Mr Attwood:** My Department provides a wide range of public services to the local community and consequently its 2,560 staff are widely dispersed in approximately 50 offices and facilities in many cities and towns in Northern Ireland and also in locations such as country parks and historic monuments. Of these, 55% are already located outside Belfast with 19% located in Co Derry, 15% in Co Antrim, 7% in Co Armagh, 6% in each of Counties Down and Tyrone, and 2% in Co Fermanagh. Consequently, there is significant dispersal, but clearly on a differential basis!

I have also secured the dispersal of public sector jobs from the Greater Belfast area such as new posts in Derry for Road Traffic Examiners, the Carrier Bag Levy team and Planning's Divisional Support Team and in Coleraine for Estate Management Branch.

I also expect that a substantial number of posts, possibly as many as 400 and mainly from the local planning and the Northern Ireland Environment Agency functions, will be transferred to Local Government from 1 April 2015.

I will however continue to actively explore all opportunities to disperse public sector jobs from the greater Belfast area where it is practicable to do so. I have adopted a two principle approach both decentralisation and centralisation to heritage property. That is the approach which is being adopted and actively considered.

## Department of Health, Social Services and Public Safety

### Neuroblastoma

**Mr Flanagan** asked the Minister of Health, Social Services and Public Safety to outline how his Department helps patients suffering from neuroblastoma, as well as their families, to deal with the illness; and to detail the range of treatments available and the financial support provided for patients who have to travel abroad for trials. (AQW 24835/11-15)

**Mr Poots (The Minister of Health, Social Services and Public Safety):** Clinical management of Neuroblastoma depends on the individual patient's condition and circumstances, and the majority of cases in Northern Ireland are managed by the clinical team in the Royal Belfast Hospital for Sick Children (RBHSC) who work hard to ensure children with the condition have access to the most up to date specialist treatments and can participate in clinical trials of new treatments where this is appropriate. Some highly specialist aspects of care may be accessed from tertiary centres in other parts of the UK.

The Children's Cancer Trials team at the Cancer Research Clinical Trials Unit (CRCTU) in the University of Birmingham co-ordinate clinical trials for children with cancer in the UK and Ireland. The CRCTU have a portfolio of childhood cancer clinical trials and they invite centres to enrol patients into these multi-centre, national and international trials. Each Paediatric Oncology centre (20 covering the UK and Ireland) will open as many trials as they can.

The decision to seek admission of patients into trials is a matter for the clinicians involved in the patient's care. If there is a suitable trial open in the treating centre, and providing the patient meets all the eligibility requirements for such a trial, the parents/guardians and the patient (if appropriate) will be invited to participate in this trial. Age appropriate information will be supplied both to parents/guardians and the patient. The trial will then be fully discussed by the principal investigator and/or members of the research trial team. Provided that the reason for the trial is fully understood, they then sign a consent form for

participation into the trial. They can at any stage withdraw that consent for any reason and this decision should not affect the standard of clinical care that they subsequently receive.

Northern Ireland cancer patients are also able to participate in clinical trials through the Northern Ireland Cancer Trials Centre and province-wide through the Northern Ireland Cancer Trials Network.

Should there be a trial which is not open in Belfast but which is open in another appropriate centre in the UK, the Health and Social Care Board will consider funding patient transfer costs associated with the pre-assessment of the patient's suitability for participation in a trial should these arise.

Should the patient be accepted onto a trial, the Board's understands that trial organisers will fund all costs, including patient transfer and accommodation costs, for the duration of the trial.

Cancer services are provided to everyone regardless of age so once detected all cancer patients, irrespective of age, will have full access to the services delivered through the cancer services delivery framework. The cancer service framework sets out the standards of care that patients, carers and their wider family can expect to receive – a copy is available at:

[http://www.dhsspsni.gov.uk/service\\_framework\\_for\\_cancer\\_prevention\\_\\_treatment\\_and\\_care\\_-\\_consultation\\_-\\_easy\\_access\\_version.pdf](http://www.dhsspsni.gov.uk/service_framework_for_cancer_prevention__treatment_and_care_-_consultation_-_easy_access_version.pdf)

## Business Services Organisation: Risks

**Mr McClarty** asked the Minister of Health, Social Services and Public Safety for a detailed explanation of the risks in the Business Services Organisation's Corporate Risk and Assurance Report 2012/2013 where (i) the likelihood is classified as either likely or almost certain; and (ii) the total impact is either major or catastrophic.

**(AQW 24881/11-15)**

**Mr Poots:**

- (i) At 31 March 2013, eight risks were classified as either likely or almost certain, as follows:
- Four risks related to various aspects of the shared services project, including the timing of implementation and the stability of the new business systems, the impact of these on the reputation of BSO and the deliverability of business case outcomes;
  - Other risks were in relation to the potential qualification of BSO's 2012/13 accounts (following the issue with its 2011/12 accounts), the risk to Data Centres from unstable power supply, the impact of extant legislation on BSO's growth strategy and major high value regional procurement contracts.
- (ii) At 31 March 2013, 12 risks were classified as either major or catastrophic, as follows:
- Four risks related to various aspects of the shared services project, including the timing of implementation and the stability of the new business systems, the impact of these on the reputation of BSO and the deliverability of business case outcomes;
  - Two risks were in relation to the potential qualification of BSO's 2012/13 accounts (following the issue with its 2011/12 accounts) and the risk to Data Centres from unstable power supply;
  - Six other risks were assessed as either unlikely or possible and were in relation the challenging financial environment, including the potential impact of this on BSO's customers, the operation of IT and other legacy business systems and accountability frameworks for screening programmes.

The BSO is robustly managing these risks through a range of mitigating actions aimed at minimising the likelihood of these risks materialising and their impact. As a result, progress has been made in a number of key areas, such as the implementation of shared services.

## Transport Act (Northern Ireland) 1967

**Mr Kinahan** asked the Minister of Health, Social Services and Public Safety whether Health and Social Care Trusts have an exemption from the Transport Act (Northern Ireland) 1967 for vehicles not for hire or reward.

**(AQW 24912/11-15)**

**Mr Poots:** The Transport Act (Northern Ireland) 1967 is the responsibility of the Department of the Environment (DOE). I am advised by that Department that the Transport Act requires that all those who are providing bus passenger transport for reward are licensed. Reward is defined as any benefit whether monetary or not. The Act also provides for an exemption from an operator licence for organisations concerned with social welfare, education etc who operate on a not for profit basis – this is known as a 10B permit.

The DOE also advises that Trusts in fulfilling their statutory role, that is, in providing patient transport, do not come within the scope of the Act. However, the Trusts from time to time also hire their buses to associated groups on a not for profit basis, thus providing benefits in terms of social welfare. Those Trusts wishing to provide this service must have 10B permits. The DOE has advised that they are satisfied that those Trusts which are required under the legislation to have 10B permits have obtained them.

## Residential and Nursing Homes

**Mr Nesbitt** asked the Minister of Health, Social Services and Public Safety to detail the total cost to his Department of providing care in (i) statutory; and (ii) independent residential and nursing homes, in each of the last five years.

**(AQW 25143/11-15)**

**Mr Poots:** The cost to my Department of providing care in statutory and independent sector nursing homes and residential homes for adults, children and the elderly from 2008/09 to 2011/12 (latest information available) is as follows:

	2011/12 £m	2010/11 £m	2009/10 £m	2008/09 £m
Nursing Homes(1) – Independent	270	265	249	241
Residential Homes – Independent	89	86	83	80
Residential Homes – Statutory	91	90	91	91
<b>Total</b>	<b>450</b>	<b>441</b>	<b>423</b>	<b>412</b>
Client Contributions	121	114	101	93
<b>Total Less Client Contributions</b>	<b>329</b>	<b>327</b>	<b>322</b>	<b>319</b>

(1) There are no statutory nursing homes in Northern Ireland

## Western Health and Social Care Trust: Complaints

**Mr McElduff** asked the Minister of Health, Social Services and Public Safety to detail (i) the number of complaints made against the Western Health and Social Care Trust in relation to patient care, in each of the last three years; (ii) the number of complaints related to people over 65 years of age; (iii) the number of these cases that have been referred to the Ombudsman; (iv) how these figures compare to other Trust areas; and (v) the complaints relating to patient care broken down by hospital.

**(AQW 25145/11-15)**

**Mr Poots:**

- (i) Information on the number of complaints received by Health and Social Care (HSC) Trusts is published annually by the Department, and is available to view or download from:

[http://www.dhsspsni.gov.uk/index/stats\\_research/hospitalstats/patient\\_safety/complaints.htm](http://www.dhsspsni.gov.uk/index/stats_research/hospitalstats/patient_safety/complaints.htm)

Appendix 1, Table 1e of this publication details the number of complaints issues received by the Western HSC Trust by subject of complaint during each of the last four years.

- (ii) Information on the number of complaints received by HSC Trusts relating to people over 65 years of age is not collected by the Department, and could only be provided by manually trawling through patient records, which would incur disproportionate cost.
- (iii) During the last three years, the Western HSC Trust indicated that it referred 17 complaints to the Ombudsman, 10 in 2010/11, 4 in 2011/12 and 3 in 2012/13.
- (iv) Information on the number of complaints received by HSC Trusts referred to the Ombudsman is not routinely collected by the Department. However, in response to this AQW, HSC Trusts provided this information in Table 1 below.

**Table 1: Number of Complaints Received by HSC Trusts That Were Referred to The Ombudsman (2010/11 – 2012/13)**

HSC Trust	Year		
	2010/11	2011/12	2012/13
Belfast	19	9	4
Northern	10	7	5
South Eastern	10	10	3
Southern	9	9	9
Western	10	4	3
NIAS	3	4	2
<b>Northern Ireland</b>	<b>61</b>	<b>43</b>	<b>26</b>

\*Information for the SHSCT refers to the calendar years 2010, 2011 and 2012

Over the last 3 years, the number of complaints referred to the Ombudsman decreased by 35 (57.4%), from 61 in 2010/11 to 26 in 2012/13 (Table 1).

- (v) Information on the number of complaints received by each hospital is not currently collected. Complaints to specific hospitals are referred to the relevant HSC Trust, and are included within the HSC Trusts complaints figures detailed in the statistical report at the link below:

[http://www.dhsspsni.gov.uk/index/stats\\_research/hospitalstats/patient\\_safety/complaints.htm](http://www.dhsspsni.gov.uk/index/stats_research/hospitalstats/patient_safety/complaints.htm)

### Western Health and Social Care Trust: Haemophilia

**Mr Durkan** asked the Minister of Health, Social Services and Public Safety what services are available for patients suffering from haemophilia in the Western Health and Social Care Trust.

(AQW 25148/11-15)

**Mr Poots:** Patients suffering from haemophilia are under the care of the Northern Ireland Regional Haemophilia Centre at Belfast City Hospital.

Altnagelvin Area Hospital provides diagnostic and emergency therapeutic support to haemophilia patients and facilitates a monthly outpatient review clinic by a visiting consultant from the Regional Centre.

## Department of Justice

### Prisons: Self-harm

**Lord Morrow** asked the Minister of Justice, pursuant to AQW 24026/11-15, given that in the Northern Ireland Prison Service Annual Report and Accounts for 2009/2010 the Director General stated, 'from April 2009 all acts of self harm, however minor, are centrally collated in order to identify patterns and trends', (i) whether the Northern Ireland Prison Service follows this practice, and if not, to outline the rationale and responsibility for non-compliance; and (ii) if the practice is followed, to outline patterns and trends that have been identified since 2009 and how they are being addressed.

(AQW 24724/11-15)

**Mr Ford (The Minister of Justice):** I refer the member to the answer provided to AQW 24598 in relation to recording of all acts of self harm prior to 2010.

Since January 2010 all acts of self harm have been recorded on the Prison Record Information System (PRISM). Each prison establishment has a safer custody coordinator who monitors and reviews self harming incidents and develops and maintains local systems to support vulnerable offenders and promote a safe custodial environment. Where trends are identified, underlying causes and levels of support required to minimise further incidents will be discussed at the local safer custody fora and appropriate strategies put in place to address local operational needs.

The prison population comprises a high proportion of very vulnerable individuals with complex needs. Prisoners who have been identified as being at increased risk of self harm include: new committals, foreign nationals, and those who are vulnerable due to mental health issues or addictions.

A range of support services have been introduced across the prisons to respond to the needs of a vulnerable population, including access to Mental Health Teams, CRUSE Bereavement counselling; abuse counselling; Samaritans Listener Scheme; Prison Chaplaincy; family support; befriending services and diversionary activities. A dedicated Samaritans helpline is also available 24 hours a day to prisoners in distress and in need of support. In addition, prisoners can access a number of free counselling services including Lifeline, the NI crisis response helpline. The Donard Programme in Maghaberry Prison provides a range of therapeutic interventions for the most vulnerable offenders including individually designed programmes delivered on a multi-agency basis.

### Joseph Abraham

**Lord Morrow** asked the Minister of Justice, in relation to the NI Prisoner Ombudsman report on the death in custody of Mr Joseph Abraham, whether both issues of concern highlighted in the report have been addressed by the Prison Service.

(AQW 24820/11-15)

**Mr Ford:** I can confirm that the Prison Service and the South Eastern Health and Social Care Trust (SEHSCT) have addressed the two issues of concern highlighted in the Prisoner Ombudsman's report.

### Prisons: Self-harm

**Lord Morrow** asked the Minister of Justice, pursuant to AQW 24026/11-15, why Prison Service information does not differentiate between the act of self harm and an attempt or act of suicide.

(AQW 24821/11-15)

**Mr Ford:** Since January 2010, information relating to self harm and Supporting Prisoners At Risk (SPAR) have been recorded electronically on the Prison Record Information System (PRISM).

When a prisoner self harms this is recorded on an 'injury report form' on PRISM. This will not identify whether the act of self harm was a suicide attempt. Further information will only be determined during a SPAR interview with the prisoner, when the intentions are probed and recorded electronically on the SPAR screen on PRISM.

The details surrounding a death in custody are not recorded on PRISM but are recorded on a separate database.

A review of the Suicide and Self Harm Prevention policy is currently underway, and a variety of issues relating to the recording of information on safer custody matters are being considered as part of that review.

## Ian Kernohan

**Lord Morrow** asked the Minister of Justice whether he will order a serious case review into the monitoring and supervision of Ian Kernohan following his re-arrest for breaching his Sexual Offences Prevention Order twenty four hours after being freed from custody, particularly as he was residing at a hostel operated by the Probation Board for Northern Ireland.

**(AQW 24858/11-15)**

**Mr Ford:** The basis for instigating a serious case review under the public protection arrangements is provided for in guidance to agencies issued under Article 50 of the Criminal Justice (NI) Order 2008. The guidance, published on the Department of Justice website, requires the agencies to commission a serious case review in defined circumstances. Those circumstances are not present in this case.

## Prison Service: Suicide and Self-harm Prevention Policy 2011

**Lord Morrow** asked the Minister of Justice, pursuant to AQW 24166/11-15 and AQW 24239/11-15, given the recent criticisms of the Northern Ireland Prison Service by the Northern Ireland Association for the Care and Resettlement of Offenders (NIACRO), and by external agencies, since the implementation of the Supporting Prisoner at Risk process in 2009, and the Northern Ireland Prison Service Suicide and Self Harm Prevention Policy in 2011 (i) to provide an interim evidence based assessment as to the evaluation of the findings of the review and any recommendations to date, in conjunction with the South Eastern Health and Social Care Trust; (ii) whether the Northern Ireland Prison Service Key Performance Target, as outlined in the Northern Ireland Prison Service Business Plan, to reduce the number of instances of self harm by 10 per cent from the 2011-12 baseline has been met, including the present percentage; and (iii) if not, to provide his assessment as to the reasons it was not met.

**(AQW 24919/11-15)**

**Mr Ford:**

- (i) I would refer the Member to the answer I provided to AQW 24239/11-15 on 27 June 2013. Information for an evidence based evaluation is not available. As previously advised there has been no formal review, the procedures are subject to continual, ongoing informal review. A review will be undertaken following the restructuring of the Headquarters functions as part of the wider Reform Programme, in conjunction with the South Eastern Trust.
- (ii) There was a 4% increase in the number of self harm cases using the average prison population as the basis for measurement.
- (iii) Self harming behaviour in custody is a highly challenging and complex issue and prisons contain a disproportionate number of distressed and vulnerable people. An increase in self harm incidents may be associated with an increase in the prison population, including those held on remand, and a high prevalence of mental health issues and personality disorders. The risk factors identified in the wider community such as alcohol and substance abuse, poor coping skills, social isolation and multiple family breakdowns are all increased among the prison population. The impact of imprisonment may also contribute to acute self harm crisis for those experiencing overwhelming emotional distress. The Prison Service takes the responsibility of keeping prisoners safe extremely seriously and will continue to take all practicable measures to prevent prisoners inflicting harm on themselves.

## Prison Service: Compromise Agreements

**Lord Morrow** asked the Minister of Justice to detail (i) where the monies to effect Compromise Agreements between the Northern Ireland Prison Service and staff originate; and (ii) the audit processes that are in place to ensure accountability.

**(AQW 24920/11-15)**

**Mr Ford:** Budgetary provision was secured from existing baselines in advance of the Compromise Agreements being drawn up; and decisions are made on the basis of legal advice and approved at Director level.

## Foylview Resettlement Unit

**Mr Clarke** asked the Minister of Justice how many prisoners, who served custodial sentences in Foyle View, had to be transferred back to Magilligan Prison for a breach of prison rules, in each of the last five years.

**(AQW 24924/11-15)**

**Mr Ford:** Information in the form requested is not readily available and could only be obtained/compiled at disproportionate cost. For clarification, Foylview is a residential area located within the confines of Magilligan Prison, it is not a separate facility.



## Prison Service: Complaints

**Mr Givan** asked the Minister of Justice to outline the protocols in place in the Northern Ireland Prison Service to inform staff of complaints made against them by prisoners.

(AQW 24926/11-15)

**Mr Ford:** Where a complaint alleges misconduct against a member of staff an appropriate Prison Service official is appointed to investigate. This individual will interview the member of staff and inform them of the nature of the complaint.

If a complaint alleges unlawful actions by a member of staff the PSNI will be informed.

## Prison Service: Threats

**Mr Givan** asked the Minister of Justice to outline the steps that the Northern Ireland Prison Service are taking to assess the security intelligence that identifies the veracity of threats against staff.

(AQW 24930/11-15)

**Mr Ford:** The Northern Ireland Prison Service has a formal arrangement with PSNI to share intelligence regarding the personal security and safety of staff. All information relating to threats is assessed and if it is deemed appropriate, steps are taken to put necessary measures in place.

If concerns are reported regarding a specific officer, that officer will be informed of the details. An individual threat assessment will be carried out; all factors including those that have come to light within the prison will form part of this assessment.

## Prison Service: Threats

**Mr Givan** asked the Minister of Justice to outline the protocols in place between the Northern Ireland Prison Service and the Police Service of Northern Ireland when assessing the personal welfare of prison staff against intelligence indicating a threat exists.

(AQW 24931/11-15)

**Mr Ford:** The Northern Ireland Prison Service has a formal arrangement with PSNI to share intelligence regarding the personal security and safety of staff. All information relating to threats is assessed and if it is deemed appropriate, steps are taken to put necessary measures in place.

If concerns are reported regarding a specific officer, that officer will be informed of the details. An individual threat assessment will be carried out; all factors including those that have come to light within the prison will form part of this assessment.

## Ian Kernohan

**Lord Morrow** asked the Minister of Justice, in relation to Ian Kernohan and given the seriousness of his previous offences as well as breaches of Sexual Offences Prevention Orders and the speed at which he reoffended following his release, whether he intends to recommend that he is reassessed as dangerous, as defined by the Criminal Justice (NI) Order 2008.

(AQW 24959/11-15)

**Mr Ford:** It is for the court to make an assessment of the dangerousness of an individual and section 15 of the Criminal Justice (Northern Ireland) Order 2008 provides that this assessment is made at the time of conviction on indictment for a specified sexual or violent offence.

There is no statutory basis for such reassessment in relation to an extant sentence though licence conditions can be varied by criminal justice agencies in response to any revised risk assessment. This would be considered when an offender who has been recalled to custody is re-released at the direction of the Parole Commissioners.

The court will consider the alleged breach of a Sexual Offences Prevention Order in due course and, if this results in a conviction on indictment, can make an assessment of dangerousness in relation to that offence prior to sentencing.

## Hydebank Wood Prison: Alleged Assaults on 7 October 2012

**Lord Morrow** asked the Minister of Justice, in relation to the alleged assaults by an inmate on three prison officers at Hydebank Wood on 7 October 2012 and given that the Prisoner Ombudsman found in favour of the complainant (i) what is the procedure within the Northern Ireland Prison Service for dealing with those who initially decided the complaint was groundless; and (ii) whether the Northern Ireland Prison Service reviewed CCTV footage before reaching its decision.

(AQW 24960/11-15)

**Mr Ford:** The Director of Offender Policy and Operations has commissioned an internal investigation to be conducted by Senior Prison Staff as recommended by the Prisoner Ombudsman. This investigation was commissioned on 4 July 2013 to be completed by 19 July 2013. I have attached a copy of the Terms of Reference.

**Annex A****FROM:****Date: 4 July 2013****TO:****RE: Allegations and Findings Relating to an Incident at Hydebank Wood on 7 October 2012 Contained in the May 2013 Report by the Prisoner Ombudsman into Complaints Made by a Former Prisoner on 5 September 2012**

I wish you to conduct a Code of Conduct and Discipline investigation with regards to the above, and with particular reference to the Prisoner Ombudsman's Conclusions in paragraphs 59 – 61 of the report and Recommendation 1 in paragraph 80 of the report.

You should provide a detailed account and interpretation of the actions taken, and any written reports made, by the two Prison Officers who sustained injuries in this incident, and any accompanying reports made by other members of staff. You should also make recommendations for any further action (or not) to be taken with regards to each of the individual members of staff concerned.

You should submit your final report to myself by Friday 19 July 2013.

**Prison Service: Compromise Agreements**

**Lord Morrow** asked the Minister of Justice, for each of the last three years, to detail (i) the number of Compromise Agreements entered into between the Northern Ireland Prison Service and its staff; (ii) on whose authority such agreements are sanctioned; and (iii) the total cost to his Department and the Northern Ireland Prison Service.

**(AQW 24971/11-15)****Mr Ford:**

- (i) The Northern Ireland Prison Service (NIPS) have entered into Compromise Agreements with individual members of staff during the last 12 months. The actual number of such Agreements has been withheld to protect the identity of those involved as disclosure would be contrary to the Data Protection Act 1998;
- (ii) each agreement was sanctioned at Director level in the context of legal advice; and
- (iii) the terms of each agreement are confidential.

**Hydebank Wood Prison: Alleged Assaults on 7 October 2012**

**Lord Morrow** asked the Minister of Justice, in relation to the alleged assaults by an inmate on three prison officers at Hydebank Wood on 7 October 2012, whether the Northern Ireland Prison Service and/or the prison officers notified the PSNI of the incidents.

**(AQW 24973/11-15)**

**Mr Ford:** I can confirm that the Northern Ireland Prison Service did not notify the PSNI of the incident which took place on 7 October 2012, although such action was taken by one of the individual Prison Officers concerned.

**Prison Service: Compassionate Leave**

**Mr Weir** asked the Minister of Justice what additional steps his Department is taking to reduce the number of prisoners who have absconded after being released on compassionate leave.

**(AQW 24977/11-15)**

**Mr Ford:** The Northern Ireland Prison Service (NIPS) operates a comprehensive Compassionate Temporary Release (CTR) scheme which includes a requirement to complete a comprehensive risk assessment. I am satisfied that the current process is robust. However, risk management does not mean elimination of all risks and on occasions prisoners do fail to comply with the conditions of release by absconding. NIPS does review such cases to identify if there are any learning points.

Prisoners on remand applying for compassionate bail are subject to decisions of the Court.

**Prison Service: Pay**

**Mrs D Kelly** asked the Minister of Justice, when a pay rise will be implemented for Prison Officers recruited in 2012.

**(AQW 25000/11-15)**

**Mr Ford:** The 2013 pay award, effective from 1st April 2013, was implemented in June with any arrears due included in June salary.

## Court Buildings: Flags

**Mr Copeland** asked the Minister of Justice to outline the policy for flying flags at Court Service buildings.  
(AQW 25003/11-15)

**Mr Ford:** The Northern Ireland Courts and Tribunals Service flies the Union Flag on designated days as set out in the Flags Regulations (Northern Ireland) 2000 as amended by Section 67 of the Justice (Northern Ireland) Act 2002.

## Disciplinary Investigations: Experienced Investigators

**Lord Morrow** asked the Minister of Justice, pursuant to AQW 24242/11-15 and AQW 21834/11-15, in light of the absence of clarification on the consideration given to Dr Pearson's suggestions (i) whether the Prison Service, along with the relevant stakeholders, held any meetings to discuss and consider the issue of employing senior retired police officers to act as discipline investigating officers; (ii) if so, when and where these meetings took place; and (iii) to detail the rationale which formed the basis of his decision that external recruitment is not considered necessary.  
(AQW 25020/11-15)

**Mr Ford:** As the Northern Ireland Prison Service and the wider Northern Ireland Civil Service already has a large pool of staff to draw from, it would not have been appropriate or cost effective to seek to recruit retired senior police officers to investigate internal employment related matters.

## Prison Service: Code of Conduct and Discipline

**Lord Morrow** asked the Minister of Justice if he will place a copy of the new Prison Service Code of Conduct and Discipline and the Code of Ethics in the Assembly Library as soon as it becomes available.  
(AQW 25035/11-15)

**Mr Ford:** I will place a copy of each of the new Codes in the library as soon as they become available.

## Prison Service: Management Board Minutes

**Lord Morrow** asked the Minister of Justice when he will publish the April, May and June 2013 minutes of the Prison Service Management Board meetings on the departmental website.  
(AQW 25036/11-15)

**Mr Ford:** I can confirm that a note for each of the meetings of the Prison Service Management Boards (PSMB) for April and May have been published on the NIPS website.

Notes of meetings are not published until they are approved by Board members at the next scheduled Board meeting. A note of the June meeting will be published after the next meeting on 25 July.

## Breach of Security in Postal Correspondence: Lay Magistrates

**Mr Copeland** asked the Minister of Justice, pursuant to AQW 24581/11-15, (i) why only lay magistrates' addresses were released; (ii) under what circumstances this would be regarded as a disclosure; and (ii) whether the Data Commissioner was consulted.  
(AQW 25070/11-15)

**Mr Ford:** Only Lay Magistrates' address details were requested by the Youth Justice Agency (YJA).

A release of personal information in contravention of any one of the eight data protection principles may be considered a breach of the Data Protection Act 1998 (DPA).

The Information Commissioner was not consulted prior to sharing address information with the YJA. The Department of Justice (DOJ), which includes both the Northern Ireland Courts and Tribunals Service (NICTS) and the YJA, is a registered organisation under the DPA. Under the DPA information can be shared between different parts of an organisation, in this case the DOJ, providing it is used for a similar purpose. On this basis the sharing of address information by NICTS to YJA would be allowed under DPA.

As previously advised, the subsequent release of information into the public domain was reported to the Information Commissioner.

## Legal Aid

**Lord Morrow** asked the Minister of Justice, pursuant to AQW 21644/11-15, (i) for a breakdown of Legal Aid paid to (a) legal firms; (b) junior counsel; and (c) senior counsel; and (ii) to clarify if the same legal firm, junior counsel and senior counsel acted at their first trial, subsequent appeals and second trial.  
(AQW 25082/11-15)

**Mr Ford:** The breakdown of legal aid payments (including VAT and disbursements) to the legal teams of Christopher Francis Kerr and Aaron Cavana Wallace for their initial trial, Court of Appeal hearing and re-trial is set out in the tables in Annex A.

The legal team (solicitor firm, senior counsel and junior counsel) for Kerr was changed after the initial trial. The newly appointed legal team then represented Kerr at the Court of Appeal hearing and the re-trial.

The legal team (solicitor firm, senior counsel and junior counsel) for Wallace was also changed after the initial trial. Subsequently, the new solicitor firm represented Wallace at the Court of Appeal hearing and the re-trial. Wallace had the services of three senior counsel at the Court of Appeal hearing, with one continuing on to represent him at the re-trial. This counsel was then changed to another senior counsel during the re-trial. The junior counsel who represented Wallace at the Court of Appeal hearing was changed for the re-trial.

#### Annex A

##### Christopher Francis Kerr

	Junior Counsel	Senior Counsel	Solicitor	Total
First trial	£109,652.28	£402,500.00	£264,500.00	£776,652.28
Appeal	£129,600.00	£194,400.00	£65,246.00	£389,246.00
Re-trial	Not assessed	Not assessed	£9,750.52	£9,750.52
<b>Total</b>	<b>£239,252.28</b>	<b>£596,900.00</b>	<b>£339,496.52</b>	<b>£1,175,648.80</b>

##### Aaron Cavana Wallace

	Junior Counsel	Senior Counsel	Solicitor	Total
First trial	£264,500.00	£402,500.00	£137,171.00	£804,171.00
Appeal	£129,600.00	£272,119.20	Not assessed	£401,719.20
Re-trial	Not assessed	Not assessed	Not assessed	-
<b>Total</b>	<b>£394,100.00</b>	<b>£674,619.20</b>	<b>£137,171.00</b>	<b>£1,205,890.00</b>

## Department for Regional Development

### Student Travel Discounts

**Mr Weir** asked the Minister for Regional Development why there is a disparity between Ulsterbus and Northern Ireland Railways in terms of the provision of discounted fares for students.

(AQW 24373/11-15)

**Mr Kennedy (The Minister for Regional Development):** I refer you to my response to AQW24372/11-15 which sets out the position on this issue.

### Magherafelt Bypass

**Mr I McCrea** asked the Minister for Regional Development whether there are sufficient funds in place to cover the cost of vesting orders for the Magherafelt by-pass.

(AQW 24416/11-15)

**Mr Kennedy:** The Executive has considered my paper tabling options for the reallocation of A5 funding to other major road projects and I am delighted to be able to confirm the approval of £40m for the construction of the Magherafelt Bypass, which includes the cost of the land to be vested for the scheme.

This early decision will pave the way for construction work to begin in autumn 2014.

### Railway Network Upgrades

**Mr McKay** asked the Minister for Regional Development what upgrade work is planned for the railway network in each of the next four years.

(AQW 24845/11-15)

**Mr Kennedy:** Translink has provided the following details of upgrade work that is planned for the railway network in each of the next four years. The dates are based on latest Translink information and/or the current Corporate Plan.

Programme / Project	Construction Start
User Worked Crossing Safety Improvement Programme	Ongoing
Park and Ride Programme (Various)	Ongoing
Upgrade of Signalling Equipment at Level Crossings	2013/14
Signal Duct Route and Cable Renewal Programme	2013/14
Moir Station New Footbridge	2013/14
Knockmore – Lurgan Track Rehabilitation and Line Speed Recovery	2014/15
Bridge Underwater Remedial Works	2014/15
Bridge Refurbishment & Strengthening Programme	2014/15
Lisburn West – New Halt and Park and Ride	2014/15
Coleraine – Londonderry Track Renewals Project – Phase 2	2014/15
Lisburn Interlocking Renewal	2015/16
Cross Border Line Speed Enhancements (Line speed upgrades at discreet locations)	2015/16
New station – Londonderry (Currently at feasibility stage – no financial commitment)	2015/16
Lurgan Railway Station Refurbishment	2015/16
Embankment Strengthening Programme	2016/17
Ballymartin / Templepatrick Park and Ride	2016/17
Belfast Transport Hub (Currently at feasibility stage - no financial commitment)	2016/17
Yorkgate – Donegall Quay Dualling of the track. (Currently at feasibility stage – no financial commitment)	2016/17 – 2017/18
Monkstown – Templepatrick Dualling of the track (Feasibility to be completed - no financial commitment)	2017/18

## Railway Network Extension

**Mr McKay** asked the Minister for Regional Development what assessment on extending the railway network has been completed.

(AQW 24846/11-15)

**Mr Kennedy:** The public consultation on future railways investment closed on 12 April 2013. A report containing the views of the 119 respondents to the public consultation will be published later this month. My Department's assessment of the response and its prioritisation of future investment options will be made available later.

## Blue Badges

**Lord Morrow** asked the Minister for Regional Development whether Blue Badges can only be issued to people in receipt of the higher rate mobility component of Disability Living Allowance.

(AQW 24857/11-15)

**Mr Kennedy:** The Blue Badge scheme in Northern Ireland is regulated by the Section 14 of the Chronically Sick and Disabled Persons (NI) Act 1978 and the Disabled Persons (Badges for Motor Vehicles) Regulations (NI) 1993. Under the legislation a Blue Badge can be issued to individuals who:

- receive the higher rate of the mobility component of Disability Living Allowance;
- are registered blind;
- receive a War Pensioner's Mobility Supplement;
- have a permanent and substantial disability which means he/she cannot walk, or have very considerable difficulty walking - in this case a doctor may be asked to answer a series of questions to confirm eligibility for a badge;
- drive a vehicle regularly, have a severe disability in both arms and are unable to operate, or have considerable difficulty operating, all or some types of parking meter, or;
- are children under the age of two, who have a disability due to a medical condition and need to travel with bulky equipment, or to be close to a vehicle for emergency medical treatment, may be eligible for a badge.

In addition, organisations which care for people with disabilities who meet one of the above criteria may be eligible for a badge.



I should also advise that my Department is currently conducting a public consultation on a number of planned and potential changes to the Blue Badge Scheme. These changes include options for ensuring the link to automatic eligibility for a Blue Badge is maintained after the Department of Social Development led change from Disability Living Allowance (DLA) to Personal Independence Payment (PIP) is introduced in Northern Ireland, and extending the benefit to children under the age of three with specific medical conditions. The consultation period ends on 30 July 2013.

### Protocols on Flags Flown on Ships

**Mr Campbell** asked the Minister for Regional Development, pursuant to AQW 24138/11-15, given his Department's responsibility for ports, whether he is aware of the Royal Navy having offered advice to naval vessels that berthed in Londonderry on the occasion of the Return of Colmcille.

**(AQW 24882/11-15)**

**Mr Kennedy:** I am not aware if the Royal Navy offered advice to naval vessels on this issue. As these matters lie outside my responsibility, the Royal Navy would not be required to inform me as a matter of course.

### Cycle Lanes

**Mr Campbell** asked the Minister for Regional Development to detail the estimated change in usage on new cycle lanes completed in the last five years.

**(AQW 24883/11-15)**

**Mr Kennedy:** My Department is committed to providing safer roads for the growing number of vulnerable road users, including cyclists and pedestrians, through a range of safety measures, such as, traffic calming and enhancement of the pedestrian and cycling network. I fully recognise the benefits to be obtained from improving the cycle network, in particular the environmental and health benefits and the positive contribution to an integrated transport system.

Over the past 5 years my Department has invested approx £4.1m in creating approx 75km of new cycle lanes. However, my Department does not carry out monitoring of usage of new cycle lanes.

### A6 Dualling Scheme

**Mr Ó hOisín** asked the Minister for Regional Development when the report on the A6 Derry to Dungiven dualling scheme will be published.

**(AQW 24906/11-15)**

**Mr Kennedy:** The recommendations in the Inspector's report are currently being considered and I intend to publish a statement on the way forward later this year.

### Parking Tickets: Ballyclare and Antrim

**Mr Kinahan** asked the Minister for Regional Development to detail the number of parking tickets issued in (i) Ballyclare; and (ii) Antrim, in each of the last five years.

**(AQW 24911/11-15)**

**Mr Kennedy:** Details of the number of Penalty Charge Notices issued in Ballyclare and Antrim over the last five financial years are shown in the table below:

#### Numbers of Penalty Charge Notices issued

Financial Year	Ballyclare	Antrim
2008/09	615	999
2009/10	628	758
2010/11	499	960
2011/12	476	1380
2012/13	235	1139

### Parking Restrictions: Coalisland

**Lord Morrow** asked the Minister for Regional Development, pursuant to AQW 24335/11-15, in which year previous proposals to provide additional waiting restrictions in Coalisland were presented to the Regeneration Partnership.

**(AQW 24921/11-15)**

**Mr Kennedy:** Proposals to provide additional waiting restrictions in Coalisland were presented to the Coalisland Regeneration Partnership in August 2008.

## Branded Apparel for Non-front Line Staff

**Mr Allister** asked the Minister for Regional Development how much his Department has spent on branded apparel for non-frontline staff, in each of the last three years.

(AQW 24929/11-15)

**Mr Kennedy:** My Department has had no expenditure on branded apparel for non-frontline staff, in each of the last three years.

## Ballagh Road

**Mr McCallister** asked the Minister for Regional Development to outline the reasons why, despite senior officials confirming that the Roads Service is in control of the land in the Ballagh Road wall dispute, he has refused to take enforcement action under Article 71 of the Roads (NI) Order 1993.

(AQW 24952/11-15)

**Mr Kennedy:** For enforcement action to be taken under Article 71 of the Roads order, definitive evidence of a contravention of the Order must exist.

Following a site meeting with the owner of the wall, officials made attempts to source historical records but no definitive evidence was uncovered which detailed the line of the original wall. Checks made with regular users of the road could not confirm the new wall extended any further out than the original. In addition, there was no engineering evidence to show that the new wall had been moved out.

It would therefore be extremely difficult for my Department to prove that the rebuilt wall extends further than the original wall and without such definitive proof, any action taken under the provisions of the Roads (NI) Order 1993 would not succeed.

I understand DOE Planning intends to take enforcement action in relation to the wall in question.

## Legal Costs

**Mr Wells** asked the Minister for Regional Development, pursuant to AQW 21235/11-15, if he is now in a position to outline the total costs his Department incurred in relation to the Declan Gormley legal case.

(AQW 24967/11-15)

**Mr Kennedy:** I am not yet in a position to outline the total costs incurred by my Department in relation to the Declan Gormley legal case. The Departmental Solicitor's Office is still engaged on the matter with Mr Gormley's solicitors.

I will of course honour my commitment to let you know what the final costs are once they become available.

## Ballynahinch Bypass

**Mr Hazzard** asked the Minister for Regional Development for an update on the range of surveys, including environmental, undertaken by Roads Service in order to progress the A24 Ballynahinch Bypass project.

(AQW 24979/11-15)

**Mr Kennedy:** Details of the surveys undertaken to date during the development of Ballynahinch Bypass are as follows:

Year	Survey Method
2003	Topographic survey by Ordnance Survey (OS).
2006	<p>Traffic surveys, including:</p> <ul style="list-style-type: none"> <li>■ Non motorised user (NMU) surveys;</li> <li>■ Manual classification counts;</li> <li>■ Automatic traffic counters;</li> <li>■ Journey time surveys; and</li> <li>■ Vehicle registration origin and destination surveys.</li> </ul> <p>Geotechnical records to acquire geotechnical information for Preliminary Sources Study (Desktop Survey).</p> <p>Winter surveys to facilitate Stage 1 reporting.</p>

Year	Survey Method
	<p>Environmental Surveys including:</p> <ul style="list-style-type: none"> <li>■ Stage 1 Environmental Impact Assessment desktop &amp; some site walkover surveys undertaken in accordance with Design Manual for Roads and Bridges (DMRB);</li> <li>■ Air Quality;</li> <li>■ Cultural Heritage;</li> <li>■ Disruption due to Construction;</li> <li>■ Ecology &amp; Nature Conservation;</li> <li>■ Landscape &amp; Visual, Land Use;</li> <li>■ Traffic Noise &amp; Vibration;</li> <li>■ Pedestrian, Cyclist;</li> <li>■ Equestrian &amp; Community Effects;</li> <li>■ Vehicle Travellers;</li> <li>■ Water Quality and Drainage;</li> <li>■ Geology &amp; Soils; and</li> <li>■ Policies &amp; Plans.</li> </ul>
2007	Preliminary Geotechnical Investigation (GI) to facilitate Stage 1 and 2 reporting and preliminary engineering design.
2008	<p>Environmental Surveys, including:</p> <ul style="list-style-type: none"> <li>■ Stage 2 DMRB &amp; Department of Transport's Transport Analysis Guidance (WebTAG) Air Quality desktop study including local and regional assessments;</li> <li>■ Stage 2 DMRB Cultural Heritage desktop study and walkover survey undertaken by a heritage expert;</li> <li>■ Stage 2 DMRB Disruption due to Construction desktop study;</li> <li>■ Stage 2 DMRB Ecology &amp; Nature Conservation desktop study and walkover survey undertaken by an experienced ecologist;</li> <li>■ Stage 2 DMRB Landscape &amp; Visual desktop study and walkover survey undertaken by an experienced Landscape Architect;</li> <li>■ Stage 2 DMRB Land Use desktop study;</li> <li>■ Stage 2 DMRB Traffic Noise &amp; Vibration desktop study undertaken by an experienced Acoustic Consultant, including noise measurement surveys carried out in the general area;</li> <li>■ Stage 2 DMRB Pedestrian, Cyclist, Equestrian &amp; Community Effects desktop study, with NMU survey complementing the assessment;</li> <li>■ Stage 2 DMRB Vehicle Travellers desktop study. An experienced Landscape Architect undertook a site survey to consider impacts on views from the road;</li> <li>■ Stage 2 DMRB Road Drainage &amp; the Water Environment desktop study, including a desktop review of previous reports and other background information;</li> <li>■ Stage 2 DMRB Geology &amp; Soils desktop study; and</li> <li>■ Stage 2 DMRB Policies &amp; Plans desktop study.</li> </ul>
2009	A topographic survey by BKS, suitable mapping for 1:500 detailed work and Stage 2 & 3 reporting, includes digital ortho-photographs.
2011	An updated Stage 2 Environmental Impact Assessment Desktop & Walkover surveys undertaken as necessary in accordance with revised DMRB guidance and/or length of time elapsed since earlier assessment/survey.
2012	<p>Winter surveys; and</p> <p>Environmental Statement surveys (Landscape &amp; Visual Winter Survey (i.e. without foliage).</p>

Year	Survey Method
2013	<p>Supplementary GI investigation to add ground detail for Stage 3 reporting, design of cuttings and drainage ponds;</p> <p>Archaeological monitoring survey of the 2013 GI;</p> <p>Environmental Statement surveys (Ecology &amp; Nature Conservation - including birds, newts, bats and extended Phase 1); and</p> <p>Vehicle speed monitoring on Ballynahinch side roads to inform consideration of Relaxations and Departures from design standards.</p>

## A7 Upgrade

**Mr Hazzard** asked the Minister for Regional Development for an update on the planned improvement scheme on the A7 between Doran's Rock and Rowallen.

**(AQW 24981/11-15)**

**Mr Kennedy:** Preliminary design work is continuing on a proposal to carry out a road widening scheme between Rowallane and Doran's Rock, south of Saintfield. This entails widening 1.8 kilometres of the A7 carriageway and improving forward visibility along this section of road.

The proposal is to widen the existing road to provide a 7.3 metre wide carriageway with verges. The option to provide a right turning lane at a minor road junction is also being considered.

The cost of the scheme is estimated to be in the range £2-5 million and will require land from adjacent owners. In order for the scheme to progress it will require a satisfactory economic appraisal demonstrating value for money in terms of costs and transportation benefits. Implementation will also be dependent upon the scheme clearing any necessary statutory procedures including, for example, the vesting of lands and the availability of funding in future budget rounds.

## Roads: Downpatrick

**Mr Hazzard** asked the Minister for Regional Development, in relation to a possible link road from Irish Street to St. Patrick's Avenue in Downpatrick, for an update on the talks he has had with the PSNI to allow for necessary survey work to be carried out at Downpatrick PSNI Station.

**(AQW 24983/11-15)**

**Mr Kennedy:** My Department's officials recently met with PSNI officials to discuss a proposal for a road link from Saint Patrick's Avenue to Irish Street, Downpatrick, which impacts on the site of the Downpatrick PSNI Station.

As a result, the existing survey data that is currently available to the PSNI is to be examined to determine if it can be used in developing preliminary options for the proposed link road.

## C290 Magherahamlet Road/Dunmore Road Crossroads

**Mr Hazzard** asked the Minister for Regional Development for an update on the planned minor works due to be carried out at C290 Magherahamlet Road/Dunmore Road crossroads, Spa, in this financial year.

**(AQW 24984/11-15)**

**Mr Kennedy:** Details of proposed roads schemes for the current financial year are set out in the Roads Service Spring and Autumn Reports to Councils. I understand you received a copy of the latest council report in June this year.

There is no further update in relation to the proposed works, other than to advise that officials are working to deliver this scheme in the current financial year, subject to successful land acquisition.

## C278 Loughinisland Road/Tareesh Lane

**Mr Hazzard** asked the Minister for Regional Development for an update on the planned minor works due to be carried out at C278 Loughinisland Road/ Tareesh Lane, Annacloy, in the current financial year.

**(AQW 24985/11-15)**

**Mr Kennedy:** Details of proposed roads schemes for the current financial year are set out in the Roads Service Spring and Autumn Reports to Councils. I understand you received a copy of the latest council report in June this year.

There is no further update in relation to the proposed works, other than to advise that officials are working to deliver this scheme in the current financial year, subject to successful land acquisition.

## Student Travel Discounts

**Mr Girvan** asked the Minister for Regional Development why mature students do not receive student discount on Ulsterbus services, when discount is available on services provided by Northern Ireland Railways.

(AQW 24988/11-15)

**Mr Kennedy:** Translink have commercial responsibility for these matters and have advised that a discount for mature students using rail services was introduced separately from bus because a mature student travelling by rail is not able to obtain as good a discount without the use of the 24+ Railcard. Mature students using both Metro and Ulsterbus services can avail of the best discounts through standard Smartlink products which are available for bus journeys.

## Roads: Adoption

**Mr Ross** asked the Minister for Regional Development whether the reallocation of departmental funding will allow Roads Service to adopt roads in private developments where there is an insufficient bond in place following the liquidation or administration of the construction company responsible.

(AQW 24993/11-15)

**Mr Kennedy:** As the Member will be aware, developers are responsible for providing new roads in housing developments, and for making provision for the costs of so doing in the event they are unable to complete the works.

In the event the bond in a private streets development is not sufficient to cover fully the cost of completing the required works to allow roads to be adopted, my Department will arrange for the necessary works to be completed, and seek to recover the shortfall from the responsible party.

## Bellarena Railway Halt

**Mr Ó hOisín** asked the Minister for Regional Development to detail the (i) status; (ii) plans; and (iii) timescale for the provision of (a) passing loops; (b) a covered halt; (c) a Park and Ride facility; (d) additional bus shelters; and (e) additional footpath provision, at Bellarena railway halt.

(AQW 24996/11-15)

**Mr Kennedy:** Following the successful completion of Phase 1 of the Coleraine to Londonderry Track Relay Programme, procurement processes for Phase 2 of the programme, which will include the design of this phase are currently underway. Phase 2 work is due to commence in 2014/15 but Translink advise that as the design work for Bellarena Halt has not been undertaken they are unable to comment on the details at this stage.

In order to ensure the future provision of bus shelters, my Department is currently working towards the establishment of new contractual arrangements, which are to be in place for 2015. Any requests for bus shelters received in the intervening period that cannot be accommodated will be given priority when the new contract is in place.

The Member may also be aware that District Councils and Translink are also permitted to provide and fund additional bus shelters

In relation to footpath provision, a footway is currently provided over a distance of approximately 2.2km on Seacoast Road, from Bellarena Presbyterian Church and Magilligan Field Centre southwards to Bellarena Railway Halt. This continuous footway links the main housing developments of Bellarena and Oughtymoyle Avenue, and also a number of individual properties along the Seacoast Road, to Bellarena Railway Halt.

In addition, a scheme proposal is under development to provide a footway/cycleway on Seacoast Road, from Bellarena Presbyterian Church northwards towards Benone Tourist Complex, an approximate distance of 4km. This footway/cycleway will provide a continuous link between Benone Tourist Complex and Bellarena Railway Halt.

However, due to the length and potentially high cost of this proposal, it is likely the scheme will be delivered in stages. The footway/cycleway is being developed in accordance with current policies and procedures, and will be prioritised within future works programmes as each stage gains approval through the development process.

Delivery of the scheme is dependent upon its priority when compared to competing schemes, the availability of funding and a number of other key issues, such as land acquisition.

## Water Supply: Donaghadee

**Mr Weir** asked the Minister for Regional Development to outline the reasons for the recent disruptions to the water supply in Donaghadee; and what steps are being taken to improve the water infrastructure in the town.

(AQW 25052/11-15)

**Mr Kennedy:** I have been advised by Northern Ireland Water (NIW) that the recent interruptions to the water supply in the Donaghadee area occurred when the local service reservoir was taken out of service for maintenance purposes. There was a slight increase in water pressure in the area as a result of the maintenance work which caused a number of older water mains to burst. The bursts have been repaired and the reservoir is now back in service and operating normally. NIW does not anticipate any further interruption of supply to customers.



As part of its programme to improve the water infrastructure in Donaghadee, NIW is planning to replace the water main in Gloucester Avenue and is currently in the process of including a scheme for this work on its capital works programme.

### Roads: Downpatrick

**Mr Hazzard** asked the Minister for Regional Development, given the traffic flow difficulties in Downpatrick and the need for work to begin to alleviate the difficulties, what commitment he can give that his Department will begin work to progress the Eastern Link Road scheme.

(AQW 25060/11-15)

**Mr Kennedy:** The Ards Down Area Plan 2015 includes the Downpatrick Eastern Link Road proposal and identifies that the development of adjacent zoned land "is reliant upon the provision of the Downpatrick [Eastern] Link Road". Developers buying land in this area of the town for residential development should therefore be in no doubt of their responsibilities to provide the Eastern Link Road to serve the development land. Roads Service officials are willing to provide advice on the layout and standard of the proposed development road to those developers interested in developing the land zoned for housing.

While the Ards Down Area Plan 2015 also makes separate provision for the upgrading of the northern section of Rathkeltair Road and its junction with Strangford Road, Roads Service's contribution to such an improvement is subject to the availability of the necessary funding. Given current pressures on budgets and the uncertainty about future funding, it is not possible to advise when this improvement scheme may be included in the Investment Delivery Plan for Roads.

### Roadworks: Night and Weekend Operations

**Mr McGimpsey** asked the Minister for Regional Development what actions are taken to ensure that contractors manufacturing asphalt materials for road works during the night and at weekends do not contravene Health and Safety guidelines.

(AQW 25069/11-15)

**Mr Kennedy:** There are occasions when work must be carried out on the road network outside normal working hours to facilitate local business and minimise disruption on highly trafficked routes.

There is no relaxation of health and safety obligations imposed on contractors manufacturing asphalt materials for road works during such periods. The general health and safety obligations for employers are set out under the Health and Safety and Work (NI) Order 1978 and The Management of Health and Safety at Work (NI) Regulations 2000.

### Donaghadee Bus Station

**Mr Weir** asked the Minister for Regional Development to outline the steps that he will take to ensure the accelerated transfer of land at the current Donaghadee Bus Station site and to facilitate a turning circle and Park and Ride scheme.

(AQW 25105/11-15)

**Mr Kennedy:** I would refer you to my answer in AQW 24426/11-15. The position outlined in that answer remains the same. However, I understand that Ards Borough Council has now written directly to Translink on this issue.

### Roads: Millisle and Donaghadee

**Mr Dunne** asked the Minister for Regional Development to outline any planned road improvement schemes in (i) Millisle; and (ii) Donaghadee within the current financial year.

(AQW 25118/11-15)

**Mr Kennedy:** During the spring and autumn of each year my Department's Roads Service presents their respective Minor Works programmes to each Council, which sets out the schemes they hope to construct during the current financial year and beyond, subject to the necessary funding being available.

I have arranged for a copy of the relevant council report to be forwarded directly to you.

### Roads: Bangor

**Mr Dunne** asked the Minister for Regional Development to outline any planned road improvement schemes in Bangor within the current financial year.

(AQW 25119/11-15)

**Mr Kennedy:** Information on completed and proposed roads schemes for the current financial year can be found in Roads Service's Spring and Autumn Reports to Councils. These reports can be accessed from my Department's internet site at the following web address:

[http://www.drdni.gov.uk/index/freedom\\_of\\_information/customer\\_information/cinformationtype-results.htm?signpost=Customer+information&informationType=Roads+Service+reports+to+councils](http://www.drdni.gov.uk/index/freedom_of_information/customer_information/cinformationtype-results.htm?signpost=Customer+information&informationType=Roads+Service+reports+to+councils)

## Roads: Hollywood

**Mr Dunne** asked the Minister for Regional Development to outline any planned road improvement schemes in Hollywood within the current financial year.

**(AQW 25120/11-15)**

**Mr Kennedy:** I would refer you to my answer provided for AQW 25119/11-15.

## Roads: Downpatrick

**Mr Hazzard** asked the Minister for Regional Development for an update on the planned collision remedial work due to take place in this financial year at Fountain Street, Downpatrick and to outline the consultation that took place with local residents.

**(AQW 25124/11-15)**

**Mr Kennedy:** Design work on the proposed road widening scheme at Fountain Street is nearing completion and my officials are in the process of identifying the lands required to deliver the scheme.

To date, no consultations have taken place with local residents. However later this year, in conjunction with the land acquisition process, officials will issue leaflets to all residents likely to be directly affected detailing the proposed scheme, including the collision remedial and traffic calming aspects, and will commence the required legislative processes under the relevant articles within the Roads (Northern Ireland) Order 1993.

I remain hopeful this scheme can be delivered during the current financial year, however that will be dependent upon successful completion of the necessary statutory processes.

## Traffic Calming Measures: Saintfield

**Mr Hazzard** asked the Minister for Regional Development for an update on the planned traffic calming work due to take place at Downpatrick Street/Listooder Road, Saintfield, in the current financial year.

**(AQW 25125/11-15)**

**Mr Kennedy:** In the interests of road safety, my Department plans to provide a series of road humps on Downpatrick Street, Saintfield, from Main Street to junction with Old Grand Jury Road. This scheme extends an existing traffic calming scheme along Listooder Road, in the vicinity of a local Primary School, which was completed a number of years ago.

Design work on the proposal is ongoing and should be completed in the coming months, allowing the necessary consultations to be completed in accordance with our legislative processes, in respect of The Roads (Northern Ireland) Order 1993. At this stage, my officials plan to consult with local residents during October/November 2013, to allow this scheme to be completed this financial year.

Proposals, at that time, will be leafleted to directly affected residents living along Downpatrick Street, Saintfield and other statutory authorities, to allow for comments and feedback. A formal legislative process will follow, before such a scheme can be constructed.

While my Department remains hopeful this scheme can be delivered as planned, progress does hinge on the successful outcome of the necessary statutory processes, as detailed above. If you wish to discuss this scheme in further detail, please contact the Divisional roads Manager for Roads Service - Southern Division at Marlborough House, Craigavon.

## U207 Loughmoney Road, Raholp

**Mr Hazzard** asked the Minister for Regional Development for an update on the proposed road markings at U207 Loughmoney Road, Raholp.

**(AQW 25127/11-15)**

**Mr Kennedy:** The 'SLOW' road markings on U207 Loughmoney Road, Raholp, which Roads Service agreed with Councillor Gareth Sharvin, were placed during June 2013.

## Traffic Management: Collins' Corner, Downpatrick

**Mr Hazzard** asked the Minister for Regional Development for an update on the proposed traffic management work at Collins' Corner in Downpatrick following the completion of a geotechnical survey and option study.

**(AQW 25129/11-15)**

**Mr Kennedy:** The necessary geotechnical studies for the Collins Corner scheme are substantially complete on existing embankments. This will allow completion of design work and plans and identify the amount of land to be acquired for the scheme.

My Department remains hopeful that this scheme can be delivered this financial year as planned. However, this is subject to the successful outcome of the necessary statutory processes, including the acquisition of necessary lands.

## Downpatrick Road Traffic Study

**Mr Hazzard** asked the Minister for Regional Development for an update on the recently commissioned Downpatrick Road Traffic Study and to outline the key findings from the report.

**(AQW 25130/11-15)**

**Mr Kennedy:** Roads Service has yet to receive the report on the recently commissioned Downpatrick Traffic Study.

All the necessary site visits and collection of traffic survey data was completed during June 2013. Roads Service consultants, Amey Ltd, are currently developing proposals, and Roads Service remains confident that the study will be completed on schedule for the autumn. Roads Service officials then hope to present the findings of the report, along with the Department's Interim Progress Report, to Down District Council.

My officials will give full consideration to the key findings and recommendations. However, I should advise that all recommendations will be subject to full consultation with key stakeholders, including local residents, any legislative processes, the necessary land acquisitions and securing the necessary finances in future budget years.

## Wind Turbines

**Mr Gardiner** asked the Minister for Regional Development for his assessment of the limitations which apply to locating wind turbines close to public roads.

**(AQW 25135/11-15)**

**Mr Kennedy:** In considering the location of wind turbines, my Department uses the guidance available in PPS 18 and the accompanying Good Practice Guidance.

In summary, the guidance advises that:

- applicants should consult with DRD Roads Service at an early stage;
- wind turbines should be set-back at least full over distance (i.e. the full height of the turbine including blades) plus 10% from the edge of any public road, and;
- wind turbines should not be treated any differently from other visual distractions a driver may face and should not be considered particularly hazardous. If considered helpful, appropriately sized lay-bys may be provided for viewing purposes.

While this is less detailed than guidance produced elsewhere, my Department has found it to be adequate.

## Northern Ireland Assembly Commission

### Trees at Parliament Buildings

**Mr Agnew** asked the Assembly Commission why permission was given to fell trees at the back of Parliament Buildings during nesting season and whether compensatory planting will take place elsewhere on the estate.

**(AQW 24934/11-15)**

**Mr P Ramsey (The Representative of the Assembly Commission):** To facilitate the construction works associated with the forthcoming roof project and to provide much needed additional space for car parking, deliveries and re-cycling (on completion of the roof project), the Commission granted approval to the creation of a contractor's yard / service area at the rear of Parliament Buildings.

As this work is to be carried out during summer recess to avoid unnecessary disruption to Assembly business, work has commenced on the creation of a haul road which is required to provide access and a working platform for the contractors.

A small number of semi-mature trees, the remnants of a previous planting scheme, had to be removed in the course of the works. These have been removed by the specialist contractor and will be 'chipped' for re-use as mulch elsewhere on the estate. There was no evidence of nesting birds in any of the trees that were removed.

Discussions took place with members of the design team, DFP's Estate Management Unit and its specialist advisor with regard to trees and possible re-planting / replacement planting and the route of the haul road was also adjusted to avoid causing damage to 2 mature ornamental trees at the west side of the building.

As part of the planning approval process discussions, including reference to the trees that would need to be removed, took place on site with representatives of NIEA's Natural Heritage division.

The construction works will also include some improvement to the drainage from the rear bank and it is planned to carry out some compensatory tree planting on completion of the construction works.



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# Northern Ireland Assembly

Friday 26 July 2013

## Written Answers to Questions

### Department of Agriculture and Rural Development

#### Fodder Task Force

**Mr Buchanan** asked the Minister of Agriculture and Rural Development to outline the range of issues identified by the Fodder Task Force; and any proposed action by the Department to help mitigate any future difficulties which may arise.  
(AQW 25028/11-15)

**Mrs O'Neill (The Minister of Agriculture and Rural Development):** The joint Government and industry Fodder Taskforce group has identified a wide range of issues affecting farmers as a result of unfavourable weather conditions in the first half of 2013. These include:

- Grassland management,
- Grass growth and nutrient management,
- Budgeting and management of fodder stocks,
- Concentrate prices,
- Animal health,
- Potential reduced agricultural output
- Mental wellbeing of Farmers
- Financial pressures on Farmers

The Fodder Taskforce is in the final stages of finalising an action plan that I will publish on the DARD website in July. I believe that farmers can do a lot now, and in the coming months, to considerably lessen the impact of poor Spring weather and mitigate any difficulties they may face. DARD has already embarked on a series of workshops, events, technical articles and bulletins as part of the action plan, to encourage and support farmers to adopt best management practice in their businesses. In addition we are working with banks and other organisations such as Rural Support to ensure that farmers can access a broad range of both business and personal support.

#### Fodder Scheme

**Mr Buchanan** asked the Minister of Agriculture and Rural Development when all claims and payments for the Fodder Scheme will be complete; and for an estimate of the overall cost of the scheme.  
(AQW 25029/11-15)

**Mrs O'Neill:** The Fodder Transport Scheme has been considered successful and the cost of claims received is expected to be in the region of £1.3m. A significant number of claims have been received from Hauliers and it is anticipated that all payments will be completed by the end of August 2013.

#### Quarries and Reservoirs: Safety

**Mrs Dobson** asked the Minister of Agriculture and Rural Development to outline how she proposes to increase safety measures at reservoirs and quarries.  
(AQW 25054/11-15)

**Mrs O'Neill:** Subject to Executive approval, I intend to introduce the Reservoirs Bill to the Assembly in September 2013. This legislation will enable assurance to be provided that the risk of flooding due to an uncontrolled release of water as a result of a dam failure is being appropriately managed. The legislation will therefore increase the safety of reservoirs, particularly for those who live and work in the potential downstream inundation area. The legislation does not deal with any other aspects of reservoir safety as this is outside the flood risk management responsibilities of my Department. NI Water operates a number of impounding reservoirs. These are regularly inspected with appropriate warning signs in place. Risk assessments are in place and, currently there are no further plans to increase inspections or enhance safety at these sites. The Department of Environment have been very proactive in addressing the issue of safety at quarries. They have worked closely with various organisations including District Councils to review all disused quarries within their areas, including physical inspections



with an urgent focus on those disused quarries which present the highest risk. The previous Environment Minister recently launched a quarry safety campaign during July 2013 and the new Minister has confirmed his intention to continue to progress this issue.

### Legal Costs

**Mr Agnew** asked the Minister of Agriculture and Rural Development to detail (i) the number of legal cases, including judicial reviews, that her Department has defended since 2007; (ii) the number of these legal challenges the Department lost; and (iii) the total costs incurred by her Department on the cases which it lost.

(AQW 25102/11-15)

**Mrs O'Neill:** My Department has defended 24 legal cases, including Judicial Reviews, since 2007 and lost 11 of these cases. The total costs incurred in relation to the cases lost were £547,596 incorporating both legal costs and any compensation paid.

### Bovine Tuberculosis

**Mr Dunne** asked the Minister of Agriculture and Rural Development what steps she has taken to tackle Bovine Tuberculosis, particularly in dairy farms.

(AQW 25117/11-15)

**Mrs O'Neill:** DARD has a robust EU Commission approved TB eradication programme in place that is based on testing to detect infected cattle; removing infected animals; and reducing the risks of disease spread through movement controls and other biosecurity measures. The same disease control measures are applied to both beef and dairy herds.

This rigorous TB eradication programme will continue to be a priority to ensure continued access to the export trade by our livestock and livestock products industry, which is worth over £1,000 million per year.

The Department publishes generic TB disease control advice for use by all herdkeepers and provides specific advice to those who have a TB herd breakdown. The publication "TB in your Herd" is issued to all herdkeepers who have a TB herd breakdown. These publications are available on the DARD website. In addition, DARD Veterinary Officers and Animal Health and Welfare Inspectors give on-farm advice to farmers in relation to specific biosecurity issues particularly relevant to their farm business.

I am pleased to report that the recent rise in TB herd incidence peaked in October 2012 and has since fallen for seven consecutive months. However I am not complacent and wish to achieve a sustained and progressive reduction towards the ultimate eradication of TB here, and by as early a date as possible.

As I advised the Agriculture and Rural Development Committee, I have tasked officials to bring forward a package of possible additional measures to further reduce the level of TB infection in cattle. I shall be giving consideration to these possible measures seeking to ensure that they are proportionate, practical and cost-effective in reducing TB in cattle.

### Rural Youth Entrepreneurship Scheme

**Mrs Overend** asked the Minister of Agriculture and Rural Development how much funding her Department allocates to the Rural Youth Entrepreneurship scheme.

(AQW 25123/11-15)

**Mrs O'Neill:** The Rural Youth Entrepreneurship (RYE) Programme aims to stimulate business potential among vulnerable young people in rural areas. The overall budget for the Programme in the North is £450,796, of which 60% is funded through the EU Interreg IVB Trans-National "Northern Periphery Programme (NPP)" and £180,318 (40%) is funded from my departments' Tackling Rural Poverty and Social Isolation budget. RYE commenced in December 2011 and is due to continue until 31 March 2014.

### Rural Youth Entrepreneurship Scheme

**Mrs Overend** asked the Minister of Agriculture and Rural Development whether the Rural Youth Entrepreneurship scheme works with InvestNI to help develop new business start-ups; and if so, how the work is coordinated.

(AQW 25126/11-15)

**Mrs O'Neill:** The key outputs of the Rural Youth Entrepreneurship Programme are the completion of 100 Business Action Plans and appropriate onward referral to further sources of business development support. The range of support required will be determined by the business theme and the development needs of individual participants. This will include co-ordinated referrals to Invest NI for further business plan development.

### Equine Council for Northern Ireland

**Mrs Overend** asked the Minister of Agriculture and Rural Development for her assessment of the recommendations contained in the final report produced by the Equine Council for Northern Ireland on the status of the horse; and for an update

on any actions or further discussions she has had with the council and the wider equine sector following their meeting to discuss the report on 14 January 2013.

**(AQW 25139/11-15)**

**Mrs O'Neill:** I met with the Equine Council for NI (ECNI) on 14 January 2013 to discuss their report on the Status of the Horse, including the key recommendation that the 1949 Act should not be amended to designate the horse as an agricultural animal.

You may be aware that there have been a range of recent developments relevant to the equine sector, including the EU Commission's proposals for a 5-point Point Action Plan in response to the recent horsemeat issue, which includes actions in relation to horse passports and proposals for a national equine database.

Following my meeting, my officials have continued to engage with ECNI on a range of matters, including the Commission's proposals for a 5-point Action Plan; the potential for local improvements to the operation of the horse passport system; and the development of our proposals for the Rural Development Programme 2014-2020. I intend to take account of these recent developments as part of my further detailed consideration of the recommendations made by the ECNI.

## Rural Development Programme 2014-2020

**Mrs Overend** asked the Minister of Agriculture and Rural Development whether the 2014-2021 Rural Development Programme contains measures to facilitate and support the equine industry.

**(AQW 25142/11-15)**

**Mrs O'Neill:** The draft NI Rural Development Programme 2014 – 2020, which is currently out for public consultation, is based around the three European objectives of smart, sustainable and inclusive growth. One of the European priorities for rural development beneath these objectives is 'promoting social inclusion, poverty reduction and economic development in rural areas'. Support for the equine industry could be considered under this priority, for example by facilitating diversification, creation of new small enterprises and job creation. Support is also available for the equine industry under the current Rural Development Programme, and has been detailed by the Equine Council for the north of Ireland in their booklet 'Opportunities for the Equine Sector in the north of Ireland'.

## European Horse Passport System

**Mrs Overend** asked the Minister of Agriculture and Rural Development for her assessment of the European Horse Passport system and to detail the specific actions that she has taken following the horsemeat scandal to address any short comings that may have been identified.

**(AQW 25144/11-15)**

**Mrs O'Neill:** It is a legal requirement for all horses and ponies (and other forms of equidae) within the EU to have a passport identifying the animal. The Horse Passports Regulations (NI) 2010, on the identification of equidae, have been in operation since March 2010. These Regulations implement Commission Regulation (EC) No. 504/2008 in the north of Ireland.

The Commission recently wrote to Member States with its 5 Point Action Plan in response to the recent horse meat fraud. The 5 Point Action Plan contains a number of measures in relation to food fraud, country of origin labelling and actions in respect of horse passports.

On horse passports the Commission proposes to amend Commission Regulation (EC) No. 504/2008 to make mandatory the recording of horse passports in a central national database and to transfer the issuing of horse passports entirely to the competent authorities and reduce the number of passport issuing bodies in the forthcoming proposal on Zootechnics.

I was pleased that the important issue of horse registration was discussed at the North South Ministerial Council meeting on 10 July 2013 as given the all-island nature of the equine industry it is important that we co-operate on the arrangements we put in place to strengthen the horse passport system and help to prevent food fraud throughout the island.

DARD and DAFM officials will explore the possibility of having an all-island horse passport centralised database and to enhance the security of the equine identification system.

My officials have also been in discussion with both Defra and DAFM officials about proposals for enhancing the equine identification system and centralised databases and, further discussions are planned. In addition officials are working with the Equine Council for NI about improving the operation of passports locally.

## Department of Culture, Arts and Leisure

### Ulster-Scots Academy

**Ms McCorley** asked the Minister of Culture, Arts and Leisure whether she has plans to provide premises for the Ulster Scots Academy.

**(AQO 4148/11-15)**

**Ms Ní Chuilín (The Minister of Culture, Arts and Leisure):** The Ministerial Advisory Group Ulster-Scots Academy (MAGUS) is tasked with progressing the Ulster-Scots Academy approach. The MAGUS Development and Research Strategy,

which was recently launched, includes “To identify, consider and progress options for the creation of a physical Ulster-Scots Academy” as a strategic objective. This reflects comments about the need for an Academy received during the public consultation on the strategy.

The MAGUS has shortlisted options for taking forward the Academy approach including a physical academy. A business case is to be prepared to examine those options and recommend a preferred option for taking forward the academy including potential location and premises options.

I have also approved preparation of a business case for an Ulster-Scots ‘hub’ social economy project focused around the development of the Ulster-Scots sector, at the site of the former Oldpark Library in North Belfast or in another similar area of poverty and social exclusion. An Ulster-Scots Hub could draw on other examples of successful social economy projects such as An Cultúrlann. It could also provide a base for a physical Ulster-Scots Academy and other related sector bodies.

My officials will ensure effective engagement between those undertaking work on the two business cases to achieve consistency and complementarity in approach.

The aim is to complete both business cases by the autumn so that I can consider how best to proceed.

## Department of Education

### Schools: Funding

**Mr Campbell** asked the Minister of Education what was the background and detail of the announcement to some school principals regarding financial assistance under Class Size policy that was made on the last day of the June term 2013. (AQW 25031/11-15)

**Mr O'Dowd (The Minister of Education):** The Department made no announcement to schools regarding financial assistance and class sizes.

You have provided further clarification regarding your question and I understand that it relates to an Education and Library Board's reply to a school in relation to their application for assistance to meet class size requirements to limit pupil numbers to 30 in Years 1-4 classes.

Following on from this, officials obtained a copy of the Board's letter which mentioned that the Board concerned is not in a position to recommend the school's application for funding to the Department of Education. It also explicitly stated that the decision not to provide funding was on the basis that the Department had indicated that schools with a budget surplus should not be considered for funding.

I must first explain, the Boards do not recommend to the Department, schools for additional funding. The process involves a decision by the Board on presentation of information from schools. This policy is administered by the Education and Library Boards and the Boards are responsible for providing any additional funding to meet the policy from within their overall allocations. Legislation also allows the Boards to approve exceptions to the statutory limit.

At no time has there been any instruction or direction from the Department to any Education and Library Board stating that no funding is to be provided, from Board centre budgets, to schools in surplus and a letter was issued to all Boards on 11 July 2013 to reaffirm this.

## Department for Employment and Learning

### Legal Costs

**Mr Agnew** asked the Minister for Employment and Learning to detail (i) the number of legal cases, including judicial reviews, that his Department has defended since 2007; (ii) the number of these legal challenges the Department lost; and (iii) the total costs incurred by his Department on the cases which it lost. (AQW 25027/11-15)

**Dr Farry (The Minister for Employment and Learning):** Since 2007, the Department for Employment and Learning has:

- (i) defended 17 legal cases, including judicial reviews;
- (ii) lost one legal challenge. Some cases are still ongoing, however; and
- (iii) incurred a total of £177,674 on the case which it lost.

These figures exclude Industrial Tribunal cases in which the Department's Redundancy Payments Service has been involved. These cases arise when a claimant's former employer has failed to fulfil their legal obligation and make the appropriate redundancy payments to those employees. The Department is party to the vast majority of these cases by virtue of its statutory role in administering the statutory redundancy guarantee scheme.

## Department of Enterprise, Trade and Investment

### Staff: Air Travel

**Mr McGlone** asked the Minister of Enterprise, Trade and Investment to detail the (i) number; and (ii) cost of flights that have been paid for by (a) her Department; and (b) InvestNI, in each year from 2008, and to disaggregate the total for business class flights. (AQW 24764/11-15)

**Mrs Foster (The Minister of Enterprise, Trade and Investment):**

#### A: DETI

Flights	Business Class		Non Business Class	
Financial Year	No of Flights	Cost of Flights (£K)	No of Flights	Cost of Flights (£K)
2007-08	21	47	238	44
2008-09	43	56	261	43
2009-10	35	59	291	54
2010-11	40	74	210	31
2011-12	56	43	210	35
2012-13	70	42	216	48
2013-14 to date	0	0	83	13
<b>Totals</b>	<b>265</b>	<b>321</b>	<b>1509</b>	<b>268</b>

#### B: Invest NI

Flights	Business Class		Non Business Class	
Financial Year	No of Flights	Cost of Flights (£K)	No of Flights	Cost of Flights (£K)
2007/08	*	*	*	*
2008/09	74	248	576	122
2009/10	82	206	573	124
2010/11	73	163	522	109
2011/12	102	255	624	166
2012/13	106	214	665	218
2013/14	14	47	202	52
<b>Totals</b>	<b>451</b>	<b>1,133 ♦</b>	<b>3,162</b>	<b>791 ♦</b>

\* comparable figures are not available for 2007/2008. InvestNI changed its travel booking procedures in 2008/09 and this has facilitated a more ready analysis to be made of flight costs and associated information.

♦ it should be noted that £313k (£128k Business Class related & £185k Non Business Class related) included in the above figures is for both flights and accommodation bookings across the years, but disaggregation of the flight costs could only be achieved at disproportionate cost.

### Staff: Air Travel

**Mr McGlone** asked the Minister of Enterprise, Trade and Investment, of the business class flights paid for by her Department in each year since 2008, how many were taken by (i) Elected Representatives; (ii) Civil Servants; and (iii) Special Advisors. (AQW 25016/11-15)

**Mrs Foster:** The information requested is set in the table below:

Financial Year	Elected Rep	Nics Staff	Special Advisor	Total No
2007/2008	7	12	2	21
2008/2009	11	21	11	43
2009/2010	11	13	11	35

Financial Year	Elected Rep	Nics Staff	Special Advisor	Total No
2010/2011	12	18	10	40
2011/2012	17	28	11	56
2012/2013	18	35	17	70
2013 to date	0	0	0	0
<b>Totals</b>	<b>76</b>	<b>127</b>	<b>62</b>	<b>265</b>

## Legal Costs

**Mr Agnew** asked the Minister of Enterprise, Trade and Investment to detail (i) the number of legal cases, including judicial reviews, that her Department has defended since 2007; (ii) the number of these legal challenges the Department lost; and (iii) the total costs incurred by her Department on the cases which it lost.

**(AQW 25103/11-15)**

**Mrs Foster:**

- (i) 5
- (ii) 0
- (iii) 0

## Department of the Environment

### Biodiversity Laws

**Mr Agnew** asked Minister of the Environment how many people were fined for failing to adhere to biodiversity laws in each of the last twelve months.

**(AQW 24944/11-15)**

**Mr Attwood (The Minister of the Environment):** The Northern Ireland Environment Agency Wildlife Team does not enforce the Wildlife (Northern Ireland) Order 1985 as (amended). In instances where the wildlife law has been breached it is the responsibility of the Police Service of Northern Ireland to investigate and bring forward cases to the Public Prosecution Service, albeit with expert advice from NIEA Wildlife Officers. In relation to the Wildlife Order my Department does not hold the required information.

Areas of Special Scientific Interest are declared and protected under the Environment (Northern Ireland) Order 2002 (as amended). I can confirm however that no fines have been imposed on people as a result of damaging Areas of Special Scientific Interest in any of the last twelve months.

### Gasification: Maydown

**Mr Agnew** asked the Minister of the Environment whether consideration was given to alternatives to the proposed gasification incinerator in the North West.

**(AQW 24954/11-15)**

**Mr Attwood:** The North West Region Waste Management Group (NWRWMG) procurement is intended to meet landfill diversion targets. Achieving these targets constitutes a key element of the Waste Management Plan agreed by its constituent councils following extensive consultation. Prior to initiating the procurement, the Joint Committee of the councils of the NWRWMG considered what technologies could constitute an acceptable element of any proposals for meeting their landfill diversion obligations. They agreed that all forms of energy recovery could be included, with the exception of mass burn incineration.

The Preferred Bidder's solution includes a gasification plant which will recover energy from the residual waste left after additional recyclates have been extracted from waste through a Mechanical Biological Treatment plant. In the absence of energy recovery there would be no other available outlet for this residual waste except landfill.

Any facility involving the thermal treatment of wastes is defined as an "incineration plant" for the purposes of the EU Waste Incineration Directive; that is, to ensure that emissions from all such facilities are regulated to the same high standards. For the purposes of the directive therefore not only incineration by oxidization but other thermal treatment processes such as gasification, pyrolysis or plasma processes are all defined as Incineration, regardless of the specific technology involved. The technological distinctions are recognized in DEFRA guidance on Incineration of Municipal Waste, which advises that "Both Incineration and Advanced Thermal Treatment (ATT) technologies offer the option of treating residual waste and recovering energy. These technologies are different in how the waste is processed and the energy liberated for recovery."



## Landfill Site at Mobouy Road, Derry

**Mr Agnew** asked the Minister of the Environment whether City Industrial Waste, Mobouy Road, Derry received the requisite planning permissions before locating in the countryside close to the River Faughan and on each occasion that it expanded its business; and whether the extent of its current operation has planning permission.

(AQW 25024/11-15)

**Mr Attwood:** The Department granted planning permission for a waste segregation and recycling centre for City Industrial Waste, Mobouy Road. Enforcement action was taken on the operations not covered by this permission. Subsequently a number of applications were submitted by City Industrial Waste to regularise these activities. These applications are currently on hold by my officials.

## Lignite Mining

**Mr Swann** asked the Minister of the Environment, notwithstanding any current environmental preclusions, whether an area that would enable the mining of lignite would be considered an economically significant site as a source of fuel.

(AQW 25042/11-15)

**Mr Attwood:** My Department is unaware of any current plans or proposals to develop lignite fuel sources in the North. In the event of a planning application being received to develop such fuel sources, the application would be subject to a comprehensive assessment of its environmental and social impacts, in the context of our environmental policies and obligations, as well as the economic implications of any such proposed development.

## Quarries and Reservoirs: Safety

**Mrs Dobson** asked the Minister of the Environment whether any local reservoirs or quarries have been drained and filled in as a result of safety concerns.

(AQW 25055/11-15)

**Mr Attwood:** I am not aware of any quarry or reservoir having been drained and infilled for safety reasons, except for one clay pit in the Dungannon area. A disused clay pit situated on Derry Road, Coalisland, was infilled earlier this year to comply with a planning permission condition that required the site to be reinstated to agricultural grazing land.

While quarries with planning permission will often have conditions relating to restoration or reinstatement of the land, this is not the case with older quarries.

As quarries are primarily in private ownership and there is no legislative basis upon which to require draining or infilling (other than a planning condition), such work would only be undertaken voluntarily by the quarry owner and at his/her personal expense. In the event that a quarry owner were willing to voluntarily undertake such works, a number of approvals/consents would be required, including planning, a water discharge consent from NIEA, a Pollution Prevention and Control Permit in the event that a quarry is to be infilled. In cases where a quarry is very large it may not be practical to infill.

Furthermore, it is not possible to drain or infill operational reservoirs. Reservoirs are necessary to supply the population with water and are often used by angling clubs for fishing. In addition to this I am not aware of any disused reservoirs having been drained or unfilled for safety reasons.

## Wind Turbines: Environmental Impact Assessments

**Lord Morrow** asked the Minister of the Environment (i) whether an Environmental Impact Assessment (EIA) has to be carried out on a planning application for a wind turbine or a wind farm; (ii) how many have been carried out, in each of the last three years; (iii) how many (a) have been approved; and (b) are pending; and (iv) will he make the results of all such EIAs to date available for public inspection

(AQW 25076/11-15)

**Mr Attwood:** The Department welcomes the contribution that renewable projects make to the reduction of carbon emissions and acknowledges the importance of processing these applications in a consistent and timely manner.

In the instance of wind farms or wind turbines, if the development involves the installation of more than 2 turbines; or the hub height of any turbine or height of any other structure exceeds 15 metres, then a determination is required to see if an Environmental Statement (ES) is required. This determination is carried out through a screening process.

In the process of screening, if it is determined that the impact is significant, then the identified development is classified as an EIA development and an ES will be required i.e. a positive determination. Where it is considered not significant, then an ES is not required i.e. a nil determination.

Table 1 below details how many EIA screenings have been carried out for wind farms/turbines, in each of the last three years and the determination made

**Table 1**

	<b>No of EIA screenings carried out</b>	<b>Positive Determinations</b>	<b>Nil Determinations</b>	<b>Data not available</b>
2012	524	7	511	6
2011	591	29	554	8
2010	336	40	289	7

Table 2 shows the planning decision made regarding wind farms/turbine applications subject to EIA Screening Determinations

**Table 2**

	<b>No of EIA screenings carried out</b>	<b>Permission Granted</b>	<b>Permission Refused</b>	<b>Decision Pending</b>	<b>Withdrawn by Applicant</b>
2012	524	212	14	256	42
2011	591	325	57	101	108
2010	336	181	47	27	81

All information regarding EIAs on specific applications is available through the planning portal, or the paper file can be viewed in the local office upon request. The Department also has an obligation to keep EIA determinations on a public register which is available to view in the relevant local office at all times.

## Asbestos: Disposal

**Mrs Hale** asked the Minister of the Environment what action the Northern Ireland Environment Agency takes to ensure that companies responsible for the removal of asbestos dispose of it legally.  
(AQW 25078/11-15)

**Mr Attwood:** Under the Hazardous Waste Regulations (Northern Ireland) 2005 all movements of asbestos waste must be accompanied by a document called a consignment note, each one having a unique reference number which can only be obtained from the Northern Ireland Environment Agency (NIEA). The consignment note system ensures a clear audit trail from when the waste is produced until it is disposed of.

Under the consignment note system the NIEA must receive a copy of the consignment note, with the relevant sections completed, 72 hours prior to the movement taking place thus enabling officers to assess the document and ensure the facility identified is authorised to accept the waste. On completion of the note by the receiving facility a copy must be forwarded to the NIEA.

NIEA staff conduct regular inspections of facilities producing hazardous waste and those receiving hazardous waste to ensure compliance of the regulations. They also conduct regular road and port checks with other enforcement agencies and liaise closely with the Northern Ireland Health and Safety Executive who have responsibility for asbestos removal under the Control of Asbestos Regulations (Northern Ireland) 2012.

## Asbestos: Disposal

**Mrs Hale** asked the Minister of the Environment what financial support is available to help (i) businesses or private owners to meet the cost of asbestos removal; and (ii) asbestos removal companies meet the cost of shipping asbestos to Scotland.  
(AQW 25079/11-15)

**Mr Attwood:** The Department does not provide financial assistance for the removal and disposal of asbestos waste. I am aware of one Council in Northern Ireland which does arrange for the collection and disposal of small volumes of asbestos waste from householders, meeting full costs of collection transportation and final disposal. The Northern Ireland Housing Executive also provides discretionary grant aid to assist owner-occupiers of former Housing Executive dwellings to deal with asbestos.

## Asbestos: Disposal

**Mrs Hale** asked the Minister of the Environment what audit trail the Northern Ireland Environment Agency has in place to ensure that companies responsible for the removal of asbestos can account for the tonnage and end disposal.  
(AQW 25080/11-15)

**Mr Attwood:** The removal of asbestos from buildings or equipment must be carried out in accordance with Health and Safety legislation. The removal of higher risk asbestos-containing materials (sprayed asbestos coatings, asbestos insulation, asbestos lagging and most work involving asbestos insulating board (AIB) should only be carried out by a contractor licensed by the Health and Safety Executive and in accordance with the Control of Asbestos Regulations (Northern Ireland) 2012.

The movement of asbestos waste must comply with the Hazardous Waste Regulations (Northern Ireland) 2005. Under these regulations a consignment note must be completed for every movement of asbestos waste. A copy of the consignment note, partially completed, must be sent to the NIEA at least 72 hours prior to movement taking place. This includes details of where the waste is to be removed from and where it is to be taken to, what the waste is, its hazardous properties, the quantity involved and the type of containment. This enables officers to assess the document and ensure the facility identified is authorised to accept the waste.

At the time of collection the producer and carrier sign and retain a copy of the note with the remaining copies of the note travelling with the waste to the receiving facility. The receiving facility then completes the final section of the consignment note providing details of their licence, date and time of receipt and tonnages received. They retain a copy of the document and must also forward a copy of the completed document to the NIEA. NIEA staff monitor asbestos waste movements through this consignment note system which provides a clear audit trail from when the waste is produced until it is disposed of.

## Asbestos: Disposal

**Mrs Hale** asked the Minister of the Environment how many companies were fined for the illegal dumping of asbestos in (i) 2011/12; and (ii) 2012/13.

(AQW 25081/11-15)

**Mr Attwood:** No companies have been fined specifically for the illegal dumping of asbestos in these two years. However asbestos is not uncommonly identified mixed with other types of waste in illegal landfills and in the last 2 years 30 prosecutions have resulted for waste crime, generating £85,400 in fines.

## Planning: Developments near Airfields

**Miss M McIlveen** asked the Minister of the Environment what considerations Planning Service must take into account in relation to proposed developments near licensed and unlicensed airfields.

(AQW 25122/11-15)

**Mr Attwood:** In assessing an application for proposed developments near licensed and unlicensed airfields DOE planning must have regard to the development plan and other relevant material planning considerations.

In reaching a balanced planning decision consideration may be given to matters such as airport safeguarding areas, airport public safety zones as set out in guidance document 'Control of Development in Airport Public Safety Zones', policy RE1 of PPS18 where the proposed development is for renewable energy, and other relevant policy and guidance particular to the proposed development, site and surrounding context in order to reach a balanced judgement.

The Department does not hold records of private airfields or of their owners and therefore does not consult directly with such persons/organisations.

## Wind Turbines: Planning Applications

**Mr Elliott** asked the Minister of the Environment how the current success rate of planning applications for wind turbines and farms compares to each of the last five years.

(AQW 25128/11-15)

**Mr Attwood:** The Department welcomes the contribution that renewable projects make to the reduction of carbon emissions and acknowledges the importance of processing these applications in a consistent and timely manner.

In the last 5 years a total of 1274 applications have been granted planning permission, 515 of these in the last full business year alone.

Table 1 below details the number of applications for single wind turbines and wind farms decided in each of the last 5 years, indicating how many were approved and the approval rate.

**Table 1 The number of planning applications for single wind turbines and wind farms that were received<sup>1</sup> and decided<sup>2</sup> between 2008/09 and 2012/13**

	Single Wind turbines					Wind farms					Total Wind energy				
	Received	Permission Granted	Permission Refused	Total Decided	Approval Rate	Received	Permission Granted	Permission Refused	Total Decided	Approval Rate	Received	Permission Granted	Permission Refused	Total Decided	Approval Rate
2008/09	226	224	15	239	94%	15	10	1	11	91%	241	234	16	250	94%
2009/10	159	102	19	121	84%	16	14	3	17	82%	175	116	22	138	84%
2010/11	628	117	28	145	81%	18	13	0	13	100%	646	130	28	158	82%
2011/12	665	269	61	330	82%	17	10	2	12	83%	682	279	63	342	82%
2012/13	606	498	75	573	87%	10	17	5	22	77%	616	515	80	595	87%

**Notes:**

- 1 All applications received in the period may not have had a decision issued within the same time period. Applications received may also include some applications that are subsequently withdrawn.
- 2 Decided applications may not have been received in the same time period. Therefore direct comparisons between the figures can not be made. Applications decided do not include withdrawn applications.

The increasing number of decisions issued over this period demonstrates the Department's commitment to supporting the economy and a sustainable environment through renewable energy sources.

## Wind Turbines: Planning Applications

**Mr Elliott** asked the Minister of the Environment to detail the number of wind turbine or farm planning applications in each district council area which were (i) approved; (ii) rejected; and (iii) pending, in each of the last five years.

**(AQW 25131/11-15)**

**Mr Attwood:** The Department welcomes the contribution that renewable projects make to the reduction of carbon emissions and acknowledges the importance of processing these applications in a consistent and timely manner.

Table 1 below details the number of applications for single wind turbines and wind farms decided in each of the last 5 years, broken down by Local Government District. Table 2 details the number of applications that are pending, broken down by year and LGD, as of 31 May 2013.

**Table 1 - The number of planning applications for single wind turbines and wind farms that were decided<sup>1</sup> between 2008/09 and 31st May 2013<sup>2</sup>**

	2008/2009			2009/2010			2010/2011			2011/2012			2012/2013			2013/2014 (up to 31/5/13) <sup>2</sup>		
	Permission Granted	Permission Refused	Total Decided	Permission Granted	Permission Refused	Total Decided	Permission Granted	Permission Refused	Total Decided	Permission Granted	Permission Refused	Total Decided	Permission Granted	Permission Refused	Total Decided	Permission Granted	Permission Refused	Total Decided
Antrim	7	0	7	5	0	5	3	1	4	17	2	19	2	3	5	3	2	5
Ards	11	0	11	5	0	5	2	0	2	2	0	2	10	0	10	2	0	2
Armagh	11	0	11	6	0	6	3	0	3	12	0	12	27	3	30	4	1	5
Ballymena	9	0	9	4	1	5	3	0	3	27	4	31	18	1	19	3	0	3
Ballymoney	9	1	10	7	0	7	12	0	12	12	0	12	25	0	25	2	0	2
Banbridge	20	1	21	5	2	7	10	1	11	12	3	15	14	1	15	2	0	2
Belfast	0	0	0	2	0	2	0	0	0	1	0	1	1	1	2	0	0	0

	2008/2009			2009/2010			2010/2011			2011/2012			2012/2013			2013/2014 (up to 31/5/13)2		
	Permission Granted	Permission Refused	Total Decided	Permission Granted	Permission Refused	Total Decided	Permission Granted	Permission Refused	Total Decided	Permission Granted	Permission Refused	Total Decided	Permission Granted	Permission Refused	Total Decided	Permission Granted	Permission Refused	Total Decided
Carrick-fergus	5	0	5	2	0	2	1	0	1	0	1	1	4	1	5	0	0	0
Castlereagh	8	0	8	2	0	2	0	0	0	6	0	6	1	1	2	0	0	0
Coleraine	14	0	14	4	1	5	3	1	4	15	2	17	26	5	31	7	1	8
Cookstown	1	2	3	3	1	4	2	0	2	13	0	13	39	3	42	1	1	2
Craigavon	4	0	4	1	0	1	0	0	0	4	1	5	2	1	3	0	0	0
Derry	5	0	5	4	0	4	0	0	0	2	1	3	17	5	22	3	0	3
Down	23	0	23	6	4	10	5	3	8	6	0	6	24	10	34	2	0	2
Dungannon	5	1	6	4	1	5	10	1	11	17	5	22	41	2	43	4	0	4
Fermanagh	11	1	12	5	4	9	8	3	11	23	6	29	83	2	85	5	0	5
Larne	6	0	6	2	0	2	1	0	1	9	2	11	18	1	19	1	1	2
Limavady	3	0	3	4	0	4	1	0	1	4	10	14	13	5	18	1	0	1
Lisburn	11	0	11	7	1	8	4	0	4	2	1	3	9	4	13	2	0	2
Magherafelt	2	2	4	8	1	9	6	3	9	14	0	14	21	4	25	5	0	5
Moyle	3	3	6	2	0	2	2	0	2	2	2	4	9	2	11	3	0	3
Newry and Mourne	40	5	45	4	2	6	5	6	11	4	1	5	18	6	24	1	1	2
Newtown-abbey	5	0	5	6	0	6	3	0	3	3	0	3	4	1	5	1	0	1
North Down	1	0	1	2	0	2	1	0	1	1	1	2	0	1	1	1	0	1
Omagh	9	0	9	8	4	12	18	5	23	27	12	39	72	4	76	14	0	14
Strabane	11	0	11	8	0	8	27	4	31	44	9	53	17	13	30	1	1	2
<b>Total</b>	<b>234</b>	<b>16</b>	<b>250</b>	<b>116</b>	<b>22</b>	<b>138</b>	<b>130</b>	<b>28</b>	<b>158</b>	<b>279</b>	<b>63</b>	<b>342</b>	<b>515</b>	<b>80</b>	<b>595</b>	<b>68</b>	<b>8</b>	<b>76</b>

**Notes:**

- Decided applications may not have been received in the same time period. Applications decided do not include withdrawn applications.
- 31st May 2013 is currently our latest published information for RE applications.

**Table 2 - The number of planning applications for single wind turbines and wind farms that were pending at 31st May 2013, by year application was received**

	2008/09 and earlier	2009/2010	2010/2011	2011/2012	2012/2013	2013/2014	Total
Antrim	0	0	0	2	12	0	14
Ards	0	0	0	1	7	4	12
Armagh	0	0	4	6	9	10	29
Ballymena	0	0	7	10	15	8	40
Ballymoney	0	0	5	6	11	3	25
Banbridge	0	0	1	4	15	4	24
Carrickfergus	0	1	2	1	4	1	9



	2008/09 and earlier	2009/2010	2010/2011	2011/2012	2012/2013	2013/2014	Total
Castlereagh	0	0	0	1	7	0	8
Coleraine	0	0	0	7	9	6	22
Cookstown	0	0	6	8	23	6	43
Craigavon	0	0	0	1	1	1	3
Derry	1	1	7	7	9	2	27
Down	0	1	7	10	16	4	38
Dungannon	0	0	0	7	18	4	29
Fermanagh	1	0	4	5	32	20	62
Larne	0	0	1	3	7	8	19
Limavady	0	0	1	2	15	2	20
Lisburn	0	0	2	15	8	2	27
Magherafelt	1	0	2	7	17	5	32
Moyle	0	0	1	3	7	1	12
Newry and Mourne	0	0	3	11	23	6	43
Newtownabbey	1	0	0	1	5	1	8
Omagh	2	0	4	14	69	21	110
Strabane	4	1	4	22	43	7	81
<b>Total</b>	<b>10</b>	<b>4</b>	<b>61</b>	<b>154</b>	<b>382</b>	<b>126</b>	<b>737</b>

**Notes:**

1 31st May 2013 is currently our latest published information for pending RE applications.

Due to the significant interest in renewable energy applications a renewable energy report is now available on the planning website at <http://www.planningni.gov.uk/index/tools/about-statistics/renewable-energy.html> where you can view this detail of information.

**Wind Turbines: Environmental Impact Assessments**

**Mr Elliott** asked the Minister of the Environment whether an Environmental Impact Assessment must be carried out before planning permission is granted for a wind turbine or farm.

**(AQW 25132/11-15)**

**Mr Attwood:** The Department welcomes the contribution that renewable projects make to the reduction of carbon emissions and acknowledges the importance of processing these applications in a consistent and timely manner.

Wind farms and wind turbines constitute Environmental Impact Assessment (EIA) type development. If the development involves the installation of more than 2 turbines; or the hub height of any turbine or height of any other structure exceeds 15 metres, then a determination is undertaken to see if an Environmental Statement (ES) is required.

If an Environmental Statement is required, when submitted, it forms part of the information considered in determining whether or not Planning Permission may be granted.

All information regarding EIA on specific applications is available through the planning portal, or the paper file can be viewed in the local office upon request. The Department also has an obligation to keep EIA determinations on a public register which is available to view in the relevant local office at all times.

**Wind Turbines: Location**

**Mr Elliott** asked the Minister of the Environment (i) under what circumstances a wind turbine can be located within 500 meters, or less than 10 times the rotor diameter, of a domestic property; and (ii) how many wind turbines are located within this area.

**(AQW 25133/11-15)**

**Mr Attwood:** As a matter of best practice for wind farm development the Department will generally apply a separation distance of 10 times the rotor diameter to occupied property (with a minimum distance of not less than 500m) which should ensure that any significant impact on occupied dwellings will be minimised.

If a proposal were within 500m or within 10 times the rotor diameter of an occupied dwelling, the applicant would have to demonstrate that the noise output would not have a significant negative effect on the amenity of the dwelling.

The distances referred to are a best practice guide, and are not so prescriptive that locating a turbine within these distances would be impossible. Each application is considered on its own merit and determined accordingly.

It is not possible to readily identify whether or not approved turbines are located within 500m of a domestic property. To assess this would involve a manual search of around 1728 approvals (since April 2002) 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.

### Staff: Information Service

**Mr Allister** asked the Minister of the Environment how many staff are employed in his Department's Information Service; and what is the annual cost of the Service.

**(AQW 25149/11-15)**

**Mr Attwood:** The number of staff employed in the Department's Press Office is 8, of which 6 are EIS staff and 2 administrative staff with total salary costs of £278,300.70.

## Department of Finance and Personnel

### Civil Service Vacancies: North Down

**Mr Weir** asked the Minister of Finance and Personnel to detail the number of vacancies in the civil service in North Down, broken down by (i) grade; and (ii) Department.

**(AQW 24778/11-15)**

**Mr Wilson (The Minister of Finance and Personnel):** The information requested is set out in the table attached.

**NICS Vacancies (Full Time Equivalent (FTE) basis) in North Down, broken down by Grade and Government Department At 2 July 2013**

	Staff Officer (SO)	Deputy Principal (DP)	Grade7	Grade 5	Grade3	Other		Total
						No.	Grade	
DE	10.5	8	4			2	SO Accountant	<b>26.5</b>
						1	DP Accountant	
						1	Grade 6 Accountant	
DFP	2	1		2	2	3	DP Statistician Senior Professional and	<b>11</b>
						1	Technical Officer (Quantity Surveyor)	
DOJ						1	Support Grade Band 2	<b>1</b>
DRD						1	Industrial Road Worker 2	<b>3</b>
						2	Technical Grade 2	
<b>Totals</b>	<b>12.5</b>	<b>9</b>	<b>4</b>	<b>2</b>	<b>2</b>	<b>12</b>		<b>41.5</b>

Departments not shown in the table had no vacancies in North Down.

There were no vacancies in North Down in grades not listed.

### Irish Language Helpline

**Mr Allister** asked the Minister of Finance and Personnel whether he approved the circulation of the document 'Courtesy Translation. Re:Freagra - Irish Language Helpline/Gaelchultur' to departmental staff, and if so, why.

**(AQW 25044/11-15)**

**Mr Wilson:** My officials were notified of the existence of this free helpline in April 2013 and in the interests of value for money advised staff of its existence.

There was no requirement for my approval.

### Legal Costs

**Mr Agnew** asked the Minister of Finance and Personnel to detail (i) the number of legal cases, including judicial reviews, that his Department has defended since 2007; (ii) the number of these legal challenges the Department lost; and (iii) the total costs incurred by his Department on the cases which it lost.

(AQW 25071/11-15)

**Mr Wilson:** The information requested is not readily available and could only be provided at disproportionate cost.

## Department of Health, Social Services and Public Safety

### Family Support Hubs

**Ms Maeve McLaughlin** asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 24317/11-15, whether Derry will be included in the Family Support Hub proposal, given the high levels of child poverty in the Foyle constituency.

(AQW 24970/11-15)

**Mr Poots (The Minister of Health, Social Services and Public Safety):** There are currently 3 family support hubs in Londonderry, Waterside, Shantallow and Creggan/Bogside. No more are planned.

The proposals to utilise the £3m outlined in my previous answer will support existing hubs, including those in Londonderry.

### Postgraduate Students: Financial Support

**Lord Morrow** asked the Minister of Health, Social Services and Public Safety what financial support or grant package is available to full-time PhD students carrying out non-funded medical research as part of their degree.

(AQW 25019/11-15)

**Mr Poots:** This Department provides support for a small number of doctoral fellowships (PhD) from the HSC Research and Development (R&D) Fund. The awards are granted through annual competition and managed by the HSC R&D Division of the Public Health Agency.

In addition the Department for Employment and Learning, through its Postgraduate Awards scheme, makes available student support funding to Queen's University Belfast and the University of Ulster for research and certain approved courses of full-time study leading to higher degrees (Masters and PhDs). The universities are responsible for administering the Postgraduate Awards scheme and select, by competition, the students to fill these awards within the limits of funding available. This year the Department for Employment and Learning announced funding for an additional 100 PhD places in economically relevant subjects split between Queen's University Belfast and the University of Ulster. Furthermore, the Minister for Employment and Learning aims to increase the number of places year on year to double the total number of PhD awards to 1,000 by 2020. For academic year 2013/14, eligible students who are successful in securing a postgraduate award for a Research PhD course will receive a minimum studentship award of £13,726.

### Prisons: Prisoner Medication Policy

**Lord Morrow** asked the Minister of Health, Social Services and Public Safety how many prisoners in each prison facility have breached the Prisoner Medication Policy, after signing the required form; and how many of these prisoners have been charged under Prison Rules per facility in each of the last three years.

(AQW 25037/11-15)

**Mr Poots:** The information required to answer this question could only be provided at disproportionate cost.

### South Eastern Health and Social Care Trust: Vehicles

**Mr Easton** asked the Minister of Health, Social Services and Public Safety to list the vehicles used by the South Eastern Health and Social Care Trust to transport patients.

(AQW 25039/11-15)

**Mr Poots:** The South Eastern Health and Social Care Trust generally uses the Northern Ireland Ambulance Service (NIAS) to transport patients to and from hospitals. Private ambulances are used for example when NIAS cancels bookings or is unable to take new requests for patient discharge, due to response demand as a result of 999 and urgent GP calls.

In addition patients are sometimes transported by taxi when no other mode of transport, such as public transport, Trust transport or private motor car, is available. Taxi transport must be hired from a list of contractors approved through the Trust's tendering process.

## Cancer Treatment

**Mr Lyttle** asked the Minister of Health, Social Services and Public Safety for the comparative numbers of individual funding requests for cancer drug and treatment availability in Northern Ireland and the rest of the United Kingdom.

**(AQW 25090/11-15)**

**Mr Poots:** Whilst information is available on individual funding requests for Northern Ireland, corresponding information from the relevant authorities in the rest of the UK is not readily available and could only be obtained at disproportionate cost.

## Department of Justice

### Prisons: Staff Numbers

**Mr Clarke** asked the Minister of Justice how many prison officers were on duty in each prison, in each of the last two years.

**(AQW 24974/11-15)**

**Mr Ford (The Minister of Justice):** The data below provides details of the staff on duty on Friday 1 April 2011 and Friday 30 March 2012 for comparison purposes.

#### Maghaberry

On 1 April 2011 there were 383 officers on duty and on 30 March 2012 367 officers on duty.

#### Hydebank Wood

On 1 April 2011 there were 162 officers on duty and on 30 March 2012 162 officers on duty.

#### Magilligan

On 1 April 2011 there were 141 officers on duty and on 30 March 2012 146 officers on duty.

### Prisons: Sexual Offences

**Lord Morrow** asked the Minister of Justice to detail the number of prisoners that have been charged with committing (i) rape; (ii) indecent and/or sexual assault; (iii) lewd and/or obscene behaviour; (iv) any other sexual offence whilst in a prison facility in each of the last five years, broken down by prison facility, and of these how many were dealt with by the respective prison or prosecuted in an external court.

**(AQW 25084/11-15)**

**Mr Ford:** Information is not held separately on PRISM regarding prisoners who are charged with committing (i), (ii), (iii) or (iv) whilst in prison and prosecuted in an external court.

A prisoner carrying out an assault on another person whilst in custody may be subject to an internal charge under paragraphs 2, 3, 4 and 18 of Prison Rule 38. It would be of disproportionate cost to manually check all of these records.

### Prisons: Deaths in Custody

**Lord Morrow** asked the Minister of Justice, pursuant to AQW 24334/11-15, (i) why this answer is at variance with the Prisoner Ombudsman's report into the near death of 'Mr C' and her comments to the media on 1 May 2013, which she said was critical of the effectiveness of the Northern Ireland Prison Service and the Trust's approach to managing vulnerable prisoners, as well as raising concerns about the extent of the Supporting Prisoner at Risk procedures in delivering an appropriate level of care, and highlighting a clear need for a further review of how vulnerable prisoners are dealt with; and (ii) since the Director of Estates is accountable to him and has an ethical and professional responsibility to provide answers that are factually accurate, whether he will seek an explanation for any inaccuracies in his answer.

**(AQW 25087/11-15)**

**Mr Ford:**

- (i) As stated in my answer to AQW 24334/11-15, the Director of Estates' statement was not a verbatim quote from the Prisoner Ombudsman's Report but reflected the Prisoner Ombudsman's public statements.
- (ii) These comments were made in the context of a wider analysis of the suicide prevention strategy whereby the Director of Estates acknowledged the issues of concern, underpinned his commitment to learning lessons and the need to embed a culture of care to change attitudes and behaviours alongside processes and systems.

## Department for Regional Development

### Magherafelt Bypass

**Ms Maeve McLaughlin** asked the Minister for Regional Development whether a business case is required for a road scheme, and if so, if one has been submitted for the Magherafelt bypass.

**(AQW 25104/11-15)**

**Mr Kennedy (The Minister for Regional Development):** I confirm that a business case (economic appraisal) is required for all major road schemes.

Preliminary business cases carried out during the various stages of development of the Magherafelt Bypass scheme have indicated a positive return on the capital investment.

Following the Executive's recent confirmation of funding for construction of the Magherafelt Bypass, and in line with normal procedures, the final business case for the project will be submitted to the Department of Finance and Personnel for approval.

### Roadworks: Night and Weekend Operations

**Mr McGimpsey** asked the Minister for Regional Development what consultation his Department has had with local councils on the subject of contractors manufacturing asphalt type materials for road works during the night and at weekends.

**(AQW 25107/11-15)**

**Mr Kennedy:** My Department does generally not consult with local councils in relation to the manufacturing of asphalt materials for road works undertaken during the night or at weekends. However, in instances where my Department is made aware of complaints regarding breaches of operating times or noise limits, reports are provided to the appropriate council.

### Roads: Craigantlet Crossroads/Whinney Hill/Ballymiscaw Road

**Mr Dunne** asked the Minister for Regional Development, pursuant to AQW 20623/11-15, for an update on the proposal for the construction of two new roundabouts at the Craigantlet crossroads and the junction of Whinney Hill and Ballymiscaw Road in North Down.

**(AQW 25116/11-15)**

**Mr Kennedy:** The Roads Service Consultant has completed a report on the alternative options put forward by local residents and final quality assurance checks are now being completed. Roads Service officials expect to receive this report shortly.

No decisions relating to the proposed scheme will be taken before the findings of this report have been given careful consideration.



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# Northern Ireland Assembly

Friday 6 September 2013

## Written Answers to Questions

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

#### **Social Investment Fund: Steering Groups**

**Mr Eastwood** asked the First Minister and deputy First Minister whether they issued guidance that lead or managing agencies for projects should only come from representatives on Social Investment Funds steering groups; and whether such guidance was equality proofed, given that members of steering groups were appointed as individuals and not organisations. (AQW 20347/11-15)

**Mr P Robinson and Mr M McGuinness (The First Minister and deputy First Minister):** Guidance was issued to Steering Groups to assist them during the area planning process and included advice on the identification of lead partner organisations coming from within the Steering Groups. That advice did not state that lead or managing agencies should only come from within the steering group. Decisions on lead partners will take into account which organisations are best placed to manage and oversee individual project delivery.

Steering Groups have now identified preferred lead partner organisations on their final plans and these are under consideration within the economic appraisals submitted to the Department for assessment

#### **Children and Young People: Ten-year Strategy**

**Mr Agnew** asked the First Minister and deputy First Minister when a further action plan will be developed for the ten year children and young people's strategy; and when work will begin on a further children and young people's strategy. (AQW 21793/11-15)

**Mr P Robinson and Mr M McGuinness:** The current Ten Year Strategy for Children and Young People is due to continue until 2016. Work to further the aims of the Strategy is now being taken forward through the Delivering Social Change framework which seeks to address the linked issues of poverty and improving children's lives. Through Delivering Social Change, we are moving away from plans with long lists of existing activities towards smaller numbers of cross-cutting and strategic objectives which can really make a difference and which are additional to existing work across government.

The Children and Young People's Strategy is the key mechanism for the implementation of our obligations under the UN Convention on the Rights of the Child (UNCRC) and the outcome of the forthcoming Periodic Review of the Convention will be critical in informing our assessment of how we can best deliver for children and young people post 2016.

In particular, as part of the Periodic Review of the UNCRC, a series of direct engagements with children and young people is currently underway. Account will be taken of the views expressed to help inform how best the needs of children and young people can be met. The recommendations of the UN Committee in their Concluding Observations at the end of the process will help us to identify those areas where further progress is needed.

The outworking of this process taken alongside the ongoing development of the Child Rights Indicator Framework, represents an excellent basis to review the effectiveness of the existing strategy and inform a clear strategic direction for co-ordinated Government action in the future to ensure that all of our children and young people have the best possible start in their lives.

#### **Freedom of Information**

**Mr Copeland** asked the First Minister and deputy First Minister when the Freedom of Information Request, OFMDFM/2012-0027, will be answered. (AQW 22812/11-15)

**Mr P Robinson and Mr M McGuinness:** This request was answered on 28 June 2013.

## Public Consultations

**Mr Nesbitt** asked the First Minister and deputy First Minister to detail (i) the number of public consultations undertaken by their Department, in each year since 2007; (ii) the type of consultation; and (iii) the total cost of each consultation.

**(AQW 23308/11-15)**

**Mr P Robinson and Mr M McGuinness:** The consultations undertaken by OFMDFM since 2007 are as follows:

Year	Type of consultation	Details	Total cost of each consultation
2007	Workshops with groups of marginalised, hard to reach children	Collating the views of Children and Young People	Costs not readily available.*
Jul - Sep 2007	Public	Consultation on implementing EU equality obligations under the Gender Goods and Services Directive	Approx £400 plus press advertising costs which are not readily available.
2007	Public	Public Authorities Reform	£2067.98
2007/ 2008	Public	Programme for Government	Approx £17,000
2008	Public	Draft equality impact assessment carried out at a strategic level on the Programme for Government and the Budget and Investment Strategy	Approx £17,000
Dec 2008	Public	Disability Discrimination (Transport Vehicles Regulations)	£2133
May – Aug 2008	Public	Review of Civic Forum	£4780.00
2009	Workshops, Conference and On-line Questionnaire all aimed at Children and Young People	Review of 2008-11 Action Plan taking account of UN 2008 Concluding Observations	£18,840.29
2009	Open Public & Invitational	Sustainable Development Strategy	£6,197
Aug 2009	Public	Consultation on a Victims and Survivors Service	Costs not readily available.
Aug 2008	Public	Consultation on Strategy for Victims and Survivors	Costs not readily available.
2009	Open public consultation	Consultation on establishing an Older Peoples Commissioner	£17,000
2010	Interested Parties / Public	Consultation on Budget 2010	Approx £1000
2010	Public	Public Assembly, Parades and Protests	Costs not readily available.
June 2010	Sectoral	“World Cafe” Discussion for Women’s Groups and Organisations	Approx £670
2010	Links inserted on OFMDFM website and organisations here invited to submit evidence	Review of the Default Retirement Age – Call to Business for Evidence (Department of Business, Innovation & Skills consultation) –	No costs for this department
2010	Open Public, Invitational and Sectoral	Sustainable Development Implementation Plan	£1,497
2010	Public and Sectoral	Consultation on the Programme for Cohesion, Sharing and Integration	£93,185.70
Dec 2010 to Feb 2011	Public	Consultation on the Child Poverty Strategy 2010	£14,772

Year	Type of consultation	Details	Total cost of each consultation
Dec 2010 – Feb 2011	Online at OFMDFM website. Four focus groups with children and young people.	Consultation on the Play and Leisure Implementation Plan	£2,194.80
2011	Public	OFMDFM Equality Scheme	Approx £1000
Mar 2011	Public and sectoral meetings	Historical Institutional Abuse taskforce consultation	£4,483.29
2011/ 2012	Strategic Investment Fund Consultation	Consultation on proposals for Social Investment Fund	£8,807
2011/ 2012	Open Public, Invitational and Sectoral	Programme for Government 2011-15	£17,930
April - Aug 2012	Public	Consultation on Disability Strategy	£13,384
June and Oct 2012	Two half-day Public Consultation events	Key Stakeholder Workshops	£1,270
Oct – Dec 2012	Sectoral	Consultation on implementation of the European Court of Justice judgement on gender neutrality in the pricing of insurance premiums and benefits	approx £100
2012/13	Sectoral	Minority Ethnic Development Fund	NIL
Dec 2012 to March 2013	Public	Consultation on “Towards a Childcare Strategy”	Approx £7,000
May 2013	Public	Consultation on the Inquiry into Historical Institutional Abuse Rules	£1,311.77
2013	Workshops with organisations working with children and young people	Review of Draft Child Rights Indicator Framework	£3,821.40

\* Where costs are not readily available, disproportionate costs are associated with retrieval.

## Assembly: Extension to the Current Mandate

**Mr Elliott** asked the First Minister and deputy First Minister for their assessment of an extension to the current Assembly mandate.

(AQO 4064/11-15)

**Mr P Robinson and Mr M McGuinness:** The proposal to extend the current Assembly term to 2016 will bring us into line with the arrangements for Scotland and Wales and will avoid the poll being held on the same day as the next scheduled Westminster election.

## Delivering Social Change

**Mr Agnew** asked the First Minister and deputy First Minister whether their Department had any role in determining whether signature projects, under the Delivering Social Change Framework, would be advanced.

(AQW 23430/11-15)

**Mr P Robinson and Mr M McGuinness:** On 10 October 2012 we announced six significant Signature Programmes under the Framework. Our Department is leading on the Delivering Social Change Framework, with lead departments now taking these programmes forward.

## Delivering Social Change

**Mr Agnew** asked the First Minister and deputy First Minister who was responsible for deciding whether funding would be allocated to each of the Delivering Social Change signature projects.

(AQW 23431/11-15)

**Mr P Robinson and Mr M McGuinness:** On 10 October 2012 we announced six significant Signature Programmes under the Framework. Our Department is leading on the Delivering Social Change Framework, with lead departments now taking these programmes forward.

## Peace Building and Conflict Resolution Centre

**Mr Nesbitt** asked the First Minister and deputy First Minister to outline (i) the annual government subvention required for the proposed Peace Building and Conflict Resolution Centre, as set out in the business case; and (ii) any additional funding streams identified in the development of a business plan.

**(AQW 23802/11-15)**

**Mr P Robinson and Mr M McGuinness:** Any information relating to the business case is commercial in confidence.

## Indecent Images of Children Online

**Mrs Overend** asked the First Minister and deputy First Minister what action they have taken to limit the availability of indecent images of children online.

**(AQW 23915/11-15)**

**Mr P Robinson and Mr M McGuinness:** Article 3 of the Protection of Children (NI) Order 1978 prohibits the possession, distribution and publication of indecent images of children under 18 years.

OFMDFM co-ordinates the work of relevant Departments through the Delivering Social Change Ministerial Sub-Committee on Children and Young People.

Similarly, we work on a cross-departmental basis with other relevant departments and agencies which have a remit for policing, regulating and raising public awareness around internet use in order to protect children and young people online.

The actions led by the Department include working with the UK Safer Internet Centre to raise awareness of safer internet issues through participating in Safer Internet Day held in February this year; networking with the Safeguarding Board for Northern Ireland to identify potential areas for collaborative working; commissioning a survey of internet use among P7 pupils across the region; taking forward a gap analysis to identify further actions to promote better internet safety for children and young people and liaising with external organisations such as NSPCC and the National Children's Bureau in Northern Ireland.

## Magdalene Laundry

**Ms S Ramsey** asked the First Minister and deputy First Minister for an update on their inquiries into Magdalene Laundry type institutions.

**(AQO 4235/11-15)**

**Mr P Robinson and Mr M McGuinness:** The recent reports regarding the Magdalene Laundry institutions in the Republic of Ireland have raised the question of how those who were resident in similar institutions here may address concerns.

Anyone who experienced abuse as a child within such institutions will be covered by the remit of the Inquiry into Historical Institutional Abuse. They will be able to talk in private about their experiences to two members of the Inquiry's Acknowledgement Forum. Contact details for the Inquiry are available on its website.

However, we are conscious that there may be a group that would not be covered as they were over the age of 18 during their residency.

We had appointed a senior civil servant to draw up a scoping report on the Magdalene Laundry type institutions here to see what further action could be taken. We received that report and we intend to give serious consideration to the options that have been laid out. We will consider the advice and options in the paper very carefully before deciding the way forward.

## Freedom of Information

**Mr Swann** asked the First Minister and deputy First Minister whether, in answers to written questions, they give an answer that would be consistent if the same question was asked under a Freedom of Information request.

**(AQW 24793/11-15)**

**Mr P Robinson and Mr M McGuinness:** Under the Freedom of Information Act (FOIA) the Department is only required to provide information already held in recorded form. It does not have to create new information. However, in responding to Assembly Questions, the Department may create new information.

## Branded Apparel for Non-front Line Staff

**Mr Allister** asked the First Minister and deputy First Minister how much their Department has spent on branded apparel for non-frontline staff, in each of the last three years.

**(AQW 24800/11-15)**

**Mr P Robinson and Mr M McGuinness:** OFMDFM has incurred no expenditure on branded apparel in each of the last three years.

## European Funding

**Mr McElduff** asked the First Minister and deputy First Minister whether the Programme for Government commitment to increase the draw down of European funding by 20 per cent is on target.

**(AQO 4420/11-15)**

**Mr P Robinson and Mr M McGuinness:** The revalidation of competitive EU funding drawdown by departments is now complete. A new baseline of £13.4m has been determined for 2010-11, giving rise to a four-year drawdown value of £64.4m.

Drawdown was £22.9m in Year 1 (2011-12) and £17.9m in Year 2 (2012-13).

Departments have secured competitive EU funds worth £40.8m at the mid-point of the Budget Period, representing 63% of the four-year drawdown value. We remain on target to meet this Programme for Government commitment.

## Together: Building a United Community

**Mrs Cochrane** asked the First Minister and deputy First Minister to outline the financial implications of the Together: Building a United Community Strategy.

**(AQO 4427/11-15)**

**Mr P Robinson and Mr M McGuinness:** Funding implications for the delivery of the actions and targets contained in Together: Building a United Community will be assessed by the design groups that we have established for each of the seven headline actions. The design groups will produce implementation plans with indicative costs.

Decisions on the proposals for funding for the delivery of the actions and targets contained in Together: Building a United Community will be made in due course.

## Strategic Investment Board: Communication with Special Advisers

**Mr Allister** asked the First Minister and deputy First Minister whether there is a protocol governing the Strategic Investment Board's communications with Special Advisers; and if not, whether they have any plans to introduce a protocol.

**(AQW 24987/11-15)**

**Mr P Robinson and Mr M McGuinness:** There is no protocol governing the Strategic Investment Board's communication with Special Advisers and there are no plans to introduce such a protocol.

## Together: Building a United Community

**Mr Allister** asked the First Minister and deputy First Minister how the Director of Equality and Strategy in their Department was involved in drafting the Together - Building a United Community strategy; and who has the lead in the design of the programmes contained in the it.

**(AQW 24989/11-15)**

**Mr P Robinson and Mr M McGuinness:** The Director of Equality and Strategy oversees all the work carried out in the Directorate. The role of the Directorate is to deliver high quality and timely support to us and the institutions of government. The involvement of the Directorate, and therefore the Director, in the Together: Building a United Community Strategy was fully in line with this role.

Initial design and delivery arrangements for all the Together: Building a United Community programmes are being taken forward by OFMDFM and other key departments.

## Department of Agriculture and Rural Development

### Staff: Information Service

**Mr Allister** asked the Minister of Agriculture and Rural Development how many staff are employed in her Department's Information Service; and what is the annual cost of this service.

**(AQW 24991/11-15)**

**Mrs O'Neill (The Minister of Agriculture and Rural Development):** The current number of staff employed in the Department Information Service is 7.4 (FTE) and the annual cost of these staff is £214,581.00.

## Department of Culture, Arts and Leisure

### Sports Stadiums: Community Benefit

**Mr McDevitt** asked the Minister of Culture, Arts and Leisure to detail (i) how her Department is managing the community benefit aspect of the stadia at Casement Park, Ravenhill and Windsor Park; (ii) the process for defining the community benefit



from each stadium; (iii) the community consultation that has taken place about the community benefit from each stadium; and (iv) the amount that has been set aside for community benefit from the three stadia.

**(AQW 22143/11-15)**

**Ms Ní Chuilín (The Minister of Culture, Arts and Leisure):** It is a matter for each of the Governing Bodies to deliver the community returns of each of the Stadiums.

My Department will review the Governing Body proposals to ensure that the maximum community returns are being delivered within the overall stadium programme.

## Boxing: Funding

**Mr Allister** asked the Minister of Culture, Arts and Leisure for an update on the funding allocation for boxing and to detail the successful applications and the amounts awarded.

**(AQW 22178/11-15)**

**Ms Ní Chuilín:** Sport NI has identified an indicative funding package within its sports lottery funding of up to £3.27M to assist with the development of boxing. Following an expression of interest exercise a total of 94 boxing clubs have been identified as meeting the agreed eligibility criteria to receive boxing equipment under the first strand of the Boxing Investment Programme. Details of which clubs will receive equipment are attached. Sport NI, in association with the governing body for boxing, the Irish Amateur Boxing Association, is now progressing a procurement exercise for this equipment which will be distributed to successful clubs in due course.

### Boxing Clubs Allocated to Receive Boxing Equipment under the Boxing Investment Programme

1	Abbey	41	Immaculata (Strabane)
2	Albert Foundry	42	Irvinestown
3	All Saints	43	John Mc Coy
4	Antrim Abc	44	Keady (Sean Doran)
5	Ardoyne Holy Cross	45	Kildress Abc (Mark Heagney)
6	Ards	46	Kilmegan
7	Ballysillian Abc	47	Larne
8	Belfast Kronk	48	Ligoneil
9	Bishop Kelly	49	Lisburn
10	Braid Abc	50	Lisnafin
11	Cairn Lodge	51	Midland
12	Camlough	52	Moneyglass
13	Canal Boxing Academy	53	Moneymore / Springhill
14	Carrickfergus	54	Moat
15	Carrickmore	55	Mourne All Blacks
16	Carryduff	56	Mourne Golden Gloves
17	Castlereagh Abc	57	Murlough Abc
18	Churchlands	58	Newington (Patsy Quinn)
19	Clonard	59	North Down
20	Clonoe A.B.C.	60	Oakleaf
21	Coleraine	61	Oliver Plunkett
22	Cookstown	62	Omagh Boys & Girls Club
23	Corpus Christi	63	Phoenix
24	Craigavon	64	Poleglass
25	Derrylin Abc	65	Red Triangle
26	Dockers	66	Ring
27	Downpatrick Abc	67	Sacred Heart (Newry - Cuan Mhurie)

28	Dungannon	68	Sacred Heart (Omagh)
29	East Down	69	Saints
30	Eastside	70	Scorpion
31	Ederny	71	Silverbridge
32	Eglington	72	Skerries
33	Emerald	73	Spartans
34	Enniskillen	74	Springtown
35	Errigal	75	St Canices
36	Gilford	76	St Jarlaths
37	Gleann	77	St Johns Derry
38	Hillview	78	St Josephs
39	Holy Family Golden Gloves	79	St Marys (Derry)
40	Immaculata (Belfast)	80	St Pauls

#### Boxing Clubs Allocated to Receive Boxing Equipment under the Boxing Investment Programme

81	St. Agnes	88	St. Marys (Portadown)
82	St. Brigids	89	St. Patricks (Newry)
83	St. Bronagh's	90	Star
84	St. Georges	91	The Loup
85	St. John Bosco (Belfast)	92	Toome
86	St. John Bosco (Newry)	93	Townland
87	St. Malachys	94	Two Castles

#### Sports Stadiums: Community Benefit

**Mr McDevitt** asked the Minister of Culture, Arts and Leisure to detail (i) her Department's definition of community benefit; (ii) whether the definition includes amenities and/or improvements to the local community or neighbourhood; (iii) examples of community benefit; (iv) whether community benefit has to be within each stadium at Casement Park, Ravenhill and Windsor Park; and (v) whether the funds for community benefit come from the optimum bias for each stadium.

(AQW 22207/11-15)

**Ms Ní Chuilín:** My Department considers community returns to include any initiative which promotes and positively impacts the well being of the overall community.

These returns can include amenities and improvements such as stadiums, pitches, projects which promote equality, tackling poverty and social exclusion etc.

It is a matter for each of the governing bodies to deliver the community returns of each stadium, which my Department will review to ensure that the maximum community returns are delivered within the overall stadium programme budget.

#### Together: Building a United Community

**Mr Hussey** asked the Minister of Culture, Arts and Leisure what discussions she has had with the Office of the First Minister and deputy First Minister in relation to the proposals included in "Together: Building a United Community."

(AQW 22924/11-15)

**Ms Ní Chuilín:** Following the announcement of "Together: Building a United Community", a Departmental official attended a briefing session hosted by OFMDFM officials to set out the way forward for the design and implementation of each of the identified programmes included in "Together: Building a United Community".

A specific programme was announced to be led by DCAL which was the "Creation of a significant Cross-Community Sports Programme". The programme will initially be piloted at urban and rural interfaces and contested spaces with a view to rolling it out across communities.

## Business Cases

**Mrs D Kelly** asked the Minister of Culture, Arts and Leisure to detail (i) the business cases that are with her for decision; (ii) the value of each of the proposed investments; and (iii) the date on which each of business case was received/referred.  
(AQW 23101/11-15)

**Ms Ní Chuilín:** I am currently considering one business case.

The business case is yet to be formally approved. Until it is approved, the conclusions reached may be subject to change. Therefore it is not appropriate to release the details of the project at this stage.

## GAA: Funding

**Mr Elliott** asked the Minister of Culture, Arts and Leisure, following her predecessor's comments on 29 September 2009 about funding for GAA clubs named after terrorists, whether she is aware of any changes made to the grant-making arrangements for Sport Northern Ireland.  
(AQW 23735/11-15)

**Ms Ní Chuilín:** I am not aware of any sports organisations that are named after any deceased person whom all sections of the community label as having been a so-called terrorist.

## Commonwealth Games

**Mr Allister** asked the Minister of Culture, Arts and Leisure why her Department is not planning to promote and mark the arrival of the Queen's baton as part of the Commonwealth Games celebrations.  
(AQW 23749/11-15)

**Ms Ní Chuilín:** Responsibility for making plans to promote and mark the arrival of the Queen's Baton to the north of Ireland as part of the 2014 Commonwealth Games celebrations rests with the NI Commonwealth Games Council (NICGC), the lead body for Commonwealth sport here.

## Together: Building a United Community

**Mr Allister** asked the Minister of Culture, Arts and Leisure whether she was consulted in advance of the announcement by the First Minister and deputy First Minister on Together: Building a United Community, in respect of issues relevant to her Department and, if so, how and when.  
(AQW 23811/11-15)

**Ms Ní Chuilín:** Issues such as cohesion, sharing and integration; good relations; reconciliation; economic pact; etc have long been under discussion at Executive level. Together: Building a United Community is part of that overall process. Following the announcement of "Together: Building a United Community", a Departmental official attended a briefing session hosted by OFMDFM officials to set out the way forward for the design and implementation of each of the identified programmes included in the initiative.

A specific programme was announced to be led by DCAL which was the "Creation of a significant Cross-Community Sports Programme".

## City of Culture 2013

**Mr Durkan** asked the Minister of Culture, Arts and Leisure what action her Department has taken to ensure that the venue in Derry's Ebrington Square is secured as a permanent arena after the 2013 City of Culture year.  
(AQW 24016/11-15)

**Ms Ní Chuilín:** I recognise that The Venue 2013, funded primarily by DSD, is an essential space for hosting medium and large scale events included in the City of Culture Cultural Programme during 2013. My main focus in terms of the City of Culture is to deliver a lasting legacy for local people. The continued need for The Venue will be considered as part of this legacy planning.

It is worth noting that my Department has invested significantly in the development of arts infrastructure in Derry over the last ten years with the refurbishment of the Playhouse, Waterside Theatre, Cultúrlann Uí Chanáin and the Gasyard Centre. The Millennium Theatre is also one of the largest theatres in Ireland.

## Sports Stadiums: Optimism Bias

**Mr McDevitt** asked the Minister of Culture, Arts and Leisure to detail (i) for what Optimism Bias can be used; (ii) the amount of the Optimism Bias being held by her Department for the redevelopment of (a) Casement Park; (b) Windsor Park; and (c) Ravenhill Stadium; and (iii) the projects which may be funded by the Optimism Bias.  
(AQW 24136/11-15)

**Ms Ní Chuilín:**

- (i) Optimism Bias is the term used to describe the process whereby an additional allowance is allocated to the capital budget of a project to ensure that any tendency for project appraisers to be overly optimistic about project costs, duration and benefits at the outline stage of the project is accounted for.

Therefore optimism bias can be used to cover any deficiencies in project costs, duration and / or benefits which were not fully considered or understood at initial budget development stage.

- (ii) An overall Optimism Bias budget of £8,710,000 has been identified within the £110 million stadium programme budget. DCAL is responsible for the management of the stadium programme Optimism Bias budget.

The following Optimism Bias amounts are currently being held by DCAL for the redevelopment of each stadium:

- £6,008,000 for the redevelopment of Casement Park
- £1,835,000 for the redevelopment of Windsor Park
- £867,000 for the redevelopment of Ravenhill

- (iii) Optimism Bias may be used to fund the project identified within the FBC for each of the Stadiums.

**Parades: Socio-economic Impact**

**Mr Copeland** asked the Minister of Culture, Arts and Leisure, pursuant to AQW 23497/11-15, when she will be in a position to make a substantive comment on the report.

**(AQW 24262/11-15)**

**Ms Ní Chuilín:** I am aware of the research findings in the DSD funded report but I note that the figures quoted do not take account of the negative impacts on both tourism and potential investment caused by the disruption and trouble linked to contentious parades.

My Department, through the Arts Council and the Ulster Scots Agency currently provides funding to marching bands from all communities to maintain and develop the level of music making within the sector.

**Agri-Food and Biosciences Institute**

**Mr Swann** asked the Minister of Culture, Arts and Leisure for her assessment of the impact on scientific research following the Agri-Food and Biosciences Institute's decision to replace experienced staff with contract staff at the Bushmills Research Station. **(AQW 24353/11-15)**

**Ms Ní Chuilín:** The Agri-Food and Biosciences Institute (AFBI) has recently recruited two contract workers to provide temporary cover for two vacant Assistant Scientific Officer posts at the Bushmills Salmon Station, pending the recruitment of permanent staff to these posts.

My Department is satisfied that this temporary arrangement will provide continuity for the important scientific research undertaken by the AFBI at the Bushmills Salmon Research Station.

**Agri-Food and Biosciences Institute**

**Mr Swann** asked the Minister of Culture, Arts and Leisure whether she, or her Department, were consulted by the Agri-Food and Bioscience Institute prior to the significant staff changes at the Bushmills Research Station. **(AQW 24354/11-15)**

**Ms Ní Chuilín:** The staffing complement deployed by the Agri-Food and Bioscience Institute (AFBI) to undertake the agreed works is specified in a Service Level Agreement (SLA) between DCAL and AFBI.

DCAL officials regularly meet with AFBI management to discuss the progress of works detailed in the SLA and this would include staffing issues.

**Football Tournaments**

**Mr Weir** asked the Minister of Culture, Arts and Leisure to list the football tournaments for which her Department has provided funding in each of the last three years; and the amount of funding provided in each instance. **(AQW 24517/11-15)**

**Ms Ní Chuilín:** My Department, through Sport NI, has provided funding to two football tournaments in each of the last three years, up to 31 March 2013. The details are as follows: -

**Foyle Cup**

- 2012/2013 - £7,000

**Milk Cup**

- 2012/13 - £7,000

- 2011/12 - £15,000
- 2010/11 - £20,000

During this current financial year (2013/14), the Foyle Cup received £20,000 through the Culture Company and the 2013 City of Culture programme. In addition, following a successful bid in the June Monitoring Round, an additional £10,000 each has been provided for the 2013 Foyle Cup and 2013 Milk Cup tournaments.

### Netting of Salmon off the Coast

**Mr Swann** asked the Minister of Culture, Arts and Leisure, pursuant to AQW 22086/11-15, whether the other netsmen who had held licences in the previous season received any compensation or did they not reapply for their licences.

**(AQW 24526/11-15)**

**Ms Ní Chuilín:** The other netsmen who held licences in 2012 have not received compensation to date, nor have they applied for licences for the 2013 fishing season.

### Anglers with Disabilities

**Mr Agnew** asked the Minister of Culture, Arts and Leisure what progress has been made on securing a stand for anglers with disabilities in Dungiven.

**(AQW 24637/11-15)**

**Ms Ní Chuilín:** As Dungiven is located within the Loughs Agency jurisdiction it would be the Agency rather than DCAL that would consider any angling related development proposals.

Disabled facilities are available at the Public Angling Estate waters of Binevenagh Lake and Moor Lough which are the closest to the town of Dungiven.

The Department is planning to construct a new angling stand which will be suitable for disabled anglers at Binevenagh Lake

### Tree and Hedge Cutting Contracts

**Mr Agnew** asked the Minister of Culture, Arts and Leisure how many tree and hedge cutting contracts her Department, and its arm's-length bodies, awarded between 1 March and 31 August, in each of the last three years.

**(AQW 24638/11-15)**

**Ms Ní Chuilín:** The number of contracts for tree and hedge cutting awarded by the Department and its arm's-length bodies in these periods are detailed in the table below.

Period	Number of Contracts Awarded
1 March to 31 August 2010	1
1 March to 31 August 2011	5
1 March to 31 August 2012	1

### Lough Neagh Dollaghan

**Mr Ó hOisín** asked the Minister of Culture, Arts and Leisure for her assessment of the work being carried out by Queen's University Belfast on the establishment of a genetic baseline for the Lough Neagh Dollaghan; and whether she will provide assistance to the project.

**(AQW 24649/11-15)**

**Ms Ní Chuilín:** The work being carried out by Queen's University Belfast on the establishment of a genetic baseline for the Lough Neagh dollaghan will help inform the Department's future policy in relation to the conservation and protection of dollaghan stocks.

My officials will meet with those involved in the work to consider how DCAL can contribute to the work to establish this genetic baseline.

### World Police and Fire Games 2013: Cultural Programme

**Miss M McIlveen** asked the Minister of Culture, Arts and Leisure to detail the application process and criteria for groups wishing to access funding to deliver content for the Cultural Programme for the World Police and Fire Games 2013.

**(AQW 24670/11-15)**

**Ms Ní Chuilín:** There was not an open call to make applications for funding to deliver DCAL's summer cultural programme which aims to complement the World Police and Fire Games. The cultural programme was an extension of activities already on offer by my Department's Arms Length Bodies and PRONI. It also incorporated additional cultural events from two established Belfast Festivals which coincide with the Games, namely Féile and the McCracken Summer School. Further activities were delivered by the Belfast Film Festival, again an established festival which had a highly successful run in April of this year.



My Department was keen to enhance the experience of international visitors and local people in supporting the Games and welcomes the Assembly's support in showcasing our culture during this important summer to increase the potential for a positive legacy from the Games for local people.

### World Police and Fire Games 2013: Cultural Programme

**Miss M McIlveen** asked the Minister of Culture, Arts and Leisure to detail how the £500,000 bid for the Cultural Programme for the World Police and Fire Games 2013 will be spent.

(AQW 24671/11-15)

**Ms Ní Chuilín:** The DCAL Cultural Programme to complement the World Police and Fire Games was supported by a business case which identified the need to maximise the significant opportunity afforded by the Games to promote and showcase local culture, arts and leisure to local people and international visitors during the summer period.

Spend under the business case has been directed at a diverse range of arts and cultural events coinciding with the Games and therefore increasing the potential for a positive legacy for local people.

### World Police and Fire Games 2013: Cultural Programme

**Miss M McIlveen** asked the Minister of Culture, Arts and Leisure to outline the content of the business cases provided by the (i) Belfast Film Festival; (ii) West Belfast Festival; and (iii) McCracken Summer School, for the Cultural Programme of the World Police and Fire Games 2013.

(AQW 24673/11-15)

**Ms Ní Chuilín:** The business cases identified how each organisation could complement the World Police and Fire Games and achieve the overall aim of the cultural programme, which was to enhance the experience of international visitors and local people and showcase the culture and artistic talent of the north.

### Sport Northern Ireland: Vacancies at Board Level

**Miss M McIlveen** asked the Minister of Culture, Arts and Leisure for a timescale of the appointment of the Vice Chairperson to the Board of Sport Northern Ireland.

(AQW 24675/11-15)

**Ms Ní Chuilín:** It is currently anticipated that the appointment of a Vice Chairperson to the Board of Sport NI will take place in December 2013, subject to a suitable candidate being found from an open competition.

### Sport Northern Ireland: Vacancies at Board Level

**Miss M McIlveen** asked the Minister of Culture, Arts and Leisure for a timescale for the filling of vacancies to the Board of Sport Northern Ireland and to detail the appointments process and whether such appointments will create religious and gender balance.

(AQW 24684/11-15)

**Ms Ní Chuilín:** It is currently anticipated that the vacancies on the Board of Sport NI will be filled by December 2013, subject to suitable candidates being found from an open competition.

The process for appointing individuals to the Board of Sport NI will be carried out in accordance with the Commissioner for Public Appointments NI 'Code of Practice for Ministerial Public Appointments in NI'. Public appointments are made on the basis of merit and only those judged to best meet the requirements of the post are appointed, whilst ensuring that the Board is balanced in terms of skills and experience. Factors such as gender and religious background do not play any part in the decision of who to appoint or who not to appoint. The Department is aware of its responsibility to ensure equality of opportunity and equal treatment of all applicants at every stage of the appointment process, as required by the Code of Practice. The Department will also seek to encourage applications from individuals from a wide range of groups, including women, people with a disability and people from ethnic minorities.

### DCAL Properties Not In Use

**Miss M McIlveen** asked the Minister of Culture, Arts and Leisure to provide details of all the properties in the ownership of her Department which are not in use; and the length of time that this has been the case.

(AQW 24712/11-15)

**Ms Ní Chuilín:** The table below provides details of properties that are not in use and the length of time this has been the case.

Each of the properties has been made available for disposal or is being considered for alternative use.

Owner	Unused Properties	Unused since
Libraries NI	Ligoniel Library	2010
Libraries NI	Ballynahinch Regional Administration Centre	2011

Owner	Unused Properties	Unused since
Libraries NI	Branial Library	2010
Libraries NI	Gilnahirk library	2010
Libraries NI	Dunmurry library	2010
Libraries NI	Belvoir library	2010
Libraries NI	Gilford library	2012
Libraries NI	Oldpark library	2010
DCAL	PRONI Building, Balmoral Ave.	2011
National Museums NI	Malone Buildings, Belfast	2007
National Museums NI	Landseer Street, Belfast	2005

## Marching Bands: Funding

**Mr G Robinson** asked the Minister of Culture, Arts and Leisure to detail (i) the funding that is available to marching bands; and (ii) when applications for funding open.

**(AQW 24741/11-15)**

**Ms Ní Chuilín:** The Arts Council provides funding to bands through the Musical Instruments for Bands Scheme which opens on an annual basis, generally in April. The dates for the 2014 programme are not yet set. Their Small Grants Programme, to which Marching Bands may apply for tuition or other project costs, is open on a rolling basis.

The Ulster-Scots Agency run a Music and Dance Tuition Programme and Marching Bands may apply to this for support. The programme is currently closed but is due to reopen in Autumn 2013.

## Marching Bands: Funding

**Mr G Robinson** asked the Minister of Culture, Arts and Leisure to detail the funding that is available to marching bands for uniforms.

**(AQW 24742/11-15)**

**Ms Ní Chuilín:** My Department does not fund the provision of uniforms for marching bands.

The Arts Council provides funding to bands through the Musical Instruments for Bands Scheme and the Small Grants Programme. The Ulster-Scots Agency also provides funding for musical tuition through its Financial Assistance Scheme.

These schemes, however, do not provide funding to assist with the costs of new band uniforms.

## Sign Language

**Mr McCarthy** asked the Minister of Culture, Arts and Leisure what assistance is provided to the parents of deaf children who wish to learn sign language.

**(AQW 24744/11-15)**

**Ms Ní Chuilín:** My Department provides secretariat support and funding for the Sign Language Partnership Group which brings together organisations representing the Deaf Community and 11 government departments to improve access to public services for British and Irish Sign Language users.

There is a clear distinction between my Department's remit to promote British Sign Language and Irish Sign Language as indigenous languages and the provision of services to provide sign language classes for deaf individuals and their families which may be the responsibility of other Departments such as the Departments of Education, Employment and Learning and Health, Social Services and Public Safety.

Notwithstanding this, in 2012/13 my Department provided a grant of £8,810 to the National Deaf Children Society (NDCS) for its Family Sign Language Courses project which was directed at families in the Portadown and Newtownabbey areas. The project provided early intervention to help families of young deaf children who want to use BSL to learn some signs and phrases needed for nursery rhymes, stories, playing make-believe games as well as the tools for practical communication about food, sleeping and nappy changing, for example. This contributed to DCAL's remit by promoting sign language to the families of deaf children as the emphasis in education for deaf children is 'oralism' ie teaching the child to speak where possible despite hearing loss.

## Snooker and Billiards: Funding

**Mr Weir** asked the Minister of Culture, Arts and Leisure to detail the level of funding provided to (i) snooker; and (ii) billiards, in each of the last five years.

**(AQW 24861/11-15)**

**Ms Ní Chuilín:** Within the last five years, up to 31 March 2013, Sport NI, an arms length body of my Department, provided exchequer funding of £25,832 to both snooker and billiards. The funding was provided to purchase snooker tables on which both snooker and billiards can be played and, as such, the level of funding between the two sports cannot be differentiated. The detail of funding provided is outlined below: -

Financial Year	Organisation	Purpose	Amount
2010/11	Stadium Youth and Community Centre, Belfast	Purchase of eight full size snooker tables	£25,832

## Woodstock Rhythm and Blues Festival

**Mr Douglas** asked the Minister of Culture, Arts and Leisure whether the Woodstock Rhythm and Blues Festival will be included in the cultural programme associated with the World Police and Fire Games 2013.

**(AQW 24864/11-15)**

**Ms Ní Chuilín:** The cultural programme which aims to complement the World Police and Fire Games is an extension of activities already on offer by my Department's Arms Length Bodies and PRONI. It also incorporates additional cultural events from three established Belfast Festivals two of which coincide with the Games.

The Woodstock Rhythm and Blues Festival is supported by the Arts Council and, as such, will be reflected in my Department's summer Cultural Programme.

## Lough Neagh Salmon Nets

**Mr Swann** asked the Minister of Culture, Arts and Leisure to detail (i) the number of nets licensed to take salmon from Lough Neagh; (ii) the number of salmon recorded as being taken, by legal nets, from Lough Neagh; (iii) the number of tags issued to Lough Neagh nets men; and (iv) the number of salmon found in illegal nets in Lough Neagh, in each of the last five years.

**(AQW 25038/11-15)**

**Ms Ní Chuilín:**

- (i) Number of draft nets licensed to take salmon from Lough Neagh

	2008	2009	2010	2011	2012
Number of nets	18	20	16	20	21

- (ii) Number of salmon recorded as being taken, by legal nets, from Lough Neagh

	2008	2009	2010	2011	2012
Total catch	56	nil	9	36	20

- (iii) Until 2010, each licensed netsman on Lough Neagh was initially issued with 20 salmon carcass tags with his licence. Further tags could be issued upon submission of a fully completed salmon catch return. Since 2012 the initial allocation of tags has been reduced to 10.
- (iv) In the past five years DCAL Fisheries Protection Officers have found one salmon carcass in illegal nets seized on Lough Neagh.

## Legal Costs

**Mr Agnew** asked the Minister of Culture, Arts and Leisure to detail (i) the number of legal cases, including judicial reviews, that her Department has defended since 2007; (ii) the number of these legal challenges the Department lost; and (iii) the total costs incurred by her Department on the cases which it lost.

**(AQW 25101/11-15)**

**Ms Ní Chuilín:** My department has successfully defended one legal case since 2007.

There is an on-going judicial review of the DCAL decision to fund the Windsor Park project.

## Department of Enterprise, Trade and Investment

### Northern Ireland Economic Outlook

**Mr A Maginness** asked the Minister of Enterprise, Trade and Investment for her assessment of the recent Northern Ireland Economic Outlook publication by PriceWaterhouseCoopers.

(AQO 3850/11-15)

**Mrs Foster (The Minister of Enterprise, Trade and Investment):** PwC identifies the particular impact of the downturn on Northern Ireland. Indeed, it is for this reason that we have been fighting to retain Regional Aid and to gain the power to reduce corporation tax.

The report suggests that Northern Ireland is showing increasing signs of stability and may be on a path of modest recovery. This is in tune with the sentiments set out in my Department's economic brief, published last month.

It is pleasing to note that the report highlights the positive performance of the tourism sector over the last year, in addition to a number of significant business investments.

It is important that we continue to follow the path outlined in our Economic Strategy, to encourage export-led growth, and rebuild and rebalance our economy.

### Industrial Development Board

**Mr Lunn** asked the Minister of Enterprise, Trade and Investment whether she has any plans to adopt the recommendation in the Westminster Public Accounts Committee report into the Industrial Development Board, to replace the term 'jobs promoted' with 'jobs created'.

(AQO 3853/11-15)

**Mrs Foster:** I have no plans to replace Jobs Promoted with Jobs Created. However, my Department and Invest NI have developed plans to track both Jobs Promoted and Job Created, and indeed are already monitoring both of these measures in respect of the Jobs Fund.

### Economic Growth

**Mr Mitchel McLaughlin** asked the Minister of Enterprise, Trade and Investment in light of the recent announcement on Corporation Tax, to outline her strategy for enabling economic growth.

(AQO 3852/11-15)

**Mrs Foster:** I remain confident that the actions detailed in the Economic Strategy and Programme for Government will deliver growth, increase prosperity and create jobs.

However, it must be recognised that the Economic Strategy's key economic objective of rebalancing the local economy would be delivered more quickly if we had the power to vary the rate of Corporation Tax.

The NI Economic Strategy is based on the need to drive forward export-led economic growth. We will do this by pursuing greater investment in R&D and innovation, developing our skills base, supporting local SMEs to develop supply chain linkages; ensuring the appropriate infrastructure is available and rebuilding the local labour market to address the impact of the global downturn.

### Barnett Consequentials

**Mrs Overend** asked the Minister of Enterprise, Trade and Investment what discussions she had with the Minister of Finance and Personnel on the utilisation of the Barnett consequentials following the most recent budget delivered by the Chancellor of the Exchequer.

(AQO 3857/11-15)

**Mrs Foster:** I have met the Finance Minister on a number of occasions recently to discuss a wide range of issues including the implications for the NI economy of the recent Budget.

The allocation of any Barnett consequentials resulting from the Chancellor's announcement will, of course, be a matter for the whole Executive.

### Review of Public Administration: Tourism

**Mr Hilditch** asked the Minister of Enterprise, Trade and Investment for an update on the proposals for devolving tourism functions to local councils under the Review of Public Administration.

(AQO 3861/11-15)

**Mrs Foster:** A number of key changes have taken place around the tourism functions since they were last considered for transfer. Local marketing is now being undertaken by councils and the development of local tourism area plans by councils

also gives them the lead in functions such as local product development, visitor servicing and development of the sector at local level.

The tourism functions which remain on the transfer list are:

- Small scale tourism accommodation development
- Providing business support including business start up advice along with training and delivery of customer care schemes
- Providing advice to developers on tourism policies and related issues.

I am happy to consider other options for transferring tourism functions to councils if a case is presented.

## Inward Investment

**Mr Byrne** asked the Minister of Enterprise, Trade and Investment to outline any overseas trips she proposes to undertake in 2013 to promote inward investment.

**(AQO 3859/11-15)**

**Mrs Foster:** I currently intend to accompany the Invest NI trade and investment missions to Brazil and South Africa during 2013.

This provides me with the opportunity to meet potential investors to promote Northern Ireland as a place to do business.

It also allows me to thank existing investors for their support and to impress upon them how essential it is that Northern Ireland and Invest NI have their continued commitment in our drive to secure further Foreign Direct Investment.

In addition, I am able to provide personal support to the companies on the Trade Missions in their efforts to secure export agreements.

## Jobs Promoted: Foyle

**Mr McCartney** asked the Minister of Enterprise, Trade and Investment how many of the 405 jobs promoted in the Foyle constituency in 2011/12 were newly created jobs.

**(AQO 3860/11-15)**

**Mrs Foster:** A company contracts with Invest NI to create an agreed quantity of jobs, which are referred to as "Promoted Jobs". These jobs are always new jobs and will be created over an agreed time period. Therefore, all of the 405 jobs referred to by the member are new jobs.

## Hotel and Bed and Breakfast Sector: South Down

**Mr Hazzard** asked the Minister of Enterprise, Trade and Investment when she expects capital grant assistance to become available through InvestNI for the hotel and bed and breakfast sector in South Down.

**(AQO 3862/11-15)**

**Mrs Foster:** Capital grant assistance is currently available through Invest NI for the establishment or expansion of hotels and for the expansion of bed and breakfast businesses throughout Northern Ireland.

In addition, DARD, under Measure 3.3, encouragement of tourism activities, of the Rural Development Programme, provides the opportunity for rural dwellers to apply for funding to enhance existing Bed and Breakfast facilities, with the exception of providing funding for additional bed space.

The Invest NI Tourism Team will consider any applications from promoters in South Down.

## G8 Summit

**Mr Newton** asked the Minister of Enterprise, Trade and Investment what business opportunities will develop as a direct result of the forthcoming G8 Summit in Fermanagh.

**(AQO 4021/11-15)**

**Mrs Foster:** The G8 summit 2013 will provide a singular opportunity for Northern Ireland to showcase itself to a global audience as a positive place to live, work, visit, study, invest and do business with.

Aside from the immediate economic benefit to our tourism and hospitality sectors, we understand that the organisers of the Summit expect to use local products and services wherever possible.

In the longer term, we would hope that the international media exposure which will come from the Summit will support our efforts to win new inward investment and for our local companies to develop their export activity.

## C S Lewis

**Mr Douglas** asked the Minister of Enterprise, Trade and Investment what the Northern Ireland Tourist Board is doing to market Northern Ireland as the home of C.S. Lewis.

**(AQO 4019/11-15)**



**Mrs Foster:** The Northern Ireland Tourist Board (NITB) recognises the importance of the C.S. Lewis legacy to Northern Ireland's cultural tourism agenda, particularly given the 50th anniversary of C.S. Lewis's death in 2013.

NITB works with Belfast City Council and the East Belfast Partnership to ensure the C.S. Lewis legacy is promoted to domestic and international visitors.

NITB also promotes the C.S. Lewis legacy through its promotion of literary tourism in Belfast and Northern Ireland.

NITB provided £113,000 funding for the development of the Literary Belfast app and website through the Tourism Innovation Fund. It continues to work with Belfast City Council on this project to develop it further and enhance literary events and offering for tourists.

## Horizon 2020

**Mr Dunne** asked the Minister of Enterprise, Trade and Investment what opportunities will exist for local businesses from the upcoming EU Horizon 2020 Funding.

**(AQO 4020/11-15)**

**Mrs Foster:** The exact details of the specific opportunities for businesses under Horizon 2020 have yet to be finalised as the European Commission is still completing their negotiations with Member States.

However, the NI Horizon 2020 Action Plan for 2013, which my Department published earlier this year, identifies a range of actions that will ensure our companies and research organisations have the necessary support to be successful in Horizon 2020.

A major part of this is the appointment of experts in the key thematic areas of Horizon 2020, and they will work directly with companies and researchers in supporting them with applications.

## Petroleum Licence PL1/13

**Mr Agnew** asked the Minister of Enterprise, Trade and Investment to outline the number of objections to, and responses in support of, the granting of the new petroleum licence PL1/13 from named persons during the consultation period.

**(AQO 4022/11-15)**

**Mrs Foster:** As at 6 May a total of 243 representations had been received by my Department. Of these, 226 were predominantly representations by individual members of the public and several organizations objecting to the proposal. A substantial proportion of these objections were submitted as standard template copy letters and 9 came from outside Northern Ireland including the Irish Republic, the United States, Australia and Bolivia.

All appeared to assume that exploration might involve hydraulic fracturing of shale and/or be targeted also at lignite deposits. Both of these assumptions are erroneous as the targets identified in the licence application are conventional oil or gas reservoirs.

Of the remaining representations received, including those from District Councils whose areas fall within the proposed licence area, some have requested additional information or for certain considerations to be taken into account in the granting of the licence, but none to date have objected.

## Invest NI: South Antrim

**Mr Clarke** asked the Minister of Enterprise, Trade and Investment how much money Invest NI secured for South Antrim in each of the last five years.

**(AQO 4023/11-15)**

**Mrs Foster:** Between 1st April 2007 and 31st March 2012, Invest NI offered support to businesses which planned to invest £151 million within the South Antrim constituency. The value in respect of each individual year was £11.9 million in 2007-08, £31.4 million in 2008-09, £16.5 million in 2009-10, £71.8 million in 2010-11 and £19.5 million in 2011-12.

## Titanic Belfast

**Mr Dallat** asked the Minister of Enterprise, Trade and Investment what changes are being made to the tourism strategy to take account of the impact on visitor numbers resulting from the success of the Titanic Building, as well as the continued support from HBO and the BBC filming their productions locally.

**(AQO 4024/11-15)**

**Mrs Foster:** Challenging targets have been set in the Programme for Government to increase both visitor numbers and, more importantly, tourism revenue by December 2014. These targets were set on the basis of new world class tourism product coming on stream such as Titanic Belfast and the Giant's Causeway Visitor Experience, and the anticipated impact of the ni2012 campaign and the exciting events happening this year such as the UK City of Culture and World Police & Fire Games.

In order to meet our visitor targets my Department's 'Priorities for Action' Plan for tourism also includes a commitment to develop stronger linkages between creative industries and the tourism sector in such areas as film and TV. NITB and Tourism

Ireland liaise closely with Northern Ireland Screen, and I am delighted with the tremendous success that we have had in promoting Northern Ireland as a major production centre across a number of mediums over the last few years.

### **Inward Investment: West Tyrone**

**Mr McAleer** asked the Minister of Enterprise, Trade and Investment what action her Department is taking to address the lack of prospective inward investors being hosted by InvestNI in the West Tyrone constituency during the past 4 years.

**(AQO 4025/11-15)**

**Mrs Foster:** Invest NI works to market all of Northern Ireland as an investment location. Potential investors choose the locations they want to visit by looking at a number of factors including availability of skills or suitable infrastructure, and how well these meet the needs of their specific investment project. Invest NI then facilitates the visits to these areas.

I am aware of the issues facing many of our local areas and my Department is committed to working with local stakeholders to maximise opportunities for their areas. In the current economic climate it is important that all stakeholders, local councils and Invest NI work together to promote Northern Ireland as a viable investment location.

We will continue to focus on promoting the whole of Northern Ireland and potential investors will look at locations which are best considered to meet their needs depending on the specific project in question.

The Innovation Growth Centre based at Omagh, to officially open for business by the end of May 13, is an excellent example of regionally based infrastructure with access to first class facilities such as superfast broadband, and business support services making it attractive to potential investors.

Invest NI's International and Regional Teams are due to meet shortly with representatives of Omagh Chamber of Commerce and Council Officials to discuss International Investment.

Invest NI's Chairman has written to all Councils inviting them to work to develop Unique Selling Propositions for their individual Council areas.

It is also planned to provide funding under the LED Competitiveness Programme to support Councils to develop localised content for a Northern Ireland wide Application for Apple and Android operating systems focused on FDI.

### **Anglo-North Irish Fish Producers Organisation**

**Mr Givan** asked the Minister of Enterprise, Trade and Investment what discussions she has had with representatives of the Anglo-North Irish Fish Producers Organisation, and other commercial fisheries stakeholders, in relation to the development of an offshore wind farm off the County Down coast.

**(AQO 4026/11-15)**

**Mrs Foster:** My Department has consulted and encouraged all the main fishing organisations to engage fully in the various meetings and stages of the ongoing consultation process in relation to offshore renewable energy deployment. The Anglo-North Irish Fish Producers Organisation, ANIFPO has actively participated in all of the meetings and has engaged fully and constructively in this process.

I have met with representatives of ANIFPO on a number of occasions, once with representatives of the Northern Ireland Fish Producers Organisation and will shortly be meeting the NI Trawlermen's Association on this issue.

I do recognise that it is essential to fully understand the impact on the local fishing industry arising from the development of offshore renewable projects. The Environmental Impact Assessment process will look at the potential impacts on the environment and marine users and it is imperative that the fishing community, along with other key stakeholders, fully engage in this process.

### **Giro d'Italia 2014**

**Mr Irwin** asked the Minister of Enterprise, Trade and Investment for her assessment of the tourism and economic benefits of the Giro d'Italia visiting Armagh City in 2014.

**(AQO 4191/11-15)**

**Mrs Foster:** The key aim is to showcase Northern Ireland, including Armagh City, on a local, national and international stage. It is also the aim to raise the profile and change perceptions both in terms of a great venue for cycling as well as a place to visit, work, study and invest.

I expect the event to be of significant benefit to Armagh City.

### **Trade Links with India**

**Mr D McIlveen** asked the Minister of Enterprise, Trade and Investment for an update on her Department's trade links with India.

**(AQO 4192/11-15)**

**Mrs Foster:** I am happy to report that from my first trade mission to India in September 2009 and my most recent trade visit in April 2012, along with the First and deputy First Ministers, Northern Ireland's manufacturing exports to India have increased by over 50 per cent, from £17.8 million in 2009 to £27.4 million in 2012.

India continues to be a challenging market for Northern Ireland companies to increase exports. To enhance trade opportunities, around 30 Northern Ireland companies have established a base in India to enable them to compete in the market.

Invest NI continues to support local companies in their efforts to expand exports into India, with Invest NI offices in Mumbai and Bangalore carrying out detailed market research and arranging appointments for visiting companies. Invest NI regularly updates its export programmes in India in order to meet the challenges of this difficult market. Two trade missions, involving 29 companies, visited India in 2012/13.

The Global India conference will be held in Belfast during June 2013 and Invest NI plan to use this event as an export catalyst.

### **Invest NI: Jobs Target**

**Miss M McIlveen** asked the Minister of Enterprise, Trade and Investment whether InvestNI will be able to meet their 25,000 jobs target as outlined in the Programme for Government 2011-2015.

**(AQO 4193/11-15)**

**Mrs Foster:** At 31st March 2013, Invest NI has promoted 13,870 new jobs against the Northern Ireland Executive's 25,000 job target. This represents excellent progress in what have been extremely challenging economic conditions.

Invest NI is now in a strong position to achieve the four year Programme for Government target, and I can assure you that Invest NI and my Department will work tirelessly to maximize employment opportunities for our whole community.

### **Mobile Telephone Communications and Broadband: Fermanagh**

**Mr Elliott** asked the Minister of Enterprise, Trade and Investment to outline the long-term improvement in mobile telephone communications and broadband in Fermanagh as a result of the telecommunications infrastructure improvement following the G8 Summit.

**(AQO 4194/11-15)**

**Mrs Foster:** I am aware that several telecommunications companies are making improvements especially around the Summit venues and I am informed that some of these improvements will remain after the Summit. This will benefit consumers close to those areas. In the longer term the industry continues to make investments across the county as it prepares to extend 3G services and prepares to deliver the next generation of mobile services. I am assured that all this will see enhancement to services.

### **Growth Loan Fund**

**Mr McGlone** asked the Minister of Enterprise, Trade and Investment what consideration is being given to expansion of the Growth Loan Fund.

**(AQO 4196/11-15)**

**Mrs Foster:** The £50million Growth Loan Fund has approved over 30 loans to a value of more than £7million. The pipeline of demand is strong at present. Nevertheless, at this point in time the Fund has considerable funding available to approve.

Invest NI is closely monitoring demand and meets with the loan fund manager on a monthly basis. Should demand and loan approvals remain strong then Invest NI will make a business case to satisfy the demand from viable businesses.

### **Development of Indigenous Businesses**

**Mr Milne** asked the Minister of Enterprise, Trade and Investment to outline her proposals to support the further development of indigenous businesses.

**(AQO 4197/11-15)**

**Mrs Foster:** The Executive is committed to growing the Northern Ireland economy through a focus on export-led economic growth.

The Northern Ireland Economic Strategy includes a wide range of measures which will support growth in our indigenous businesses and enable many of them to compete in international markets.

To complement the measures set out within the Northern Ireland Economic Strategy, my Department is developing a range of further Action Plans to address key issues facing local businesses.

### **Invest NI Land: Downpatrick**

**Mr Hazzard** asked the Minister of Enterprise, Trade and Investment what her plans are for the future use of unused InvestNI land in Downpatrick.

**(AQO 4198/11-15)**

**Mrs Foster:** There are 49 acres of land available at Invest NI's business parks in Downpatrick.

Invest NI is currently working with two businesses to further develop their interests in acquiring land in the Downpatrick area. It can, however, take a long period of time for interests to convert to actual sales and investment. Securing the necessary

funding and achieving all relevant statutory approvals can be important factors in determining when an investor will be able to implement their growth project.

### **NI Events Company**

**Mr McNarry** asked the Minister of Enterprise, Trade and Investment why the investigation into the NI Events company has taken five years instead of the projected maximum of two years.

**(AQO 4199/11-15)**

**Mrs Foster:** The duration of the investigation into the Northern Ireland Events Company is reflective of the complexity of the issues to be addressed in this case.

### **Economic Growth**

**Mr McKay** asked the Minister of Enterprise, Trade and Investment to outline her priorities regarding the fiscal levers which would stimulate economic growth.

**(AQO 4200/11-15)**

**Mrs Foster:** My priority remains gaining the power to set a lower rate of Corporation Tax in Northern Ireland, which could rebalance our economy, create jobs and increase prosperity. I will continue to press for this important measure despite the delay in the Prime Minister reaching a decision until Autumn 2014.

In addition, the proposals currently being developed as part of the Economic Pact will also stimulate economic growth. It is intended that these measures will be put in place, pending the Corporation Tax decision.

### **Hotels: Downpatrick**

**Mr Wells** asked the Minister of Enterprise, Trade and Investment what support her Department can give towards the provision of a new hotel in Downpatrick.

**(AQO 4385/11-15)**

**Mrs Foster:** New hotel developments may benefit from capital support from Invest NI if the promoter can demonstrate that the project is market driven with the capability of attracting visitors from outside Northern Ireland and not displacing business from similar projects. New hotel projects offering at least 30 rooms and achieving at least a 3-star classification under NITB's grading scheme will be considered for support.

It may also be possible for an hotel promoter to apply for assistance under the Jobs Fund which provides employment grant support to investment projects

### **World Police and Fire Games 2013**

**Mr McGimpsey** asked the Minister of Enterprise, Trade and Investment for her assessment of the impact on the local economy of the organisers of the World Police and Fire Games 2013 confirming that they will not meet their target of ten thousand competitors.

**(AQO 4388/11-15)**

**Mrs Foster:** The World Police and Fire Games will be the largest multi sport event that Northern Ireland has ever hosted.

Although the number of participants may be less than originally forecast, it will still be a major event and provide another platform to promote Northern Ireland to a wide audience. It will follow on from a very successful G8 Summit here.

The Northern Ireland Tourist Board continues to provide information encouraging visitors to extend their stay.

### **G8 Summit: Economic Benefit**

**Mr Elliott** asked the Minister of Enterprise, Trade and Investment to outline the action she intends to take to maximise the economic benefit of hosting the G8 Summit.

**(AQO 4397/11-15)**

**Mrs Foster:** The G8 Summit in Fermanagh has been an unprecedented opportunity to showcase a modern and forward looking Northern Ireland that is a great place to visit, to work and to do business. We have been working hard to ensure that we capitalise on the worldwide opportunities the summit presents not only for trade development, but also for changing perceptions, creating awareness about Northern Ireland, stimulating a sense of civic pride and driving visitor numbers.

I am looking forward to the investment conference that the Prime Minister will be supporting in the autumn.

### **Trade: Human Rights**

**Mr D Bradley** asked the Minister of Enterprise, Trade and Investment whether she places an emphasis on ensuring compliance with human rights during discussions on trade and investment with representatives of foreign governments.

**(AQO 4390/11-15)**

**Mrs Foster:** Invest NI's target markets for trade and investment are those countries that present the best opportunity for Foreign Direct Investment or Northern Ireland exports. That is not to say that Invest NI acts without regard to other factors. When considering whether to target a new market, advice is sought from colleagues at both the Foreign and Commonwealth Office and UK Trade and Investment on human rights issues.

I am, therefore, satisfied that any of the foreign governments with whom I meet to discuss trade and investment can be considered suitable trading partners.

## Economic Growth

**Mr Brady** asked the Minister of Enterprise, Trade and Investment to outline her proposals for increasing both the efficiency and growth of the economy.

(AQO 4392/11-15)

**Mrs Foster:** It is the responsibility of all Executive Departments, through the commitments they have made within the Northern Ireland Economic Strategy, to help grow the private sector and rebalance the economy towards one where a greater number of firms compete in global markets and there is growing employment and prosperity for all.

Research indicates that it is exposure to external markets that drives efficiency and productivity improvements in individual businesses and regional economies such as Northern Ireland.

That is why the key focus of the Northern Ireland Economic Strategy is on supporting export-led economic growth.

## Natural Gas Network

**Mr I McCrea** asked the Minister of Enterprise, Trade and Investment for an update on the extension of the natural gas network to the Mid Ulster area.

(AQO 4393/11-15)

**Mrs Foster:** Following Executive approval in January 2013 of up to £32.5 million grant support towards extending the natural gas network to towns in the West including Dungannon, Cookstown, Magherafelt and Coalisland, my Department is currently working towards securing State aid approval from Brussels.

In parallel, the Utility Regulator has recently consulted on the process for the licence competition, with the aim of making a licence award in early 2014. It is anticipated that main pipeline construction works could begin before the end of 2015.

## Tourism: Booking Arrangements and Visa Procedures

**Mr F McCann** asked the Minister of Enterprise, Trade and Investment for an update on measures to promote a seamless process of booking arrangements and visa procedures for prospective tourists coming to this island.

(AQO 4394/11-15)

**Mrs Foster:** I welcome proposals within the economic support package for Northern Ireland, announced on 14 June 2013, to develop visa waiver arrangements between the UK and the Republic of Ireland starting with the introduction of a pilot scheme. This pilot, subject to the appropriate safeguards, and agreement between both Governments, will permit visitors from a range of overseas destinations to enter Northern Ireland and Great Britain on an Irish visa without the need for a separate UK visa.

## Department of the Environment

### Planning Application Q/2011/0220/O

**Mrs Dobson** asked Minister of the Environment, pursuant to AQW 18988/11-15, to detail the reasons for the delay in a decision on planning application Q/2011/0220/O.

(AQW 20228/11-15)

**Mr Attwood (The Minister of the Environment):** A recommendation will be brought to the next available Banbridge District Council.

### EU Funding Programmes

**Mr Brady** asked the Minister of the Environment how many of his departmental officials are allocated to deal specifically with EU funding programmes.

(AQO 3480/11-15)

**Mr Attwood:** The Department has a small team which currently has a complement of 4 full time staff who deal specifically with the promotion of, and drawdown from, competitive EU funding streams for climate change and energy projects. This team supports the work of the Climate Change and Energy Thematic Group established under the Barroso Task Force Working Group. In addition to this, other DOE policy and operational staff are involved in providing specialist input on projects as



required although specific information on this type of input is not readily available. The Department also has access to the services of the Climate Change and Energy Desk Officer in the Office of the Northern Ireland Executive in Brussels.

DOE Senior Management know of the importance and priority I give, and which must be given, to potential EU funding. This is essential given the opportunities presented by new funding programmes commencing in 2014 and the relatively low level of drawdown to date in the North. As an example, £55m has been drawn down in the North under the current FP7 programme compared to around £600m in the South. Horizon 2020, which is the successor to the FP7 project, is likely to have a total budget in the region of £60bn and this is an opportunity that must not be missed. I held a gathering in September 2012 of EU, DOE, SEUPB and Enterprise Ireland personnel to identify how this work could be taken forward. This is work I believe must be developed and I have instructed officials to continue to work closely with these organisations to ensure that the potential benefits are realised.

### Northern Colletes Bee

**Mr Agnew** asked the Minister of the Environment, in addition to the Northern Ireland Environmental Agency's Species Action Plan published in 2006, what plans his Department has to protect and help the Northern Colletes bee flourish on the North Coast. (AQW 23012/11-15)

**Mr Attwood:** The Department jointly funded a PhD study on the "Conservation Biology and genetics of a rare mining bee, *Colletes floralis*" centred on the North Coast area of Northern Ireland.

Since the re-discovery in 2003 of the Northern Colletes at four sites on the North Coast, after an absence from Northern Ireland of 70 years, there has been much interest in its local distribution and biology. Several surveys have been conducted and following the PhD study a number of scientific papers have been published adding to the knowledge base required to promote the protection of this rare species.

The PhD study also identified a number of management conclusions and recommendations which are available to site owners/managers. Many of these recommendations have been passed on to land managers in its four main breeding sites and much positive work has been delivered as a result. The bees require areas of bare sand in close proximity to certain native wildflowers, and management prescriptions which favour these conditions, such as light grazing of the sites, have been introduced.

### Northern Colletes Bee

**Mr Agnew** asked the Minister of the Environment whether an assessment will be carried out on the impact of the construction of Bushmills Dunes golf course on the survival of the Northern Colletes bee, given that the area hosts one quarter of the world's population of this species. (AQW 23013/11-15)

**Mr Attwood:** The Northern Colletes bee, *Colletes floralis*, is a small solitary mining bee. Some 90% of the world's population is thought to be located in coastal areas of Ireland. The species was recorded as absent from Northern Ireland records between 1933 and 2003, when it was re-discovered in four sites on the North Coast: - Magilligan Dunes, Portstewart Strand, Bushfoot Strand and White Park Bay.

When proposals were submitted for a major golf facility at Runkerry the possibility of such an important species being present was raised. A survey of *C. floralis* was requested as part of the Environmental Statement accompanying the application. A site survey in 2007 did not locate any *C. floralis* within the proposed development area. The absence of the species was confirmed in a resurvey of the site in 2011.

The potential impact of the construction of the Bushmills Dunes golf resort on the Northern Colletes Bee was therefore properly assessed during the processing of the planning application. The conclusion was that the development would not give rise to significant effects on the species. Following a challenge to the decision by the National Trust, the permission was held to be lawful by the Courts.

### Planning Applications: Delay

**Mr Weir** asked the Minister of the Environment how many planning applications have been in the planning system for more than three years, broken down by (i) council; and (ii) planning division area. (AQW 23841/11-15)

**Mr Attwood:** As a result of initiatives put in place over the last year, progress has been made to reduce the number of applications in the system over 12 months.

As of 30 April 2013 a total of 423 planning applications have remained in the system for more than three years.

Table 1 below outlines the number of such applications by planning area office, and by Local Government District.

**Table 1: Planning applications outstanding that were received on or before 30/04/2010, as at 30/04/2013**

Planning Area Office	District	2006/07 and earlier	2007/ 08	2008/ 09	2009/ 10	2010/ 11	Total
Belfast	Ards	31	6	5	7	2	51
	Belfast	7	2	6	7	1	23
	Castlereagh	2	6	5	7	0	20
	Lisburn	2	6	10	12	2	32
	North Down	3	0	0	2	0	5
	<b>Total</b>	<b>45</b>	<b>20</b>	<b>26</b>	<b>35</b>	<b>5</b>	<b>131</b>
Northern	Ballymoney	2	3	2	1	1	9
	Coleraine	1	2	1	2	0	6
	Derry	7	12	3	3	0	25
	Limavady	0	0	0	2	0	2
	Moyle	2	0	0	2	1	5
	Strabane	0	0	4	1	0	5
	<b>Total</b>	<b>12</b>	<b>17</b>	<b>10</b>	<b>11</b>	<b>2</b>	<b>52</b>
South Antrim	Antrim	2	1	1	0	0	4
	Ballymena	0	0	0	3	0	3
	Carrickfergus	2	0	1	1	0	4
	Larne	2	0	0	0	0	2
	Newtownabbey	3	8	2	0	0	13
	<b>Total</b>	<b>9</b>	<b>9</b>	<b>4</b>	<b>4</b>	<b>0</b>	<b>26</b>
Southern	Armagh	5	8	9	9	0	31
	Banbridge	0	0	2	0	0	2
	Craigavon	0	1	1	1	0	3
	Down	6	9	5	7	1	28
	Newry and Mourne	16	9	8	10	0	43
	<b>Total</b>	<b>27</b>	<b>27</b>	<b>25</b>	<b>27</b>	<b>1</b>	<b>107</b>
Western	Cookstown	0	1	1	3	0	5
	Dungannon	0	0	1	1	0	2
	Fermanagh	2	2	2	1	0	7
	Magherafelt	0	3	1	2	1	7
	Omagh	0	1	3	2	1	7
	<b>Total</b>	<b>2</b>	<b>7</b>	<b>8</b>	<b>9</b>	<b>2</b>	<b>28</b>
Strategic Planning		22	9	21	24	3	79
<b>Total</b>		<b>117</b>	<b>89</b>	<b>94</b>	<b>110</b>	<b>13</b>	<b>423</b>

Officials have been instructed to expedite the processing of these applications so that decisions on them, to approve or refuse, are issued as quickly as possible.

## Recycling Businesses

**Mr Hamilton** asked the Minister of the Environment for his assessment of the impact that the proposed increase in fees for transfrontier movements of waste will have on recycling businesses.

(AQO 4217/11-15)

**Mr Attwood:** DEFRA has provided the Department with details of all responses received from organisations in Northern Ireland to the consultation on the proposed Transfrontier Shipment of Waste (amendment) Regulations. My officials have reviewed those responses and contacted the relevant recycling businesses who voiced their concerns. The main impact identified by those companies related to the possibility of a no refunds policy being introduced by the Department. Whilst the Agencies in England Scotland and Wales only provide refunds for notifications of waste movements which have been rejected or fail to commence, the NIEA are proposing to introduce a refund policy which ensures the Department returns monies for activities which have failed to transpire thus ensuring full cost recovery by the Agency isn't exceeded.

Officials also discussed better utilisation of the general notification system with those companies identified and have established that by using the system to its full potential, the costs incurred by the companies could be lower than those under the present fee structure.

Based on the responses to the consultation I am assured that the impact of the proposed fee structure would not be prohibitive to the recycling businesses providing the notification system is utilised to its full potential.

## SSE

**Lord Morrow** asked the Minister of the Environment what consideration has been given to SSE Wind's recent fine of £10.5 million by Trading Standards for breaching procedures, given the fact that the Lisnahaney Wind Farm proposal is under investigation by the same body.

**(AQW 24148/11-15)**

**Mr Attwood:** The fine you refer to was imposed by Ofgem. Ofgem has stated that customers contacted by SSE were exposed to misleading statements, inaccurate and misleading information on SSE's charges, and misleading comparisons between SSE's charges and costs of other suppliers.

The planning application for the Lisnahaney wind farm proposal is currently being assessed by my Department. Any issue relating to trading standards is for the Northern Ireland Authority for Utility Regulation to comment upon.

## Wind Turbines: Liability

**Lord Morrow** asked the Minister of the Environment how he intends to address the issue of third party claims, in relation to wind turbines, for liability against the landowner; and whether he plans to amend legislation on this issue.

**(AQW 24332/11-15)**

**Mr Attwood:** PPS 18 'Renewable Energy' sets out the Department's planning policy for development that generates energy from renewable resources. The principal aim of PPS18 is to facilitate the siting of renewable energy generating facilities in appropriate locations within the built and natural environment in order to achieve Northern Ireland's renewable energy targets and to realise the benefits of renewable energy.

Policy RE1 requires that no development proposal will result in an unacceptable adverse impact on human health. In addition, applications for wind energy development are required to demonstrate that wind turbine development will not cause significant harm to the safety or amenity of any sensitive receptors (including future occupants of committed developments) arising from noise; shadow flicker; ice throw; and reflected light.

With respect to wind farm development, PPS18 sets a general amenity separation distance of 10 times rotor diameter to occupied property with a minimum distance not less than 500m. Further information and guidance on the safe siting of wind turbines is set out in the Best Practice Guidance accompanying PPS18.

While planning policy aims to secure the orderly and consistent development of land and the planning of that development, issues relating specifically to liability are a matter between the turbine owners and the land owners and as such lie outside the planning system.

## Ballinlea 1 Test Well

**Mr Agnew** asked the Minister of the Environment whether an environmental impact assessment was conducted on the Ballinlea 1 test well; and if so, to provide further details.

**(AQW 24479/11-15)**

**Mr Attwood:** Due to its size and location the proposed test well fell below the thresholds which would trigger the requirements set out in the Planning (Environmental Impact Assessment) Regulations (NI) 1999.

## Ballinlea 1 Test Well

**Mr Agnew** asked the Minister of the Environment to list the chemicals which have been used in the drilling fluids in the Ballinlea 1 test well; and the quantities of the chemicals used.

**(AQW 24541/11-15)**

**Mr Attwood:** Data on the drilling fluids used has been supplied by the operator to DETI.

## Wind Energy

**Lord Morrow** asked the Minister of the Environment to outline the benefits and drawbacks of wind energy.  
(AQW 24714/11-15)

**Mr Attwood:** I agree with the advice I have received from the Department of Enterprise Trade and Investment (DETI) that wind is one of the most cost effective and proven renewable energy technologies and that it has an important part to play in a responsible and balanced Northern Ireland energy policy. Wind energy development cuts carbon emissions, reduces our reliance on fossil fuels and improves energy security. DETI however advise that wind is, by its nature, intermittent, hence the need for a mix of renewable technologies.

Furthermore I consider that renewable energy technologies (including wind energy) present the potential to develop an indigenous renewable energy industry and provide a range of opportunities to support the Northern Ireland economy, including through direct and indirect employment opportunities; revenue to the owners of the land on which they are built; employment in the manufacture of components and services; and opportunities for rural diversification.

Finally I am satisfied that the planning process is adequately robust to ensure that all relevant planning considerations are fully taken into account in determining proposals for wind energy.

## Belfast Metropolitan Area Plan

**Mr Weir** asked the Minister of the Environment for an update on the timescale for the publication of the Belfast Metropolitan Area Plan.  
(AQW 24982/11-15)

**Mr Attwood:** The Department plans to publish BMAP on completion of the relevant statutory processes and following the issue by DRD of a certificate of general conformity with the Regional Development Strategy 2035.

## Planning: Developments near Airfields

**Miss M McIlveen** asked the Minister of the Environment what requirements are in place for Planning Service to consult with the Civil Aviation Authority in relation to proposed developments near licensed and unlicensed airfields.  
(AQW 25121/11-15)

**Mr Attwood:** Under Article 15 of the Planning (General Development) Order (NI) 1993 the Department is required to consult the District Council and the Health and Safety Executive for Northern Ireland. These are the only two statutory consultees DOE Planning is required to consult.

DOE Planning regularly consults with other authorities or bodies likely to have an interest in, and observations to make in respect of proposed developments. The expert advice of these non-statutory consultees plays a key part of the development management process.

In 2003 the responsibility for the administration for Airport Public Safety Zones moved from the Civil Aviation Authority to Airport Operators.

There are currently two Airport Public Safety Zones in Northern Ireland, one at George Best Belfast City Airport, and the other at Belfast International Airport. The Department will consult the relevant airport operator on receipt of any planning applications which are adjacent to or within either of the two airport public safety zones in Northern Ireland.

DOE Planning will consult with the Civil Aviation Authority (Directorate of Airspace Policy) in considering the impact planning applications for particular types and scales of development, such as wind farms, have on the airspace safeguarding areas around airports. In addition, Belfast International Airport is also consulted on all wind energy applications. Other airports – i.e. City of Derry, Belfast City, Enniskillen and Newtownards are consulted where a wind energy proposal is within 30km of the airfield. This is to safeguard against developments that could adversely affect safe operations.

The Department does not hold records of private airfields or of their owners and therefore does not consult directly with such persons/organisations.

## Wind Farms: Noise

**Mr Gardiner** asked the Minister of the Environment for his assessment of the methods of measuring and assessing acceptable wind farm noise within Planning Policy Statement 18.  
(AQW 25141/11-15)

**Mr Attwood:** Planning Policy Statement (PPS) 18 – ‘Renewable Energy’ aims to facilitate the siting of renewable energy facilities in appropriate locations in order to achieve Northern Ireland’s renewable energy targets. Proposals for wind farms and single turbines will be permitted provided that the proposal will not result in an unacceptable adverse impact on a number of criteria including public safety, human health and residential amenity.

Best practice guidance associated with PPS18 recommends the use of national guidance contained in the ETSU-R-97 report in the assessment and rating of noise from wind energy developments. Where necessary, the relevant District Council

environmental health officials will be consulted on wind farm and single turbine planning applications and will provide the Department with their expert advice and opinion on the interpretation and application of ETSU-R-97.

At the request of the Department of Energy and Climate Change (DECC) in England, the Institute of Acoustics (IoA) recently established a working group to examine the application of ETSU-R-97. This group published a 'Good Practice Guide', in May 2013, on the application of ETSU-R-97 methodology. The aim of this guide is to provide up to date advice to ensure that noise assessments are carried out in a thorough and, as far as possible, consistent manner and that all necessary information required by District Council environmental health professional consultation is provided. In this context, I am satisfied that the methods of measuring and assessing acceptable wind farm noise within Planning Policy Statement 18 are adequate.

## Department of Justice

### Noel Parker

**Lord Morrow** asked the Minister of Justice, pursuant to AQW 22900/11-15, (i) when the administrative error was first discovered; and (ii) whether the prisoner was temporarily released on the impression that he was attending his daughter's wedding, or was the error reflective of the answer provided to AQW 21633/11-15.

**(AQW 24515/11-15)**

**Mr Ford (The Minister of Justice):** An investigation into the facts and circumstances surrounding this incident is underway. I will endeavour to respond to the member's question following the outcome of the investigation.

### Prisons: Self-harm

**Lord Morrow** asked the Minister of Justice, since the introduction of Supporting Prisoner at Risk processes were introduced and replaced any previous practice, how many prisoners have self-harmed, attempted suicide or died by suicide (i) whilst the subject of a Supporting Prisoner at Risk process; (ii) having been the subject of a Supporting Prisoner at Risk process which was since closed; and (iii) having never been the subject of a Supporting Prisoner at Risk process.

**(AQW 24573/11-15)**

**Mr Ford:** The table below provides a breakdown of the number of prisoners who have self harmed by each category requested. Prisoners may be recorded in more than one category depending on the individual circumstances when either the self harm or attempted suicide occurred and as the data includes any previous custodial periods.

Subject to SPAR procedures	Had been subject to SPAR procedures that were closed	Never been subject to the SPAR procedures
357	389	151

Figures relating specifically to suicide attempts can not be provided in the format requested due to the current electronic recording of this data on the Prison Record Information System (PRISM). Some of the incidents of self harm reported above will include suicide attempts.

The Prison Service can not provide data for any prisoners who died by suicide for the timeframe requested as the Coroner has yet to give a verdict. However, the table below shows the deaths recorded by the prison service as self inflicted by each category requested.

Subject to SPAR procedures	SPAR procedures which have since closed	Never been subject to the SPAR procedures
1*	7*	6*

\* Includes one death which occurred out of prison custody but has been recorded by the prison service due to the circumstances of the death.

## Department for Regional Development

### Traffic Calming Measures: North Down

**Mr Weir** asked the Minister for Regional Development for an update on plans for traffic calming measures in North Down.  
**(AQW 23848/11-15)**

**Mr Kennedy (The Minister for Regional Development):** I would remind the Member that information on completed and proposed roads schemes for the current financial year can be found in Roads Service's Spring and Autumn Reports to Councils. These reports can be accessed from my Department's internet site at the following web address:



[http://www.drdni.gov.uk/index/freedom\\_of\\_information/customer\\_information/cinformationtype-results.htm?signpost=Customer+information&informationType=Roads+Service+reports+to+councils](http://www.drdni.gov.uk/index/freedom_of_information/customer_information/cinformationtype-results.htm?signpost=Customer+information&informationType=Roads+Service+reports+to+councils)

I can advise that the detailed budget for subsequent years has not yet been finalised and it is therefore not possible to provide details of future works programmes at this time.

## Roads: Resurfacing

**Mr Weir** asked the Minister for Regional Development how much has been spent on road resurfacing, in each of the last five years, broken down by constituency.

**(AQW 23995/11-15)**

**Mr Kennedy:** My Department does not maintain an analysis of expenditure in the format requested, however, it does analyse expenditure on Structural Maintenance by District Council and resurfacing is a component part of Structural Maintenance. Analysis of this expenditure for each of the last five years is detailed in table 1.

In addition, whilst officials cannot provide an analysis of the amount spent on resurfacing by Council area, table 2 provides details of the comparison between the total amount spent on resurfacing in Northern Ireland, for each of the last five years, and the total spend on Structural Maintenance over the same period.

**Table 1**

District Council	Structural Maintenance Spend £k's				
	Year 07-08	Year 08-09	Year 09-10	Year 10-11	Year 11-12
Antrim	2,096	1,742	2,794	2,463	3,469
Coleraine	2,597	1,862	2,736	2,373	3,617
Limavady	2,391	1,558	2,344	2,303	3,431
Moyle	1,340	993	1,397	945	1,892
Ballymoney	1,648	1,463	2,002	2,029	2,759
L'derry	2,998	2,673	3,086	2,887	5,560
Ballymena	2,749	2,654	3,339	3,097	4,463
Larne	1,273	1,116	1,704	1,380	1,756
Belfast	6,009	4,630	6,039	5,527	9,054
Castlereagh	2,165	1,623	1,792	1,218	1,433
Newtownabbey	2,846	1,860	2,455	2,339	3,029
Carrickfergus	1,186	783	1,036	778	1,805
North Down	2,465	1,462	1,755	1,938	2,667
Lisburn	3,066	4,364	4,604	5,411	5,297
Ards	3,335	1,726	3,065	4,088	4,782
Armagh	4,907	4,439	5,388	5,229	8,197
Newry & Mourne	3,944	2,700	5,605	5,382	6,767
Banbridge	2,734	1,880	2,811	3,572	4,212
Craigavon	3,614	2,231	3,867	4,809	5,417
Down	2,552	3,336	3,377	4,065	5,323
Magherafelt	2,771	2,107	2,885	3,186	3,515
Omagh	4,424	2,971	4,923	4,262	6,143
Strabane	3,617	3,028	4,592	4,366	5,197
Cookstown	1,976	1,738	2,145	2,718	3,887
Fermanagh	4,578	4,638	4,951	6,869	9,869
Dungannon	4,051	3,410	4,498	5,078	6,896
<b>Overall Total</b>	<b>77,332</b>	<b>62,986</b>	<b>85,190</b>	<b>88,312</b>	<b>120,437</b>

**Table 2**

Financial Year	Total Spend on Resurfacing £'k	Total Spend on Structural Maintenance £'k
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
<b>Total</b>	<b>208,073</b>	<b>434,258</b>

### Railway Network: Sligo and Derry

**Mr McKay** asked the Minister for Regional Development what discussions he has had with his counterpart in the Dublin Government about availing of European funding to connect Sligo and Derry by rail.

**(AQW 24842/11-15)**

**Mr Kennedy:** The exploration and securing of European funding opportunities remain an ongoing priority for my Department, and we are continuing our efforts to seek further funding for upgrading of the Belfast to Dublin Enterprise service in this context. Irish Rail's Rail Strategy Network Review, published in 2011, considered the proposal to create a new rail connection from Londonderry into Donegal and beyond; the conclusion of which was that it would not be economically viable to do so in the period up to 2030.

### Railway Network: Dunloy

**Mr McKay** asked the Minister for Regional Development whether he will consider the introduction of a railway stop at Dunloy between Ballymoney and Ballymena.

**(AQW 24844/11-15)**

**Mr Kennedy:** In designing and delivering services, including the need for, and benefits of, additional railway halts, Translink must strike the right balance between delivering fast, efficient and limited stop services and the potential increase in passenger demand arising from increases in the population catchment areas.

Translink advise that the application of established passenger demand forecasting models would indicate that demand would be insufficient to justify an additional halt near Dunloy.

In addition, operation of regular services in both directions on a single line track requires trains to arrive at the passing-loop at regular scheduled times.

### Legal Costs

**Mr Agnew** asked the Minister for Regional Development to detail (i) the number of legal cases, including judicial reviews, that his Department has defended since 2007; (ii) the number of these legal challenges the Department lost; and (iii) the total costs incurred by his Department on the cases which it lost.

**(AQW 25025/11-15)**

**Mr Kennedy:**

- (i) The number of legal cases, including judicial reviews, that my Department has defended since 2007 and
- (ii) the number of these legal challenges lost by my Department are detailed below.

Financial Year	The number of legal cases, including judicial reviews, that the Department has defended	Number of challenges lost
2007/08	2,555	957
2008/09	2,935	1,107
2009/10	3,658	1,301
2010/11	3,759	1,861
2011/12	2,927	1,794
2012/13	2,574	952

- (iii) The total costs incurred on cases that were lost cannot be provided as the departmental accounting system cannot disaggregate between the legal costs associated with successful and unsuccessful defences.

## Roadworks: Night and Weekend Operations

**Mr McGimpsey** asked the Minister for Regional Development how many times his Department has required a roads contractor to manufacture asphalt materials, for road works, during the night or at weekends since May 2011; and at which locations this took place.

**(AQW 25065/11-15)**

**Mr Kennedy:** In order to minimise delays to traffic and inconvenience to residents and businesses, my Department, occasionally requires a roads contractor to carry out road works outside normal working hours. This has meant that, on some occasions, contractors have had to manufacture asphalt materials during the night or at weekends. This situation has occurred on 207 occasions since May 2011. The following table provides location details of the road schemes and manufacturing plant at which the asphalt was manufactured:

List of Schemes that have required the roads contractor to manufacture asphalt materials for road works during the night or at weekends since May 2011

Scheme Location	Manufacturing Plant Location
Comber Road, Carryduff	North Down Quarries, 61 Ballybarnes Road, Newtownards or Ballymena Depot, 50 Craigadoo Road, Moorfields, Ballymena
Old Milltown Road, Belfast	
Eastlink Road, Belfast	
Kings Road, Belfast	
A24 Saintfield Road, Belfast	
Robbs Road, Dundonald	
Glen Road, Braniel, Belfast	
Cairnshill Road Belfast	
Gransha Road, Bangor	
Ballysallagh Road, Bangor	
Bloomfield Road, Bangor	
A2 Belfast Road, Bangor	
Clandeboyne Road, Bangor	
Groomsport Road, Bangor	
Newtownards Road Roundabout, Bangor	
Stockman's Lane, Belfast	
Balmoral Avenue, Belfast	
Belmont Road Roundabout, Belfast	
Lisburn Road, Belfast	
Upper Castlereagh Road, Belfast	
Finaghy Road South, Belfast	
Stranmillis Road Roundabout, Belfast	
Upper Newtownards Road, Belfast	
Castlereagh Street / Road, Belfast	
Ravenhill Road, Belfast	
Ormeau Road, Belfast	
Donegal Road, Belfast	
Newtownards Road @ Albert Road, Belfast	
Stranmillis Embankment, Belfast	
Castlereagh Road @ Wayland Street, Belfast	
Ravenhill Road, Belfast	
Glen Road Roundabout, Belfast	

<b>Scheme Location</b>	<b>Manufacturing Plant Location</b>
Ormeau Embankment, Belfast	North Down Quarries, 61 Ballybarnes Road, Newtownards or Ballymena Depot, 50 Craigadoo Road, Moorfields, Ballymena
Malone Road, Belfast	
Belmont Road, Belfast	
University Road, Belfast	
Finaghy Road South, Belfast	
Finaghy Cross Roads, Belfast	
Ormeau Road @ Ormeau Bridge, Belfast	
Andersonstown Road Roundabout, Belfast	
North Road, Belfast	
Middlepath Street, Belfast	Craigall Quarry, Kilrea Co. Londonderry
East Bridge Street, Belfast	
Kings Road, Belfast	
Beersbridge Road, Belfast	
Park Centre Roundabout, Belfast	
Great Victoria Street / Bruce Street Junction (STEM), Belfast	Budore Quarry, 15 Sycamore Road, Dundrod or Edentrillick Quarry, Lagan Green Road, Dromore, BT25 1EL
Grosvenor Road/ Durham Street Junction (STEM), Belfast	
Sandy Row / Hope Street Junction (STEM), Belfast	
May Street / Donegal Square South / Howard Street, Belfast	Temple Quarry, 26 Ballycamgannon Road, Lisburn BT27 6YA or Black Mountain Quarry, Upper Springfield Road, Belfast, BT17 0LU
Floral Road, Belfast	
Fortwillam Park, Belfast	
Crumlin Road @ Legoneill Road, Belfast	
Crumlin Road @ Ardoyne, Belfast	
Dunbar Link, Belfast	
Upper Queen Street, Belfast	
Dock Street/ Garmoyle Street/ Nelson Street, Belfast	
Upper Crumlin Road @ Hightown Road, Belfast	
Dargan Road, Belfast	Temple Quarry, 26 Ballycamgannon Road, Lisburn BT27 6YA or Black Mountain Quarry, Upper Springfield Road, Belfast BT17 0LU
Upper Crumlin Road @ Ballysillan Park, Belfast	
Linfield Road, Belfast	
Ballymagarry Lane, Belfast	
Whiterock Road, Belfast	
Ainsworth Avenue, Belfast	
Antrim Road @ Throne Bends, Belfast	
College Avenue, College Sq North, Durham Street, Grosvenor Rd, Gt. Victoria St, College Sq East (STEM), Belfast	
Wellington Place/ Donegal Square East/ Chichester St (STEM), Belfast	
Duncrue Road, Belfast	
High Street, Belfast	

<b>Scheme Location</b>	<b>Manufacturing Plant Location</b>
Market Place / Chapel Hill, Lisburn	Craigall Quarry, Kilrea Co. Londonderry
Hillhall Road, Lisburn	
Stoneyford Road / Rock Road Junction, Lisburn	
Magheraconluce Road / Howe Road, Dromore	
A26 Moira Road Gleavy	
Hillhall Road, Lisburn	Temple Quarry, 26 Ballycamgannon Road, Lisburn BT27 6YA or Black Mountain Quarry, Upper Springfield Road, Belfast BT17 0LU
A26 (Moira Road), Liburn	
North Circular Road Lisburn	
A3 Moira Road, Lisburn	
Wallace Avenue, Lisburn	
A26 Lower Ballinderry, Lisburn	
Dromara Road, Dromore	
Prince William Roundabouts, Lisburn	
Jordanstown Road, Newtownabbey	
Station Road, Doagh, Newtownabbey	
A57 Templepatrick Road	
A6 Antrim Road @ Chimney Corner	
Mallusk Road, Newtownabbey	
Roughfort Road, Mallusk	
A2 Larne Road, Whitehead	
Upper Road, Greenisland	
A6 Antrim Road, Newtownabbey	
Station Road, Whiteabbey	
New Line, Carrickfergus	
Marine Highway, Carrickfergus	
Doagh Rd/Old Carrick Rd	
Middle Road, Carrickfergus	
Carntall Road/ Doagh Road, Newtownabbey	Budore Quarry, 15 Sycamore Road, Dundrod or Edentrillick Quarry, Lagan Green Road, Dromore BT25 1EL
A20 Portaferry Road from The Maltings - Finlays Rd	Temple Quarry, 26 Ballycamgannon Road, Lisburn BT27 6YA
High Street and Braeside, Comber	
Ballybarnes Road, Newtownards from Belfast Rd - Quarry	
Zion Place, Newtownards	
A21 Comber Road, Newtownards @ Westwinds	North Down Quarries, 61 Ballybarnes Road, Newtownards
A21 Comber Road, Newtownards Ballyhenry Rd - Moate Rd	Temple Quarry, 26 Ballycamgannon Road, Lisburn, BT27 6YA or Black Mountain Quarry, Upper Springfield Road, Belfast, BT17 0LU



<b>Scheme Location</b>	<b>Manufacturing Plant Location</b>
English Street, Armagh - footway	Budore Quarry, 15 Sycamore Road, Dundrod
College Street EI scheme, Armagh	
U7015 Tower Hill, Armagh	
Newry Road, Mall West, Friary Rd (St Malachy's slip, Killylea Rd Portadown Rd, Armagh.	
Castlewellan Road, Banbridge @PSNI Station	Budore Quarry, 15 Sycamore Road, Dundrod or Edentrillick Quarry, Lagan Green Road, Dromore, BT 25 1EL
Commercial Road Roundabout, Banbridge	Budore Quarry, 15 Sycamore Road, Dundrod
B28 Garvaghy Road, Portadown @ Ulster Carpets Phase 1.	
Main Street, Waringstown	
Silverwood R'bout, Derrymacash	
Ballynamoney Road - Silverwood, Derrymacash	Budore Quarry, 15 Sycamore Road, Dundrod or Edentrillick Quarry, Lagan Green Road, Dromore, BT25 1EL
Lough Road, Lurgan	Gibson Brothers Ltd, 1 Kilmacrew Road, Banbridge, BT32 4ES
Kernan Road/Seagoe Road Junction, Portadown	Budore Quarry, 15 Sycamore Road, Dundrod or Edentrillick Quarry, Lagan Green Road, Dromore, BT25 1EL
Church Walk, Lurgan	Budore Quarry, 15 Sycamore Road, Dundrod
B28 Garvaghy Road, Portadown Phases 2 & 3 at north end	
B28 Moy Road, Portadown	Budore Quarry, 15 Sycamore Road, Dundrod or Edentrillick Quarry, Lagan Green Road, Dromore, BT25 1EL
A26 Banbridge Road, Lurgan @ Flush Place	Budore Quarry, 15 Sycamore Road, Dundrod
Brownstown Road, Portadown @ Armagh Road Junction	Gibson Brothers Ltd, 1 Kilmacrew Road, Banbridge, BT32 4ES
Malcolm Road/Robert Street/Queen Street/High Street Junction, Lurgan	Gibson Brothers Ltd – TH Moore, Tullyvallen Quarry, Cullyhanna Road, Newtownhamilton, Newry, BT35 0JD
A3 Kernan Loop, Craigavon	Budore Quarry, 15 Sycamore Road, Dundrod or Edentrillick Quarry, Lagan Green Road, Dromore BT25 1EL
Comber Road, Killyleagh from Gocean Br - 30mph	Temple Quarry, 26 Ballycamgannon Road, Lisburn, BT27 6YA
Edward Street, Downpatrick from Ardglass Road - Irish Street	
Downpatrick Road, Killyleagh from BT exchange - Bridge	
Monaghan Street, Newry from Merchants Quay - Camlough Road	
Knockchree Avenue, Kilkeel from War Memorial - Mourne Esplanade	
Kilmorey Street, Newry from Abbey Way - Greenbank Roundabout	Armagh Depot, Cladybeg, Mohan, Newtownhamilton & Blackmountain Quarry, Upper Springfield Road Belfast, BT17 0LU

Scheme Location	Manufacturing Plant Location
A5 Melmount Road, Strabane	F P McCann Ltd, Knockloughrim Quarry, 3 Drumard Road, Magherafelt, Co. Londonderry BT45 8QA
A5 Victoria Road, Strabane.	
A5 Great Northern Link, Strabane	
B84 Baronscourt Road, Newtownstewart	
B165 Douglas Road, Newtownstewart	
B536 Ligford Road, Strabane	
B536 Ligford Road, Strabane (at different locations)	
Main Street, Seskinore	
Omagh Streets	
Dromore Streets	
Galbally Road Roundabout, Dromore	
Tamlagh Road, Omagh	
Gortrush Industrial Estate, Omagh	
Old Mountfield Road, Omagh	
A5 Great Northern, Omagh	
Crevenagh Road Roundabout, Omagh	P Clarke & Sons Ltd, Slushill Quarry, Lisnaskea Co. Fermanagh, BT92 0AF
A4 Wellington Road, Enniskillen	
A32 Forthill Street	
A4 Belfast Road at Toppings Garage	
A4 Ann Street Enniskillen	
A32 Corngrade Road, Enniskillen	
A32 Irvinestown Road, Enniskillen at Cross (Phase 1)	
A32 Irvinestown Road, Enniskillen at Cross (Phase 2)	
A32 Brownhill Link Road, Irvinestown	
Down Street / Market Street, Enniskillen	
A4 Sligo Road, Enniskillen	
A46 Derrygonnelly Road, Enniskillen at Portora	
Drumclay Link Road, Enniskillen	
Rossorry Church Road, Enniskillen	
Paget Lane, Enniskillen	
Corporation Street, Enniskillen	P Keenan, Corvanaghan Quarry, 29 Corvanaghan Road, Cookstown, Co Tyrone BT80 9TN
Drumglass Road, Dungannon	
John Street, Dungannon	
Castlecaulfield Road, Donaghmore	
Main Street, Clogher	
Granville Industrial Estate, Dungannon	
Killyman Road Industrial Estate, Dungannon	
Main Street, Fivemiletown	
A4 Ballagh Road, Fivemiletown	
A4 Edfield Way, Fivemiletown	
West Street, Stewartstown	

Scheme Location	Manufacturing Plant Location
Springhill, Moneymore	P Keenan, Corvanaghan Quarry, 29 Corvanaghan Road, Cookstown, Co Tyrone BT80 9TN
Derryloran Bridge, Cookstown	
Orritor Street, Cookstown	
A29 Coleraine Road, Maghera	
Union Road, Magherafelt	
Springhill Road, Moneymore	
A42 Clady Road, Portglenone	
Queens Avenue / Kirk Avenue / Kirk Lane, Magherafelt	
Bridge Street, Castledawson	
A8 Harbour Highway, Larne	Budore Quarries, Hannahstown , dundrod - McQuillan
A42 Main St, Broughshane	Croghan Quarry, Macosquin - Northstone
C59 Fenaghy Road, Ballymena	
C56 Sourhill Road, Ballymena	
A26 Newbridge Road at Tullans, Coleraine - August 2011	Letterloan Road, Macosquin - Whitemountain
Lower Main Street, Limavady - May 2011	
Kilrea Roundabouts - Sep 2012	
Millburn Road, Coleraine stage 1 - Sep 2012	
Lodge Road Roundabout, Coleraine - June 2012	
Railway Road Car Park Access road, Coleraine - Oct 2012	Letterloan Road, Macosquin - Whitemountain
Millburn Road, Coleraine Stage 2 - Nov 2012	
Waterside, Coleraine - March 2013	
Brook Street, Coleraine - June 2013	
Bannfield, Coleraine - June 2013	
Queens Quay Resurfacing, Londonderry - Sep 2011	
Glenshane Road - Armore to Claudy turnoff - Jan 2012	
Duke Street Roundabout, Londonderry - March 2012	
Spencer Road, Londonderry - March 2012	
Foyle Street, Londonderry - Nov 2011	
Infirmity Road, Londonderry - March 2012	
Altnagelvin Bank Car Park, Londonderry - Dec 2011	
Pennyburn Industrial Estate, Londonderry - March 2012	
Gransha Roundabout, Londonderry - Sep 2012	
Fountain Hill, Londonderry - Feb 2013	
Glengalliagh Road, Londonderry - Jan 2013	
Clarendon Street, Londonderry - March 2013	
Water Street/ Foyle Embankment, Londonderry - April 2012	
Dungiven Road, Londonderry - Feb 2013	
Haw Road, Londonderry - May 2013	

Please note this list does not include details of routine patching works for which my Department only maintains details of the date completed and is unable to confirm exactly when the contractors would have had to manufacture the asphalt.

## Roadworks: Night and Weekend Operations

**Mr McGimpsey** asked the Minister for Regional Development to detail any current road works schemes in which his Department requires a contractor to manufacture asphalt materials during the night or at weekends.

**(AQW 25066/11-15)**

**Mr Kennedy:** Details of the locations of the current road schemes which my Department intends to undertake works during the night or weekends are listed below:

- |                                      |   |
|--------------------------------------|---|
| ■ Sandelford Bridge, Coleraine;      | ■ Newtownards Road Roundabout, Bangor;  |
| ■ Artillery Road, Coleraine;         | ■ North Road, Belfast   |
| ■ Strand Road Car Park, Londonderry; | ■ A32 Irvinestown Road, Enniskillen (at Levaghy);                             |
| ■ Foyle Road Car Park, Londonderry;  | ■ A509 Main Street, Derrylin;   |
| ■ Bishop Street, Londonderry;        | ■ A34 Main Street, Lisnaskea;   |
| ■ Glen Road, Braniel, Belfast;       | ■ Swinging Bars Roundabout, Omagh;  |
| ■ Glen Road, Belfast;                | ■ A31 Castledawson Road, Magherafelt; and                                     |
| ■ Cairnshill Road, Belfast;          | ■ A1 Dual Carriageway between Hillsborough and Banbridge (various locations). |

It is, however, the responsibility of the contractor or their supplier to determine when the material required for these schemes is actually manufactured and to comply with relevant legislation when doing so.

## Roadworks: Night and Weekend Operations

**Mr McGimpsey** asked the Minister for Regional Development what criteria he applies when taking a decision on whether roads contractors should operate heavy machinery or undertake manufacturing during the night or at weekends.

**(AQW 25067/11-15)**

**Mr Kennedy:** Quarrying and the manufacture of construction materials is a heavy industrial process. I recognise that there has to be a balance between the needs of the construction industry for materials and the rights of neighbours.

Quarries must comply with noise and pollution regulations which are enforced by District Councils. In addition, quarries must comply with conditions set out in their Planning consent which are enforced by Planning Service

On occasions, my Department's Roads Service requires contractors to carry out resurfacing works at nights at a weekends, to minimise disruption to the travelling public and to ensure that work can be done safely. Such decisions take into account the impact on local services such as schools, churches, businesses, emergency services and public transport providers, in addition to the impact on those living in proximity of the works.

If materials have to be manufactured overnight it is the responsibility of the contractor's supplier to comply with the relevant regulations

A careful balance has to be struck between safety, disruption, quality and value.

## Roadworks: Night and Weekend Operations

**Mr McGimpsey** asked the Minister for Regional Development what actions are taken to ensure that contractors who are manufacturing asphalt materials for road works during the night or at weekends do not contravene statutory noise nuisance.

**(AQW 25068/11-15)**

**Mr Kennedy:** The Department of the Environment's Air and Environmental Quality Unit is responsible for the legislation and policy on noise control.

With regard to the manufacture of asphalt materials for road works, noise limits for specific sites producing these materials are contained within the relevant planning permissions. The enforcement of noise control legislation, for either night or weekend work within these sites, is a matter for Environmental Health departments of the local council.

If you have particular concerns about a specific site I would suggest that you contact the appropriate local council in the first instance to discuss the relevant issues and ascertain if indeed there is a contravention of noise control legislation at the site.

I am not aware of any asphalt manufacturing plant that has been served with a notice in relation to the contravention of noise regulations and in particular any plant that has been served with such a notice while carrying out work directly related to the laying of road surfacing material for my Department.

If you become aware of any site that has been issued with a notice by the local council in relation to the contravention of noise regulations which relates directly to a contract with my Department I will be happy to meet with you to discuss the issue.

### Roadworks: Night and Weekend Operations

**Mr McGimpsey** asked the Minister for Regional Development how his Department ensures that statutory noise nuisance is avoided to attenuate potential problems for local residents as a result of work undertaken during the night and at weekends whilst manufacturing asphalt type materials.

**(AQW 25106/11-15)**

**Mr Kennedy:** I would refer the Member to my answer to his Assembly Question AQW 25068/11-15.

### Roadworks: Night and Weekend Operations

**Mr McGimpsey** asked the Minister for Regional Development what consultation his Department has had with local residents on the subject of contractors manufacturing asphalt type materials for road works during the night and at weekends.

**(AQW 25108/11-15)**

**Mr Kennedy:** It is normal practice for my Department, or its contractor, to notify frontagers (residents and businesses), prior to the start of any works, that asphaltting resurfacing and/or minor road improvements will be carried out in their vicinity during the night or at weekends. This notification can take the form of advanced warning signs and, on occasion, letter drops.

### Roadworks: Night and Weekend Operations

**Mr McGimpsey** asked the Minister for Regional Development to outline the circumstances under which he could remove contractors from the select list of firms who carry out road works due to consistent contravention of noise nuisance regulations during the manufacture of asphalt type materials for road works.

**(AQW 25109/11-15)**

**Mr Kennedy:** I would refer the Member to my answer to his Assembly Question AQW 25068/11-15.

### Roadworks: Night and Weekend Operations

**Mr McGimpsey** asked the Minister for Regional Development whether he will consider a policy change to penalise contractors who consistently contravene noise restrictions during the manufacture of asphalt type materials for road works.

**(AQW 25110/11-15)**

**Mr Kennedy:** I would refer the Member to my answer to his Assembly Question AQW 25068/11-15.

## Department for Social Development

### Social Housing Developments

**Mr Elliott** asked the Minister for Social Development, pursuant to AQW 19181/11-15 and AQW 19176/11-15 and in relation to new build completions in 2011/12, (i) what date retention has been released to the main contractors on each of the projects; (ii) in cases where retention hasn't been released, to detail the reasons why; (iii) what checks have been made to ensure that sub-contractors receive retention monies on each of these projects; and (iv) what penalties are in place for main contractors who delay and withhold retention monies.

**(AQW 24593/11-15)**

**Mr McCausland (The Minister for Social Development):** Housing Associations have provided the information recorded in the Table attached, in relation to (i), (ii), (iii) and (iv). They have also explained that generally one half of the retention monies are released in the payment made following Practical Completion (Tranche 1). The remaining retention monies are released in the payment made following completion of the Maintenance Period (Tranche 2), which normally has a twelve month duration from Practical Completion and is subject to the issue of the Making Good Defects Certificate. Therefore full retention release will not be paid until the contract administrator is satisfied that all defects have been satisfactorily remedied.

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.



Scheme Name	Practical Completion Date	Part (i)				Part (ii)	Part (iii)	Part (iv)
		Tranche 1		Tranche 2				
		Due Date	Actual Date	Due Date	Actual Date			
Weir Brae	30.11.11	23.12.11	23.12.11	01.07.13	11.07.13	Not applicable.	The contract documents include a commitment to the obligations laid out under the prompt payment scheme.	There are no measures in place for contractors who delay and withhold retention. The only clause within the contract is for liquidated damages for a delay in the delivery of the project past its completion date.
PSNI Site, Rosemount, Londonderry	16.06.11	21.07.11	15.07.11			Issues re: final adoption of drainage.		
Iona House, Phase 1, Strabane	14.06.11					Outstanding defects. No further information available at this time		
Fergleen Park, Londonderry	06.12.11	24.11.11	01.12.11			Outstanding defects – now cleared	A Prompt Payment Certificate has been signed by the Contractor & 'Prompt Payments' are checked at monthly meetings.	Exclusion from future Contracts.
Apex Rural Cottages Phase 8	12.12.11	12.12.11	13.01.12			Outstanding defects.		
Site at rear of Derrybeg Villas, Newry	11.11.11	20.04.12	27.04.12			The Contractor did not submit an application for Payment in keeping with the date on which the Completion Certificate had been issued.	The Association releases retention monies to Main Contractors in accordance with the form of Contract under which the scheme has been procured.	
Martin's Lane, Newry	01.02.12	28.06.12	06.07.12			The Contractor did not submit an application for Payment in keeping with the date on which the Completion Certificate had been issued.	The Association releases retention monies to Main Contractors in accordance with the form of Contract under which the scheme has been procured	
Prospect Way, North Lurgan	09.05.11	23.03.12	06.04.12			The Contractor has defaulted in his obligation to ensure that all statutory approvals are in place.	The subcontractors are Domestic and their contract values are unknown to Design Team.	None.
Darkfort Drive, Phase 1, Portballintrae	21.01.11	14.02.11	11.02.11	24.10.12	02.11.12	Not applicable.		

Scheme Name	Practical Completion Date	Part (i)				Part (ii)	Part (iii)	Part (iv)
		Tranche 1		Tranche 2				
		Due Date	Actual Date	Due Date	Actual Date			
Garvagh Crescent, Phase 1, Portglenone	05.01.12	14.03.12	12.03.12			Outstanding defects	A Prompt Payment Certificate has been signed by the Contractor & 'Prompt Payments' are checked at monthly meetings.	Exclusion from future Contracts.
Whitewell Road, Belfast	30.05.11	21.07.11	29.07.11	Within 28 days of issue of the final certificate (final certificate outstanding)	Awaiting receipt of Making Good Defects Certificate (MGDC) and Final Certificate from lead consultant	Outstanding defects	The Main Contractor is bound by all of the standard contract conditions pertaining to the appointment, management and payment of subcontractors.	None
Crew Hill Gardens, Ardglass	23.11.11	23.11.11	07.12.11	Within 28 days of issue of the final certificate (final certificate outstanding)	Awaiting receipt of MGDC and Final Certificate from lead consultant	Main contractor required to follow up and confirm status of outstanding Public Adoptions prior to issue of MGDC and Final Certificate.	The Main Contractor is bound by all of the standard contract conditions pertaining to the appointment, management and payment of subcontractors.	None
Glen Road, Travellers, Belfast	15.09.05	28.12.05	21.12.05			Retention monies not released until they have physical receipt of MGDC and confirmation from their Contracts Administrator and Quantity Surveyor that it is in order to release full retention monies.	No contractual relationship with any sub contractors.	Any contractual breach would have to be adjudicated on by the contracts administrator and action arising from this to address recommended by the contracts administrator to the Housing Association in accordance with the conditions of the contract.
Cliftonville Road, Belfast	06.07.11	09.09.11	07.09.11	06.02.13	13.02.13	Not applicable.		
Killough Road, Downpatrick	03.11.11	30.11.11	30.11.11			There have been a number of issues including obtaining access to tenant's properties that have resulted in a delay in the conclusion of this process satisfactorily.	No contractual relationship with any sub contractors.	Any contractual breach would have to be adjudicated on by the contracts administrator and action arising from this to address recommended by the contracts administrator to the Housing Association in accordance with the conditions of the contract.

Scheme Name	Practical Completion Date	Part (i)				Part (ii)	Part (iii)	Part (iv)
		Tranche 1		Tranche 2				
		Due Date	Actual Date	Due Date	Actual Date			
North Rugby Club, Phase 3, Belfast	18.01.12	11.02.12	30.01.12			Outstanding defects.	No contractual relationship with any sub contractors.	Any contractual breach would have to be adjudicated on by the contracts administrator and action arising from this to address recommended by the contracts administrator to the Housing Association in accordance with the conditions of the contract.
Glen Road, Belfast	13.02.12	21.03.12	04.04.12			Defects not addressed.	No contractual relationship with any sub contractors.	Any contractual breach would have to be adjudicated on by the contracts administrator and action arising from this to address recommended by the contracts administrator to the Housing Association in accordance with the conditions of the contract.
Springfarm, Phase 1, Antrim	13.09.11					Phased handover agreed. No further information available at this time	No contractual relationship with any sub contractors.	Any contractual breach would have to be adjudicated on by the contracts administrator and action arising from this to address recommended by the contracts administrator to the Housing Association in accordance with the conditions of the contract.
Templepatrick Library Site	19.01.12	06.02.12	01.02.12	06.03.12	06.03.12	Not applicable.		
Donaghadee Road, Newtownards	14.12.11	30.11.11	30.11.11	14.12.12	-	Outstanding defects.	None	N/A
Holywood Road, Belfast	22.10.11	31.10.11	31.10.11	31.10.11	-	Outstanding defects.	None	N/A
Ladbrook Drive, Belfast	03.02.12	30.05.12	11.06.12	03.02.13	-	Outstanding defects	None	Potential Breach of contract with the Employer, where the main contractor fails to make payment within contractual terms stated.

Scheme Name	Practical Completion Date	Part (i)				Part (ii)	Part (iii)	Part (iv)
		Tranche 1		Tranche 2				
		Due Date	Actual Date	Due Date	Actual Date			
Prospect Park, Belfast	03.02.12	30.05.12	11.06.12	03.02.13	-	Outstanding defects	None	Potential Breach of contract with the Employer, where the main contractor fails to make payment within contractual terms stated.
Tesco Site, Broadway, Donegall Road, Belfast Phase 1	29.03.10	07.06.12	Cleared 25.05.12 PAID 31.05.12	-	-	Outstanding defects	The contract is between the Housing Association and the main contractor. They have a prompt payment clause within every works contract which the contractor signs up to.	The Housing Association has no contractual authority to penalise for non payment of retention.
West Bank, Londonderry	22.09.11	03.11.11	Cleared 28.10.12 PAID 03.11.12	13.06.13	Cleared 07.06.13 PAID 13.06.13	Not applicable.	The contract is between the Housing Association and the main contractor. We have a prompt payment clause within every works contract which the contractor signs up to.	The Housing Association has no contractual authority to penalise for non payment of retention.
Council Site, Dunsy Way, Comber	07.07.11	03.08.11	Cleared 25.07.11 PAID 27.07.11	22.08.12	Cleared 14.08.12 PAID 14.08.12	Not applicable.	The contract is between the Housing Association and the main contractor. We have a prompt payment clause within every works contract which the contractor signs up to.	The Housing Association has no contractual authority to penalise for non payment of retention.
Finniston PS (Torrens), North Belfast	02.06.11	06.07.11	Cleared 24.06.11 PAID 30.06.11	27.12.12	Cleared 17.12.12 PAID 20.12.12	Not applicable.	The contract is between the Housing Association and the main contractor. We have a prompt payment clause within every works contract which the contractor signs up to.	The Housing Association has no contractual authority to penalise for non payment of retention.
Alliance Avenue, Belfast	16.03.12	25.04.12	Cleared 23.04.12 PAID 25.04.12	14.06.13	Cleared 04.06.13 PAID 11.06.13	Not applicable.	The contract is between the Housing Association and the main contractor. We have a prompt payment clause within every works contract which the contractor signs up to.	The Housing Association has no contractual authority to penalise for non payment of retention.

Scheme Name	Practical Completion Date	Part (i)				Part (ii)	Part (iii)	Part (iv)
		Tranche 1		Tranche 2				
		Due Date	Actual Date	Due Date	Actual Date			
31 The Brae, Ballygowan	22.06.11	28.10.11	25.10.11	08.01.13	10.01.13	Not applicable.	None	None
Drumaness Road, Drumaness	06.10.11	16.11.11	10.11.11	29.03.13	28.03.12	Outstanding defects	None	None
McAuley Street, Phase 3, Belfast	30.10.09	09.01.10	28.01.10	25.09.12	04.10.12	Not applicable.	None	No penalties in place for those contractors who delay and withhold retention monies to sub-contractors. However, the Housing Association is engaging with CPD to explore the potential for the NEC3 suite of contracts to be applied to the relationship between lead and sub-contractors as a means of providing greater protection to the latter.
Doagh Road, Newtownabbey	21.06.11	24.10.11	24.10.11	28.01.13	28.01.13	Not applicable.	None	No penalties in place for those contractors who delay and withhold retention monies to sub-contractors. However, the Housing Association is engaging with CPD to explore the potential for the NEC3 suite of contracts to be applied to the relationship between lead and sub-contractors as a means of providing greater protection to the latter.
Boundary Way, Belfast	29.06.11	01.08.11	22.07.11	01.07.13	08.07.13	None	None	No penalties in place for those contractors who delay and withhold retention monies to sub-contractors. However, the Housing Association is engaging with CPD to explore the potential for the NEC3 suite of contracts to be applied to the relationship between lead and sub-contractors as a means of providing greater protection to the latter.



Scheme Name	Practical Completion Date	Part (i)				Part (ii)	Part (iii)	Part (iv)
		Tranche 1		Tranche 2				
		Due Date	Actual Date	Due Date	Actual Date			
Newtowncloghogue	16.02.12	20.02.12	16.02.12	-	-	Outstanding defects	None	No penalties in place for those contractors who delay and withhold retention monies to sub-contractors. However, the Housing Association is engaging with CPD to explore the potential for the NEC3 suite of contracts to be applied to the relationship between lead and sub-contractors as a means of providing greater protection to the latter.
Falls Road, Belfast	10.06.11	01.07.11	14.07.11	14 days from issue of payment cert Release not yet due	-	Outstanding defects.	Prompt payment certificate in place.	Application of conditions of prompt payment certificate
Carrick Hill/Library Street, Belfast	18.04.11	18.04.11	28.04.11	14 days from issue of final valuation of 26.11.12 =10.12.12	Retention monies paid to contractor on 04.12.12	Not applicable.	Prompt payment certificate in place.	Application of conditions of prompt payment certificate
St. Teresa's Site, Glen Road, Belfast	19.08.11	03.08.11	15.09.11	14 days from issue of payment cert		Final Account has yet to be agreed with contractor	Prompt payment certificate in place.	Application of conditions of prompt payment certificate
Drumalla House, Carnlough	14.04.11	08.06.11	16.06.11	Valuation date = 17.07.12 Payment = 31.07.12	02.08.12	Not applicable.	Prompt payment certificate in place.	Application of conditions of prompt payment certificate
Carrowshee Park, Lisnaskea	24.10.11	14.11.11	17.11.11	14 days from issue of payment cert on 12.02.13 = 26.02.13		Retention monies paid on 21.02.13 except £2k withheld pending contractor expediting road adoption with Roads Service.	Prompt payment certificate in place.	Application of conditions of prompt payment certificate

Scheme Name	Practical Completion Date	Part (i)				Part (ii)	Part (iii)	Part (iv)
		Tranche 1		Tranche 2				
		Due Date	Actual Date	Due Date	Actual Date			
Gullion View, Meigh	06.09.11	09.09.11	21.09.11	Final valuation = 06.03.13 Payment = 20.03.13	21.03.13		Prompt payment certificate in place.	Application of conditions of prompt payment certificate
Loughrey Terrace, Drumquin	01.12.11	08.02.12	16.02.12	14 days from issue of payment cert Release not yet due	-	Outstanding defects.	Prompt payment certificate in place.	Application of conditions of prompt payment certificate
PSNI Station Melmount Road, Sion Mills	28.03.12	15.03.12	29.03.12	14 days from issue of payment cert Release not yet due	-	Outstanding defects.	Prompt payment certificate in place.	Application of conditions of prompt payment certificate
Adrian Heights, Donagh	21.02.12	16.09.11	18.11.11	-	-	Outstanding defects.	Contractor signed Prompt Payment to Sub contractor Certificate before contract was signed.	As per Prompt Payment certificate, non compliance will effect tendering for future works.
Forthill Park, Newtownstewart	22.02.11	04.05.11	25.05.11	-	-	Outstanding defects.	Contractor signed Prompt Payment to Sub contractor Certificate before contract was signed.	As per Prompt Payment certificate, non compliance will effect tendering for future works.
Beechgrove, Dromore Phase 2	06.12.10	27.05.11	31.05.11	19.07.13	19.07.13	Awaiting information from the Architect and a final certificate from the contractor.	N/A	N/A
Ennis Green, Lurgan	11.04.11	27.05.11	31.05.11	19.07.13	19.07.13	Awaiting information from the Architect and a final certificate from the contractor.	N/A	N/A
Prince's Close/Street, Craigavon	19.04.11	27.05.11	31.05.11	19.07.13	19.07.13	Awaiting information from the Architect and a final certificate from the contractor.	N/A	N/A

Scheme Name	Practical Completion Date	Part (i)				Part (ii)	Part (iii)	Part (iv)
		Tranche 1		Tranche 2				
		Due Date	Actual Date	Due Date	Actual Date			
Cherryville Street, Belfast	16.02.12	22.11.11	11.08.11	-	-	Outstanding defects.	Prompt payment clauses are in place requiring Contractors to pay subcontractors and the supply chain within a 30 day period. Association require the main contractor to confirm that this is being complied with at monthly site meetings.	Possible negative feedback through Constructionline Web Portal.
Grove Street East, Belfast	20.10.11	02.12.11	02.12.11	-	-	Outstanding defects.	Prompt payment clauses are in place requiring Contractors to pay subcontractors and the supply chain within a 30 day period. Association require the main contractor to confirm that this is being complied with at monthly site meetings.	Possible negative feedback through Constructionline Web Portal.
Strand Avenue, Holywood	31.08.11	13.09.11	12.09.11	-	-	Outstanding defects.	Prompt payment clauses are in place requiring Contractors to pay subcontractors and the supply chain within a 30 day period. Association require the main contractor to confirm that this is being complied with at monthly site meetings.	Possible negative feedback through Constructionline Web Portal.
Derrybeg Small Sites, Newry	16.11.11	13.12.11	12.12.11	05.06.13	03.06.13	Not applicable.	Prompt payment clauses are in place requiring Contractors to pay subcontractors and the supply chain within a 30 day period. Association require the main contractor to confirm that this is being complied with at monthly site meetings.	Possible negative feedback through Constructionline Web Portal.

Scheme Name	Practical Completion Date	Part (i)				Part (ii)	Part (iii)	Part (iv)
		Tranche 1		Tranche 2				
		Due Date	Actual Date	Due Date	Actual Date			
Greenfield Park, Newry	09.09.11	11/10/12	09.10.12	29.10.12	26.10.12	Not applicable.	Prompt payment clauses are in place requiring Contractors to pay subcontractors and the supply chain within a 30 day period. Association require the main contractor to confirm that this is being complied with at monthly site meetings.	Possible negative feedback through Constructionline Web Portal.
Ardmore Drive, Hilltown	15.03.12	25/04/12	25/04/12	-	-	Outstanding defects.	Contractors sign a prompt payment certificate at tender stage and a prompt payment clause is inserted into the contract.	Application of conditions of prompt payment certificate
Woodside Road, Loughbrickland	28.11.11	03/01/12	03/01/12	08/07/13	08/07/13	Not applicable.	Contractors sign a prompt payment certificate at tender stage and a prompt payment clause is inserted into the contract.	Application of conditions of prompt payment certificate

## Single-skinned Properties: South Antrim

**Mr Girvan** asked the Minister for Social Development to detail the number of single skinned properties in South Antrim, broken down by town; and whether there are planned major repairs to alleviate the fuel poverty issues arising from single skinned properties.

**(AQW 24770/11-15)**

**Mr McCausland:** The information is not available in the format requested as neither my Department nor the Housing Executive collates information on the number of single skinned properties in the Private Sector by Parliamentary Constituency.

With regard to the Social Housing Sector, the table below details the number of Housing Executive single skinned properties in South Antrim, broken down by District Office area and town.

**Table: Housing Executive single skinned properties in South Antrim**

District Office	Town/village	Aluminium Bungalows	No Fines	Orlit	Timber Framed	Pre 1940	Rural Cottages
Antrim	Antrim	0	538	27	25	0	0
Antrim	Randalstown	18	0	0	0	0	7
Antrim	Crumlin	9	0	0	0	0	0
Newtownabbey 1 & 2	Newtownabbey	8	248	0	0	5	0
Newtownabbey 1	Whiteabbey	21	0	0	0	0	0
Newtownabbey 2	Ballyclare	10	0	0	0	0	2

In relation to Housing Executive stock generally, the main programmes aimed at addressing fuel poverty are: -

- Heating Replacement Programme – now includes loft insulation top-ups
- Heating Adaptations
- Double Glazing
- Heatsmart (energy advice)

In relation to No Fines dwellings, the Housing Executive are considering taking forward a range of initiatives to alleviate associated problems with no fines dwellings, following some pilot projects.

In relation to Housing Associations, there are two single skinned properties in Templepatrick, owned by one Housing Association. They were restored about ten years ago and were extended using cavity wall construction with cavity insulation and faced with basalt stonework, so that some rooms have a mixture of single-skin and cavity walls. The solid walls were insulated on the internal face and the floors were fully insulated as was the roof, while the windows have secondary glazing to reduce heat loss.

## Together: Building a United Community

**Mr Allister** asked the Minister for Social Development, pursuant to AQWs 23814/11-15 and 24313/11-15, apart from ongoing discussions what specific consultation the Office of the First Minister and deputy First Minister had with his Department prior to the announcement of 'Together: Building a United Community Strategy'.

**(AQW 24781/11-15)**

**Mr McCausland:** I would refer the Member to the answer I gave in response to AQW 24313/11-15 and would add that I had no specific consultation with the Office of the First Minister and deputy First Minister prior to the announcement of 'Together: Building a United Community Strategy'.

## Campbell Tickell Investigation

**Mr Allister** asked the Minister for Social Development, pursuant to AQW 24342/11-15, on what date did the Board of the Northern Ireland Housing Executive appoint Campbell Tickell; and how is this appointment recorded in the minutes of the Board meeting.

**(AQW 24782/11-15)**

**Mr McCausland:** The Chairman of the Housing Executive, in his press release dated 10 June 2013, stated that the Board of the Housing Executive had commissioned an independent review into how the organisation has been dealing with planned maintenance contracts over the last five years following evidence of substantial overcharging. The initial processes of appointing the consultant at that time were managed by the Chairman and are not therefore recorded in the minutes of a Board meeting at the time of appointment.



## Disability Living Allowance

**Mr Campbell** asked the Minister for Social Development, pursuant to AQW 24149/11-15, for an estimate of the (i) number; and (ii) percentages of people in the 0 - 65 age group, who claimed Disability Living Allowance in each constituency in 2012.

**(AQW 24876/11-15)**

**Mr McCausland:** The table below shows the average number and percentages of people in the 0 - 65 age group, who claimed Disability Living Allowance in each constituency in 2012.

Parliamentary Constituency	Average DLA claimants 0 -65 in 2012	% of eligible population
Belfast East	6,340	8.2%
Belfast North	10,830	12.4%
Belfast South	6,360	6.5%
Belfast West	13,020	15.7%
East Antrim	5,390	7.0%
East Londonderry	6,370	7.4%
Fermanagh and South Tyrone	7,110	8.0%
Foyle	10,220	11.4%
Lagan Valley	5,690	6.6%
Mid Ulster	7,510	8.6%
Newry and Armagh	8,900	9.0%
North Antrim	6,320	6.9%
North Down	4,610	6.2%
South Antrim	6,140	7.1%
South Down	8,320	8.7%
Strangford	5,490	7.2%
Upper Bann	9,160	8.9%
West Tyrone	9,400	11.8%
Unkown	540	
<b>Total</b>	<b>137,730</b>	<b>8.8%</b>

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

## Disability Living Allowance and Employment Support Allowance Appeals

**Mr Hussey** asked the Minister for Social Development how many (i) Disability Living Allowance; and (ii) Employment Support Allowance appeals were attended by an MLA, in each year since the introduction of these benefits.

**(AQW 24894/11-15)**

**Mr McCausland:** The Appeals Service (TAS) cannot provide information prior to 2008/09 as it was retained on an IT system which is no longer accessible.

The table below outlines the number of Disability Living Allowance (DLA) and Employment Service Allowance (ESA) appeal hearings where the record shows the appellant was supported by an MLA.

	2008/09	2009/10	2010/11	2011/12	2012/13	Total
Disability Living Allowance	17	34	72	98	98	319
Employment and Support Allowance	0	6	34	62	120	222
<b>Grand Total</b>	<b>17</b>	<b>40</b>	<b>106</b>	<b>160</b>	<b>218</b>	<b>541</b>

## Disability Living Allowance and Employment Support Allowance Appeals

**Mr Hussey** asked the Minister for Social Development how many (i) Disability Living Allowance; and (ii) Employment Support Allowance appeals were (a) cancelled; or (b) postponed, in each year since the introduction of these benefits.

**(AQW 24895/11-15)**

**Mr McCausland:** The Appeals Service (TAS) cannot provide information prior to 2008/09 as it was retained on an IT system which is no longer accessible.

The table below outlines the number of Disability Living Allowance (DLA) and Employment Service Allowance appeals (ESA) appeals that have been withdrawn or postponed by financial year.

Financial Year	Appeals Withdrawn(a)		Appeals Postponed(b)	
	DLA	ESA	DLA	ESA
2008/09	905	N/A	1,338	N/A
2009/10	836	133	1,351	323
2010/11	732	462	1,243	1,069
2011/12	692	571	1,141	1,434
2012/13	709	974	1,136	2,122

## Social Housing Units in Ballymena, Ballymoney and Moyle: Double Glazing

**Mr McKay** asked the Minister for Social Development (i) how many social housing units in (a) Ballymena; (b) Ballymoney; and (c) Moyle are planned to have double glazing installed, broken down by street; and (ii) how many houses in these areas have had double glazing installed, broken down by street.

**(AQW 24914/11-15)**

**Mr McCausland:** I assume the Member is referring to Housing Executive properties. Table 1 details the Housing Executive properties by road/street in Ballymena and Ballymoney which are included in the double glazing programme that is expected to commence in late 2013/14. The Housing Executive has advised that their records indicate that this will complete the double glazing programme in these areas although this does not include properties in the Stock Transfer Programme or properties where work has been refused by the tenant.

The Housing Executive's double glazing programme within their Ballycastle local office area, which covers the Moyle district, is complete. Details of these properties and those completed in Ballymena and Ballymoney are included in Table 2.

**Table 1 – Housing Executive properties in Ballymena and Ballymoney included in double glazing programme for 2013/14**

District Name	Street Name	Street Address	No. of Properties
Ballymena	Moorfields Road	Ballycraigy	1
	Alfred Street Place	Ballymena	1
	Chichester Park East	Ballymena	15
	Chichester Park West	Ballymena	1
	Duke Street	Ballymena	14
	Dunclug Gardens	Ballymena	60
	Dunclug Park	Ballymena	25
	Dunvale	Ballymena	1
	Galgorm Street	Ballymena	5
	Larne Road	Ballymena	11
	Larne Road Flats	Ballymena	63
	Moat Road	Ballymena	12
	North Street	Ballymena	4
	Princes Street	Ballymena	1
	Railway Street	Ballymena	4

District Name	Street Name	Street Address	No. of Properties
Ballymena (continued)	Smithfield Place	Ballymena	2
	Wilson Avenue	Ballymena	2
	Wilson Crescent	Ballymena	13
	Glenvale	Duneaney Glarryford	2
	Old Frosses Road	Glarryford	1
	Grove Park	Glenwherry	1
	Ballycowan Road	Kells	2
	Glenaan Park	Kells	6
	Woodgreen Road	Shankbridge	1
	Carmossan Park	Slatt	2
	Nursery View	Straid	1
	Riverdale	Tullygarley	18
Ballymoney	Fernbank Park	Armoy	1
	Fivey Road	Armoy	1
	Friary Road	Armoy	1
	Knockard Park	Armoy	5
	Bann Road	Ballymoney	1
	Bendooragh Road	Ballymoney	1
	Coral Close	Ballymoney	3
	Eastermeade Gardens	Ballymoney	2
	Finvoy Road	Ballymoney	2
	Hollybrook	Ballymoney	2
	Kilraughts Road	Ballymoney	1
	Knock Road	Ballymoney	3
	Long Lane	Ballymoney	2
	Margaret Avenue	Ballymoney	4
	Mullan Road	Ballymoney	1
	Queens Park	Ballymoney	4
	Seacon Road	Ballymoney	1
	Vow Road	Ballymoney	1
	Westgate	Ballymoney	1
	Williamson Park	Ballymoney	3
	Millicent Avenue	Balnamore	15
	Royal Terrace	Balnamore	15
	Drumahiskey Road	Bendooragh	2
	Fenton Park	Cloughmills	9
	Lislaban Road	Cloughmills	1
	Kilwee Gardens	Corkey	4
	Mc Arthur Avenue	Dervock	1
	Station Road	Dervock	1
	Ballyportery Road	Dunloy	2

District Name	Street Name	Street Address	No. of Properties
Ballymoney (continued)	Ballymacconnelly Road	Rasharkin	1
	Finvoy Road	Rasharkin	1
	Moneyleck Park	Rasharkin	7
	Riverdale	Rasharkin	4
	Moyan Road	Stranocum	1

Table 2 – Housing Executive properties in Ballycastle, Ballymena and Ballymoney with double glazing completed

District Name	Street Address	Street Name	No. of Properties
Ballycastle	Ballykenver Road	Armoy	1
	Carrowreagh Road	Armoy	4
	Deane Park	Armoy	9
	Drones Road	Armoy	2
	Fairhill Street	Armoy	14
	Glenshesk Road	Armoy	2
	Hillside Road	Armoy	2
	Main Street	Armoy	9
	Market Street	Armoy	3
	Railway Terrace	Armoy	6
	Station Road	Armoy	5
	Turnarobert Park	Armoy	5
	Turnarobert Terrace	Armoy	1
	Turreagh Terrace	Armoy	3
	Ballinlea Road	Ballintoy	2
	Larrybahn Park	Ballintoy	5
	Main Street	Ballintoy	6
	Altananam Park	Ballycastle	40
	Ballynagard Road	Ballycastle	1
	Blackpark Road	Ballycastle	6
	Broombeg	Ballycastle	14
	Broombeg View	Ballycastle	18
	Capecastle Road	Ballycastle	5
	Carnduff Park	Ballycastle	10
	Coleraine Road	Ballycastle	4
	Cushendall Road	Ballycastle	1
	Dalriada Gardens	Ballycastle	19
	Drumawillan Park	Ballycastle	20
	Fairhill Street	Ballycastle	1
	Fogarty Crescent	Ballycastle	7
	Glentaisie Drive	Ballycastle	27
	Greenans Road	Ballycastle	1
	Hillside Road	Ballycastle	7

District Name	Street Address	Street Name	No. of Properties
Ballycastle (continued)	Islandarragh Road	Ballycastle	3
	Kemp Park	Ballycastle	8
	Knocklayde View	Ballycastle	7
	Leyland Road	Ballycastle	4
	Macauley Park	Ballycastle	13
	Magheramore Road	Ballycastle	3
	Marconi Park	Ballycastle	23
	Market Street	Ballycastle	1
	Mayo Drive	Ballycastle	31
	Moyarget Road	Ballycastle	12
	Rathlin Island	Ballycastle	1
	Straid Road	Ballycastle	3
	Stroanshesk Park	Ballycastle	25
	Turraloskin Park	Ballycastle	3
	Whitepark Road	Ballycastle	1
	Elizabeth Place	Ballymoney	3
	Churchfield Road	Ballyvoy	2
	Glenmakeerin Road	Ballyvoy	1
	Torr Road	Ballyvoy	2
	Ballaghmore Court	Bushmills	10
	Ballyness Park	Bushmills	13
	Burnbrae	Bushmills	5
	Cabragh Road	Bushmills	1
	Castlecatt Road	Bushmills	2
	Castlenagree Road	Bushmills	3
	Causeway Court	Bushmills	14
	Causeway Road	Bushmills	8
	Church Street	Bushmills	2
	Clogher Court	Bushmills	11
	Dunluce Court	Bushmills	10
	Esdale	Bushmills	7
	Hamill Terrace	Bushmills	5
	Haw Road	Bushmills	2
	Hazeldene	Bushmills	3
	Heronshaw	Bushmills	26
	Huey Crescent	Bushmills	22
	Meadow Court	Bushmills	13
	Mount Pleasant	Bushmills	9
	Primrose Hill	Bushmills	4
	Riverside Court	Bushmills	13
	Silverstream Court	Bushmills	11



District Name	Street Address	Street Name	No. of Properties
Ballycastle (continued)	Toberkeagh Road	Bushmills	1
	Woodland Court	Bushmills	13
	Woodvale	Bushmills	32
	Cairns Road	Cushendall	3
	Dalriada Drive	Cushendall	5
	Dalriada Gardens	Cushendall	1
	Glenville Crescent	Cushendall	9
	Gortaclea Terrace	Cushendall	1
	Kilnadore Brae	Cushendall	6
	Kilnadore Park	Cushendall	9
	Layde Road	Cushendall	1
	Middlepark Avenue	Cushendall	6
	Middlepark Road	Cushendall	3
	Moyle View	Cushendall	2
	Tavnaghan Terrace	Cushendall	1
	Tully Crescent	Cushendall	1
	Clady Road	Cushendun	1
	Glenview Park	Cushendun	1
	Layde Crescent	Cushendun	2
	Shanes Park	Cushendun	10
	Urble Road	Dervock	1
	Carnmoon View	Liscolman	8
	Colman Avenue	Liscolman	1
	Orby Drive	Liscolman	12
	Toberdoney Road	Liscolman	4
	Community Walk	Mosside	5
	Knockmore Road	Mosside	3
	Mosside Gardens	Mosside	34
	Moyarget Road	Mosside	4
	Moycraig Road	Mosside	2
	Rockfield Gardens	Mosside	16
	Glebe Cottages	Rathlin	4
	Carneill Park	Waterfoot	16
	Ess-Na-Laragh	Waterfoot	2
	Glassmullan Road	Waterfoot	1
	Lurig View	Waterfoot	1
	Ossian Avenue	Waterfoot	5
Ballymena	Ballymena Road	Ahoghill	15
	Brookfield Gardens	Ahoghill	43
	Cardonaghy Road	Ahoghill	1
	Killane Park	Ahoghill	43

District Name	Street Address	Street Name	No. of Properties
Ballymena (continued)	Laurel Park	Ahoghill	18
	The Croft	Ahoghill	1
	Tuppenny Road	Ahoghill	1
	Slemish View	Aughafatten	1
	Mount Pleasant	Aughnacleanagh	2
	Drumtara	Ballee	134
	Lanntara	Ballee	87
	Lettercreeve	Ballee	38
	Shanlieve	Ballee	34
	Shanowen	Ballee	7
	Woodgreen Park	Ballymacvea	10
	Alfred Street Place	Ballymena	5
	Arran Avenue	Ballymena	14
	Balmoral Avenue	Ballymena	8
	Barra Drive	Ballymena	37
	Broadway Avenue	Ballymena	2
	Brooke Park	Ballymena	49
	Carnduff Drive	Ballymena	19
	Castle Gardens	Ballymena	8
	Chichester Park Cent	Ballymena	34
	Chichester Park East	Ballymena	36
	Chichester Park West	Ballymena	26
	Clonavon Road	Ballymena	14
	Colonsay Park	Ballymena	27
	Corlea Gdns	Ballymena	5
	Crebilly Road	Ballymena	24
	Dalriada Walk	Ballymena	10
	Demense Avenue	Ballymena	10
	Devenagh Court	Ballymena	17
	Devenagh Way	Ballymena	19
	Doury Park	Ballymena	2
	Dunclug Gardens	Ballymena	8
	Dunclug Park	Ballymena	62
	Dunvale	Ballymena	86
	Edward Street	Ballymena	3
	Fisherwick Crescent	Ballymena	25
	Francis Street	Ballymena	16
	Glenariff Crescent	Ballymena	9
	Glendun Drive	Ballymena	4
	Glenravel Park	Ballymena	13
	Glenshesk Drive	Ballymena	26

District Name	Street Address	Street Name	No. of Properties
Ballymena (continued)	Granville Drive	Ballymena	2
	Greenview	Ballymena	2
	Holland Park	Ballymena	11
	Inchcolm Avenue	Ballymena	34
	Inchkeith Road	Ballymena	13
	Iona Gardens	Ballymena	5
	James Street	Ballymena	21
	Kintyre Park	Ballymena	21
	Larne Street	Ballymena	10
	Lewis Park	Ballymena	15
	Meadow Street	Ballymena	1
	Millfield	Ballymena	41
	Moat Road	Ballymena	26
	Orkney Drive	Ballymena	111
	Princes Street	Ballymena	6
	Princes Street Upper	Ballymena	11
	Railway Street Terra	Ballymena	1
	Regents Park	Ballymena	10
	Richmond Park	Ballymena	29
	Rona Gardens	Ballymena	4
	Sandown Park	Ballymena	13
	Shankbridge Road	Ballymena	1
	Shetland Gardens	Ballymena	38
	Shetland Park	Ballymena	4
	Shona Green	Ballymena	1
	Skye Park	Ballymena	37
	Stroma Drive	Ballymena	5
	Tardree Grove	Ballymena	5
	Trostan Avenue	Ballymena	3
	Wakehurst Park	Ballymena	8
	Wakehurst Road	Ballymena	7
	Waring Street	Ballymena	27
	Wayside Green	Ballymena	4
	Staffa Drive	Ballymena	50
	Braidvalley View	Broughshane	4
	Braidwater Gardens	Broughshane	21
	Houston Park	Broughshane	10
	Shane Court	Broughshane	20
	The Commons	Broughshane	35
	Tullymore Road	Broughshane	1
	Whinsmoor Park	Broughshane	30

District Name	Street Address	Street Name	No. of Properties
Ballymena (continued)	Woodland Park	Broughshane	1
	Benvore Park	Cargan	21
	Railway Park	Cargan	3
	Sunray Crescent	Cargan	3
	Carnhill	Carninney	7
	Hillview	Carninney	1
	Coronation Crescent	Clough	3
	Coronation Park	Clough	6
	Oldstone Park	Clough	1
	Mountpleasant	Craigs Cullybackey	1
	Cushendall Road	Craigyarwarren	1
	Hazelwood Crescent	Craigyarwarren	2
	Hazelwood Drive	Craigyarwarren	12
	Hazelwood Terrace	Craigyarwarren	2
	Fortview	Cromkill	2
	Ard-Na-Maine	Cullybackey	35
	Craigs Road	Cullybackey	1
	Dunminning Road	Cullybackey	1
	Festival Gardens	Cullybackey	1
	Kilmakevitt Crescent	Cullybackey	20
	Kilmakevitt Road	Cullybackey	21
	Kilmakevitt Square	Cullybackey	12
	Kilrea Road	Cullybackey	1
	Queens Park	Cullybackey	2
	Spence Crescent	Cullybackey	22
	Tobar Court	Cullybackey	39
	Tobar Park	Cullybackey	47
	Herbison Park	Cushendall Road	33
	Maine Park	Galgorm	11
	Raphael Park	Galgorm	10
	Station View	Glarryford	15
	Royal Court	Gracehill	13
	Abbey Gardens	Kells	4
	Condiere Avenue	Kells	22
	Condiere Terrace	Kells	4
	Crosshill View	Kells	34
	Glenaan Walk	Kells	8
	Maybin Park	Kells	2
	Parkgate Road	Kells	1
	Templemoyle	Kells	35
	Skerry View	Loughloughan	2

District Name	Street Address	Street Name	No. of Properties
Ballymena (continued)	Lisnamanagh Crescent	Martinstown	4
	Lisnamanagh Park	Martinstown	6
	Mc Neill Park	Moorfields	5
	Sunview Park	Newtowncrommelin	1
	Bannview Terrace	Portglenone	2
	Chesney Crescent	Portglenone	3
	Crawfordstown Road	Portglenone	1
	Garvaghy Avenue	Portglenone	17
	Garvaghy Crescent	Portglenone	13
	Largy Road	Portglenone	1
	Mull Court	Portglenone	3
	Mull Park	Portglenone	8
	Port Villas	Portglenone	3
	Smyth Crescent	Portglenone	12
	Townhill Road	Portglenone	1
	Caddy Road	Procklis	1
	Mount Hilary	Procklis	4
	Cushendall Road	Rathkenny	1
	Lisnacrogher Road	Rathkenny	1
	Riverlea	Rathkenny	2
	Slaght Road	Slaght	1
	Nursery View	Straid	5
	Moorlands	Taylorstown	12
	Crosskeys Road	Toomebridge	1
	Carnlough Road	Tullymore Broughshan	2
	Port Villas	West Road	16
Ballymoney	Bregagh Road	Armoy	3
	Clintyfinnan Road	Armoy	2
	Erinvale	Armoy	9
	Fernbank Park	Armoy	3
	Fivey Road	Armoy	3
	Friary Road	Armoy	1
	Gracehill Road	Armoy	1
	Kilraughts Road	Armoy	2
	Millrace Terrace	Armoy	7
	Riverview	Armoy	16
	Alexandra Avenue	Ballymoney	36
	Armour Avenue	Ballymoney	1
	Armstrong Drive	Ballymoney	8
	Ashley Park	Ballymoney	5
	Ballybogey Road	Ballymoney	2



District Name	Street Address	Street Name	No. of Properties
Ballymoney (continued)	Ballywindland Road	Ballymoney	1
	Balnamore Road	Ballymoney	1
	Belford Park	Ballymoney	31
	Benvardin Road	Ballymoney	3
	Bravellen Road	Ballymoney	1
	Bushvale Terrace	Ballymoney	3
	Carnany Avenue	Ballymoney	40
	Carnany Court	Ballymoney	13
	Carnany Drive	Ballymoney	75
	Carnany Gardens	Ballymoney	25
	Carnany Park	Ballymoney	33
	Castle Street	Ballymoney	19
	Charlotte Street	Ballymoney	5
	Cherry Gardens	Ballymoney	5
	Chestnut Grove	Ballymoney	8
	Cloneen Drive	Ballymoney	36
	Conagher Road	Ballymoney	2
	Coral Close	Ballymoney	6
	Culramoney Road	Ballymoney	1
	Dehra Gardens	Ballymoney	5
	Dempsey Park	Ballymoney	4
	Donnelly Park	Ballymoney	8
	Drones Road	Ballymoney	4
	Eastermeade Gardens	Ballymoney	12
	Eastermeade Park	Ballymoney	7
	Farren Road	Ballymoney	1
	Finvoy Road	Ballymoney	1
	Fortview	Ballymoney	5
	Garry Drive	Ballymoney	23
	Gate End	Ballymoney	1
	Gault Park	Ballymoney	11
	Glebe Park	Ballymoney	3
	Greymount Park	Ballymoney	3
	Hamilton Park	Ballymoney	53
	Hillcrest Gardens	Ballymoney	11
	Hillview Avenue	Ballymoney	15
	Killans Road	Ballymoney	1
	Kilraughts Road	Ballymoney	5
	Knock Road	Ballymoney	13
	Linden Lea	Ballymoney	5
	Lisconnan Road	Ballymoney	1

District Name	Street Address	Street Name	No. of Properties
Ballymoney (continued)	Lislagan Road	Ballymoney	2
	Loughabin Road	Ballymoney	2
	Macafee Place	Ballymoney	18
	Margaret Avenue	Ballymoney	10
	Margaret Square	Ballymoney	7
	Marina Park	Ballymoney	3
	Meadow View	Ballymoney	12
	Millbank Gardens	Ballymoney	6
	Millview Park	Ballymoney	8
	Mullan Road	Ballymoney	1
	Myrtle Park	Ballymoney	3
	Navery Road	Ballymoney	3
	New Park	Ballymoney	1
	Newhill Park	Ballymoney	16
	Ozone Avenue	Ballymoney	3
	Park View	Ballymoney	17
	Railway View	Ballymoney	9
	Robinson Avenue	Ballymoney	8
	Rowan Road	Ballymoney	1
	Seymour Drive	Ballymoney	21
	Shamrock Park	Ballymoney	4
	Shandon Park	Ballymoney	7
	St Patricks Park	Ballymoney	4
	Stuart Park	Ballymoney	22
	The Crescent	Ballymoney	20
	Thorndale Terrace	Ballymoney	3
	Tober Road	Ballymoney	1
	Topp Road	Ballymoney	1
	Torrens Park	Ballymoney	9
	Townhead Street	Ballymoney	4
	Trinity Drive	Ballymoney	34
	Tummock Road	Ballymoney	2
	Vow Road	Ballymoney	1
	Westfield Park	Ballymoney	7
	Westgate	Ballymoney	15
	Wheatfield Park	Ballymoney	6
	Williamson Park	Ballymoney	4
	Greenview Gardens	Ballynagashel	1
	Beechwood Drive	Balnamore	11
	Burnside Park	Balnamore	8
	Grove Park	Balnamore	9

District Name	Street Address	Street Name	No. of Properties
Ballymoney (continued)	Hunter Park	Balnamore	1
	Lime Park	Balnamore	11
	Brookvale	Bendooragh	3
	Drumahiskey Road	Bendooragh	1
	Willowdale	Bendooragh	6
	Ballyveely Road	Cloughmills	1
	Cypress Park	Cloughmills	20
	Fenton Crescent	Cloughmills	5
	Frosses Road	Cloughmills	1
	Princess Gardens	Cloughmills	5
	Rosemount	Cloughmills	7
	Strand Park	Cloughmills	16
	Whitehill Cottages	Cloughmills	2
	Ben Vista	Corkey	4
	Rockend	Corkey	11
	Bush Road	Dervock	1
	Castlecatt Road	Dervock	1
	Greystone Crescent	Dervock	26
	Mc Arthur Avenue	Dervock	42
	Millar Avenue	Dervock	8
	Moyarget Road	Dervock	1
	Station Road	Dervock	3
	Straham View	Dervock	16
	Travers Place	Dervock	12
	Bellaghy Road	Dunloy	1
	Braeside Park	Dunloy	18
	Carness Drive	Dunloy	12
	Fassagh Park	Dunloy	3
	Frosses Road	Dunloy	2
	Garryduff Road	Dunloy	3
	Greenacre	Dunloy	2
	Hawthorne Terrace	Dunloy	12
	Hillview Park	Dunloy	3
	Mc Camphill Park	Dunloy	7
	Mc Clelland Park	Dunloy	10
	Moyan Road	Dunloy	1
	Scally Park	Loughgiel	31
	Moycraig Road	Mosside	1
	Ballymacconnelly Road	Rasharkin	1
	Bamford Park	Rasharkin	12
	Belmont Park	Rasharkin	11

District Name	Street Address	Street Name	No. of Properties
Ballymoney (continued)	Carnfinton Park	Rasharkin	22
	Churchill Crescent	Rasharkin	1
	Finvoy Road	Rasharkin	1
	Glebe Park	Rasharkin	7
	Glenfield	Rasharkin	3
	Gortahar Road	Rasharkin	1
	Greenwood Park	Rasharkin	3
	Lisnahunshin Road	Rasharkin	1
	Moneyleck Park	Rasharkin	8
	Rockview Park	Rasharkin	2
	Rosetta Terrace	Rasharkin	1
	Sunnyside Drive	Rasharkin	12
	Tamlaght Road	Rasharkin	1
	Vow Road	Rasharkin	2
	Wallace Park	Rasharkin	5
	Ballinlea Road	Stranocum	1
	Carncullagh Road	Stranocum	1
	Ford Avenue	Stranocum	5
	Hawbank Terrace	Stranocum	6
	Kirk Road	Stranocum	1
	Willowbank Terrace	Stranocum	5
			<b>4512</b>

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.

### Branded Apparel for Non-front Line Staff

**Mr Allister** asked the Minister for Social Development how much his Department has spent on branded apparel for non-frontline staff, in each of the last three years.

(AQW 24923/11-15)

**Mr McCausland:** The amount spent on branded apparel for non-frontline staff in the last 3 years was as follows:

	£
2010-11	209
2011-12	Nil
2012-13	1,023

### Housing Executive: Heating Replacement Programme

**Mr Durkan** asked the Minister for Social Development whether he has considered prioritizing Housing Executive tenants who are of pensionable age when installing new heating systems, in order to ensure that their homes are adequately prepared for the onset of winter.

(AQW 24950/11-15)

**Mr McCausland:** The Housing Executive has advised that their heating replacement programme is based on the age and condition of existing heating systems within the property and not on the age of the current tenant. The Housing Executive is responsible for keeping existing heating systems in working order. Should tenants who are of pensionable age have any problems with their heating systems they should advise the Housing Executive who will ensure they are attended to by a heating contractor.

## Doury Road, Ballymena

**Mr Frew** asked the Minister for Social Development when he will unveil the plans for the Doury Road area of Ballymena.  
(AQW 24998/11-15)

**Mr McCausland:** On 3 June my Department granted approval to a Housing Executive economic appraisal which will see the Victoria Park part of Doury Road significantly improved. Implementation will be considered by the Housing Executive Board at its next meeting on 31 July.

I have made arrangements for the member to be further updated following that meeting.

## Turkington Holdings

**Mr McKay** asked the Minister for Social Development whether his meeting with Turkington representatives in May 2012 included representatives of the Glass and Glazing Federation.  
(AQW 25032/11-15)

**Mr McCausland:** I did not meet with Turkington representatives in May 2012. However, I would refer the Member to my answer provided to AQW 13779/11-15 in relation to my meeting with the Glass and Glazing Federation on 16 April 2012.

## Turkington Holdings

**Mr McKay** asked the Minister for Social Development why the draft letter that originally stated that he had met with Turkington was changed to read that he had also met with Fusion 21 about double glazing.  
(AQW 25033/11-15)

**Mr McCausland:** I had also met with Fusion 21 on 23 April 2012. In relation to this matter I advised the Assembly on the 8 July that there was a minor error with regards to the grammar and detail of the response in my initial answer to AQW 11512/11-15 on this subject. The correct position is that I also met with Fusion 21 on 23 April 2012 to discuss generally their procurement model. Fusion 21 then raised the issue of the Housing Executive's double glazing programme with my officials who advised that, as this was an operational matter for the Housing Executive, they should contact the Housing Executive's Head of Procurement to discuss this.

## Fusion 21

**Mr McKay** asked the Minister for Social Development, in light of Fusion 21's statement that it did not meet with him to discuss double-glazing, why he informed the Committee for Social Development that he had met with Fusion 21 on this issue.  
(AQW 25034/11-15)

**Mr McCausland:** In relation to this matter, I informed the Assembly on Monday 8 July 2013 that the details of the initial meeting with Fusion 21 were set out in an Assembly question for written answer, AQW 11512/11-15. However, there was a minor error with regards to the grammar and detail of that response. The correct position is that I also met with Fusion 21 on 23 April 2012 to discuss generally their procurement model. Fusion 21 then raised the issue of the Housing Executive's double glazing programme with my officials who advised that, as this was an operational matter for the Housing Executive, they should contact the Housing Executive's Head of Procurement to discuss this.

## Housing Executive: Investigation of Contractors

**Mr Allister** asked the Minister for Social Development, pursuant to AQW 24243/11-15, in relation to each of the four contractors, to detail how many contracts were found by Moore MacDonald to have been overcharged.  
(AQW 25043/11-15)

**Mr McCausland:** The Housing Executive has advised that Moore MacDonald considered 20 schemes, four from each of the Housing Executive's five geographical management areas that were in place at that time. Overpayments were discovered in all schemes investigated. A list of those schemes relating to each of the four contractors is detailed below.

### P K Murphy – Belfast Area

- |                         |                             |
|-------------------------|-----------------------------|
| ■ Donegall Pass Phase 3 | ■ Short Strand Phase 3      |
| ■ Abingdon Drive        | ■ Holland Drive /Wandsworth |

### P K Murphy – West Area

- |                      |                        |
|----------------------|------------------------|
| ■ Parkview Riverside | ■ Fallowlea / Millpath |
| ■ Sullenboy Park     | ■ Moyola / Benview     |

### Bann – South Area

- |                            |                        |
|----------------------------|------------------------|
| ■ Cleenish / Lisgoole Park | ■ Bessbrook / Camlough |
| ■ Ardcarne Park            |                        |
| ■ Lisnahull                |                        |



**Mascott Construction – South East Area**

- Bowtown Phase 3
- Glenbawn Estate
- Ballynahinch / Downpatrick / Killyleagh / Dundrum
- Belvoir

**Dixon Contracts –North East Area**

- Greystone Phase 2
- Seacourt
- Parkhall 3B Phase 1
- Springfarm Phase 1

**Turkington Holdings**

**Ms Boyle** asked the Minister for Social Development whether he was aware that the owner of Turkington Holdings had nominated a Member of the DUP for election to the Assembly, when he met with the company's representatives in May 2012, to discuss double glazing specifications in Housing Executive properties.

**(AQW 25062/11-15)**

**Mr McCausland:** I did not meet with Turkington Holdings representatives in May 2012 to discuss double glazing specifications in Housing Executive properties.

However, I would refer the Member to my answer provided to AQW 13779/11-15 in relation to my meeting with the Glass and Glazing Federation on 16 April 2012. I was not aware at that time that the owner of Turkington Holdings had nominated a member of the DUP for election to the Assembly.

**Red Sky**

**Mr Hussey** asked the Minister for Social Development what legal advice he sought before and after his meeting in June 2011 with Red Sky and other DUP MLAs; and to detail the advice.

**(AQW 25093/11-15)**

**Mr McCausland:** As I informed the Assembly on Monday 8 July 2013, I sought advice from the Departmental Solicitor's Office before the meeting with Red Sky on 27 June 2011, which advised that Ministers may meet such persons as they choose.

**Red Sky**

**Mr Hussey** asked the Minister for Social Development on what basis he sought legal advice before meeting in June 2011 with Red Sky and other DUP MLAs.

**(AQW 25094/11-15)**

**Mr McCausland:** As I informed the Assembly on Monday 8 July 2013, I sought advice from the Departmental Solicitor's Office before the meeting with Red Sky on 27 June 2011, as I was being asked to meet individuals from a company in administration and wanted to be assured of the probity of my actions.

**Red Sky**

**Mr Hussey** asked the Minister for Social Development who invited him to a meeting with Red Sky in June 2011, which he attended with other DUP MLAs.

**(AQW 25095/11-15)**

**Mr McCausland:** Councillor Robin Newton MLA wrote to me on 17 May 2011 asking me to agree to a meeting with representatives of Red Sky.

**Red Sky**

**Mr Hussey** asked the Minister for Social Development to outline the rationale for his request of 27 June 2011 to extend the length of the Housing Executive's contract with Red Sky.

**(AQW 25096/11-15)**

**Mr McCausland:** My position in relation to the termination of the Red Sky Group contract by the Housing Executive in July 2011 has been a matter of public record for some time. Shortly after taking up office in May 2011, I expressed my concerns about contract management, both on foot of briefing on the governance review findings carried out in 2010 and on the issues leading to the termination of the Red Sky Group contract in July 2011. Although there has been a great deal of speculation and innuendo that I sought either to extend the contract with the Red Sky Group or to assign the contract to a new company, that was not the case.

In particular my letter to the then Chairman on 7 July, makes it clear that I believed the most appropriate way forward was for an open procurement exercise for the Red Sky Group contracts to be undertaken rather than automatic assignment to adjacent contractors. This was subject to the administrator being able to provide assurance that those contracts could be serviced until such an exercise could be undertaken. When the Housing Executive advised that the administrator could provide services only until the end of July and that, thereafter, it was intended that the company would be sold and, from

that date, the service could be provided only by a new company and it would take in the region of four months for an open procurement exercise, I confirmed to the then Chairman that the Housing Executive should proceed with the termination of the Red Sky Group contracts and reassign those contracts.

### Housing Executive: Investigation of Contractors

**Mr Copeland** asked the Minister for Social Development what evidence he was in possession of in June 2011 regarding the improper conduct of Housing Executive contractors other than Red Sky.

(AQW 25111/11-15)

**Mr McCausland:** As I informed the Assembly on 8 July 2013, I was aware in June 2011 that wrongdoing was not restricted to one contractor. The Housing Executive was already investigating another contractor in relation to issues first raised in 2010.

### Red Sky

**Mr Copeland** asked the Minister for Social Development, in relation to open tenders for contracts, for his assessment of the potential advantage afforded to Red Sky of his meeting in June 2011 with the company.

(AQW 25112/11-15)

**Mr McCausland:** I would refer the Member to the answer provided in AQW 25096/11-15. There was no potential advantage afforded to Red Sky as a result of my meeting with them on June 2011.

### Totalis Solutions

**Mr Copeland** asked the Minister for Social Development what knowledge he had of Totalis Solutions before, during and after his meeting with Red Sky in June 2011.

(AQW 25113/11-15)

**Mr McCausland:** I informed the Committee for Social Development on Thursday 4 July 2013, that at the meeting with Red Sky in June 2011, there was no mention of Totalis Solutions and I was not aware of the company at that time.

### Housing Executive: Investigation of Contractors

**Mr Copeland** asked the Minister for Social Development to detail the number of investigations that were instigated into Northern Ireland Housing Executive contracts by former chair Brian Rowntree, including the (i) date; (ii) scope; and (iii) the full outcome of each investigation.

(AQW 25137/11-15)

**Mr McCausland:** The Housing Executive advises that eight investigations were initiated into Northern Ireland Housing Executive contracts during the tenure of the former Chairman, Brian Rowntree. The table below shows detail in relation to (i); (ii) and (iii) of the question:

Date	Scope	Full outcome of each investigation
2005	The Housing Executive's Counter Fraud Unit undertook an investigation into a number of allegations received in relation to the former Red Sky Group.	A file was submitted to the PSNI, who concluded that there was insufficient evidence of criminality to proceed with prosecution.
August 2009 – October 2010	Following information received from the Northern Ireland Audit Office, the Housing Executive commissioned an external review of response maintenance services provided by the former Red Sky Group in six Districts.	The ASM report identified overcharging and unsatisfactory workmanship. The report was used to recover overpayments from the company.
2010 – 2011	Following receipt of the ASM report the Housing Executive's Repairs Inspection Unit undertook a further review of the response maintenance services provided by the former Red Sky Group.	The reports identified further overpayments and findings were used to recover amounts from the then administrator of the company. On the basis of these investigations and those undertaken by the external consultant, the Housing Executive's Board decided to terminate the contracts held by Red Sky Group
2011 – 2012	On the basis of the two previous investigations, the Housing Executive's Counter Fraud Unit undertook an investigation into certain aspects of the services provided by the former Red Sky Group	Files were submitted to the PSNI, who concluded that there was insufficient evidence of criminality to proceed with prosecution.

Date	Scope	Full outcome of each investigation
January 2010 - October 2010	The Housing Executive's Repairs Inspection Unit undertook an investigation in response maintenance services in one District by the former company, Leeway Maintain.	The report identified overpayments and poor workmanship. These findings were used to recover amounts from payments due to Leeway Maintain, which was then in administration. This decision was challenged by the administrator and is now scheduled for court hearing in September 2013.
November 2011 – July 2012	In response to concerns about overcharging which had been raised by the Housing Executive's Scheme, Inspection Unit (SIU), Internal Audit was asked to investigate a number of planned maintenance kitchen replacement schemes.	Internal Audit produced a report which identified evidence of overcharging on the scheme selected by them for detailed investigation. This scheme was further investigated by Moore MacDonald as part of its sample of kitchen replacement schemes.
August 2010 – ongoing	The Housing Executive's Counter Fraud Unit was asked to undertake an investigation into concerns raised in connection with invoices submitted by a construction company	On the basis of the report produced by the Counter Fraud Unit, the company was suspended from new contracts and a file was submitted to the PSNI. The matter is still under consideration by the PSNI.
2007 – 2013	The Housing Executive undertook an investigation into contract management services provided on its behalf by a private sector professional consultancy company	The investigation has concluded that there had been both negligence and incompetence on the part of the company which resulted in a substantial sum being paid to the Housing Executive by the company's insurers.

### Areas at Risk Programme: Beechfield Estate, Donaghadee

**Mr Easton** asked the Minister for Social Development how much funding has been made available for the Areas at Risk programme, since being awarded to Beechfield Estate, Donaghadee.  
(AQW 25166/11-15)

**Mr McCausland:** The Beechfield Estate been allocated funding of £67,766.00 from the Area's at Risk programme for the period 1 April 2011 to 31 March 2014 to finance a range of community projects drawn up by the Beechfield Residents Association Planning Team.



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# Northern Ireland Assembly

Friday 13 September 2013

## Written Answers to Questions

### Department of Agriculture and Rural Development

#### Families Acting for Innocent Relatives

**Mr Swann** asked the Minister of Agriculture and Rural Development if the Central Investigation Service has conducted an investigation into funding for Families Acting for Innocent Relatives, and if so, who requested the investigation.  
(AQW 25282/11-15)

**Mrs O'Neill (The Minister of Agriculture and Rural Development):** The Central Investigation Service (CIS) has not conducted an investigation into funding for Families Acting for Innocent Relatives.

In 2010 the Special European Union Programmes Body (SEUPB) commissioned auditors to investigate concerns in relation to Families Acting for Innocent Relatives' (FAIR) management of three projects which were in receipt of funding from the EU Programme for Peace and Reconciliation (Peace III).

From the auditor's findings the SEUPB determined that expenditure incurred under the projects was not eligible for support under EU regulations.

Under the Service Level Agreement in place between CIS and the SEUPB, SEUPB sought the view of CIS as to whether or not any of the irregularities included in the auditors report merited further investigation.

SEUPB subsequently referred the auditor's report to the Police Service of Northern Ireland (PSNI) to take forward an investigation.

#### DARD Headquarters Relocation

**Mr Campbell** asked the Minister of Agriculture and Rural Development to outline the findings of the consultation on the relocation of her departmental headquarters to Ballykelly.  
(AQO 4511/11-15)

**Mrs O'Neill:** The formal consultation period for the Equality Impact Assessment on the decision to relocate the DARD headquarters to Ballykelly closed on 5 July 2013. The Formal Consultation Document was issued to over 500 stakeholders and a total of 24 responses were received. None of the respondents provided evidence of any further equality impacts that should have been considered.

My decisions to relocate Forest Service to Fermanagh, Rivers Agency to Loughry and Fisheries Division to South Down are now undergoing Equality impact assessments and when complete I will publish a full combined EQIA report on all four relocation projects.

#### DARD Headquarters Relocation

**Mr Copeland** asked the Minister of Agriculture and Rural Development for an update on the relocation of her departmental headquarters.  
(AQO 4510/11-15)

**Mrs O'Neill:** Much preparatory work has been undertaken by officials in moving this programme forward. This has included full consultation with Trade Union Side, undertaking surveys of staff not only within my Department but across the whole of the Civil Service. My officials completed a full Equality Impact Assessment, commissioning DFP to undertake a site options study and ensured that sound governance arrangements have been put in place to guide the overall programme of work.

The outcomes of this work have been incorporated into a business case which is currently with our departmental economists for consideration.



## Bovine Tuberculosis

**Mr Dallat** asked the Minister of Agriculture and Rural Development to outline how she plans to reduce the number of occurrences of Bovine Tuberculosis.

**(AQO 4512/11-15)**

**Mrs O'Neill:** TB is a very complex disease and there is no simple solution or 'quick-fix'. We have a robust TB eradication programme in place that is based on testing to detect infected cattle, removing infected animals and reducing the risks of disease spread through movement controls and other biosecurity measures. At any time, around 90% of our herds are free of TB.

Considerable work has been undertaken to enhance the TB eradication programme in recent years. We now remove as reactors those animals that give an inconclusive result to a second consecutive TB test rather than after a third test as before. We have improved communications with Private Veterinary Practitioners and strengthened the supervision process. We have improved DARD's own delivery of TB testing through monitoring Key Performance Indicators (KPIs). We also use DNA identity tags on reactors to help reduce reactor identity queries, substitution fraud and associated disease risks.

However I am not complacent and aim to achieve a sustained and progressive reduction towards the ultimate eradication of TB here. Work is ongoing to reassess the current programme and identify any additional actions which would enhance our current approach to TB. In the coming weeks, when this work is concluded, I will announce any proposed additional measures to further strengthen our robust programme.

In addition to our EU approved programme I will continue to invest in TB research, and learn from the outcome research undertaken by others administrations, to enable us to refine our approach to TB in light of new scientific developments.

## Flood Alleviation: South Belfast

**Mr Maskey** asked the Minister of Agriculture and Rural Development for an update on the departmental and Rivers Agency actions in response to the flooding in South Belfast, particularly the Balmoral District Electoral Area, on 27 June 2012.

**(AQO 4513/11-15)**

**Mrs O'Neill:** We know that the extreme storm on 27 June 2012 caused flooding to more than 1,400 properties across the north of Ireland, with many of these situated in South Belfast. With regard to the Balmoral District Electoral Area, Rivers Agency has put considerable effort into clearing blocked watercourses, repairing and upgrading infrastructure, as well as taking on responsibility for the maintenance of a number of additional sections of watercourse in the area. In undertaking this work the Agency has continued to liaise with affected communities and with their counterparts in NI Water and Roads Service, to undertake practicable measures which will reduce the risk of a reoccurrence.

## Farm Safety

**Mrs McKeivitt** asked the Minister of Agriculture and Rural Development, given the number of recent tragedies, to outline how she is tackling the issue of farm safety.

**(AQO 4514/11-15)**

**Mrs O'Neill:** I am sure the house will agree with me that the recent farm accidents were both tragic and disturbing, particularly as one accident involved the death of a child. My sympathies go out to all of those families.

My Department continues to work with the Health & Safety Executive Northern Ireland (HSENI), the Ulster Farmers' Union (UFU), Northern Ireland Agricultural Producers Association (NIAPA), National Farmers Union Mutual (NFU Mutual) and the Young Farmers Clubs for Ulster (YFC) through the Farm Safety Partnership the purpose of which is to reduce and, ultimately, eradicate work related fatalities on farms.

The Partnership is continuing to implement its Action Plan launched in November 2012 delivering on the 4 Key areas:

- Provision of Information and Promotion of Safe Working;
- Health and Safety Training;
- Motivating Good Practice and Discouraging Poor Practice; and
- Collection and Analysis of Information.

The multi media campaign launched by the Partnership on 25 March 2013, is hard hitting and is still running. It is designed to change the attitudes of farmers to risk and also targets their family members as influencers. The campaign covers TV, Radio and News media.

Indications are that farmers are well aware of the risks and what they should do. It is a matter of changing the mind set to think about the risk before taking action.

Through locally based CAFRE Development Advisers, my Department distributes farm safety information at training events and workshops across the north. All Focus Farm visits incorporate a farm safety presentation and all CAFRE students receive farm safety training.

My Department also runs FarmSafe Awareness courses targeting some 3,000 farmers of all ages, and covering the four key risk areas on the farms:

- Tractors and Machinery;

- Livestock;
- Falls from Height; and
- Slurry.

## Forestry Fund

**Mr McElduff** asked the Minister of Agriculture and Rural Development to outline her plans to implement the Forestry Fund. (AQO 4515/11-15)

**Mrs O'Neill:** The £4m awarded to my Department from the Executive's Economy & Jobs Initiative was under the theme Supporting Infrastructure Investment. My Department's forests are already heavily used for formal and informal recreation. A recent study undertaken jointly by Forest Service and the Tourist Board recognises that forest based tourism has significant potential for further growth. Consequently, the Forestry Fund will be utilised to enhance and develop supporting infrastructure for recreation and tourism.

Following DFP's approval of the Business Case, the available budget will be allocated to strategic forest improvement works and those that have the strongest likelihood of delivery within budget and Fund timescales.

## Reservoirs

**Ms McCorley** asked the Minister of Agriculture and Rural Development how she plans to regulate reservoirs. (AQO 4516/11-15)

**Mrs O'Neill:** I plan to introduce a Reservoirs Bill which will create a legal and administrative framework for regulating reservoir safety in the North. The Bill is currently in draft and I intend to seek Executive agreement for its introduction to the Assembly shortly.

The proposed legislation will regulate 'controlled reservoirs', which are structures or areas which are capable of holding 10,000 cubic metres of water above the natural level of the surrounding land and are created wholly or partially by artificial means.

The legislation will clarify that the reservoir manager is responsible for reservoir safety and require routine supervision and inspections to be carried out by qualified engineers. I also want to ensure that the regulation is proportionate to the risk and so the management regime will be tailored to the potential impact of the controlled reservoir.

This approach complies with industry best practice for the management of reservoir safety and will provide assurance that the safety of these reservoirs, and hence the risk of flooding, is being appropriately managed.

## Department of Culture, Arts and Leisure

### Fleadh Cheoil na hÉireann

**Ms Ruane** asked the Minister of Culture, Arts and Leisure to outline her Department's commitment to the return of the Fleadh Cheoil na hÉireann in 2016 and thereafter. (AQO 4526/11-15)

**Ms Ní Chuilín (The Minister of Culture, Arts and Leisure):** The Fleadh Cheoil na hÉireann is one of many successful events to have taken place as part of Derry's City of Culture year. The Fleadh, held in the north for the first time, brought thousands of people from all over Ireland and across the world to the City for a fantastic week of Irish traditional music and culture.

In terms of the impact of the Fleadh on the local economy, project partners, including the NI Tourist Board, are currently conducting research into the economic benefits of the Fleadh. A research study and evaluation of the event will be prepared and should be available in late November 2013. While it is not possible at this stage to provide any preliminary findings, it is worth noting that an economic impact assessment of the Cavan Fleadh in 2010 concluded that it generated more than £30m in direct expenditure in the local economy. I am confident that the 2013 Fleadh has had a very positive impact on the economy in the North West.

As part of the focus on legacy, we will be working with project partners to look at which aspects of the programme were successful and may return to the city in the future. This work will look at the possibility of the Fleadh Cheoil na hÉireann returning to Derry in 2016.

### Walled City Tattoo

**Mr Campbell** asked the Minister of Culture, Arts and Leisure, following the success of the UK City of Culture Walled City Tattoo 2013 in Londonderry, will her Department consider assisting the staging of this event in future years. (AQO 4528/11-15)

**Ms Ní Chuilín:** The Walled City Tattoo, which I attended, was a very impressive event that once again put Derry in the international spotlight during this City of Culture year.

As we approach the end of the year and the cultural programme of events, the focus for the City of Culture is now shifting towards the longer term benefits for local people, particularly those sectors and areas facing greatest objective need. Targets to increase jobs, investment and wages and to improve perceptions, quality of life and opportunities have been developed to address specific need in the City up to 2020.

I am committed to ensuring that major events such as the Tattoo and Fleadh return to the North of Ireland in the future. My Department will play a leading role in the delivery of City of Culture legacy.

## Arm's-length Bodies

**Mr Hazzard** asked the Minister of Culture, Arts and Leisure how she will ensure that her departmental priorities are reflected in the service provision of its Arm's-Length Bodies.

**(AQO 4525/11-15)**

**Ms Ní Chuilín:** My Department has published its business plan for 2013/14 setting out its priorities for the year ahead.

My Department met on a number of occasions with ALBs to ensure that budgets are focused on the delivery of the Department's key priority of promoting equality and tackling poverty and social exclusion.

I have reviewed ALB business plans to ensure that they have prioritised and targeted resources in support of this priority. I have now approved these plans.

My officials will continue to liaise and monitor ALB progress to ensure that real and meaningful actions are taken in respect of the promotion of equality and tackling poverty and social exclusion.

## Fleadh Cheoil na hÉireann

**Mr McGlone** asked the Minister of Culture, Arts and Leisure to outline the assessment that her Department has carried out, in conjunction with the Department of Enterprise, Trade and Investment, on the economic benefits of the Fleadh Cheoil na hÉireann.

**(AQO 4527/11-15)**

**Ms Ní Chuilín:** The Fleadh Cheoil na hÉireann is one of many successful events to have taken place as part of Derry's City of Culture year. The Fleadh, held in the north for the first time, brought thousands of people from all over Ireland and across the world to the City for a fantastic week of Irish traditional music and culture.

In terms of the impact of the Fleadh on the local economy, project partners, including the NI Tourist Board, are currently conducting research into the economic benefits of the Fleadh. A research study and evaluation of the event will be prepared and should be available in late November 2013. While it is not possible at this stage to provide any preliminary findings, it is worth noting that an economic impact assessment of the Cavan Fleadh in 2010 concluded that it generated more than £30m in direct expenditure in the local economy. I am confident that the 2013 Fleadh has had a very positive impact on the economy in the North West.

As part of the focus on legacy, we will be working with project partners to look at which aspects of the programme were successful and may return to the city in the future. This work will look at the possibility of the Fleadh Cheoil na hÉireann returning to Derry in 2016.

## Royal Scottish Pipe Band Association

**Mr Buchanan** asked the Minister of Culture, Arts and Leisure for her assessment of the impact the Royal Scottish Pipe Band Association has on culture and tourism here.

**(AQO 4529/11-15)**

**Ms Ní Chuilín:** I believe the Royal Scottish Pipe Band Association's support and alliance with Pipe bands from all communities here in the north continues to play a key role in offering musical excellence, education opportunities and driving cultural tourism.

The ongoing promotion of pipe band contests and solo competitions, along with the hugely impressive All Ireland Pipe Band Championships held in 2013 in Derry as part of the City of Culture Celebrations, provides opportunities for local bands to shine and demonstrate their musical excellence and skill to the world. This in turn helps showcase the North.

Cultural tourism undoubtedly has the potential to be further developed to bring sustainable benefits for our society as a whole.

## Department of Education

### Staff: Recruitment Agencies

**Mr Swann** asked the Minister of Education to detail the number of people employed by recruitment agencies in (i) his Department; and (ii) arms-length bodies, as of 1 April (a) 2011; (b) 2012; and (c) 2013.

**(AQW 25201/11-15)**

**Mr O'Dowd (The Minister of Education):** The number of people employed by recruitment agencies in:

(i) **Department of Education (the number of Agency workers engaged via recruitment agencies by DE)**

	As of 1/4/11	As of 1/4/12	As of 1/4/13
DE	*	*	5

(ii) **DE arm's length bodies**

	As of 1/4/11	As of 1/4/12	As of 1/4/13
BELB	13	24	19
WELB	15	*	12
NEELB	18	25	27
SEELB	24	27	18
SELB	12	9	8
SCELB	0	0	0
CCMS	0	0	*
CCEA	*	0	0
CnaG	0	0	0
NICIE	*	*	*
GTCNI	*	0	0
YCNI	*	0	0
Middletown Centre	0	*	0
<b>Total</b>	<b>88</b>	<b>90</b>	<b>88</b>

**Notes:** \* = Small numbers have been suppressed to prevent identification of an individual, in line with the confidentiality principle of the Statistics Authority's Code of Practice on Official Statistics.

## Preschool Admissions

**Mr Weir** asked the Minister of Education, pursuant to AQW 25085/11-15, how many of these children failed to obtain a place at any of their first three choice pre-schools.

**(AQW 25236/11-15)**

**Mr O'Dowd:**

- 1 Information on the number of children who did not obtain a place at any of their first choice pre-schools is held by Education and Library Boards, who have advised that it could be obtained only at disproportionate cost.

As indicated in my previous response, the Pre-school admissions process is a preference based: therefore those children not offered a place in their 1st preference setting may be offered a place in another setting listed by their parents as a subsequent preference on their application.

- 2 99.9% of target aged children whose parents fully engaged with the process were offered a funded place in a pre-school setting and funded places remained available at the end of the 2013/14 pre-school admissions process, I am, therefore, satisfied that overall there is sufficient funded pre-school provision available to meet the Programme for Government commitment to provide a place for every child whose family wants it. The Department will continue to work with each Education and Library Board's Pre-School Education Advisory Group in order to ensure that the level of provision in individual areas is sufficient to meet demand at a local level.

## Preschool Admissions

**Mr Weir** asked the Minister of Education, pursuant to AQW 25085/11-15, what action he is taking to increase the availability of pre-school places.

**(AQW 25237/11-15)**

**Mr O'Dowd:**

- 3 Information on the number of children who did not obtain a place at any of their first choice pre-schools is held by Education and Library Boards, who have advised that it could be obtained only at disproportionate cost.

As indicated in my previous response, the Pre-school admissions process is a preference based: therefore those children not offered a place in their 1st preference setting may be offered a place in another setting listed by their parents as a subsequent preference on their application.

- 4 99.9% of target aged children whose parents fully engaged with the process were offered a funded place in a pre-school setting and funded places remained available at the end of the 2013/14 pre-school admissions process, I am, therefore, satisfied that overall there is sufficient funded pre-school provision available to meet the Programme for Government commitment to provide a place for every child whose family wants it. The Department will continue to work with each Education and Library Board's Pre-School Education Advisory Group in order to ensure that the level of provision in individual areas is sufficient to meet demand at a local level.

### Woodlands Language Unit, Derry

**Mr P Ramsey** asked the Minister of Education for an update on the future of the Woodlands Language Unit in Derry. (AQW 25239/11-15)

**Mr O'Dowd:** Development Proposals No's 233, 234, 235, and 236 were published by the Western Education and Library Board in the week beginning 21 January 2013. These sought the closure of the Woodlands Language Unit and the relocation of classes to Ebrington PS, St Anne's PS, Derry and Ballykelly PS.

This is a complex matter and it is important for me to take time to consider in detail all information I have received. My decision will centre on the best interests of the children involved as it is crucial to get the provision right for these educationally vulnerable children.

I will not unduly delay any decision on the proposals but I must ensure that they are comprehensively assessed and all pertinent issues considered.

I hope to be in a position to announce my decision shortly.

### School Enhancement Programme

**Mr Storey** asked the Minister of Education for an update on the School Enhancement Programme. (AQW 25250/11-15)

**Mr O'Dowd:** Seventy applications were received under the Schools Enhancement Programme (SEP) by the closing date of 10 May and are currently being assessed against the SEP criteria. Economic appraisals (EAs) will be prepared for those that meet the criteria and these will then be prioritised (as outlined in the protocol) against the available capital budget. I will make a statement identifying projects that will proceed to the EA stage in due course.

### Early Years Funding

**Mr Storey** asked the Minister of Education why the criteria for Early Years funding were changed. (AQW 25285/11-15)

**Mr O'Dowd:** The criteria for Early Years funding have not been changed.

The report on the recent review of the Fund included a number of recommendations for change around the implementation and management of the Fund. The implementation of these recommendations has included a greater focus on the financial position of applicant groups this year to ensure that there was a clear demonstration of need.

In light of the report findings, as previously advised, I plan to review this funding and its delivery to ensure that it aligns with DE's current aims and objectives. In considering the way forward for the Early Years Fund I will take account of the recommendations in the review as well as DE's wider priorities and the overall budgetary position. I will set out the way forward in due course.

### Early Years Funding

**Mr Storey** asked the Minister of Education what assessment his Department made of the impact on Early Years Providers prior to the change in the Early Years funding criteria taking place. (AQW 25286/11-15)

**Mr O'Dowd:** The criteria for Early Years funding have not been changed.

The report on the recent review of the Fund included a number of recommendations for change around the implementation and management of the Fund. The implementation of these recommendations has included a greater focus this year on the demonstration of need. The financial position of each applicant group, based on the content of the application form and supporting financial information provided by each organisation, was carefully scrutinised and considered by the strategic funding panels in the assessment process, prior to agreement of the allocations for 2013/14.



## Programme for Government Commitments

**Mr Copeland** asked the Minister of Education for an update on the progress made on each of his Department's Programme for Government commitments.

**(AQW 25291/11-15)**

**Mr O'Dowd:** The Department of Education has lead responsibility for delivering eight of the commitments in the Executive's Programme for Government (PfG) for 2011-15. It reports quarterly to the Office of the First and deputy First Minister on its progress and shares those reports with the Education Committee. As is the case for all departments, summary reports on its commitments are also published and accessible via the NIDirect portal.

The next quarterly report will be due at the end of September. The latest position in relation to the DE-led commitments is provided below:

Commitment	Progress report at end August 2013
21. Increase the overall proportion of young people who achieve at least 5 GCSEs at A* - C or equivalent including GCSEs in Maths and English by the time they leave school  Including: Increase the proportion of young people from disadvantaged backgrounds who achieve at least 5 GCSEs at A* - C or equivalent including GCSEs in Maths and English	The latest available data show that the proportion of school leavers achieving at this level has increased from 59.5% in 2010-11 to 62.0% in 2011-12. The proportion of school leavers entitled to free school meals achieving at this level has increased from 31.7% in 2010-11 to 34.1% in 2011-12.  Reducing the level of underachievement among pupils from disadvantaged backgrounds remains a challenging target and further interventions are planned or underway to address this. These include the Delivering Social Change Literacy and Numeracy scheme; the 'Education Works' advertising campaign; and, in each of the next two years, an additional £2m to deliver a Community Education Initiatives programme and £1million to deliver a Continual Professional Development project for KS2 and KS3 literacy and numeracy teachers focused on the delivery of high quality teaching and learning.
42. Improve literacy and numeracy levels among all school leavers, with additional resources targeted at areas of educational underachievement	
43. Ensure that at least one year of pre-school education is available to every family that wants it	99.8% of children, whose parents engaged with the pre-school admissions process to the end, obtained a funded place for September 2013.
70. Significantly progress work on the plan for the Lisanelly Shared Education campus as a key regeneration project	Six schools have signed an MOU on moving forward with development of the Lisanelly Campus project. Approval has been given for both the business case for Phase 1 of this major investment, incorporating the construction of Arvalee Special School on the site, and the Outline Business Case incorporating Phase 2 for the overall programme. The Minister has committed more than £14million of funding over the next three years to deliver the first phase with work commencing later in the year and the construction of the new Arvalee School and Resource Centre from summer 2014.
71. Establish a Ministerial advisory group to explore and bring forward recommendations to the Minister of Education to advance shared education	This commitment has now been delivered The Ministerial Advisory Group has completed its work and presented its recommendations to the Minister.
72. Ensure all children have the opportunity to participate in shared education programmes by 2015	Progress remains on target to meet the milestone targets. High level objectives in terms of children participating in shared education programmes and children sharing school facilities have been defined and will be further refined as work progresses. Baseline statistics have been established.
73. Substantially increase the number of schools sharing facilities by 2015	
76. We will make the Education and Skills Authority operational in 2013	The legislation to establish ESA completed its Committee Stage on 8 April 2013. It is expected that the Bill will advance to the next stages during the autumn. The wider implementation programme is also progressing.

## Schools: Enrolment

**Mr Storey** asked the Minister of Education to detail by (i) phase; and (ii) sector, the development proposals his Department has received requesting an increase in admission or enrolment numbers; and to outline the decision in each case, in each of the last three years.

**(AQW 25328/11-15)**

**Mr O'Dowd:** My Department received 27 Development Proposals in the last 3 years from schools seeking an increase in their admissions or enrolment numbers. Separate lists of the development proposals for primary and post primary phases are included below. As requested the lists include details of the school sector and decision in each case.

#### Primary Schools

DP No.	School School ref	Date published	Sector / Management Type	Description of Proposal	Decision	Date of Decision
277	Fair Hill PS 501-6599	14/09/12	Controlled	To extend the capacity from a 10 to an 11 class base primary school from 1 September 2013 or as soon as possible thereafter.	Approved	28/03/13
280	Fivemiletown PS 501-6088	22/01/13	Controlled	To extend the approved enrolment from a 6 to a 7 class base primary school with effect from 1 September 2013 or as soon as possible thereafter	Approved	29/03/13
234	St Ita's PS, Purdysburn 403-6642	12/02/13	Maintained	Increases capacity number from 525 to 574. This would permit the school to increase the admissions number from 75 to 82 pupils with effect from 1 September 2013, or as soon as possible thereafter.	Approved	17/04/13
282	St Patrick's PS, Mayobridge 503-1697	18/02/13	Maintained	Increase capacity number from 284 - 350. This would permit the school to increase the admissions number from 41 pupils to 50 pupils from 1 September 2013 or as soon as possible thereafter.	Approved	20/08/13
284	St Jarlath's PS, Black-watertown 503-6121	18/02/13	Maintained	Increase capacity number from 158 - 210. This would permit the school to increase the admissions number from 23 pupils to 30 pupils with effect from 1 September 2013 or as soon as possible thereafter.	Approved	20/08/13
285	St Mary's PS, Mullaghbawn 503-6087	18/02/13	Maintained	Increase capacity number from 230 - 315. This would permit the school to increase the admissions number from 30 pupils to 45 pupils with effect from 1 September 2013 or as soon as possible thereafter.	Approved	08/08/13
265	St Brigid's PS, Mayogall 303-6103	07/03/13	Maintained	Increase capacity from 180 to 245, with increase in admissions number from 26 to 35 pupils with effect from 1 September 2013 or as soon as possible thereafter.	Approved	30/07/13
266	St Trea's PS, Ballyronan 303-2185	07/03/13	Maintained	Increase capacity from 107 to 140, with increase in admissions number from 15 to 20 pupils with effect from 1 September 2013 or as soon as possible thereafter.	Approved	25/07/13
263	Gaelscoil Uí Neill, Coalisland 504-6637	21/04/11	Other Maintained	To extend the capacity from a 5 class bases school to a 7 class base school from 1 September 2011 or as soon as possible thereafter.	Approved	28/07/11
264	Gaelscoil Éanna 304-6685	13/12/12	Other Maintained	To increase approved total enrolment numbers of 140 to 176 - 205 from September 2013 or as soon as possible thereafter.	Approved	23/04/13

DP No.	School School ref	Date published	Sector / Management Type	Description of Proposal	Decision	Date of Decision
274	Brackenagh West PS 501-6098	16/02/12	Controlled	To extend the capacity from a 6 class base school to a 7 class base primary school from 1 September 2012 or as soon as possible thereafter.	Not approved	22/05/12
276	Orchard County PS, Portadown 501-6658	14/09/12	Controlled	To extend the capacity from a 5 to a 6 class base primary school from 1 September 2013 or as soon as possible thereafter.	Not Approved	28/03/13
279	Donacloney PS 501-6178	15/10/12	Controlled	To extend the capacity from an 8 to a 9 class base primary school from 1 September 2013 or as soon as possible thereafter.	Not Approved	28/03/13
238	St Dympna's PS, Dromore 203-6186	06/02/13	Maintained	Increase capacity from 145 to 210, with increase in admissions number from 21 to 30 pupils with effect from 1 September 2013 or as soon as possible thereafter.	Not Approved	14/05/13
233	Christ the Redeemer PS, Lagmore 403-6618	12/02/13	Maintained	Increase capacity number from 570 to 700. This would permit the school to increase the admissions number from 87 pupils to 100 pupils with effect from 1 September 2013 or as soon as possible thereafter.	Not Approved	30/04/13
283	Roan St Patrick's PS, Eglish 503-2591	18/02/13	Maintained	Increase capacity number from 83 - 140. This would permit the school to increase the admissions number from 12 pupils to 20 pupils with effect from 1 September 2013 or as soon as possible thereafter.	Not Approved	21/08/13
286	St Colman's PS, Annaclone 503-6061	18/02/13	Maintained	Increase capacity number from 134 - 140. This would permit the school to increase the admissions number from 19 pupils to 20 pupils with effect from 1 September 2013 or as soon as possible thereafter.	Withdrawn	28/05/13
289	St Francis' PS, Aghadarg 503-6457	16/05/13	Maintained	Increases capacity number from 145 to 175. This would permit the school to increase the admissions number from 21 pupils to 25 pupils with effect from 1 September 2014 or as soon as possible thereafter.	Pending	
273	St Bernard's PS, Glengormley 303-3313	13/06/13	Maintained	Increase its capacity number from 493 to 595. this would permit the school to increase the admissions number from 70 pupils to 85 pupils with effect from 1 September 2014 or as soon as possible thereafter.	Pending	
274	St MacNissi's PS, Glengormley 303-6139	13/06/13	Maintained	Increase its capacity number from 175 to 210. This would permit the school to increase the admissions number from 25 pupils to 30 pupils with effect from 1 September 2014 or as soon as possible thereafter.	Pending	

DP No.	School School ref	Date published	Sector / Management Type	Description of Proposal	Decision	Date of Decision
240	Enniskillen Integrated PS 206-6549	13/03/13	GMI	To increase capacity from 244 to 392 over a period of 7 years with effect from 1 September 2013 or as soon as possible thereafter	Pending	
288	Portadown Integrated PS 506-6553	16/05/13	GMI	To increase the approved enrolment from a 7 to a 14 class base school (203 pupils to 406 pupils) by September 2020. This phased increase will take effect from September 2014 or as soon as possible thereafter.	Pending	

### Post-Primary Schools

DP No.	School School ref	Date published	Sector / Management Type	Description of Proposal	Decision	Date of Decision
278	New-Bridge Integrated College 526-0285	15/10/12	GMI	To increase the admission number from 80 to 100 and sixth form from 100 to 120 pupils from 1 September 2013 or as soon as possible thereafter.	Approved	22/05/13
226	Drumragh College 226-0283	15/05/12	GMI	To increase sixth form from 100 pupils to 150 pupils and increase the admissions number from 96 pupils to 120 pupils with effect from 1 September 2013 or as soon as possible thereafter.	Not Approved	12/10/12
216	Ashfield Boys' HS 121-0015	14/02/13	Controlled	Increase admissions number to 130 and the enrolment number to 820: rising to 850 by 2018.	Pending	
217	Ashfield Girls' HS 121-0014	14/02/13	Controlled	Increase admissions number to 140 and the enrolment number to 840: rising to 900 by 2018.	Pending	
238	Priory College 425-0024	16/04/13	Controlled Integrated	Increase the approved enrolment from 450 to 600 with effect from 31 August 2014 or as soon as possible thereafter.	Pending	

### Area Learning Communities

**Mr Storey** asked the Minister of Education how much funding has been allocated to each Area Learning Community from the Strategic Development fund, in each of the last three years.  
(AQW 25329/11-15)

**Mr O'Dowd:** I established a Strategic Development Fund to support Area Learning Communities (ALCs) in improving literacy and numeracy outcomes particularly for learners who are underachieving or from disadvantaged backgrounds in line with PfG targets. £500K is available in each of the three years from 2012/13 and all Area Learning Communities were invited to apply. Those meeting the application criteria have been allocated funding as detailed below.

ALC	2012/13	2013/14
Antrim	£14,792	£11,633
Armagh	£20,124	£12,355
Ballyclare	£21,672	£8,528
Ballymena	£36,120	£24,430

ALC	2012/13	2013/14
Ballymoney	£0	£5,131
Ballynahinch	£18,060	£15,451
Banbridge	£8,084	£21,540
Carrickfergus	£0	£7,910
Castlereagh	£6,179	£0
Coleraine	£19,720	£23,425
Craigavon	£0	£33,098
Derg Mourn	£28,896	£3,302
Dungannon&Cookstown	£26,832	£9,569
East Belfast	£18,576	£23,810
Fermanagh	£14,448	£16,380
Foyle	£20,640	£27,732
Larne	£0	£6,167
Lecale	£0	£17,412
Lisburn	£11,008	£18,679
Magherafelt	£15,472	£10,188
NEELB Rural Group	£11,696	£4,202
Newry and Mourn	£8,428	£28,970
Newtownabbey	£24,080	£25,978
North Belfast	£26,488	£17,928
North Down and Ards	£0	£34,027
Omagh	£18,576	£16,999
Roe Valley	£0	£5,986
South Belfast	£18,920	£35,935
South West Belfast	£13,244	£15,456
West Belfast	£29,756	£40,978

## Schools: Hollywood

**Mr Easton** asked the Minister of Education for an update on the proposed new school builds for Hollywood, County Down.  
(AQW 25336/11-15)

**Mr O'Dowd:** In advance of my capital investment announcement in January 2013, the South Eastern Education & Library Board (SEELB) identified a multi-schools project for Hollywood as one of its top priorities. However the project was not advanced due to the need for clarity on how enrolment at Priory IC is to be managed to a sustainable level.

A Development Proposal seeking an increase of 150 pupils at Priory College has been received by the Department. Consideration of this will be in the context of schools within proximity, including schools along the Knock dual carriageway which fall within the Belfast Education and Library Board (BELB) area.

The SEELB draft Primary area plans seeks no change for Hollywood Primary School

## Preschool Admissions

**Mr Storey** asked the Minister of Education to detail the number of parents who expressed a preference for a pre-school place at Stage 1 of the process in 2013, and the number that did not take part in Stage 2.  
(AQW 25349/11-15)

**Mr O'Dowd:** Applications were submitted for 22,735 children during Stage 1 of the 2013/14 pre-school admissions process. The parents of 475 children who did not receive the offer of a place at the end of Stage 1 did not avail of the opportunity to state further preferences for consideration during Stage 2 of the process. 99.9% of target aged children whose parents fully engaged with the process were offered a funded place in a pre-school setting.



## Primary School Admissions

**Mr Easton** asked the Minister of Education how many pupils in North Down currently do not have a first year place in a primary school.

**(AQW 25497/11-15)**

**Mr O'Dowd:** The South-Eastern Education and Library Board have confirmed that all children in the North Down area have been placed in a primary school nominated by their parents.

## Department for Employment and Learning

### Teacher Education Infrastructure

**Mr Easton** asked the Minister for Employment and Learning for an update on the proposed merger of Stranmillis University College and Queen's University, Belfast.

**(AQW 25228/11-15)**

**Dr Farry (The Minister for Employment and Learning):** I have updated members previously on the proposed merger and made a statement on teacher education issues to the Assembly on 28 November 2011. I have commissioned a two-stage study of the teacher education infrastructure in Northern Ireland. The first stage has now been completed and I made a statement on this to the Assembly on 21 May this year. The second stage which will examine options for a more shared and integrated system for the delivery and funding of teacher education will commence this autumn.

### Efficiency Savings

**Mr Easton** asked the Minister for Employment and Learning to outline any planned departmental efficiency savings.

**(AQW 25232/11-15)**

**Dr Farry:** To achieve a balanced Budget in the context of the resources agreed for the Department by the Executive in Budget 2010, savings delivery plans totalling £109m in 2013-14 and £129m in 2014-15 have been agreed. A summary is given overleaf.

Description	13-14 £m	14-15 £m
B/1 2010/11 savings carried forward	3.0	3.0
B/2 Central Budget reduction	8.5	8.5
B/3 Reduced commitments re employment provision	4.0	4.0
B/4 Reduced commitments re training	7.5	7.5
B/5 Pay & price restraint	34.0	46.1
B/6 Budgetary easements - Higher Education Division	8.0	8.0
B/7 Operational efficiency – Further Education sector	4.0	4.0
B/8 Operational efficiency - Higher Education sector	30.2	31.3
B/9 Adjustments to HE funding/Notional Loans Subsidy	7.0	12.0
B10 Staffing and accommodation efficiencies	3.1	5.0
<b>Total Departmental Reductions</b>	<b>109.3</b>	<b>129.4</b>

Further details can be found on the Departmental website at:

<http://www.delni.gov.uk/es/budget-2011-15-savings-deliver-plans-march-2013.pdf>

### North West Regional College: Journalism

**Mr P Ramsey** asked the Minister for Employment and Learning to detail the (i) number of applications; (ii) number of participating students; (iii) pass rate; and (iv) fail rate for the journalism course at the North West Regional College, in each of the last five years.

**(AQW 25294/11-15)**

**Dr Farry:** Professional and Technical Enrolment and Performance Data for Journalism Courses at the North West Regional College in 2010/11 and 2011/12 are set out in the table.

The (i) number of applications is not available centrally. The (ii) number of students enrolled, (iii) the 'Achievement' Rate and (iv) the 'No Achievement' Rate, are detailed overleaf.

Academic Year	(i) Number of Applications (Note 1)	(ii) Students Enrolled	(iii) Achievement Rate (Note 4)	(iv) No Achievement Rate (Note 4)
2007/08	N/A	123	N/A	N/A
2008/09	N/A	132	N/A	N/A
2009/10	N/A	144	N/A	N/A
2010/11	N/A	75	92%	8%
2011/12	N/A	97	97%	3%

**Sources:** Further Education Statistical Record (FESR) & Further Education Leavers Survey (FELS)

**Notes:**

- (1) Applications information for courses is not held centrally. It has not been possible to obtain figures from the college in the required timeframe.
- (2) 'Students Enrolled' is the number of individual students enrolled in Full Time and Part Time courses under subject code P600 (Journalism) across all levels of study.
- (3) Only professional and technical courses are included in this analysis (which excludes hobby and leisure courses).
- (4) Due to data quality, FE performance statistics are reliable only since 2010/11.
- (5) 'Achievement' Rate is the number of 'Achievements' (full and partial) divided by the number of Final Year Completers.
- (6) 'No Achievement' Rate is the number of 'No Achievements' divided by the number of Final Year Completers (excluding those continuing study).

## Department of Enterprise, Trade and Investment

### Doorstep Selling Regulations

**Mr Weir** asked the Minister of Enterprise, Trade and Investment whether Doorstep Selling Regulations apply in Northern Ireland, and if not, to outline any comparable local regulations.

**(AQW 25233/11-15)**

**Mrs Foster (The Minister of Enterprise, Trade and Investment):** 'Doorstep Selling Regulations', officially known as 'The Cancellation of Contracts made in a Consumer's Home or Place of Work Regulations in 2008', apply across the UK, including Northern Ireland.

### Notice of the Right to Cancel

**Mr Weir** asked the Minister of Enterprise, Trade and Investment whether the Notice of the Right to Cancel is applicable to local consumers.

**(AQW 25234/11-15)**

**Mrs Foster:** Yes, under the 'Doorstep Selling Regulations', officially known as 'The Cancellation of Contracts made in a Consumer's Home or Place of Work Regulations 2008', the Notice of the Right to Cancel is applicable to local consumers.

### Broadband: Dromore

**Mrs Hale** asked the Minister of Enterprise, Trade and Investment, pursuant to AQW 25077/11-15, to clarify if Skeltons Cut, Dromore, will be included for consideration under the superfast element of the Northern Ireland Broadband Project.

**(AQW 25240/11-15)**

**Mrs Foster:** I can confirm that, at this time, the Skeltons Cut area of Dromore (BT25 1JY), has been included for consideration under the superfast element of the project.

## Department of the Environment

### Cyclists: Road Traffic Accidents

**Mr McKay** asked the Minister of the Environment to detail the number of cyclists killed or seriously injured in road traffic accidents, in each of the last five years.

**(AQW 25215/11-15)**

**Mr Durkan (The Minister of the Environment):** The requested information is provided in Table 1 below.

**Table 1: Cyclists killed or seriously injured 2008 - 2012**

Year	Cyclist Killed	Cyclist Seriously Injured	Cyclist Killed or Seriously Injured (KSI)
2008	2	26	28
2009	0	32	32
2010	0	49	49
2011	2	47	49
2012	2	55	57

Source: PSNI

## Waste Management: Derry City Council

**Mr Agnew** asked the Minister of the Environment to detail any instances of serious fraud that have occurred in the waste management contracts in Derry City Council.

(AQW 25241/11-15)

**Mr Durkan:** These contracts are a matter for Derry City Council. It would not be appropriate for me to comment on waste management contracts between Derry City Council and its contractors.

## Department of Finance and Personnel

### Staff: Recruitment Agencies

**Mr Swann** asked the Minister of Finance and Personnel to detail the number of people employed by recruitment agencies in (i) his Department; and (ii) arms-length bodies, as of 1 April (a) 2011; (b) 2012; and (c) 2013.

(AQW 25164/11-15)

**Mr Hamilton (The Minister of Finance and Personnel):**

- (i) The number of people employed by recruitment agencies in DFP in 2011, 2012 and 2013 is detailed below.

15 March 2011*	76
31 March 2012	63
31 March 2013	106

\*Figures for 2011 were only available at 15 March.

- (ii) The number of people employed by recruitment agencies in the Special European Union Programmes Body, as of 1 April 2011, 2012 and 2013 is detailed below.

2011	3
2012	3
2013	2

### Rate Relief Scheme

**Mr Cree** asked the Minister of Finance and Personnel how many people were registered on the Rates Relief Scheme at the end of the 2012/13 financial year.

(AQW 25247/11-15)

**Mr Hamilton:** As at 31st March 2013 there were a total of 17,563 live Rate Relief awards. The total Rate Relief awarded during the 2012/13 financial year (as at 31st March 2013) was almost £4.3 million.

These figures relate to claimants paid directly by LPS and excludes payments made by the Northern Ireland Housing Executive.

### Rate Relief Scheme

**Mr Cree** asked the Minister of Finance and Personnel what was the cost of the Rates Relief Scheme in the 2012/13 financial year.

(AQW 25248/11-15)

**Mr Hamilton:** As at 31st March 2013 there were a total of 17,563 live Rate Relief awards. The total Rate Relief awarded during the 2012/13 financial year (as at 31st March 2013) was almost £4.3 million.

These figures relate to claimants paid directly by LPS and excludes payments made by the Northern Ireland Housing Executive.

## Programme for Government Commitments

**Mr Copeland** asked the Minister of Finance and Personnel for an update on the progress made on each of his Department's Programme for Government commitments.

(AQW 25298/11-15)

**Mr Hamilton:** The latest available information on progress against Programme for Government Commitments can be accessed at: <http://www.northernireland.gov.uk/index/work-of-the-executive/pfg-budget-economic-strategy/pfg/strategic-online-report-2011-2015.htm>.

## Department of Health, Social Services and Public Safety

### Human Trafficking: Children

**Lord Morrow** asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 16676/11-15, how many trafficked children allocated a guardian ad litem, have become missing since 2009.

(AQW 25159/11-15)

**Mr Poots (The Minister of Health, Social Services and Public Safety):** This information is not centrally held in the Department.

Where the Trust has instigated legal proceedings the young person is appointed a guardian ad litem. One trafficked child allocated a guardian ad litem has gone missing since 2009. This figure is based on returns submitted by Health and Social Care Trusts to the Health and Social Care Board.

### Insulin Pumps

**Mr P Ramsey** asked the Minister of Health, Social Services and Public Safety how many patients received an insulin pump in each Health and Social Care Trust area from 31 March 2012 to 31 March 2013, and of those, how many were issued to adults. (AQW 25165/11-15)

**Mr Poots:** The information requested is not held centrally and was therefore requested from each of the five Health and Social Care (HSC) Trusts. Their responses are provided below.

**Table 1. Number of patients who received an insulin pump by HSC Trust (31 March 2012 - 31 March 2013)**

HSC Trust	Children/Adolescents	Adults	Total No. of Patients
Belfast	15	28	43
Northern	16	7	23
South Eastern	15	27	42
Southern	28	25	53
Western	14	12	26
<b>Northern Ireland</b>	<b>88</b>	<b>99</b>	<b>187</b>

Source: HSC Trusts

### Northfield House Residential Home, Donaghadee

**Mr Easton** asked the Minister of Health, Social Services and Public Safety what plans the South Eastern Health and Social Care Trust has for Northfield House residential home.

(AQW 25170/11-15)

**Mr Poots:** The HSC Board launched the Project Initiation Document for their Project on Improving Services for Older People – A New Process for Consulting, Engaging and Implementing Change on 21 August 2013. This new regional approach gives assurance that best practice will be followed in the future development of proposals, engagement and delivery of change.

Northfield House will be considered as part of this process going forward. The residents/families and staff have been advised of the new two stage process which will be applied to any further proposed changes to Statutory Residential Homes.

## Public Consultations

**Mr McClarty** asked the Minister of Health, Social Services and Public Safety whether he has reviewed, or will now review, the consultation standards implemented by (i) his Department; (ii) the Health and Social Care Board; (iii) Health and Social Care Trusts; and (iv) relevant Arms-Length Bodies.

**(AQW 25171/11-15)**

**Mr Poots:** The Department and its Arms-Length Bodies recognise the importance of consultation as part of the policy development process. Section 19 of the Health and Social Care (Reform) Act (NI) 2009 places a statutory obligation on the Department and Health and Social Care organisations to prepare and put in place Personal and Public Involvement (PPI) Consultation Schemes outlining their commitment to ensuring that service users and carers are actively involved in the planning and delivery of the health and social care services they receive.

I have no plans to review the consultation process at this time. However, the Patient and Client Council, in collaboration with the Public Health Agency, will be jointly commissioning a research project to evaluate the effectiveness of PPI.

## Public Consultations

**Mr McClarty** asked the Minister of Health, Social Services and Public Safety to detail how staff employed by (i) his Department; (ii) the Health and Social Care Board; (iii) Arms-Length Bodies; and (iv) Health and Social Care Trusts are trained in conducting effective, honest, transparent public consultations, and to what standards.

**(AQW 25172/11-15)**

**Mr Poots:**

### (i) DHSSPS

#### DHSS

Staff employed by the Department of Health, Social Services and Public Safety have access to a range of policy related training programmes, provided by the Centre for Applied Learning (CAL), elements of which aim to develop knowledge and understanding of the consultation process for policy making in Northern Ireland.

This policy making training has been developed in line with good practice guides developed by OFMDFM, including the "Practical Guide to Policy Making" and the "Policy Toolkit", which are also available as resources to all staff.

#### Public Safety (NIFRS)

Northern Ireland Fire & Rescue Service's approach to consultation is based on the Best Practice Consultation Guidelines as established by the Consultation Institute and in keeping with the statutory duties under Section 75 of the Northern Ireland Act 1998 and as per the requirements outlined in NIFRS approved revised Equality Scheme.

A number of key NIFRS staff attended training on consultation methods and survey design facilitated by the "Consultation Institute."

### (ii) The Health and Social Care Board (including Business Services Organisation (BSO))

HSCB and BSO report that no formal training on consultation is provided. Advice and guidance is provided by BSO legal and equality teams as well as the Personal and Public Involvement (PPI) teams in HSCB and Public Health Agency (PHA). BSO Equality Managers received training on Section 75 consultations prior to the Review of Public Administration and members of the Transforming Your Care (TYC) central team underwent consultation training with the Department (DHSSPS) and the "Involving People Programme."

### (iii) Arms Length Bodies

Arms Length Bodies comply with the Personal & Public Involvement Strategy in accordance with the DHSSPS circular HSC (SQSD) 29/07. They also adhere to the requirements stated in "Sections 19 & 20 of the Health and Social Care (Reform) Act (NI) 2009"

### (iv) Health and Social Care Trusts

The Health and Social Care Trusts recognise the importance of consultation in all aspects of the Section 75 equality duties and carry out consultations in accordance with the Equality Commission's guidance "Section 75 of the Northern Ireland Act 1998 – A guide for Public Authorities (April 2010)"

Trusts have revised their "Section 75 screening template" to reflect the new Equality Commissions guidance; this includes training on effective engagement and consultation. Trusts also report the delivery of Specialist Master classes to key policy makers to ensure that they have the necessary skills to effectively screen policies, are up to date with new developments and consult or engage as required.

Trusts have also developed "Consultation Schemes" which are underpinned by a "Personal and Public Involvement (PPI) Strategy" in order to meet statutory requirements of "Sections 19 and 20 of the Health and Social Care (Reform)



Act N.I. 2009 ("the Reform Act") which aims to ensure that involvement is effective, transparent, and honest. A number of initiatives are currently in place throughout the HSCTs and a Personal and Public Involvement (PPI) toolkit provides staff with a road map to engaging with stakeholders. The training aims to provide staff and managers with information and guidance to enhance personal and public involvement within their area of service and ensure staff have the necessary skills to engage and consult effectively with service users and carers.

### Blood Donation Ban

**Mr Agnew** asked the Minister of Health, Social Services and Public Safety how much his Department has spent on legal costs defending his stance on the blood donation ban on gay men, in relation to the current legal challenge taken against it. (AQW 25177/11-15)

**Mr Poots:** To date my Department has incurred legal costs of £37,112 (net of VAT) in relation to this case.

### Adoption Ban

**Mr Agnew** asked the Minister of Health, Social Services and Public Safety how much his Department has spent on legal costs appealing the High Court decision ruling that the ban on civil partners adopting children was illegal. (AQW 25178/11-15)

**Mr Poots:** The Department has spent circa £17K to date on legal costs in respect of the appeal proceedings

### Mental Health Wards

**Mr Weir** asked the Minister of Health, Social Services and Public Safety what supervision or monitoring is carried out on mental health wards or institutions to ensure the proper treatment of patients. (AQW 25179/11-15)

**Mr Poots:** In accordance with the regional guidance: Promoting Quality Care (PQC), each patient has a risk assessment and management plan in place. If increased levels of observation are indicated then this will be put in place and will be based on the Regional Guidelines: Observation and Therapeutic Engagement in Adult Psychiatric Inpatient Facilities in Northern Ireland.

All mental health wards in Trusts are subject to announced and unannounced inspections from the RQIA mental health team. These inspections follow a rigorous format and the team has the opportunity to speak to family, patients and staff. RQIA is informed of any serious untoward events and has the right to visit any ward at any time. RQIA may also investigate any complaint made by a patient or their family regarding their care.

### Children with Severe Disabilities

**Mr Hilditch** asked the Minister of Health, Social Services and Public Safety to detail what respite is available to parents who have children with severe disabilities who have now reached the age of thirty five. (AQW 25196/11-15)

**Mr Poots:** The information is not available in the format requested. However, I recognise the importance of short breaks/respite for older parents and their loved ones.

The intention is to further develop a more diverse range of age appropriate day support, respite and short break services. A programme of service improvement has commenced through the Short Break Development Group which will meet for the first time in September 2013. There is also a programme underway to enhance uptake of self-directed support to improve choice and control for individuals.

It is estimated by the HSC Board that expenditure on all forms of respite was in excess of £20m during 2012/2013.

### GP Surgeries

**Mrs Dobson** asked the Minister of Health, Social Services and Public Safety for his assessment of the financial stress being experienced by GP surgeries due to mortgage repayments; and whether he will provide financial assistance for struggling practices to ensure minimal impact on service delivery. (AQW 25203/11-15)

**Mr Poots:** Out of the 175 GP Practices in Northern Ireland which own their own premises, only three Practices have reported that they are experiencing financial stress. The three Practices are currently receiving the maximum allowance available, within the GMS Premises Costs Directions 2004, to meet their premises costs. Health and Social Care Board officials will be meeting with representatives of the three Practices to examine their financial situation.

Whilst I appreciate the financial pressures GPs are facing, these pressures are not unique to GP Practices, and apply equally to other independent contractors who own their premises, and who have entered into financial commitments based on their own decisions following assessment of their planned income and expenditure.

The General Medical Services budget is fully committed and no further financial assistance is available.

## Bexsero Vaccine

**Mrs Dobson** asked the Minister of Health, Social Services and Public Safety to detail when his Department engaged with the Department of Health in London regarding the Bexsero vaccine for Meningococcal serogroup B (MenB) disease.

(AQW 25204/11-15)

**Mr Poots:** My Department engages regularly with the Department of Health in London regarding immunisation programmes.

In Northern Ireland as in the rest of the UK, vaccination policy is informed by the work of the Joint Committee on Vaccination and Immunisation (JCVI). JCVI is an independent expert advisory committee that advises the four UK Health Ministers. In formulating its advice and recommendations, the Committee's aim is to ensure that the greatest benefit to public health is obtained from the most appropriate vaccination and immunisation strategies. A Senior Medical Officer from my Department attends JCVI meetings as an observer.

JCVI issued an interim position statement on the vaccine Bexsero on 24 July. Before finalising its advice to Ministers, JCVI will seek comments from the key stakeholders who provided evidence to JCVI and its sub-committee about the use of this vaccine. This includes the national meningitis charities and Novartis, the vaccine manufacturer.

## Nursing Homes: Admissions

**Mrs Dobson** asked the Minister of Health, Social Services and Public Safety to detail when the Southern Health and Social Care Trust took the decision to stop permanent admissions into their statutory nursing homes.

(AQW 25205/11-15)

**Mr Poots:** The Southern Health and Social Care (HSC) Trust does not provide statutory nursing home care. All nursing home care is provided by the independent sector. However, the Trust does provide statutory residential care.

The Trust has advised that, following the public endorsement of the changes set out in Transforming Your Care – Vision to Action consultation document, including the proposal to reduce the number of statutory residential homes, the decision to cease permanent admissions to statutory residential homes for older people was taken at the Trust's Board meeting in March. This took effect from 1st April 2013.

The HSC Board launched the Project Initiation Document for their Project on Improving Services for Older People – A New Process for Consulting, Engaging and Implementing Change on 21 August 2013. This project will help determine the future provision of statutory residential homes. In this context the Trust has advised that, given the need to plan ahead for any potential change and the need to minimise any potential future disruption to residents that may be caused by any change, there are currently no plans to recommence permanent admissions to statutory residential homes. However, temporary admissions, day care and respite placements are unaffected.

There is currently plenty of capacity in this sector across Northern Ireland.

## Nursing Homes: Admissions

**Mrs Dobson** asked the Minister of Health, Social Services and Public Safety (i) why the Southern Health and Social Care Trust has taken the decision to stop permanent admissions to their statutory nursing homes; (ii) when this decision took effect; and (iii) and whether permanent admissions will recommence.

(AQW 25206/11-15)

**Mr Poots:** The Southern Health and Social Care (HSC) Trust does not provide statutory nursing home care. All nursing home care is provided by the independent sector. However, the Trust does provide statutory residential care.

The Trust has advised that, following the public endorsement of the changes set out in Transforming Your Care – Vision to Action consultation document, including the proposal to reduce the number of statutory residential homes, the decision to cease permanent admissions to statutory residential homes for older people was taken at the Trust's Board meeting in March. This took effect from 1st April 2013.

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There is currently plenty of capacity in this sector across Northern Ireland.

## Ulster Hospital

**Mr Elliott** asked the Minister of Health, Social Services and Public Safety to detail the date of practical completion for the works completed by Mascott Construction Ltd at the Ulster Hospital for the Pharmacy Robotics and Pacing Suite.

(AQW 25217/11-15)

**Mr Poots:** The South Eastern Health and Social Care Trust have confirmed that the certificate of completion was issued on 19 March 2013 stating that under Condition 39 (certifying completion) that the works were completed in accordance with the Contract on 19 February 2013.

### Shingles Vaccination

**Mr Weir** asked the Minister of Health, Social Services and Public Safety what provision is being made for the roll-out of the shingles vaccination for people over 70 years old.

**(AQW 25235/11-15)**

**Mr Poots:** A routine shingles vaccination programme is to be introduced in Northern Ireland for all people aged 70 from 1 October 2013.

A catch-up programme for those aged 71 to 79 will also be introduced over the next few years beginning on 1 October 2013 with all 79-year-olds.

### Adult Respite and Day Care Centres

**Mrs Hale** asked the Minister of Health, Social Services and Public Safety for an update on any consultations taking place regarding the possible closure of adult respite and day care centres.

**(AQW 25238/11-15)**

**Mr Poots:** It remains the position that no consultations regarding the possible closure of adult respite and day care centres are taking place at this time.

Respite/short breaks can be provided in a variety of settings. The intention is to enhance opportunities for more age appropriate respite/short break services to meet need. A Service Improvement Programme will be taken forward through a Regional Short Break Development Group which meets for the first time in September 2013.

The HSC Board has recently published its Project Initiation Document on Improving Services for Older People – A New Process for Consulting, Engaging and Implementing Change. In addition, work is ongoing to develop and broaden the range of day opportunities. In doing so, it is recognised that day care centres provide valuable services especially for those with complex needs.

### Non-appointment of a Trade Unionist

**Mr Agnew** asked the Minister of Health, Social Services and Public Safety how much his Department has spent on legal costs as a result of the non-appointment of a trade unionist to the Northern Ireland Social Care Council.

**(AQW 25244/11-15)**

**Mr Poots:** To date my Department has incurred legal costs of £29,990 net of VAT.

### Public Consultations

**Mrs Cochrane** asked the Minister of Health, Social Services and Public Safety when he last met with the Consultation Institute to discuss standards and quality in conducting public consultations.

**(AQW 25266/11-15)**

**Mr Poots:** I have not met with the Consultation Institute.

### Public Consultations

**Mrs Cochrane** asked the Minister of Health, Social Services and Public Safety if he will undertake a review of his Department's, the Health and Social Care Trust's, the Health and Social Care Board's and other Health and Social Care agencies' consultation policies, programmes, training of staff, budgets, processes and reviews.

**(AQW 25267/11-15)**

**Mr Poots:** The Department and its Arms-Length Bodies recognise the importance of consultation as part of the policy development process. Arrangements for assessing and consulting on the likely impact of policies with regard to section 75 of the Northern Ireland Act are set out in the Department's Equality Scheme.

Section 19 of the Health and Social Care (Reform) Act (NI) 2009 places a statutory obligation on the Department and Health and Social Care organisations to prepare and put in place Personal and Public Involvement (PPI) Consultation Schemes outlining their commitment to ensuring that service users and carers are actively involved in the planning and delivery of the health and social care services they receive.

I have no plans to review the consultation process at this time. However, the Patient and Client Council, in collaboration with the Public Health Agency, will be jointly commissioning a research project to evaluate the effectiveness of PPI.

## Public Consultations

**Mrs Cochrane** asked the Minister of Health, Social Services and Public Safety to outline how his Care Homes consultation complies with the integrity standard, signalled by the Consultation Institute's Charter; and whether he will order an external review and rerun of the consultation.

(AQW 25271/11-15)

**Mr Poots:** I recognise that the Consultation Institute's Charter has merit. However, I am assured that the approach set out by the HSC Board in Improving Services for Older People – A New Process for Consulting, Engaging and Implementing Change is the right one for Northern Ireland and therefore see no compelling case to begin the process again.

This process will allow every opportunity for people to share their views with adequate transparency and consistency. The HSC Board will be working closely with residents and relatives throughout the process, as well as liaising with key stakeholders such as the Commissioner for Older People for Northern Ireland and Age NI.

## Public Consultations

**Mrs Cochrane** asked the Minister of Health, Social Services and Public Safety, in light of the action he took on the Health and Social Care Trust's care homes consultation, whether he will intervene in the Health and Social Care Board's care homes consultation and begin the process again to ensure integrity, transparency and consistency.

(AQW 25272/11-15)

**Mr Poots:** I recognise that the Consultation Institute's Charter has merit. However, I am assured that the approach set out by the HSC Board in Improving Services for Older People – A New Process for Consulting, Engaging and Implementing Change is the right one for Northern Ireland and therefore see no compelling case to begin the process again.

This process will allow every opportunity for people to share their views with adequate transparency and consistency. The HSC Board will be working closely with residents and relatives throughout the process, as well as liaising with key stakeholders such as the Commissioner for Older People for Northern Ireland and Age NI.

## Programme for Government commitments

**Mr Copeland** asked the Minister of Health, Social Services and Public Safety for an update on the progress made on each of his Department's Programme for Government commitments.

(AQW 25299/11-15)

**Mr Poots:** DHSSPS leads on six of the 82 Programme for Government commitments for 2011-15.

Progress on the delivery of Programme for Government commitments is closely monitored in accordance with the published programme arrangements and delivery framework and includes scrutiny by departments, the Delivery Oversight Group and by the PfG Programme Board.

The latest publicly available information on progress against Programme for Government Commitments can be accessed at: <http://www.northernireland.gov.uk/index/work-of-the-executive/pfg-budget-economic-strategy/pfg/strategic-online-report-2011-2015.htm>

## Social Workers

**Mr Swann** asked the Minister of Health, Social Services and Public Safety to detail the number of social workers in each Health and Social Care Trust area, in each of the last three years.

(AQW 25310/11-15)

**Mr Poots:** The number of qualified social workers employed by each Health and Social Care Trust as at 30th June in each of the last three years is shown, by headcount and whole-time equivalent (WTE), in the table below.

HSC Trust	2011		2012		2013	
	Headcount	WTE	Headcount	WTE	Headcount	WTE
Belfast	806	746.5	824	769.3	849	790.3
Northern	781	723.3	799	740.8	825	764.4
South Eastern	587	538.2	617	569.5	609	561.9
Southern	624	574.9	637	584.9	641	587.4
Western	603	577.7	629	601.1	640	606.3

**Source:** Human Resource Management System. These figures exclude staff on career breaks and bank staff.

## Conflicts of Interest

**Mr Flanagan** asked the Minister of Health, Social Services and Public Safety whether any senior managers or directors of the (i) Health and Social Care Trusts; and (ii) Health and Social Care Board are owners of, or shareholders in, private nursing homes or companies that currently provide private nursing homes.

**(AQW 25315/11-15)**

**Mr Poots:** This information is not held centrally. All Health and Social Care bodies must keep registers of interest appropriate to the bodies' activities. Senior Managers and Directors who can influence decisions in the organisation must declare any potential conflicts of interests such as business interests, position of authority in a charity or voluntary body in the field of health and social care, and any connection with a voluntary or other body contracting for HSC services. All senior staff should declare any conflict of interest that arises in the course of conducting HSC business. In relation to the question asked the information would be recorded on the HSC Bodies' Registers of Interest which are available on request, from the relevant body, for public inspection.

## Nursing Homes: Medical Care

**Mr McCallister** asked the Minister of Health, Social Services and Public Safety, in relation to the cost of medical care for people residing in nursing homes, given that the "Coughlan" judgment of 1999 (R. v. North and East Devon HA Ex Parte Coughlan [1999]) confirmed that if a care home resident has nursing needs that are specialised or are more than "incidental and ancillary" to their personal and social care needs, their care should be fully funded by the NHS, whether this is currently being practiced locally.

**(AQW 25318/11-15)**

**Mr Poots:** Legislation governing the provision of health and social care in Northern Ireland differs significantly from that in England. This is a result of Northern Ireland benefiting from a fully integrated system of health and social care, with services delivered by Health and Social Care (HSC) Trusts.

Departmental Circular ECCU 1/2010 'Care Management, Provision of Services and Charging Guidance' provides HSC Trusts with direction on the assessment process to be undertaken to identify both health and social care needs. As set out in the circular an individual's primary need can be either for health care – which is provided free – or social care for which a means tested contribution may be required.

My Department sought confirmation from all HSC Trusts in October 2012 that they were compliant with this circular. All HSC Trusts confirmed that this was the case.

## Fire and Rescue Service: False Alarms

**Mr Storey** asked the Minister of Health, Social Services and Public Safety to detail the number of false alarms and unwanted fire signals per divisional area, in each of the last three years.

**(AQW 25327/11-15)**

**Mr Poots:** Table 1 details the number of False Alarms per Area Command in each of the last three years.

**Table 1: False Alarms**

		2010/11	2011/12	2012/13
Eastern Area Command	Mobilised	4184	3976	3856
	Non mobilised	3988	3318	2781
	<b>Total</b>	<b>8172</b>	<b>7294</b>	<b>6637</b>
Southern Area Command	Mobilised	2603	2472	2501
	Non mobilised	4057	3751	2566
	<b>Total</b>	<b>6660</b>	<b>6223</b>	<b>5067</b>
Northern Area Command	Mobilised	2567	2399	2441
	Non mobilised	3692	3070	2401
	<b>Total</b>	<b>6259</b>	<b>5469</b>	<b>4842</b>
Western Area Command	Mobilised	2406	2384	2244
	Non mobilised	3293	3200	2346
	<b>Total</b>	<b>5699</b>	<b>5584</b>	<b>4590</b>



		2010/11	2011/12	2012/13
Not allocated to Area Command*	Mobilised	6	0	1
	Non mobilised	2626	2419	1797
	<b>Total</b>	<b>2632</b>	<b>2419</b>	<b>1798</b>
<b>Total</b>	<b>Mobilised</b>	<b>11766</b>	<b>11231</b>	<b>11043</b>
	<b>Non mobilised</b>	<b>17656</b>	<b>15758</b>	<b>11891</b>

\*Incidents not allocated to an Area Command for reasons including:

- Address unknown;
- Wrong Service being contacted;
- Call ended prior to address being given, etc;
- Regional Control Centre Call Challenging Policy.

Table 2 details the number of Unwanted Fire Signals per Area Command in each of the last 3 years. Please note that an Unwanted Fire Signal is a mobilisation to a premises specifically as a result of a False Alarm from an Automatic Fire Detection System. Figures in respect of Unwanted Fire Signals are also included in the figures detailed in Table 1 False Alarms.

**Table 2: Unwanted Fire Signals**

	2010/11	2011/12	2012/13
Eastern Area Command	2814	2789	2772
Southern Area Command	1386	1440	1561
Northern Area Command	1639	1519	1569
Western Area Command	1441	1446	1431
<b>Total</b>	<b>7280</b>	<b>7194</b>	<b>7333</b>

## Legal Costs

**Mr Agnew** asked the Minister of Health, Social Services and Public Safety to detail (i) the number of legal cases, including judicial reviews, that his Department has defended since 2007; (ii) the number of these legal challenges the Department lost; and (iii) the total costs incurred by her Department on the cases which it lost.

**(AQW 25341/11-15)**

**Mr Poots:** I refer the member to my response to AQW 24824/11-15.

## Occupational Therapy Waiting Times: Western Health and Social Care Trust

**Ms Boyle** asked the Minister of Health, Social Services and Public Safety to detail the current waiting times for an Occupational Therapist referral visit for a major disabled adaptation grant in the Western Health and Social Care Trust area.

**(AQW 25347/11-15)**

**Mr Poots:** The information is not collected centrally and was requested from the Western Health and Social Care (HSC) Trust.

Table 1 below details the number of people waiting at 2nd September 2013 for all Occupational Therapy referrals which require assessment and intervention to manage functional difficulties or access issues.

**Table 1**

HSC Trust	0-3 Weeks	>3 to 6 weeks	>6 to 9 weeks	> 9 to 13 weeks	> 13 weeks	Total
Western	193	298	305	425	420	1,641

**Source:** Western HSC Trust

Recommendations for major adaptations may or may not be the required intervention to meet the client's assessed need. This will be identified at the assessment visit.

## Human Trafficking: Children

**Lord Morrow** asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 16676/11-15, how many trafficked children, for whom Health and Social Care Trusts established parental responsibility under a care order between 2009 and 2012, were (i) UK citizens; (ii) citizens of EU or European Economic Area countries; and (iii) other foreign nationals. (AQW 25367/11-15)

**Mr Poots:** This information is not centrally held by the Department.

The Health and Social Care Board (HSCB) has provided the information in Table 1 below.

**Table 1 – The Origin of Trafficked Children for whom Health and Social Care Trusts Established Parental Responsibility (2009 – 2012)**

January 2009 – December 2012	Total
No. who were UK Citizens	0
No. of EU citizens or from European Economic Area countries	0
No. of Other Foreign Nationals	6

The information provided is based on information returns submitted by Health and Social Care Trusts to the HSCB.

## Deafness

**Ms P Bradley** asked the Minister of Health, Social Services and Public Safety how many people have been diagnosed with profound deafness in each of the last ten years.

(AQW 25373/11-15)

**Mr Poots:** The information requested is not available.

Information is available on the number of hearing impaired persons in contact with the Health and Social Care (HSC) Trusts during the year, by type of impairment and age group.

Information for the last ten years is detailed in Table 1 below.

**Table 1: Hearing Impaired Persons who had Contact with HSC Trusts during year ending 31 March**

Year	Type of Impairment	Age Band						All Ages
		0 - 15	16 - 24	25 - 44	45 - 64	65 & Over	Unknown	
02/03	Deaf with Speech	68	82	118	89	119	12	488
	Deaf without Speech	66	46	148	105	80	8	453
	Hard of Hearing	150	98	282	676	4,061	114	5,381
03/04	Deaf with Speech	63	70	106	75	88	6	408
	Deaf without Speech	56	53	131	96	77	8	421
	Hard of Hearing	150	91	281	740	4,026	66	5,354
04/05	Deaf with Speech	63	67	109	80	86	5	410
	Deaf without Speech	45	48	125	95	71	7	391
	Hard of Hearing	153	94	286	803	3,858	40	5,234
05/06	Deaf with Speech	68	49	78	70	69	3	337
	Deaf without Speech	41	48	98	73	59	3	322
	Hard of Hearing	169	99	290	784	3,322	40	4,704
06/07	Deaf with Speech	90	53	127	89	81	3	443
	Deaf without Speech	35	35	149	123	106	3	451
	Hard of Hearing	162	96	333	933	4,229	22	5,775
07/08	Deaf with Speech	58	29	79	52	36	2	256
	Deaf without Speech	29	23	112	96	128	1	389
	Hard of Hearing	131	73	292	885	4,138	23	5,542

Year	Type of Impairment	Age Band						All Ages
		0 - 15	16 - 24	25 - 44	45 - 64	65 & Over	Unknown	
08/09	Deaf with Speech	73	43	91	80	86	1	374
	Deaf without Speech	34	24	122	101	127	1	409
	Hard of Hearing	110	79	298	996	4,644	29	6,156
09/10	Deaf with Speech	32	38	82	55	77	2	286
	Deaf without Speech	25	27	108	144	87	1	392
	Hard of Hearing	128	59	244	734	3,760	11	4,936
10/11	Deaf with Speech	18	18	66	53	69	2	226
	Deaf without Speech	22	24	98	111	88	0	343
	Hard of Hearing	111	50	223	677	3,225	7	4,293
11/12	Deaf with Speech	14	13	34	25	35	227	348
	Deaf without Speech	24	16	52	59	40	172	363
	Hard of Hearing	101	49	196	499	2,028	1,509	4,382

**Source:** KPH2 (iii) Community Information return

This information is published in the annual 'Statistics on Community Care for Adults in Northern Ireland' bulletin. Publications for the past fourteen years are available at the following link:

[http://www.dhsspsni.gov.uk/index/stats\\_research/stats-cib/statistics\\_and\\_research-cib-pub/adult\\_statistics/statistics\\_and\\_research-cib-community\\_statistics.htm](http://www.dhsspsni.gov.uk/index/stats_research/stats-cib/statistics_and_research-cib-pub/adult_statistics/statistics_and_research-cib-community_statistics.htm)

## Deafness

**Ms P Bradley** asked the Minister of Health, Social Services and Public Safety how many children have been diagnosed with profound deafness, in each of the last ten years.

**(AQW 25375/11-15)**

**Mr Poots:** The information requested is not available.

Information is available on the number of hearing impaired persons in contact with the Health and Social Care (HSC) Trusts during the year, by type of impairment and age group.

Information for the last ten years is detailed in Table 1 below.

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**Source:** KPH2 (iii) Community Information return

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## Triage Car

**Mr P Ramsey** asked the Minister of Health, Social Services and Public Safety what consideration he has given to running a pilot scheme similar to 'The Triage Car' mental health pilot used by Leicestershire Partnership NHS Trust and Leicestershire Police.

**(AQW 25482/11-15)**

**Mr Poots:** Consideration has not been given to running a pilot scheme similar to 'The Triage Car' mental health pilot used by Leicestershire Partnership NHS Trust and Leicestershire Police. However I recognize early reports have been encouraging and look forward to further evaluation.

Each Trust currently has a 24/7 Crisis Response Team and a Home Treatment Team as part of their range of mental health services. These teams can respond rapidly when people require urgent treatment for an acute mental health episode and in many cases this avoids the need for admission to a psychiatric hospital.

Police officers also have powers under the Mental Health (NI) Order 1986 to take a person who appears to be suffering from a mental disorder and to be in immediate need of care or control to a Hospital Emergency Department. These powers are currently being reviewed jointly with the Department of Justice in the context of the proposed Mental Capacity Bill.

## Bangor Fire Station

**Mr Easton** asked the Minister of Health, Social Services and Public Safety to detail the staff complement at Bangor Fire Station.  
**(AQW 25498/11-15)**

**Mr Poots:** The staff complement at Bangor Fire Station is as follows:

Wholetime (Fulltime) as at 11 September 2013	Complement
Watch Commander	4

Wholetime (Fulltime) as at 11 September 2013	Complement
Crew Commander	4
Firefighter	20
<b>Total</b>	<b>28</b>

Retained (Part time) as at 31 August 2013	Complement
Watch Commander	1
Crew Commander	2
Firefighter	9
<b>Total</b>	<b>12</b>

### Pinewood Residential Care Home, Ballymena

**Mr Swann** asked the Minister of Health, Social Services and Public Safety on what date the last patient was admitted to Pinewood Residential Care Home, Ballymena.

**(AQW 25527/11-15)**

**Mr Poots:** I have been informed by Northern Health and Social Care Trust officials that the last resident to be admitted permanently to Pinewood was admitted at the beginning of February 2011.

The Trust continues to admit residents to Pinewood for intermediate and respite care as required.

## Department of Justice

### No Fixed Abode

**Lord Morrow** asked the Minister of Justice to detail the number of people currently facing a charge, within the court system, that are recorded as no fixed abode, broken down by magistrates court and crown court, per court division.

**(AQW 25157/11-15)**

**Mr Ford (The Minister of Justice):** Information on the number of people currently facing a charge within the court system that are recorded as no fixed abode, broken down by Magistrates' Court and Crown Court, per court division is given in the tables below:

County Court Division	Magistrates' Court			
	On Bail	In Custody	Arrest/Bench Warrant issued	Total
Antrim	12	4	10	26
Ards	3	12	8	23
Armagh & South Down	5	7	8	20
Belfast	16	27	40	83
Craigavon	2	4	17	23
Fermanagh & Tyrone	4	6	16	26
Londonderry	7	7	17	31
<b>Grand Total</b>	<b>49</b>	<b>67</b>	<b>116</b>	<b>232</b>

**Source:** Integrated Court Operations System (ICOS)

County Court Division	Crown Court			
	On Bail	In Custody	Arrest/Bench Warrant issued	Total
Antrim	0	2	0	2
Ards	1	2	0	3
Armagh & South Down	1	0	0	1



County Court Division	Crown Court			
	On Bail	In Custody	Arrest/Bench Warrant issued	Total
Belfast	3	14	4	21
Craigavon	0	1	0	1
Fermanagh & Tyrone	0	1	0	1
Londonderry	1	1	0	2
<b>Grand Total</b>	<b>6</b>	<b>21</b>	<b>4</b>	<b>31</b>

**Source:** Integrated Court Operations System (ICOS)

For defendants on bail, a bail address will have been recorded as part of the bail conditions, however the address details will not be updated unless the bail address is confirmed as a permanent address when signing bail.

## Cyberbullying

**Lord Morrow** asked the Minister of Justice, in relation to people who carry out cyber-bullying or internet trolling, what legislation he intends to introduce to allow them to be liable for (i) causing the death of a person, who died by suicide, following online abuse; or aiding and abetting manslaughter and/or unlawful killing; and (ii) causing grievous bodily harm or aiding and abetting causing grievous bodily harm as well as harassment, in cases of attempted suicide.

**(AQW 25158/11-15)**

**Mr Ford:** Current legislation in Northern Ireland already allows for prosecutions in relation to protecting people from harassment or bullying. The Protection Against Harassment (NI) Order 1997 allows, for example, for the general offence of harassment and also the offence of putting someone in fear of violence. These powers cover behaviours that are both visible and invisible including, for example, cyber-bullying with sentences of up to seven years' imprisonment available to the court. And if a threat to kill were involved then a sentence of up to ten years' imprisonment is available.

The Communications Act 2003 also makes it an offence to use a public electronic communications network to send a message or any other matter that is grossly offensive or menacing, punishable by a maximum sentence of 6 months' imprisonment and/or a £5000 fine. The Computer Misuse Act 1990 criminalised unauthorised access to computer material attracting penalties of up to two years' imprisonment. Across the criminal law more generally, penalties for aiding and abetting offences are the same as those for the substantive offence.

I am aware that England and Wales and Scotland have recently created offences specifically in relation to stalking, including computer-based stalking, with penalties of up to five years in prison. Whilst I have no plans to change our laws at this stage I will be keeping developments in Great Britain under review.

## Prosecutions for Stealing Cattle or Sheep

**Mr Swann** asked the Minister of Justice to detail the number of prosecutions for stealing cattle or sheep, and the sentences imposed, in each of the last five years.

**(AQW 25161/11-15)**

**Mr Ford:** The theft of cattle or sheep may be prosecuted under Section 1 of the Theft Act (Northern Ireland) 1969. As prosecution and conviction datasets do not contain details on the stolen item(s), it is not possible to provide the information requested.

## Abattoirs and Fuel Laundering

**Mr Swann** asked the Minister of Justice to detail all occasions when an illegal abattoir has been found in the same location as a fuel laundering plant; and any resulting prosecutions.

**(AQW 25162/11-15)**

**Mr Ford:** One such plant was uncovered in Newry in October 2012. Two trailers were recovered which appeared to be mobile laundering plants at the site of an unregistered meat plant. There have been no prosecutions arising from the recovery of the trailers. Investigations by council Environmental Health Officers are ongoing.

## Prison Service: Staff Training and Profiling

**Lord Morrow** asked the Minister of Justice, in relation to the Irish News article of 24 June 2013, to detail (i) why external profilers from England were hired by the Northern Ireland Prison Service to carry out new staff training and profiling at a cost of £150,000, which had to be corrected by existing staff; (ii) the cost of this, combined with the original outlay, to date; and (iii) why no initial tendering process took place at the stage.

**(AQW 25220/11-15)**

**Mr Ford:** At the time of the development of the Concept Target Operating Model, the Northern Ireland Prison Service (NIPS) hoped to use its internal profiling team. The internal resources could not be secured to take this work forward in the required timescale, which was linked to development of the Business Case for the Voluntary Early Retirement Scheme for staff.

In this context NIPS followed the required process for the approval of a Direct Award Contract to secure timely specialist advice. The Concept Target Operating Model was developed for NIPS by the external profiling team between April and August 2011.

The development of the Concept TOM into detailed Models for each NIPS establishment took place between September and December 2011. The Team that completed this work consisted of four NIPS representatives and the two external profilers who developed the original concept. The detailed TOM for each establishment was completed in January 2012. The work did not have to be corrected by existing staff. An in-house team undertook the setting up of the system and have reviewed the implementation at each prison establishment over the last six months. On going reviews and updating of shift patterns are a normal part of prison operations and reflect changing needs and meeting the requirements for regime delivery.

The total cost of the external support to develop the concept and detailed Target Operating Models was £107,000, not £150,000.

## Kieran Doherty

**Mr Allister** asked the Minister of Justice to detail (i) what compensation was paid to the family of Kieran Doherty; (ii) the names of the beneficiaries; (iii) how dependency was established; (iv) what deduction was made having regard to the deceased's character, record and past; (v) what, if any, part of the compensation was agreed; and (vi) what plans he has to further challenge the award.

**(AQW 25295/11-15)**

**Mr Ford:**

- (i) Compensation was awarded to the family of Kieran Doherty for bereavement award and funeral expenses. The Northern Ireland Criminal Injuries Compensation Scheme 2009 Tariff Scheme provides that where there is one qualifying claimant, a bereavement award of £11,000 is payable. Where there is more than one qualifying claimant an award of £5,500 is payable to each. The Scheme also provides for reimbursement of reasonable funeral expenses.
- (ii) Christine Doherty (mother) and Mary Ellen Doherty (grandmother) were the beneficiaries of a bereavement award and Christine Doherty was the beneficiary of an award for reasonable funeral expenses.
- (iii) Dependency was established in accordance with paragraphs 38-40 of the Northern Ireland Criminal Injuries Compensation Scheme 2009.
- (iv) A deduction of 50% was applied to the bereavement and funeral expenses awards.
- (v) Compensation was initially refused by my Department because of Mr Doherty's unspent convictions and intelligence received from the PSNI regarding criminal activity. The decision to award compensation was made by the independent Criminal Injuries Compensation Appeals Panel for Northern Ireland (CICAPNI), following appeals by Christine Doherty and Mary Ellen Doherty.
- (vi) I have no locus to challenge the award made.

## Restorative Justice: North Down Alternatives

**Mr Easton** asked the Minister of Justice to detail the funding provided to the North Down Alternatives to administer the Restorative Justice Scheme, in the last three financial years.

**(AQW 25334/11-15)**

**Mr Ford:** The Department has not provided any funding directly to North Down Alternatives in the last three financial years. Restorative justice funding has been provided in that period to Northern Ireland Alternatives which provides central support to North Down Alternatives and the other accredited schemes within its network.

## Hydebank Wood Young Offenders Centre

**Lord Morrow** asked the Minister of Justice whether case number 13/055303 at Ards Magistrates Court relates to an alleged incident/detection at Hydebank Young Offenders Centre.

**(AQW 25381/11-15)**

**Mr Ford:** I can confirm that case number 13/055303 at Ards Magistrates' Court relates to an alleged incident at Hydebank Wood Young Offenders Centre and Prison.

## Department for Regional Development

### Fish Kill at Portavoe Reservoir

**Mr Easton** asked the Minister for Regional Development to outline the reasons provided by NI Water for the recent fish kill at Portavoe Reservoir.

**(AQW 25168/11-15)**

**Mr Kennedy (The Minister for Regional Development):** I have been advised by Northern Ireland Water (NIW) that officials from the Northern Ireland Environment Agency have confirmed that no pollutant was introduced to the reservoir where the recent fish kill occurred. The Department of Culture, Arts and Leisure are investigating the cause of the fish kill and preliminary findings suggest issues with lice and/or fungus.

When notification of the fish kill was received, a walk-over of the inlet tributary stream to the reservoir and the adjacent pumping main air valves was undertaken as a precautionary measure to verify operational performance. This indicated that there was no pollution arising from NIW assets in the area.

Portavoe Reservoir has not been in service as a supply reservoir for some years so there is no danger to the public drinking water supply.

### Park and Ride: Bangor

**Mr Agnew** asked the Minister for Regional Development what consideration has been given to installing a ticketing or barrier system at the Park and Ride facility in Bangor in order to secure the availability of parking spaces for those availing of the service.

**(AQW 25174/11-15)**

**Mr Kennedy:** I am aware of the difficulty in ensuring that parking spaces designed for use by public transport customers are available for those availing of those services, especially where Park & Ride sites are located in, or near, town centres, as is the case in Bangor. Translink has sought to minimise misuse of the Bangor Park & Ride site by deploying an employee at the entrance during the early morning commuting period and this seems to be working effectively.

Translink are currently undertaking a feasibility study into a replacement ticketing system. This study will explore the viability of using a ticketing smart card to control access to Park & Ride sites by way of a barrier system.

I have also asked Translink to consider whether there are any interim measures which could be introduced in advance of the new ticketing system to alleviate this problem.

### Landfill Site at Mobouy Road, Derry

**Mr Agnew** asked the Minister for Regional Development, pursuant to AQW 24790/11-15, whether he has made, or intends to make, the European Commission aware of the implications, financial or otherwise, of the discovery of the illegal landfill site at Mobouy Road, Derry, given that construction work on this section of the A6 is co-funded by the European Commission.

**(AQW 25175/11-15)**

**Mr Kennedy:** I can advise the Member that the position remains as stated in my answer to his Assembly Question, AQW 24790/11-15, on this issue. Funds for the construction of the A6 Londonderry to Dungiven dualling scheme have not been allocated and I am not aware of any contribution from the European Commission that would necessitate informing them of any aspect of the scheme's progression.

### A26 Dualling Scheme

**Mr Storey** asked the Minister for Regional Development what correspondence his Department has had with the Department of Finance and Personnel in relation to the funding of the dualing of the A26.

**(AQW 25188/11-15)**

**Mr Kennedy:** With the delay to the A5, and the funding that was subsequently made available, I wrote to the previous Finance Minister in May of this year, highlighting other schemes that could commence in 2014/15. These included the A26 Glarryford to Drones Road Scheme. In July, the Finance Minister announced funding for one of these schemes, the A31 Magherafelt Bypass.

I wrote to the new Finance Minister in August requesting a meeting to discuss the merits and the importance of the A26 project. After initially declining the meeting, I am happy to report that the Finance Minister has now recognised the importance of an early discussion on this issue, he has agreed to a meeting and we are due to meet in the near future.

I can assure you that, in parallel, I have heavily promoted this scheme in the 2014/15 Capital Budget Exercise, and will continue to do so in the forthcoming October Monitoring Round, with a view to securing the funds to allow construction to commence in 2014/15.

## Road Races (Amendment) Bill

**Mr Storey** asked the Minister for Regional Development what steps his Department is taking to ensure that the concerns of local churches are addressed regarding the Road Races (Amendment) Bill.

**(AQW 25189/11-15)**

**Mr Kennedy:** The Road Races (Amendment) Bill is a single clause Bill that seeks to provide road race promoters with flexibility to change the date of their race, practice or qualifying sessions with the Department's approval, where they would otherwise be compromised by bad weather. In itself, the Bill does not propose anything that would cause concerns for local churches, so I assume you mean what steps would be taken by my Department to address the concerns of local churches when race promoters elect to use a Sunday as one of their contingency days.

It would be for race promoters to determine the dates they wish to use as contingency days in the event of bad weather threatening the cancellation of their event. The existing legislation, the Road Races (Northern Ireland) Order 1986, does not preclude racing on Sundays. Although no promoter of a motor cycle race has thus far elected to race on a Sunday, numerous road closing orders have previously been made to facilitate the closure of roads on which motor car rally special stages have taken place.

Should a race promoter elect to race on Sunday, my Department would wish to be reassured reasonable arrangements have been put in place to enable people to travel to and from their places of worship. As a result, any road closing order would aim to facilitate such travel.

## Railway Network: Graffiti

**Mr McKay** asked the Minister for Regional Development how his Department is ensuring that train routes are free from graffiti, in particular, sectarian graffiti.

**(AQW 25262/11-15)**

**Mr Kennedy:** Translink rely upon staff to notify them of graffiti at stations and their maintenance teams for halts and other locations. It is Translink's policy that any graffiti identified is removed as soon as possible.

## Donaghadee Bus Station

**Mr Weir** asked the Minister for Regional Development, following the closure of Donaghadee Bus Station, what steps will be taken to dispose of the land.

**(AQW 25323/11-15)**

**Mr Kennedy:** Translink is responsible for the disposal of Donaghadee Bus Station. As the land is no longer required for operational purposes it has been placed on Translink's surplus properties list.

It advises that the property will be offered to the public sector through the D1 process. If the property is not purchased through the D1 process it will then be placed on the open market for sale through an agent.

## Belfast Public Bike Hire Scheme

**Mr McKay** asked the Minister for Regional Development for an update on the Belfast Public Bike Hire Scheme.

**(AQW 25357/11-15)**

**Mr Kennedy:** Belfast City Council was awarded an Active Travel Demonstration Project Grant of almost £700k in August 2012, to develop the infrastructure requirements for the Belfast Public Bike Hire Scheme.

Belfast City Council are responsible for the project management of the scheme and will be responsible for managing any future contractual arrangements and meeting ongoing running costs.

Work is continuing on the identification of suitable sites for up to 25 docking stations which will hold a total of 300 bikes at city centre locations. Staff from Belfast City Council are working closely with colleagues in Roads Service, Planning Service, the Northern Ireland Environment Agency and other stakeholders to ensure that the sites do not impede pedestrian or vehicular movement and take account of the surrounding built heritage.

After considering expressions of interest from potential suppliers Belfast City Council intend to go out to tender for the scheme in October 2013 and are also considering sponsorship and branding arrangements which have proved very successful in providing revenue for other schemes around the world.

Although the timescales for the implementation of the scheme remain challenging Belfast City Council remains confident that the scheme will go live in 2015.

My officials are providing a project assurance role and will continue to assist Belfast City Council in any practical way possible, during the development of the scheme.

## Railway Network: Coleraine and Derry

**Mr Ó hOisín** asked the Minister for Regional Development, given that Translink have announced a suspension of work on the Coleraine to Derry railway line due to issues on the procurement of signalling, to outline how this will be addressed in order to advance work at the earliest opportunity.

(AQW 25450/11-15)

**Mr Kennedy:** Translink has commenced a revised procurement strategy aimed at delivering Phase 2 of the Coleraine to Londonderry Renewals project. At this time the predicted completion date of the work is late 2016. There is no suspension of the project.

I am disappointed by the delay and my officials will work closely with Translink in order to try to identify any and all opportunities to accelerate this timeline.

## Strategic Infrastructure Plan

**Mr Milne** asked the Minister for Regional Development, given the recent announcement on the Magherafelt bypass, whether the priorities within the strategic infrastructure plan are on target for delivery.

(AQO 4478/11-15)

**Mr Kennedy:** Firstly, I would advise the Member there is no document termed the strategic infrastructure plan, however my Department has a range of schemes listed in the Strategic Road Improvement (SRI) Programme. The programme was developed in conjunction with the Investment Strategy for Northern Ireland, with the majority of the funding in this budget period to 2015 being allocated to the A5, A8 and A2 projects.

I have written to the Finance Minister and recently bid for funding to advance a number of major road improvements given the delay to the A5. As a result, it has been agreed that around £40 million will be allocated to my Department to enable work to start on the Magherafelt Bypass next year.

When completed, the Bypass will significantly reduce the traffic congestion in Magherafelt and will facilitate economic growth, while at the same time creating around 200 jobs in the construction sector over the two year duration of the project.

I am pleased to move forward with this project and hopefully other schemes, including the A26, which will be included in bids in the DFP capital budget exercise for 2014/15.

## Cookstown Bypass

**Mr I McCrea** asked the Minister for Regional Development for an update on the Cookstown bypass.

(AQO 4479/11-15)

**Mr Kennedy:** The preferred route for the A29 Cookstown Bypass was announced in June 2010. Since then, my Department has been progressing detailed design work on the Preferred Route and carrying out additional geotechnical investigations and a detailed topographical survey.

I am keen to progress this scheme. However, the pace at which the A29 Cookstown Bypass is progressed, and its delivery, will be dependent upon the availability of funding in future budget periods and advancement through the normal statutory processes. It will compete for funding with other important schemes, such as those on the A6 Belfast to Londonderry route, the York Street Interchange, A2 Sydenham Bypass and Ballynahinch Bypass, amongst other schemes across Northern Ireland.

## Road Safety: Titanic Quarter

**Mr Douglas** asked the Minister for Regional Development what plans his Department has to make access safer for pedestrians and cyclists at Dee Street Bridge which links the Titanic Quarter cycle lanes.

(AQO 4480/11-15)

**Mr Kennedy:** The portion of roadway between the Harbour Estate and Dee Street Bridge is public road with existing footways and, under the current layout, it is not possible to provide separate cycling facilities. However, my Department has a longer-term plan to widen the Sydenham By-Pass and replace the existing Dee Street Bridge. This scheme would provide the opportunity to provide enhanced cycle facilities into the Harbour Estate.

If these plans are achieved, this would link to the recently-provided two-way cycle lane along Sydenham Road which lies solely within the grounds of Belfast Harbour Estate and is under the control of the Belfast Harbour Commissioners. This cycle lane links the wider Titanic Quarter to the public road network via the pedestrian/cycle bridge over the Sydenham By-Pass to Island Street. This is the route preferred and recommended by Sustrans linking the Comber Greenway to Titanic Quarter.

I would stress that safety of pedestrians and cyclists is an issue I take very seriously. I am aware of the difficulties cyclists may encounter between Dee Street Bridge and the two-way cycle lane on Sydenham Road. The major difficulties for both pedestrians and cyclists at this point lie within the Harbour Estate and the Harbour Authority is aware of these concerns.



## Bus Lanes: Use by Taxis

**Mr McCarthy** asked for an update on his Department's proposal to allow all taxis to use bus lanes.  
(AQO 4481/11-15)

**Mr Kennedy:** As a result of the Minister of the Environment's original proposal, to introduce single tier licensing and other taxi reforms, by way of regulations to be made under the Taxis Act (2008), during 2013, my Department consulted on a proposal to permit all taxis to use bus lanes. The consultation document explored the various possible impacts on the use of bus lanes by taxis.

I understand the DOE Minister now intends to bring forward draft regulations in September 2014, on this proposal, which I await with interest.

## Roads: Adoption

**Mr McQuillan** asked the Minister for Regional Development what action he is taking to complete unfinished roads and street lighting in residential developments where the developer has been declared bankrupt.  
(AQO 4482/11-15)

**Mr Kennedy:** Where a developer of a residential development has been declared bankrupt, my Department takes enforcement action under the Private Streets (Northern Ireland) Order 1980, in order to have the roads completed and adopted. Where appropriate, Roads Service will initially liaise with the administrator to seek completion of the development's roads infrastructure. If this is not possible, Roads Service will call upon the road bond and arrange for another contractor to complete the necessary works.

## Rail Passenger Numbers: Larne

**Mr Ross** asked the Minister for Regional Development to outline the number of passengers on the Larne railway line over the last twelve months.  
(AQO 4483/11-15)

**Mr Kennedy:** Approximately 2.5million passenger journeys were recorded on the Larne railway line in the past 12 months. This represents an increase of 13% over last year and 18% on 2010/11.

## Ballymena: Combined Train and Bus Station

**Mr McKay** asked the Minister for Regional Development when a new combined train and bus station will be built in Ballymena.  
(AQO 4485/11-15)

**Mr Kennedy:** A combined bus and rail station at Ballymena is currently on Translink's long term outline capital plan I will look to secure funding for the project in the next Budget to accelerate the work.

## Road Races (Amendment) Bill

**Mr Dallat** asked the Minister for Regional Development what additional safety measures are being considered to supplement the proposals in the draft Road Races (Amendment) Bill.  
(AQO 4486/11-15)

**Mr Kennedy:** This is a single purpose Bill which seeks only to provide race promoters with some flexibility to change the date of their race, practice and qualifying sessions, where they would otherwise be compromised by bad weather. In addition, there are significant safety benefits in not running the races during poor weather conditions.

Safety at road races is a matter for the event organiser, race promoters and for the sport's governing body, the Motor Cycle Union of Ireland (Ulster Centre). It is the Department's responsibility for making the necessary road closure orders to facilitate motor racing events on public roads.

## Department for Social Development

### Jenny Palmer

**Ms Boyle** asked the Minister for Social Development whether he has ever instructed his special adviser to contact Councillor Jenny Palmer; and if so, on which dates and what was the reason for that contact.  
(AQW 25061/11-15)

**Mr McCausland (The Minister for Social Development):** I would advise the member that on no occasion did I instruct my Special Advisor to contact Councillor Jenny Palmer. It should be noted however that it is normal practice for a Special Adviser to provide a significant level of policy advice and to meet and influence key policy and decision-takers within and outside Government.

## Towns and Villages in West Tyrone

**Mr Byrne** asked the Minister for Social Development what proposals are in place to help rejuvenate smaller towns and villages in West Tyrone.

**(AQW 25154/11-15)**

**Mr McCausland:** As you may be aware, the official definition of an urban settlement in Northern Ireland is one having a population of 4,500 or more. In line with this definition, my Department's funding for urban regeneration is targeted at towns with populations over 4,500 and in West Tyrone this only relates to Omagh and Strabane.

In Omagh, my Department published a Town Centre Masterplan in January 2009 and work is progressing to implement the recommendations. Town centre regeneration projects which have recently been funded by my Department in Omagh include a revitalisation project to promote and market Omagh and works to address unsightly areas of the town centre. A further revitalisation scheme, specifically tackling vacant and unsightly properties in John Street is underway. DSD Officials are currently working with Omagh District Council to develop a further revitalisation scheme for the town. A Public Realm scheme for the Castle Street area (to complement the town centre public realm schemes already completed) and a Comprehensive Development site at the Kevlin Avenue car parks are also in the development stages.

In Strabane, my Department published a Town Centre Masterplan in September 2010 and work is progressing to implement the recommendations. Town centre regeneration projects which have recently been funded by my Department in Strabane include a Public Realm scheme on Castle Place and part of Lower Main Street, an environmental improvement scheme on Bridge Street and new festive lighting for the town centre. Plans are being worked up for a number of other projects, including a development brief for the SCORE site, the Strabane Community Pedestrian and Cycle Bridge, a major Public Realm scheme in the town centre and a Revitalisation project.

It is hoped these interventions will help to rejuvenate these town centres and lead to an increase in shoppers and visitors.

## Areas at Risk Programme: Beechfield Estate, Donaghadee

**Mr Easton** asked the Minister for Social Development to detail (i) the programmes; and (ii) funds allocated for the Areas at Risk programme in Beechfield Estate, Donaghadee.

**(AQW 25169/11-15)**

**Mr McCausland:** The Beechfield Estate was allocated funding of £67,766.00 from the Areas at Risk programme for the following programmes, drawn up by the Beechfield Residents Association Planning Team:

Community House Running Costs	£8,480.95
Community Programmes/Events	£13,500.00
Training & Adult Education	£18,854.83
Boxing Equipment	£5,207.95
Community House Equipment	£939.55
Computers	£9,432.00
Estate Environmental Improvements	£8,015.72
Admin Support	£3,335.00

## Renovations and Home Repair Assistance Grants

**Mr Storey** asked the Minister for Social Development to detail the number of renovations and home repair assistance grants awarded in each council area over the last three years, in which the applicant demonstrated exceptional circumstances.

**(AQW 25185/11-15)**

**Mr McCausland:** The table below details the number of cases over the last three financial years, broken down by Council area, where the Housing Executive's Exceptional Circumstances Committee consented to the approval of a Renovation (REN) or Home Repairs Assistance (HRA) Grant.

Council Area	2010-11		2011-12		2012-13	
	REN	HRA	REN	HRA	REN	HRA
Antrim	0	0	1	0	0	1
Ards	1	0	0	0	0	4
Armagh	0	0	1	0	0	0
Ballymena	0	0	0	0	0	2
Ballymoney	0	0	0	0	1	1

Council Area	2010-11		2011-12		2012-13	
	REN	HRA	REN	HRA	REN	HRA
Banbridge	0	1	0	0	0	0
Belfast	9	5	7	4	14	9
Carrickfergus	1	0	0	0	0	3
Castlereagh	0	0	0	0	0	1
Coleraine	0	0	2	2	0	1
Cookstown	1	0	1	2	5	2
Craigavon	1	0	0	0	0	0
Londonderry	0	0	3	0	0	0
Down	7	4	0	2	0	0
Dungannon	0	0	2	3	6	4
Fermanagh	1	3	5	6	7	9
Larne	2	0	1	0	1	1
Limavady	0	0	1	0	0	0
Lisburn	0	2	0	0	3	4
Magherafelt	1	0	0	0	0	1
Moyle	0	0	0	0	0	0
Newry	3	2	2	0	6	2
Newtownabbey	3	1	1	0	2	3
North Down	0	0	1	0	3	1
Omagh	0	0	2	2	6	7
Strabane	0	1	1	0	1	0
<b>Total</b>	<b>30</b>	<b>19</b>	<b>31</b>	<b>21</b>	<b>55</b>	<b>56</b>

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.

### Staff: Recruitment Agencies

**Mr Swann** asked the Minister for Social Development to detail the number of people employed by recruitment agencies in (i) his Department; and (ii) arms-length bodies, as of 1 April (a) 2011; (b) 2012; and (c) 2013.

**(AQW 25200/11-15)**

**Mr McCausland:** The number of people employed by recruitment agencies in (i) the Department for Social Development; and (ii) arms-length bodies, as of 1 April (a) 2011; (b) 2012; and (c) 2013 is shown in the attached tables.

Department: Department for Social Development (DSD)

The number of posts filled by recruitment agency staff in:

**(i) Department for Social Development**

Year	Number
1 April 2011	6
1 April 2012	86
1 April 2013	91

**(ii) Arms-length bodies****The Charity Commission for Northern Ireland**

Year	Number
1 April 2011	5
1 April 2012	4
1 April 2013	6

**Ilex Urban Regeneration Company**

Year	Number
1 April 2011	3
1 April 2012	1
1 April 2013	2

**Northern Ireland Housing Executive**

Year	Number
1 April 2011	57
1 April 2012	123
1 April 2013	343

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.

**Shankill Lurgan Foyer**

**Mrs Dobson** asked the Minister for Social Development when he will publish the business case drawn up by the Northern Ireland Housing Executive and the Southern Health and Social Care Trust regarding the future operation of the Shankill Lurgan Foyer.

**(AQW 25207/11-15)**

**Mr McCausland:** The Shankill Lurgan Community Project is in the process of developing a business case for the future operation of the Shankill Lurgan Foyer. When the business case has been developed, Shankill Lurgan Community Project will submit it through the local Area Supporting People Partnership. The local Area Partnerships are central to the commissioning process in terms of their role in identifying, assessing and prioritising the housing support needs of a range of vulnerable client groups at local level. Once it has been agreed at the local Area Supporting People Partnership it will be submitted to the Supporting People Commissioning Body for approval. As the Shankill Lurgan Community Project are the authors of the business case it would be a decision for them if they wanted it published.

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.

**Disability Living Allowance and Employment Support Allowance**

**Lord Morrow** asked the Minister for Social Development, in relation to Examining Medical Practitioners (EMP) carrying out Disability Living Allowance and Employment Support Allowance application examinations, (i) what is the minimum qualification required by an EMP; (ii) for a breakdown of job descriptions currently used; and (iii) how many EMPs currently used are qualified medical consultants.

**(AQW 25226/11-15)**

**Mr McCausland:** The responses for (i), (ii) and (iii) for Examining Medical Practitioners who complete medical assessments for Employment and Support Allowance and Incapacity Benefit reassessment, Disability Living Allowance and Industrial Injuries Disablement Benefits are set out below.

- (i) The qualifications required are set out in the Medical Support Services Agreement which defines a healthcare professional as:
  - (a) a registered medical practitioner;
  - (b) a registered nurse;
  - (c) an occupational therapist or physiotherapist registered with a regulatory body established by an Order in Council under section 60 of Health Care Act 1999; or

- (d) a member of such other profession regulated by a body mentioned in section 25(3) of the National Health Service Reform and Health Care Professions Act 2002 as the Secretary of State may prescribe.

This includes the following required qualifications:

- (a) in the case of a Medical Practitioner:
- current registration to practice in the UK;
  - 3 years post-registration full-time equivalent experience across a range of relevant clinical disciplines (within the last 6 years prior to an advertisement for positions being placed); and
  - full and unconditional registration with the UK General Medical Council.
- (b) in the case of a nurse:
- fully registered, without restrictions or conditions, with the Nursing and Midwifery Council; and
  - have a minimum of 3 years post registration experience.
- (c) all other healthcare professionals:
- fully registered, without restrictions or conditions, with the relevant licensing body;
  - have a minimum of 3 years post registration experience;
  - possess good communication skills;
  - have an understanding of customer care issues; and
  - have an understanding of disability issues.
- (ii) The Medical Support Services Agreement does not set out job descriptions for healthcare professionals, the requirements are as specified in answer (i). Currently only registered medical practitioners or registered nurses are employed in the provision of the service to the Department for Social Development.
- (iii) Healthcare professionals are required to be qualified medical practitioners are set out in (i) and (ii) above.

### Social Security Benefits: Asylum Seekers

**Mr Weir** asked the Minister for Social Development to detail the Social Security benefits, including the rates, to which asylum seekers are entitled.

**(AQW 25277/11-15)**

**Mr McCausland:** Anyone who has come to the UK and made an application for asylum is not entitled to social security benefits while their application is being considered by the UK Border Agency.

An asylum seeker can, however, apply for support from the National Asylum Support Service, which is administered by the UK Border Agency. This support can provide cash payments and accommodation.

Where an application for asylum is successful and a person is recognised as a refugee, or they may stay in the United Kingdom for humanitarian reasons, or they are given discretionary leave to remain, they will have the same rights as permanent residents and can claim social security benefits.

The rate of benefit payable is dependent on individual circumstances.

### Capita Business Services

**Mr Agnew** asked the Minister for Social Development, in relation to his Department's contract with Capita Business Services, to detail (i) when the contract commenced; (ii) the amount that has been paid Capita to date; (iii) the full contract value; and (iv) duration of contract.

**(AQW 25337/11-15)**

**Mr McCausland:**

- (i) The contract with Capita Business Services Limited was awarded on 20 November 2012;
- (ii) No Payments have been paid to Capita Business Services Ltd;
- (iii) The published value of the contract is £59,253,626;
- (iv) The duration of the contact is for 5 years.

### Neighbourhood Renewal: Kilcooley Estate, Bangor

**Mr Easton** asked the Minister for Social Development how much funding has been made available for Neighbourhood Renewal in the Kilcooley estate, Bangor, over the last five years.

**(AQW 25368/11-15)**



**Mr McCausland:** The total amount spent on Neighbourhood Renewal for the Kilcooley Estate, Bangor over the last five financial years is as follows:

Financial Year	2008/09	2009/10	2010/11	2011/12	2012/13	Total
Amount spent	£140,989	£374,689	£293,814	£295,634	£502,300	£1,607,426

## Social Housing: Energy Efficiency

**Mr Hilditch** asked the Minister for Social Development what options for energy efficiency schemes are available to Northern Ireland Housing Executive tenants.

(AQO 4497/11-15)

**Mr McCausland:** From a programme point of view there are various energy efficiency schemes available to Northern Ireland Housing Executive tenants. These include Heating schemes to upgrade old inefficient heating systems. In 2013/2014 the Housing Executive intends to replace or install 5,750 heating systems. During heating installation, roof space insulation is checked and upgraded as necessary.

Double Glazing schemes will also be available. Under the Programme for Government target it is intended that by the end of 2015 all Housing Executive homes will have double glazing. Other initiatives will be available including frost stat installation. The Housing Executive also intends to run a pilot scheme to improve the energy efficiency of no-fines properties.

## Duke Street, Belfast

**Mr Copeland** asked the Minister for Social Development to detail any plans in place to replace the roofs on homes in Duke Street, Belfast.

(AQW 25432/11-15)

**Mr McCausland:** The Housing Executive has confirmed that Nos 8, 11 and 12 Duke Street are scheduled to have their roof tiles replaced with protective metal tiles. Unfortunately, this work has been delayed as a result of recent problems relating to a number of the Housing Executive's planned maintenance contractors. The scheme is now expected to start in January 2014.

## Repossession

**Ms Brown** asked the Minister for Social Development what level of protection is available for tenants in the private rental sector when the property is going to be repossessed.

(AQO 4492/11-15)

**Mr McCausland:** This is an interesting issue and particularly relevant at a time when the private rented sector is growing in importance. The latest published figures show that there are now over 144,000 private rented properties in Northern Ireland making it the biggest sector next to home ownership.

In the recently published Housing Strategy Action Plan there is a commitment to make the private rented sector a more attractive housing option for a wider range of households by reviewing the current regulatory framework. This will build on improvements like Tenancy Deposit schemes which I have already introduced.

Where a landlord takes out a mortgage and makes the lender fully aware that a tenancy exists in the accommodation, or will exist, the general rule is that the lender will also be bound by the lease. This means that if the lender later gains possession of the property they will have to let the lease run on until the end of the contractual period and accept rent from the tenant.

Once a lender has obtained a possession order from the Courts he or she must apply to the Enforcement of Judgements Office to have it enforced. The Enforcement of Judgements Office has protocols in place which aim to keep tenants involved in cases of repossession.

If a landlord's property is repossessed a tenant should seek advice from a solicitor or advice agency.

## Underoccupancy Tax

**Dr McDonnell** asked the Minister for Social Development for an update on the implementation of the under occupancy tax and its consequences for new and existing tenants

(AQO 4493/11-15)

**Mr McCausland:** The social sector size criteria was introduced for working age social tenants in Great Britain on 1 April 2013 and I understand from a report published in July 2013 by the National Housing Federation that rent arrears are rising as a result of this change. Housing Associations and Local Authorities are also facing increased pressures to find smaller homes for families to downsize to.

The Department for Work and Pensions is monitoring the impact of the size criteria and an independent review has been commissioned to undertake monitoring, over the coming two years, of the effects on claimants and landlords. The final report will be published in 2015.

Welfare Reform is an area we can see devolution working for the people of Northern Ireland. I am continuing to seek ways to ameliorate some of the more negative aspects of welfare reform to meet the needs of Northern Ireland, whilst recognising the need to protect the principle of parity to have a single system of social security across the United Kingdom.

While I am supportive of the need to reform our existing benefit system to ensure it supports people back into work and offers help to those who are genuinely in need of assistance, I am alive to the very real concerns people have about the introduction of the social sector size criteria and the need to protect the vulnerable, whilst ensuring we maintain a level of mobility in the social rented sector. You will be aware that I have already expressed concerns as to how the criteria might be implemented in Northern Ireland.

## Social Housing: Energy Efficiency

**Mr Irwin** asked the Minister for Social Development, in terms of tenant spending on energy, for his assessment of the energy efficiency of new social housing units which use solar energy and up-to-date insulation methods compared with older housing stock.

(AQO 4494/11-15)

**Mr McCausland:** From April 2012 all new Social Housing Units are built to satisfy the 2012 revised Building Regulations. These specify a maximum fossil fuel emissions rate for the home, taking into account insulation, heating systems, and any solar panels installed. The average weekly energy costs for a 3 bedroom house may be £7 - £13 less than for social housing units of similar size when the home is heated.

There are also various energy efficiency schemes available to Northern Ireland Housing Executive tenants. These include Heating schemes to upgrade old inefficient heating systems. In 2013/2014 the Housing Executive intends to replace or install 5,750 heating systems. During heating installation, roof space insulation is checked and upgraded as necessary.

Double Glazing schemes will also be available. Under the Programme for Government target it is intended that by the end of 2015 all Housing Executive homes will have double glazing. Other initiatives will be available including frost stat installation. The Housing Executive also intends to run a pilot scheme to improve the energy efficiency of no-fines properties.

## ATOS Assessment Process

**Mr McGlone** asked the Minister for Social Development, in relation to benefits appeals and the services provided by ATOS, what consideration has been given to having nurses, rather than doctors, carry out medical assessments in more complex medical cases.

(AQO 4495/11-15)

**Mr McCausland:** As many Members will already know, medical assessments are carried out by healthcare professionals, who are qualified nurses or doctors and have a minimum of 3 years post qualification experience. Medical assessments in relation to Employment and Support Allowance and Incapacity Benefit reassessment are completed by either a nurse or a doctor. However there are some conditions, mostly central neuropathy conditions that are currently only assessed by a doctor.

I will write separately to the member to provide a detailed breakdown of the medical conditions that are currently assessed by either a nurse or doctor.

## Social Housing: Monkstown

**Mr Ross** asked the Minister for Social Development to outline the current social housing provision in the Monkstown area.

(AQO 4496/11-15)

**Mr McCausland:** In relation to Housing Executive stock, in Monkstown there are 509 properties owned by the Housing Executive which includes 66 bungalows, 250 houses, 184 flats and 9 maisonettes.

## Housing Executive: Maintenance Contracts

**Ms Lo** asked the Minister for Social Development what recent changes have been made to the process for monitoring the costs of Northern Ireland Housing Executive maintenance contracts.

(AQO 4498/11-15)

**Mr McCausland:** I have been advised by the Housing Executive that from a planned maintenance perspective they have/are implementing the following to monitor costs and payments:

- New multi discipline consultant contracts are in place – where the consultants will be managing the delivery of Planned Schemes through contractors. Within the consultant contracts the Housing Executive will be monitoring the following using Key Performance Indicators (KPIs):
  - Consultant's proposed costs at Area Clearance approval stage will be sample checked by the in-house Project Manager (PM) for accuracy. Consultants will be held accountable for the accuracy.
  - On production of the Project Price List (PPL) the PM will sample check again to ensure that costs compare with those submitted at the earlier stage and the Consultants will be held accountable for any changes.

- On site, the Project Manager will check the monthly certified payments to the contractors and will be holding the Consultants accountable for any changes since approval of the PPL.
- The Housing Executive is in the process of evaluating and awarding new Planned Schemes Contracts to contractors to be managed by the Consultants. In these contracts they will be monitoring the following through KPIs:
  - When a dwelling is complete the contractors will invoice on a house by house basis and the consultants will check for accuracy on a 100% check basis. When the invoices are inaccurate, the contractors will be held accountable.
  - In tandem with this the Project Manager will cross check a sample of these invoices back through the process above.

The above will be measured through objective KPIs and the consultants and contractors will be held accountable for failed KPIs by the application of damages. Failures will also entail the production of improvement plans and may lead to termination of contract if considered necessary.

The Housing Executive has further advised that from a response maintenance perspective there have been a number of changes recently to the process of monitoring costs.

New contracts have been introduced with eight challenging KPIs which are measured, monitored and reported upon on a monthly basis. Where the Contractor fails to meet set performance standards, damages have been and will continue to be applied. Two of these KPIs relate to quality of work and correct invoicing and are measured through the Housing Executive's post-inspection process with inspecting officers having received additional training around the policy and standards requirements that must be applied.

In addition the Contract requires improvement action plans to be submitted which in turn are subject to approval before being monitored. An escalation process is in place to ensure that clear guidelines are in place, should there be continued performance issues.

Risk based reports are regularly run in order to identify potential areas where over claims have potential to arise and two new reports are now available to Maintenance staff to facilitate this.

## Homelessness

**Mr Mitchel McLaughlin** asked the Minister for Social Development what action he is taking to address the 15 per cent increase in people who presented themselves as homeless between January and March 2013.  
(AQO 4499/11-15)

**Mr McCausland:** All applicants who present as homeless undergo a homelessness assessment. Those who are assessed as being statutorily homeless are offered temporary accommodation, that is, supported accommodation or private rented sector accommodation, pending the availability of permanent accommodation in the social rented sector. Applicants who are not eligible for full duty homeless status (FDA) are offered advice and assistance, including information on the private rented sector.

The Housing Executive launched its Homelessness Strategy 2012-17 in May 2012 with the prime focus of the strategy to eliminate long term homelessness and rough sleeping across Northern Ireland by 2020.

It has four strategic objectives;

- To place Homelessness Prevention at the forefront of Service Delivery
- To reduce the length of time households experience homelessness by improving access to affordable housing
- Remove the need to sleep rough
- To improve services to vulnerable homeless households and individuals

The Strategy includes 38 actions to address homelessness. Four sub groups have been set up to take forward each of the strategic objectives and they have developed detailed plans which they are currently progressing.

Also, the Promoting Social Inclusion Homelessness Partnership, which is a cross sectoral, inter-departmental body chaired by my Department is assisting the Housing Executive to implement the actions contained in the strategy.

Homelessness continues to be a significant challenge in Northern Ireland and no one organisation or agency can address these issues in isolation. The new strategy therefore focuses on all the relevant organisations working together to deliver housing, employment, health, financial support and welfare services to those who experience homelessness.

The Housing Executive and its staff continue to provide advice and assistance to anyone who presents as homeless.

Whilst it is too early to say what this increase is indicative of, I have requested that the Housing Executive assessment and proposed actions be made available as soon as possible.

## Social Housing and Regeneration Projects

**Ms McCorley** asked the Minister for Social Development to compare the criteria used by his Department to allocate funding for the provision of social housing with that for funding for regeneration projects.  
(AQO 4501/11-15)

**Mr McCausland:** The Department's opening budgets for the four years 2011-12 to 2014-15 were determined in the course of a major Budget Review conducted by DFP during 2010 and subsequently approved by the NI Executive. Following the range of bids submitted by my Department (and other Departments), capital budgets were duly allocated by DFP based on NI Executive priorities and the total amount available to the NI Block from HM Treasury. In 2013-14, the available net Housing capital budget is approximately £67m and for Urban Regeneration/Community Development is just under £30m. The respective Business Areas manage these budgets; planning and implementing projects; and reprioritising expenditure as necessary.

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# Northern Ireland Assembly

Friday 20 September 2013

## Written Answers to Questions

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

#### European Funding

**Ms Ruane** asked the First Minister and deputy First Minister what his Department is doing to encourage greater draw-down of European funding from funding streams that are currently being underutilised.

(AQO 3490/11-15)

**Mr P Robinson and Mr M McGuinness (The First Minister and deputy First Minister):** We have set a specific Programme for Government target to increase our drawdown of competitive EU Funding by 20% over the four-year period 2011-15.

Departments have each been charged with delivering an increase in funding, and progress is being monitored by the Budget Review Group and the Programme for Government monitoring team. We are on track to meet the 20% target.

Four Barroso Task Force Desk Officers, based in the Executive's Brussels Office, are working with departments to identify and encourage drawdown from a broader range of sources, including new programmes such as Horizon 2020 and the Connecting Europe Facility, and to further utilise funding programmes in which we are already successful.

Junior Minister Bell and Junior Minister McCann, as co-chairs of the Barroso Task Force Working Group (BTWG), continue to co-ordinate and monitor engagement in European funding streams. BTWG has developed and published the Executive's European Priorities, which outline departmental objectives to increase engagement in European policies, networks and funding programmes.

#### Economic Package

**Mr Dunne** asked the First Minister and deputy First Minister for an update on any potential economic package.

(AQO 4066/11-15)

**Mr P Robinson and Mr M McGuinness:** We met with the Prime Minister, David Cameron, on 26 March 2013 to discuss the devolution of Corporation Tax powers to the Executive. He said at the meeting that no decision on this issue will be made until Autumn 2014. We expressed our disappointment and agreed to adjourn the meeting to allow officials to explore how, if a positive decision was made, this could be given legislative effect before the end of the current parliament.

Since our meeting with the Prime Minister, we received correspondence from the Secretary of State detailing some proposed economic measures for the local economy. The economic package 'Building a Prosperous and United Community' was announced on 14 June 2013, and was ratified by the Executive on 27 June 2013.

### Department of Agriculture and Rural Development

#### Agri-Food and Biosciences Institute

**Mr Wells** asked the Minister of Agriculture and Rural Development to detail the average length of time taken by the Veterinary Sciences Division of the Agri-Food and Biosciences Institute to provide a report of its findings on the death of a wild bird.

(AQW 25153/11-15)

**Mrs O'Neill (The Minister of Agriculture and Rural Development):** The average turnaround time for a first report on the post-mortem of wild birds during the financial year 2012/13 was two days.

#### Cattle and Sheep Theft

**Mr Swann** asked the Minister of Agriculture and Rural Development to detail how many (i) cattle; and (ii) sheep have been (a) stolen; or (b) reported missing, in each constituency, in each of the last three years.

(AQW 25160/11-15)



**Mrs O'Neill:** Information on (a) stolen or (b) animals reported missing is kept on the Department's database the Animal and Public Health Information System (APHIS). APHIS does not differentiate between missing or stolen animals. These two categories are recorded collectively on APHIS (Table 1).

APHIS does not keep information by constituency.

We are currently developing a system for the recording of stolen or sheep reported missing. Table 1 provides the number of cattle reported as missing or stolen over the last three years by Divisional Veterinary Office area.

Divisional Veterinary Office	No. Cattle Reported Missing or Stolen		
	2010/11	2011/12	2012/13
Armagh	497	342	389
Ballymena	142	192	143
Coleraine	169	196	210
Dungannon	788	506	625
Enniskillen	294	312	296
Londonderry	194	160	242
Mallusk	105	135	56
Newry	294	429	406
Newtownards	276	157	240
Omagh	311	378	407
<b>Total</b>	<b>3,070</b>	<b>2,807</b>	<b>3,014</b>
	<b>Total for all 3 years</b>		<b>8,891</b>

## Flood Risk Management Plans

**Mr Storey** asked the Minister of Agriculture and Rural Development for an update on the development of flood risk management plans.

(AQW 25186/11-15)

**Mrs O'Neill:** Management of flood risk is determined by the EU Directive (2007/60/EC), commonly known as the Floods Directive. To date my Department, in its role as Competent Authority, completed the preliminary flood risk assessment in 2011. Information from this work then enabled the significant flood risk areas to be determined. Currently, detailed flood hazard and risk maps are being developed for these areas, which are to be prepared by 22nd December 2013. The maps will provide detail on the nature and extent of flooding from different sources within each settlement and this information will be included in the Flood Risk Management Plans to be drafted. To inform the plans, Local Flood Forums have been established for each river basin district. Statutory Agencies, Community Leaders and Elected Representatives with an interest in flood risk management are members of these forums. The plans are to be in draft by December 2014 and finalised a year later. The enclosed leaflet describes how the Floods Directive is being implemented and highlights the key delivery stages and milestones (a copy of the leaflet has been placed in the Assembly library).

## Flood Risk Management Plans

**Mr Storey** asked the Minister of Agriculture and Rural Development to list the areas in Ballymoney that have been identified for further investigation as a result of the development of flood risk management plans.

(AQW 25187/11-15)

**Mrs O'Neill:** The attached map shows the areas in Ballymoney which are subject to further study, as part of the implementation of the EU Floods Directive. Detailed flood hazard and risk maps for these areas are to be prepared by 22nd December 2013. The development of the Flood Risk Management Plan for the Neagh Bann River Basin District, which includes Ballymoney, has also commenced and it will be in draft by December 2014 and finalised a year later.

## Rural Development Schemes

**Mrs D Kelly** asked the Minister of Agriculture and Rural Development whether she is aware of unspent budgets in any rural development schemes, and if so, will surplus funds be transferred to other projects in rural areas to avoid underspend.

(AQW 25227/11-15)

**Mrs O'Neill:** I am aware that the remaining unspent funds within the Rural Development Programme are allocated against projected expenditure to the end of the Programme. My officials will continue to monitor the programme expenditure

and make any further adjustments, which are permitted within the programme rules, to ensure the drawdown of funds is maximised.

## Dereliction

**Mr Weir** asked the Minister of Agriculture and Rural Development what assistance her Department can provide to deal with derelict and dilapidated properties in villages.

**(AQW 25281/11-15)**

**Mrs O'Neill:** Measure 3.5 of Axis 3 of the Rural Development Programme, village Renewal and Development, funded by my Department, aims to support, encourage and enable residents of villages and surrounding areas to create a vision and an integrated action plan to ensure the full potential of the area is achieved. Flowing from these action plans are integrated village initiatives which may be supported by my Department or where appropriate, referred to another relevant Department.

Projects which could be supported by my Department include the establishment or upgrade of community facilities, tourism projects, creation of or expansion of small businesses and rural heritage initiatives.

Derelict and dilapidated properties in villages, where part of any of the above projects could be supported under the village Renewal measure.

## Programme for Government Commitments

**Mr Copeland** asked the Minister of Agriculture and Rural Development for an update on the progress made on each of her Department's Programme for Government commitments.

**(AQW 25288/11-15)**

**Mrs O'Neill:** Progress on the delivery of Programme for Government commitments is closely monitored in accordance with the published programme arrangements and delivery framework and includes scrutiny by Departments, the Delivery Oversight Group and by the PfG Programme Board.

The latest available information on progress against Programme for Government Commitments can be accessed at: <http://www.northernireland.gov.uk/index/work-of-the-executive/pfg-budget-economic-strategy/pfg/strategic-online-report-2011-2015.htm>

## Price Controls

**Mr McClarty** asked the Minister of Agriculture and Rural Development whether she plans to introduce legislation to protect the price of farm produce in the open market.

**(AQW 25305/11-15)**

**Mrs O'Neill:** I firmly believe that farmers should receive a fair price for their produce. As all links in the food chain are dependent on each other it is reasonable that all should share in the rewards. However, the price farmers receive for their produce is a commercial matter and it is not, therefore, within my remit to introduce legislation to determine prices for farm produce.

It is recognised that for a number of years there have been problems in the supply chain. As a first step to help address the situation, the Competition Commission introduced a new strengthened and extended Groceries Supply Code of Practice. As this action was only part of the solution, the British Government recently introduced legislation establishing a Grocery Code Adjudicator. I welcome this legislation and can advise that, in view of the importance of this matter for our producers and processors, I and the DETI Minister wrote to the British Government supporting this legislation and underscoring the need for an adjudicator with real power.

The Adjudicator has now been appointed and I plan to meet with her later this month when I will relay to her, on behalf of our industry, their concerns about how the food chain operates and highlight the problems being faced by our producers and processors. Whilst the Adjudicator's role is not to determine a fair price, her influence on preventing unfair practices should help safeguard the interests of producers and others in the food chain. My aim is to see a food industry where both farmers and other suppliers, who together make a very important contribution to the local economy, are getting a fair deal.

## Price Controls

**Mr McClarty** asked the Minister of Agriculture and Rural Development whether she plans to work with her counterparts in other parts of the UK and Ireland to protect the price of farmed produce by introducing a minimum price based on the cost of production and margin of inflation linked to their produce.

**(AQW 25306/11-15)**

**Mrs O'Neill:** I refer the Member to my answer to AQW 25305/11-15. The establishment of a pricing structure for farm produce is a commercial matter and outside my remit.

## Staff: Recruitment Agencies

**Mr Swann** asked the Minister of Agriculture and Rural Development to detail the number of people employed by recruitment agencies in (i) her Department; and (ii) arms-length bodies, as of 1 April (a) 2011; (b) 2012; and (c) 2013.

**(AQW 25308/11-15)**

**Mrs O'Neill:** The numbers of people employed by recruitment agencies used by my Department and its arms-lengths bodies as of April 2011, April 2012 and April 2013 are detailed below.

Date	Number of Agency staff
<b>(i) In her Department</b>	
1 April 2011	25
1 April 2012	23
1 April 2013	26
<b>(ii) Arms-length bodies</b>	
1 April 2011	18
1 April 2012	37
1 April 2013	72

## Equal Pay

**Mr Agnew** asked the Minister of Agriculture and Rural Development whether staff from the Veterinary Sciences Division who were transferred to the Agri-Food and Biosciences Institute in April 2006, are to be compensated under the equal pay settlement for the period 2003-2006, and if not, why not.

**(AQW 25339/11-15)**

**Mrs O'Neill:** I am very much aware of this issue and would assure you that both my Department and AFBI have sought legal advice to establish the full extent of our potential liability in respect of the equal pay settlement and have acted in strict accordance with that advice.

This confirms that AFBI's potential liability in respect of backdated equal pay is limited to the period 1 April 2006 (when AFBI was created) to 31 January 2009 (after which, pay scales were re-aligned). All eligible AFBI staff have been paid accordingly.

The legal advice received by my Department further confirmed that the time available in which to challenge the Department's potential liability in respect of the period before 1 April 2006 under the Equal Pay Act (NI) has expired.

I have considered this matter at some length and as I must act in accordance with legal advice received, no AFBI staff will receive compensation from DARD under the equal pay settlement for the period 2003-2006.

## Oyster Farmers: Compensation

**Mr McNarry** asked the Minister of Agriculture and Rural Development if she will take action to compensate oyster farmers that use Carlingford Lough and have had their stocks destroyed by a combination of unusually warm weather and a virus, on similar lines to the assistance afforded to sheep farmers during the period of heavy snowfall at Easter and livestock farmers who received assistance to import fodder last spring.

**(AQW 25382/11-15)**

**Mrs O'Neill:** There are no measures available for compensation or restocking through DARD or under European funding.

This is not an unusual circumstance and there is a high likelihood of repeated mortalities in future years. Both DARD and producers are aware of the risks in farming Pacific oysters that may carry the OsHV1 virus and that are being farmed in affected waters.

However, DARD has assisted industry through the European Fisheries Fund for a project taken forward by CBAIT, the Cross-Border Aquaculture Initiative Team, in conjunction with Pacific oyster farmers. The project "Advance Through Disease Control", aims to compile baseline data for the Pacific oyster industry and investigate possible farming techniques to try to limit risk of spread of OsHV1-µvar.

DARD officials met with affected Pacific oyster farmers on 2nd September and discussed possible areas eligible for funding. DARD has contacted Seafish who will liaise with the Cross Border Aquaculture Initiative Team in taking forward possible applications to assist the Pacific oyster sector.

## DARD Headquarters Relocation

**Mr Campbell** asked the Minister of Agriculture and Rural Development to detail the individuals and organisations that responded to the consultation on the proposal to move her departmental Headquarters to Ballykelly.

**(AQW 25403/11-15)**

**Mrs O'Neill:** The following individuals and organisations responded to the Equality Impact Assessment on the proposal to relocate the departmental headquarters to Ballykelly:

- |  |                                       |
|--|---------------------------------------|
| ■ Alderman George Robinson, MLA              | ■ Gregory Campbell, MP, MLA           |
| ■ Aquaculture Initiative                     | ■ Joe Byrne, MLA & Patsy Kelly, MLA   |
| ■ Autism NI                                  | ■ Lagan Rural Partnership             |
| ■ British Veterinary Association             | ■ Livestock and Meat Commission       |
| ■ Committee on the Administration of Justice | ■ Marine Management Organisation      |
| ■ Councillor Alan Robinson                   | ■ NI Grain Trade Association          |
| ■ Councillor David Gilmour                   | ■ NI Judicial Appointments Commission |
| ■ Councillor James McCorkell                 | ■ Omagh District Council              |
| ■ Councillor Mark Fielding                   | ■ SDLP                                |
| ■ DARD Disability Forum                      | ■ Strabane District Council           |
| ■ Disability Action                          | ■ The Law Society                     |
| ■ Equality Commission                        | ■ Ulster Farmers Union                |

## Forest Service: Staff Numbers

**Mr Elliott** asked the Minister of Agriculture and Rural Development to detail the total number of (i) industrial; and (ii) non-industrial staff employed by the Forest Service in each of the last ten years; and to outline the reason for change.

**(AQW 25405/11-15)**

**Mrs O'Neill:** The details of the total number of (i) industrial; and (ii) non-industrial staff employed by the Forest Service in each of the last ten years are detailed at Annex A.

The main reason for a reduction in Forest Service staff numbers over this period was the need to improve efficiency. This was achieved by:-

- Implementing NICS-wide systems for e-HR and e-financial management, so that fewer administrative centres were needed to pay industrial wages, to procure goods and services, and to manage forest operations;
- increased use of standing sales of timber, where the customer is in control of all aspects of tree harvesting;
- natural wastage, typically through age retirement, and replacing capacity through advancements in industry mechanisation and increased use of contracted services for operations including site preparation and tree planting;
- involvement in the recreational management of forests by operational partners including local government.

### Annex A

#### AQW 25405 11-15

To ask the Minister of Agriculture and Rural Development to detail the total number of (i) industrial; and (ii) non-industrial staff employed by the Forest Service in each of the last ten years; and to outline the reason for change.

Date	Headcount (non-Industrial)	Headcount (Industrial)
April 2013	91	125
April 2012	95	128
April 2011	97	136
April 2010	94	135
April 2009	103	140
April 2008	104	147
April 2007	112	162
April 2006	122	179
April 2005	130	201
April 2004	132	198

## Forest Service Headquarters Relocation

**Mr Elliott** asked the Minister of Agriculture and Rural Development for an update on the relocation of the Forest Service Headquarters to Enniskillen.

(AQW 25407/11-15)

**Mrs O'Neill:** My officials are preparing an economic appraisal that will identify a preferred location for my consideration.

Forest Service relocation should be accomplished before June 2015.

## Forest Service Headquarters Relocation

**Mr Elliott** asked the Minister of Agriculture and Rural Development to detail the approximate number of jobs which will be relocated to the proposed new Forest Service Headquarters in Enniskillen.

(AQW 25409/11-15)

**Mrs O'Neill:** Forest Service has identified approximately 60 Headquarters posts for relocation to Co. Fermanagh excluding arrangements for the recently announced incorporation of Plant Health responsibilities within the Forest Service.

## Rivers Agency Headquarters Relocation

**Mr Elliott** asked the Minister of Agriculture and Rural Development for an update on the relocation of the Rivers Agency Headquarters.

(AQW 25410/11-15)

**Mrs O'Neill:** I announced my intention to relocate the Rivers Agency to Loughry College on Thursday 16th May 2013. DFP's Central Procurement Directorate (CPD) is currently carrying out an assessment of the various options available to accommodate the Rivers Agency Headquarters at the Loughry Campus. A report from CPD is expected by end of September.

In addition, an Equality Impact Assessment is underway and when complete a full EQIA report on relocation will be produced.

I expect that this relocation will be completed by June 2015.

## DARD Headquarters Relocation

**Mr Elliott** asked the Minister of Agriculture and Rural Development for an update on the relocation of her departmental Headquarters.

(AQW 25412/11-15)

**Mrs O'Neill:** The work to identify, cost and analyse the options to accommodate our headquarters on the Ballykelly site is now complete. That work was informed by input from the accommodation options study produced by DFP's Central Procurement Directorate (CPD), an Equality Impact Assessment and a number of staff surveys involving not only the staff in my Department but the staff across the whole of the NICS.

The outcomes of this work have been incorporated into a business case which is currently being quality assured and I expect this aspect of the process to be completed by the end of October.

## Staff Suspensions

**Mr Allister** asked the Minister of Agriculture and Rural Development to detail the (i) number of departmental staff that have been suspended on full pay; and (ii) the duration of the suspension in each case.

(AQW 25443/11-15)

**Mrs O'Neill:** Two members of staff are currently suspended on full pay. The duration as at 13 September 2013 is eleven months (officer 1) and two months (officer 2).

## Bovine Tuberculosis

**Mrs Dobson** asked the Minister of Agriculture and Rural Development to detail any instances where beef from cattle infected with Bovine Tuberculosis has entered the food chain.

(AQW 25452/11-15)

**Mrs O'Neill:** All animals entering the human food chain are subject to a rigorous public health examination.

This public health inspection is required throughout all of Europe under EU legislation, and is performed in the North of Ireland by DARD Veterinary Service meat inspection staff on behalf of the Food Standards Agency (FSA).

Beef from cattle infected with Bovine TB can enter the food chain here and everywhere in the European Union, but only after a more thorough post mortem examination carried out by government Meat Inspectors. Where this inspection reveals any lesions caused by TB in more than one organ or region of a carcass, the whole carcass and offal are declared unfit for human consumption and destroyed, because this indicates more generalised infection. When a localised TB lesion has been found



in the lymph nodes of only one organ or part of the carcass, that organ or part of the carcass and the associated lymph nodes are removed and destroyed. The remaining carcass is considered safe to enter the food chain.

In the light of recent public discussion of this issue, the Food Standards Agency has re-examined the risk to human health from meat originating from TB reactors and other possibly infected animals, and confirmed that they are content with this approach. Further details are provided on the Food Standards Agency and DARD websites.

## Bovine Tuberculosis

**Mrs Dobson** asked the Minister of Agriculture and Rural Development to detail the mechanisms in place to ensure that beef from cattle infected with Bovine Tuberculosis does not enter the food chain.

**(AQW 25453/11-15)**

**Mrs O'Neill:** Beef from cattle infected with Bovine TB can enter the food chain here and everywhere in the European Union, but only after a thorough post mortem examination by government Meat Inspectors who inspect animals before slaughter and the carcasses afterwards for visible TB lesions.

In the light of recent media articles around this issue, the Food Standards Agency has re-examined the risk to human health from TB reactors and other possibly infected animals. The FSA has confirmed that they are content that beef from TB reactor animals presents a very low risk to public health. There is no documented evidence of humans acquiring TB from eating beef.

The European Food Safety Authority (EFSA) has also looked at the risks and concluded that the risk of transmission of *M. bovis* to humans through eating meat is 'negligible', because the bacteria is not usually found in the meat, even in infected cattle.

In cases where routine public health examination detects visible lesions of TB in the lymph glands of any animals that have not reacted to a TB skin test, these are then treated in exactly the same way as if they were reactors.

Further details are provided on the Food Standards Agency and DARD websites.

## Families Acting for Innocent Relatives

**Mr Swann** asked the Minister of Agriculture and Rural Development, pursuant to AQW 25282/11-15, whether it was due to the advice by the Central Investigation Service to the Special EU Programmes Body (SEUPB), that "SEUPB subsequently referred the auditor's report to the Police Service of Northern Ireland (PSNI) to take forward an investigation".

**(AQW 25473/11-15)**

**Mrs O'Neill:** It would be for the Special EU Programmes Body (SEUPB) to confirm the extent to which the Central Investigation Service advice led to their decision to refer the auditor's report to the Police Service of NI (PSNI) to take forward an investigation.

## Families Acting for Innocent Relatives

**Mr Swann** asked the Minister of Agriculture and Rural Development, pursuant to AQW 25282/11-15, to outline the resultant outcome of the investigation taken forward by the Special EU Programmes Body.

**(AQW 25474/11-15)**

**Mrs O'Neill:** The outcome of the Police Service of NI (PSNI) investigation was reported to the Special EU Programmes Body (SEUPB) and not to my Department. I am not, therefore, in a position to outline the outcome of the investigation taken forward by SEUPB.

## Badger Sett Surveys

**Mrs Dobson** asked the Minister of Agriculture and Rural Development to detail, in each of the two survey areas earmarked for the badger sett surveys in County Down, what percentage of the total land area is covered by those who (i) responded yes; (ii) responded no; (iii) did not respond; and (iv) where applications were returned as undeliverable.

**(AQW 25475/11-15)**

**Mrs O'Neill:** For the Banbridge area, the percentage of the total land area eligible for surveying which is covered by the various groups is detailed in the table below.

Local Farmer / Landowner Response	Percentage of land area eligible for surveying *
Responded Yes	74.1%
Responded No	11%
Did Not Respond	14.3%
Returned Undeliverable	0.4%

For the Castlewells area, the percentage of the total land area eligible for surveying which is covered by the various groups is detailed in the table below.

Local Farmer / Landowner Response	Percentage of land area eligible for surveying *
Responded Yes	61.4%
Responded No	7.2%
Did Not Respond	30.7%
Returned Undeliverable	0.57%

## Angling: Foyle

**Mr Agnew** asked the Minister of Agriculture and Rural Development to detail (i) the number of people that are employed as full time bailiffs to patrol the Foyle river system; and (ii) the number of fines which have been issued in the last twelve months as a result of illegal angling or breaches of an angling licence in this area.

(AQW 25612/11-15)

**Mrs O'Neill:**

- (i) The description and term bailiff is no longer used and may be considered misleading. Staff carrying out a range of scientific, development and enforcement functions across fin fisheries and aquaculture, including shellfisheries, are referred to as Fishery Officers.

The Loughs Agency has the following staff employed as Fishery Officers in the Foyle system; 13 Fishery Officers supervised by 4 Fishery Inspectors, covering the Foyle catchment and Lough Foyle.

- (ii) The Loughs Agency relies on the courts for sanctions on those who breach the Regulations. There were a total of 31 fines imposed by the courts in the last 12 months, for the following offences:
- 18 Angling offences
  - 3 Pollution offences
  - 1 oyster offence
  - 9 illegal netting offences

## Department of Culture, Arts and Leisure

### Trial Biking

**Mr Agnew** asked the Minister of Culture, Arts and Leisure what facilities exist for trial biking; and if she plans to improve the facilities.

(AQW 25340/11-15)

**Ms Ní Chuilín (The Minister of Culture, Arts and Leisure):** I am not aware of any permanent facilities that currently exist for trial biking in the north of Ireland. That said, I understand that trial biking is prohibited in many of the north's 'open spaces' and, as a result, competitions take place on temporary facilities constructed on private land.

Neither my Department, nor Sport NI, an arms length body of my Department, have received any requests to improve facilities, or indeed, provide facilities for the sport.

## Department of Education

### Primary School Admissions

**Lord Morrow** asked the Minister of Education, pursuant to AQW 24819/11-15, for a breakdown of the figures in each council area. (AQW 25263/11-15)

**Mr O'Dowd (The Minister of Education):** The Education and Library Boards have advised that the number of pupils in each council area not admitted to their first preference primary school is as set out in the tables below:

#### Belfast Education & Library Board

District Council Area	Controlled	Catholic Maintained	Grant Maintained Integrated	Controlled Integrated	Irish Medium
East Belfast	68	7			
North Belfast	23	11	5		

District Council Area	Controlled	Catholic Maintained	Grant Maintained Integrated	Controlled Integrated	Irish Medium
South Belfast	39	50	4	2	
West Belfast	20	4			

**Western Education & Library Board**

District Council Area	Controlled	Catholic Maintained	Grant Maintained Integrated	Controlled Integrated	Irish Medium
Derry City	1	10	1		
Fermanagh	4	3			
Limavady		1			
Omagh		4			1
Strabane	7				

**North Eastern Education & Library Board**

District Council Area	Controlled	Catholic Maintained	Grant Maintained Integrated	Controlled Integrated	Irish Medium
Antrim	15				
Ballymena	2				
Ballymoney	6				
Carrickfergus	8	9			
Coleraine	8	2			
Magherafelt	3	11			
Newtownabbey	51	3			

**South Eastern Education & Library Board**

District Council Area	Controlled	Catholic Maintained	Grant Maintained Integrated	Controlled Integrated	Irish Medium
Ards	34				
Castlereagh	15	25	5		
Down		17	4	5	
Lisburn	48	52	5		2
North Down	77	14		17	

**Southern Education & Library Board**

District Council Area	Controlled	Catholic Maintained	Grant Maintained Integrated	Controlled Integrated	Irish Medium
Armagh	10	2			
Banbridge	8	15	18		

District Council Area	Controlled	Catholic Maintained	Grant Maintained Integrated	Controlled Integrated	Irish Medium
Cookstown			4		
Craigavon	38	13			
Dungannon	9	5			
Newry & Mourne		30			

**Note:** admissions to schools is a fluid situation, therefore, figures may differ slightly from those provided in answer to previously asked questions.

## Free School Meals

**Mr Storey** asked the Minister of Education for his assessment of the educational benefits associated with the provision of free school meals.

**(AQW 25283/11-15)**

**Mr O'Dowd:** Research indicates that nutrition has a key influence on cognitive development and academic performance in children and adolescents and that poor diet is detrimental to children's learning, concentration and behaviour, in addition to its wider health impacts.

Evaluations of the free school meal pilot initiative undertaken in three local authorities in England between 2009 to 2011, Kingston Upon Hull's "Eat Well, Do Well" initiative in 2008 and the "Feed Me Better" campaign by Jamie Oliver in 2004/05 highlight the improvements in concentration, behaviour and in some cases in educational attainment which were achieved as a result of the provision of healthy school food, including free school meals.

The school meal can contribute to around one third of a child's daily food intake. For children and young people from the most disadvantaged backgrounds, who are more likely to be at greater risk of having a poor diet, free school meals can make a vitally important contribution to their nutritional requirements.

I consider that the provision of healthy free school meals is necessary to address the particular challenges that these children face in accessing and participating fully in school life, in improving their learning outcomes and ultimately lifetime opportunities. This also contributes to the statutory target, which falls on each Department, to take action to eradicate child poverty here by 2020 and to the wider Programme for Government Commitment to tackle disadvantage.

Consequently, I indicated in June my intention to apply the same eligibility criteria for free school meals for both primary and post-primary pupils from September 2014. This means that post-primary pupils from the lowest income families will be supported with access to free school meals in the same way as primary pupils. It is estimated that this will benefit 15,000 children.

## Education and Skills Authority: Procurement

**Mr Storey** asked the Minister of Education for an update on the establishment of the Project Board to agree a service level agreement between the Education and Skills Authority and the Central Procurement Directorate, including the membership of the Project Board and the number of meetings held to date.

**(AQW 25284/11-15)**

**Mr O'Dowd:** The first meeting of the Project Board, constituted for the purpose of establishing a service level agreement between the Education and Skills Authority (ESA) and the Central Procurement Directorate (CPD) to enable the latter to act as ESA's Centre of Procurement Expertise for the procurement of supplies and services, will take place in October 2013.

Members of ESA Implementation Team will act as Senior Reporting Officer and Project Manager. Membership of the Project Board will include representation from the Department of Education, CPD, the Education and Library Boards (both an ELB Chief Executive and an ELB Procurement Officer) and Council for the Curriculum, Examinations and Assessment.

## School Holidays

**Ms Boyle** asked the Minister of Education how he plans to achieve standardisation of school holidays across all primary and secondary education sectors.

**(AQW 25342/11-15)**

**Mr O'Dowd:** The Chief Executives' Working Group on the harmonisation of services consists of representatives from all Education and Library Boards, the Council for Catholic Maintained Schools, the Council for Integrated Education and the Governing Bodies Association. It is responsible for co-ordinating non-operational days for school transport and catering services for the purpose of achieving efficiencies. Therefore, school holidays are aligned with the agreed days of non-operation of transport and catering.

In December 2012, the Department asked the Association of Chief Executives to explore the possibility for better co-ordination of school days and opening and closing times in a bid to further reduce transport costs. The Association concluded that there is as much harmonisation of school days as possible at the present time.

The flexibility in place regarding staff training and school development days allows schools to use these days in the most appropriate way to accommodate their school management and training requirements. It would not be possible to align training days as specialist training providers are limited in number and could not service all schools on the same dates.

## Schools: Strabane

**Ms Boyle** asked the Minister of Education for an update on the priority new school builds (i) Gaelscoil Uí Dhocartaigh; and (ii) Strabane Academy.

**(AQW 25348/11-15)**

**Mr O'Dowd:** In my statement to the Assembly on 22 January 2013 I announced a programme of 22 new build projects that would advance in planning. My officials are working with the relevant school authorities to bring these projects forward as swiftly as possible with an initial focus on confirming the enrolment / class base at each school with the planning and managing authorities

Gaelscoil Uí Dhocartaigh and Strabane Academy were included in my January 2013 announcement and both at an early stage of the planning process.

The draft Economic Appraisal for Strabane Academy is currently being examined by my Department and the Economic Appraisal for Gaelscoil Uí Dhocartaigh is currently being drafted by the School's consultants.

It is my intention that these projects will be taken through to construction. However, authorisation to proceed with construction will be based on the level of capital funding available at that time and all necessary approvals being obtained.

## School Transport

**Mrs Overend** asked the Minister of Education what consideration is given to the effect that a change in the method of transport to school will have on children, especially those with special needs, when tendering for new transporters and when making a decision on any change of transport to school.

**(AQW 25378/11-15)**

**Mr O'Dowd:** Pupils with a statement of special educational needs are assessed by Health Care Professionals to identify whether they require a particular form of transport to school. If a specific form of transport is recommended, the Education and Library Boards are responsible for making the appropriate provision which can range from a specialised Board bus to a taxi or other contract service. For other pupils with a statement of special educational needs, the appropriate transport provision can be a standard Board bus service or, in certain circumstances, a Translink service.

In terms of the consideration given to the impact on children with special educational needs when tendering for operators to carry out school runs, the Education and Library Boards have assured me that each pupil's individual circumstances are taken into account and that, in some instances, where indicated on a pupil's statement that they have particular specialist needs and requirements, continuity may be maintained year on year.

## Preschool Admissions

**Mr Storey** asked the Minister of Education to list the schools which were oversubscribed at stage 1 of the pre-school enrolment process in each of the last three years, broken down by (i) Education and Library Board; and (ii) constituency.

**(AQW 25395/11-15)**

**Mr O'Dowd:** Information on the location of pre-school settings is not held in the format requested and could be obtained only at disproportionate cost. Education and Library Boards are, however, able to provide information broken down by District Council.

I will arrange for a list of those settings which had filled all of their allocation of funded places by the end of Stage 1 of the pre-school admissions process for 2011/12, 2012/13 and 2013/14, broken down by Education and Library Board and District Council, to be placed in the Assembly Library.

The pre-school admissions process is preference based: therefore children not offered a place by their 1st preference setting may be offered a place in another setting listed by their parents as a preference on their application.

By the end of stage 1 of the 2013/14 pre-school admissions process over 95% of children had been offered a place in a preferred setting and, overall, sufficient funded places remained available to meet the needs of those who had not been placed. By the end of stage 2 of the process 99.9% of those children whose parents remained with the process received an offer of a place for their child.



## Early Years Funding

**Mr Storey** asked the Minister of Education, pursuant to AQW 24633/11-15, when he will publish the outcome of his review of Early Years funding.

**(AQW 25396/11-15)**

**Mr O'Dowd:** As advised in previous correspondence, I am currently reviewing this funding and its delivery to ensure that it aligns with DE's current aims and objectives. I will set out the way forward in due course.

## St Joseph's High School Autism Unit

**Lord Morrow** asked the Minister of Education, in relation to children who qualify for Southern Education and Library Board (SELB) funded taxi travel to St Joseph's High School Autism Unit, Coalisland, (i) for his assessment of the concerns raised by parents and staff over children arriving late for school, and late back home after school, due to multiple pick-ups and drop-offs, thus interfering with the child's existing challenges and necessary routines symptomatic of autism; and (ii) what action will he take to address this issue particularly in respect of a lack of co-operation from the relevant department of the SELB. **(AQW 25427/11-15)**

**Mr O'Dowd:** The Southern Education and Library Board (SELB) have advised me that their Transport Officer was contacted by a parent on 5th September with concerns regarding journey times and late arrivals at St Joseph's College, Coalisland. The parent was advised that it would take several days for new arrangements to be put in place. Similar concerns were raised on 9th September by the teacher in charge of the Learning Support Centre at the school.

The SELB responded to these concerns by arranging for two taxis to provide this service with effect from 10th September. I understand that the Transport Officer contacted the teacher in charge of the Learning Support Unit on 10th September and she confirmed that she was satisfied with the new arrangements.

In this case, the Board provided alternative transport arrangements within three working days of the initial contact from the concerned parent which resolved the matter. I am therefore content that no further action is required.

## Ben Robinson

**Mr Storey** asked the Minister of Education what action he proposes to take as a result of the findings by the coroner in the Ben Robinson case.

**(AQW 25439/11-15)**

**Mr O'Dowd:** I have now received a copy of the Coroner's report into the tragic death of Ben Robinson following injuries sustained during a school rugby match in 2011.

In considering the Coroner's report, I intend to seek professional advice and will also liaise with my colleague, the Minister for Culture, Arts and Leisure, who has responsibility for sport in the north of Ireland. These consultations, based on the findings in the Coroner's report as to the reason for Ben's death, will determine what, if any, specific guidance the Department should provide for schools.

The Department of Education does support schools in meeting their responsibilities regarding the health and safety of their pupils and has, for a number of years, provided all schools with a copy of the 'Association for Physical Education's Safe Practice in PE and Sport publication'. Schools are expected to adhere to this guidance when pupils are involved in curricular PE or extra-curricular provision.

I will be meeting Ben's father to discuss the issues raised by this tragic occurrence when I have fully considered the professional advice I receive and have liaised with the Minister for Culture, Arts and Leisure.

## Children who Cannot Attend School

**Mr Storey** asked the Minister of Education whether he intends to issue guidance similar to that issued by the Department for Education in England in January 2013 in relation to children who cannot attend school because of health needs.

**(AQW 25553/11-15)**

**Mr O'Dowd:** The Department is currently developing guidance on Education Otherwise Than At School (EOTAS). EOTAS provision includes support for children who cannot attend school because of health needs and my officials will consider the DfE guidance in taking forward this work.

## Illuminate

**Mr Storey** asked the Minister of Education how many children have benefitted from the use of Illuminate since its introduction in 2011.

**(AQW 25556/11-15)**

**Mr O'Dowd:** The Department of Education does not hold information on the number of children who have benefitted from the use of Illuminate.

Illuminate is a web-based video-conferencing and collaboration tool which enables pupils and staff in all schools in the north of Ireland to participate in a variety of online e-learning opportunities. For example, it enables schools to hold collaborative lessons and to participate in video-conference events and lectures. It can also be used to allow pupils to participate remotely in lessons or revision groups or for pupils at home to keep in touch with their teacher/class(es).

It is a matter for individual schools to decide on how they will make use of the Illuminate video-conferencing software, however, I recently wrote to all schools to raise awareness of this facility and to encourage schools to ensure it is used to best effect.

## Illuminate

**Mr Storey** asked the Minister of Education what plans he has to use Illuminate for children who are unable to attend school for health reasons.

**(AQW 25559/11-15)**

**Mr O'Dowd:** It is a matter for individual schools to decide on how they will make use of Illuminate. However, I recently wrote to all schools to raise awareness of this facility and to encourage schools to ensure it is used to best effect. In addition, further opportunities to participate in training on Illuminate have been offered to all schools and Education and Library Boards.

Children who are unable to attend school for health reasons will have differing needs and may require different solutions. There are a range of products, including the Illuminate video-conferencing facility, that could help pupils keep up to date with their school work. For example, some schools use the Virtual Learning Environment facility to enable pupils to access school resources from home and to upload assignments. E-mail is also used by some schools to maintain links with their pupils and to set and receive work assignments.

Home tuition is intended to help keep a pupil who is unable to attend school, due to illness or a health related problem, in touch with learning. It is not intended to be a replacement for regular attendance at school. Each Education and Library Board has a responsibility to determine how to meet this need and may adopt different approaches. Home tuition can be augmented by lessons from the pupil's school or e-learning opportunities, including Illuminate. Much depends on the young person and how learning might be integrated into their treatment or recovery plan.

My aim would be to help pupils who are unable to attend school to continue with their education, however, decisions on the best means to achieve this must be made on the basis of each child's individual needs.

## Projected Capital Spend

**Mr Storey** asked the Minister of Education, pursuant to AQW22718/11-15, how much finance has been expended to date in each of the projects listed.

**(AQW 25560/11-15)**

**Mr O'Dowd:** Finances expended against the 18 capital build projects announced in June 2012 up to 31 March 2013 are shown in the table below.

School Scheme	Type of School	All Expenditure up to 31/03/2013 £000's	2013/14 Expenditure up to 31/07/2013 £000's	Total Spend to Date £000's
Coláiste Feirste, Belfast	Post-Primary	2,645	21	2,666
St Clare's Convent Primary School	Primary	840	26	866
St Colman's Abbey Primary School, Newry				
St Joseph's Convent PS, Newry	Primary	159	125	284
Dromore Central Primary School	Primary	324	89	413
Eglinton Primary School	Primary	160	45	205
Tannaghmore Primary School, Lurgan	Primary	209	70	279
Ebrington Controlled PS, Derry	Primary	164	0	164
Foyle & Londonderry College	Post-Primary	15073	225	15298
St Teresa's Primary School, Lurgan	Primary	160	43	203
Victoria Park Primary School, Belfast	Primary	720	0	720
Enniskillen Model Primary School	Primary	142	5	147
St Mary's Primary School, Banbridge	Primary	69	28	97
Bheann Mhadagain, Belfast	Primary	52	15	67

School Scheme	Type of School	All Expenditure up to 31/03/2013 £000's	2013/14 Expenditure up to 31/07/2013 £000's	Total Spend to Date £000's
Belmont House Special School, Derry	Special	10	0	10
Rossmar Special School, Limavady	Special	19	4	23
Castletower Ballymena	Special	10	9	19
Arvalee School & Resource Centre, Omagh	Special	0	0	0
St Gerards Education Resource Centre	Special	2	272	274
		<b>20,758</b>	<b>977</b>	<b>21,735</b>

The expenditure up to 31 March 2013 is based on expenditure reported at 2012/13 Final Outturn.

It should be noted that the figure for Coláiste Feirste, Belfast and Foyle & Londonderry College include site purchases of £2,325k and £14,500k respectively.

Expenditure for the current financial year reflects payments against invoices presented as at 31 July 2013.

### Schools: Starting Age

**Mrs Dobson** asked the Minister of Education for his assessment of the introduction of a flexible school starting age; and whether he has taken any action to introduce this locally.

**(AQW 25563/11-15)**

**Mr O'Dowd:** I recognise that we have the youngest school starting in Europe and following a meeting with representatives from the Association of Teachers & Lecturers and associates, I agreed to look at options for introducing a degree of flexibility around the school starting age here.

Work on identifying potential options within this area is currently ongoing and will be completed as quickly as possible.

### Schools: Attendance Management

**Mr D McIlveen** asked the Minister of Education, pursuant to AQW 18725/11-15, for an update in relation to the guidance on attendance management policies.

**(AQW 25575/11-15)**

**Mr O'Dowd:** My Department issued this guidance in June 2013. DE Circular 2013/13 -Attendance Guidance and Absence Recording by Schools came into effect from the beginning of the 2013/14 school year. This provides schools with good practice, guidance and strategies to manage pupil attendance and includes an attendance policy template.

The inclusion of a summary and evaluation of the attendance strategy is a legal requirement as set out in the Education (School Development Plans) Regulations (Northern Ireland) 2010 (S.R. 2010/395).

My Department also issued 'School Attendance Matters – A Parent's Guide' to all schools for distribution to Year 1 and Year 8 pupils starting in September 2013.

### Physical Education

**Mr D McIlveen** asked the Minister of Education what action his Department is taking to encourage physical activity in children, particularly girls.

**(AQW 25577/11-15)**

**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 statutory minimum content for each key stage is set out in the Education (Curriculum Minimum Content) Order (Northern Ireland) 2007.

Each year, £1.5 million is made available to enable the delivery of the Curriculum Sports Programme which encourages participation from boys and girls in over 540 primary schools throughout the north of Ireland. 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. Currently just over 19,000 boys and over 18,000 girls are participating in the programme.

DE has also been working towards achieving the targets set out in DCAL's Sport Matters Strategy for Sport and Physical Recreation. 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.

### School Closures: Western Education and Library Board

**Mr Buchanan** asked the Minister of Education to list the primary and post-primary schools in the Western Education and Library Board area which closed in each of the last five years; and how many pupils attended each school at the time of closure. (AQW 25583/11-15)

**Mr O'Dowd:** Lists of the primary and post primary school closures in the WELB area over the last 5 years are included below. A list of the schools that have closed as a result of amalgamations is also included. As requested the lists include details of the enrolment in each school in the year of closure.

#### Primary School closures

School Ref	School	ELB area	Management	Date closed	Enrolment in year of closure
203-2716	St Patrick's PS	WELB	Maintained	31/08/09	14
203-2679	St Columba's PS	WELB	Maintained	31/08/09	16
203-2681	St Patrick's PS	WELB	Maintained	31/08/10	12
203-2664	St Davog's PS	WELB	Maintained	31/08/12	13
203-1888	St Eugene's PS	WELB	Maintained	31/08/13	20
201-2674	Bridgehill PS	WELB	Controlled	31/08/13	28

#### Post-Primary School closures

School Ref	School	ELB area	Management	Date closed	Enrolment in year of closure
223-0181	St Peter's HS	WELB	Maintained	31/08/13	64
223-0111	St Eugene's HS	WELB	Maintained	31/08/13	58

#### Primary School amalgamations

School ref	School names	ELB area	Management	Date amalgamated	Enrolment in year prior to amalgamation
203-1886	Corranny PS	WELB	Maintained	16/04/12	77
203-1892	Cornagague PS	WELB	Maintained		52
203-3537	Loreto Convent PS	WELB	Maintained	01/09/12	197
203-6053	St Colmcille's PS	WELB	Maintained		164
203-2689	St Mary's Boys' PS	WELB	Maintained	01/09/12	348
203-6096	St Mary's Girl's PS	WELB	Maintained		249
201-6376	Ardstraw PS	WELB	Controlled	01/09/12	48
201-2392	Drumlegagh PS	WELB	Controlled		36

#### Post-Primary School amalgamations

School ref	School names	ELB area	Management	Date amalgamated	Enrolment in year prior to amalgamation
241-0096	Strabane GS	WELB	Controlled	01/09/11	406
221-0164	Strabane HS	WELB	Controlled		276
221-0305	Devenish College	WELB	Controlled	01/09/13	485

School ref	School names	ELB area	Management	Date amalgamated	Enrolment in year prior to amalgamation
221-0080	Lisnaskea HS	WELB	Controlled		107

### Schools: Community Use

**Mr Weir** asked the Minister of Education how many schools have regularly opened their premises for community usage, in each of the last five years.

**(AQW 25586/11-15)**

**Mr O'Dowd:** Information in the format requested is not routinely collected by the Department.

As part of the School Omnibus Survey conducted in June 2013, schools were asked if they made their facilities available for wider community use.

A total of 559 responses were received giving an overall response rate of 51%. Of the total respondents 80% reported that they made their facilities available for wider community use, 20% did not and less than 1% did not respond to the question.

At 95%, post-primary respondents were most likely to make their facilities available to the wider community, followed by 76% of primary schools and 72% of special school respondents.

### Savings Delivery Plan

**Mrs D Kelly** asked the Minister of Education whether his Department will meet its savings delivery plan.

**(AQW 25591/11-15)**

**Mr O'Dowd:** My Department intends to deliver on its Savings Delivery Plan in full by 2014-15 and will take all reasonable steps to achieve this outcome. Details of the Department's current Savings Delivery Plan and the level of savings achieved in 2011-12 can be accessed via the following link:

[http://www.deni.gov.uk/index/about-the-department/8-admin-of-education-pg/departamental-budgets-and-accounts/budget\\_2011-2015\\_savings\\_delivery\\_plan.htm](http://www.deni.gov.uk/index/about-the-department/8-admin-of-education-pg/departamental-budgets-and-accounts/budget_2011-2015_savings_delivery_plan.htm)

### Savings Delivery Plan

**Mrs D Kelly** asked the Minister of Education to detail (i) his Department's savings delivery target for each year since 2011; and (ii) the actual savings made in each year (a) in real terms; and (b) as a percentage of the target set.

**(AQW 25592/11-15)**

**Mr O'Dowd:** My Department's Savings Delivery Plan requirements across the 4 year Budget period 2011-15 are £101.5m/£146.9m/£175.5m/£206.1m.

The actual savings achieved in 2011-12 were £95.6m, or just over 95% of the 2011-12 requirement. In real terms, the savings made would represent £99.3m at today's prices.

The actual savings delivered in 2012-13 are currently being assessed and will be published on the Department's website in due course. The latest version of the Savings Delivery Plan and details of 2011-12 actual savings can be found on the Department's website. These can be accessed via the following link:

[http://www.deni.gov.uk/index/about-the-department/8-admin-of-education-pg/departamental-budgets-and-accounts/budget\\_2011-2015\\_savings\\_delivery\\_plan.htm](http://www.deni.gov.uk/index/about-the-department/8-admin-of-education-pg/departamental-budgets-and-accounts/budget_2011-2015_savings_delivery_plan.htm)

### Physical Education: Cycling

**Mr McKay** asked the Minister of Education what level of cycling is contained within the school sports curriculum.

**(AQW 25638/11-15)**

**Mr O'Dowd:** The Department of Education does not hold this information.

Physical Education (PE) is a compulsory part of the revised curriculum for all pupils in Years 1 – 12. There are statutory requirements in relation to the delivery of Athletics, Dance, Games, Gymnastics and swimming; however, it would be a matter for individual schools to determine the activities and specific sports they offer their pupils when delivering PE.

There are a number of opportunities within the curriculum for teachers to discuss and encourage cycling as a healthy and sustainable mode of transport. Within the Personal Development and Mutual Understanding area of learning at primary level and Learning for Life and Work at post primary level, pupils have the opportunities to explore the benefits of a healthy lifestyle and the importance of being physically active.



## Educational Attainment

**Ms S Ramsey** asked the Minister of Education for his assessment of this year's GCSE and A-Level results, including how he plans to continue to improve educational attainment.

**(AQO 4558/11-15)**

**Mr O'Dowd:** In relation to GCSEs:

- 76.5% of entries achieved grades A\*-C.
- 68.8% of entries in English and 64.6% in mathematics showed increases of 0.6 and 1.7 percentage points respectively.
- The overall pass rate increased slightly with 99.2% of grades awarded at A\*-G.

In relation to A levels:

- 83.5% of entries at A-level here achieved grades A\*-C
- The overall pass rate remained unchanged, with 98.2% of grades awarded at A\*-E this year.

The fact that so many young people are achieving good examination grades is pleasing news; their achievements are due to a great deal of hard work over the past number of years. We should not forget the teachers and parents who have supported these children to reach this stage in their education.

Since coming to office I have continued to implement policies to raise standards and tackle underachievement. These policies are realising improvements at Key Stage 2, GCSE and A level. However we still have room for improvement, in particular to close the gaps in achievement that exist among our most and least disadvantaged young people.

The key now is to step up the pace of implementation and delivery of these policies. Alongside this, additional funding has been allocated to specific programmes to target educational underachievement in socially disadvantaged areas.

## St Joseph's High School Autism Unit

**Lord Morrow** asked the Minister of Education how many pupils attend the St Joseph's High School autism unit; and how many of these pupils were new intake in the September 2013 term.

**(AQW 25700/11-15)**

**Mr O'Dowd:** The 2013/14 school census is due to take place on the 11th October; therefore, figures relating to the September 2013 term are not currently available. Provisional figures will be available mid December. Figures collated from the 2012/13 school census indicated that there were 38 pupils enrolled in the learning support centre located in St Joseph's College, Coalisland.

## Schools: Community Use

**Ms Brown** asked the Minister of Education for an update on the guidance being drafted by his Department on schools opening their premises for community use.

**(AQO 4554/11-15)**

**Mr O'Dowd:** I have recently approved the draft guidance on community use of school premises: a guidance toolkit for schools which has been developed as a web-based resource and will be disseminated to all schools via a link hosted on the DE website.

As previously agreed, I have forwarded a copy of the draft guidance to the Chairperson of the Education Committee. The Committee is currently considering the guidance and has sought oral briefing from my Officials. My intention is to publish the guidance following consideration of the Committee's comments.

## A Levels

**Mr Gardiner** asked the Minister of Education what steps he has taken to ensure the portability of Northern Ireland A Levels for English universities following the announcement by the Secretary of State for Education about the ending of coursework and the operation of a single final examination for A Levels in England.

**(AQO 4548/11-15)**

**Mr O'Dowd:** My current policy position on A levels is similar to Wales. We believe it is appropriate that an A level should continue to include both an AS and A2 element to provide a bridge between GCSE and A level; that the number of assessments should be reduced; and that there should be an assessment opportunity at the end of the 1st and 2nd years.

My Department consulted widely on A level policy following the changes to A levels in England announced by Michael Gove last year. Stakeholders have been supportive of my policy on A levels. I believe the decisions I have taken are in the best interests of our learners and will ensure the integrity of our A Levels going forward. These decisions will also ensure that our A Level qualifications remain equitable, robust and portable, and are credible in the eyes of Higher Education Institutions and employers.

Differences in policy between England and ourselves raise the possibility that our standards may not be seen as robust. I am determined that we meet that challenge head on and ensure that our qualifications are comparable to those offered across these islands and beyond. I have received CCEA's report of its fundamental review of GCSEs and A levels and will be making an announcement shortly on the way forward.

It contains a number of recommendations, both short and long term, which seek to address concerns around the comparability and portability of qualifications. I am confident that we will find a way of determining our own path which will support and augment our young people's future.

### **CCMS: Certificate of Education**

**Mr Ross** asked the Minister of Education whether he has discussed with the Council for Catholic Maintained Schools the reasons for maintaining the Certificate of Education as an essential criterion for the positions to tackle literacy and numeracy problems at primary school level that were advertised in summer 2013.

**(AQO 4553/11-15)**

**Mr O'Dowd:** I have not discussed with the Council for Catholic Maintained Schools the reasons for maintaining the Certificate of Education as an essential criterion for the positions to tackle literacy and numeracy problems at primary school level that were advertised in summer 2013.

The teaching posts that were advertised over the summer are the additional teaching posts being created as part of the Delivering Social Change Signature Project which aims to improve Literacy and Numeracy and provide recruitment opportunities for recent graduate teachers.

The criteria for the recruitment process was developed by the Strategic Oversight Group led by the Western Education and Library Board (WELB) and agreed by employing authorities, sectoral organisations and the teaching unions.

The agreed criteria, to be applied by all schools, do not include a requirement for primary school teachers to hold a Teacher's Certificate in Religious Education. However, the recruitment process of classroom based teachers was undertaken by the relevant employing authority and, in the case of schools in the Catholic Maintained Sector, their normal Scheme of Management was applied with the appointments made by the Boards of Governors of each school.

The WELB is also undertaking a central recruitment for literacy and numeracy support teachers to be deployed into a number of schools. For these support posts, there is no requirement for primary teachers to hold a Teacher's Certificate in Religious Education.

### **Common Funding Scheme**

**Mr Hussey** asked the Minister of Education for his assessment of the impact that cuts to school funding, through the revised Common Funding Scheme, will have on the provision of services such as Special Educational Needs teachers.

**(AQO 4556/11-15)**

**Mr O'Dowd:** It is important to state at the outset that I have not yet made any final decisions and have not cut the budget to schools as a result of the Common Funding Scheme Review. The opposite is the case. I am providing an additional £30m to the Aggregated Schools Budget over the next 2 years as a result of this review.

Although the Budget 2011-15 outcome for education has been extremely challenging I have also protected funding for Special Education across this 4 year period. Pupils in special schools and those with a statement of Special Educational Needs will continue to have their needs met. The funding for this is already separate from the funding that is allocated via the Common Funding Scheme and my proposals are that this should continue to be the position for 2014-15.

This review was not about saving money; it was about making better use of the funding we have to ensure that the needs and aspirations of all our children and young people are to the fore.

That is why, as well as protecting funding for children with Special Educational Needs, I am also proposing to increase the funding available to support schools in helping pupils from our most disadvantaged areas to overcome the barriers that too often lead to educational underachievement. I want to ensure that the pupils who stand to benefit most from education receive the support they need. I am determined to break the link between social disadvantage and poor educational outcomes.

I am open to new ideas that can help us meet that objective and I encourage the Member opposite and his constituents to participate in the consultation and let me have their views before the consultation deadline of 18 October.

### **Schools: Community Use**

**Mr McQuillan** asked the Minister of Education how a community group that wishes to take over the occupation of disused school buildings can enhance its application.

**(AQO 4557/11-15)**

**Mr O'Dowd:** My Department, in common with all Departments, must dispose of surplus properties in line with the Land and Property Service (LPS) Guidance.

For disused school buildings in the Controlled sector the final decision regarding disposal will rest with the relevant Education and Library Board in conjunction with LPS advice. Disused school buildings in the Maintained sector will be the property of Trustees and therefore the Department would have no input regarding their further use on closure.

Community Groups interested in purchasing a disused school should make the relevant ELB aware of their interest.

It would be advantageous for the Group to seek a sponsor eg their local council or DSD in making a case for community ownership. Their sponsors may agree to register an interest in the property when LPS trawl the public sector in advance of placing the property on the open market.

The Department will favour applications from third sector groups which support its Education or Youth policies. An application will be further enhanced if the group are able to produce evidence of available funding and the ability to move forward quickly on acquiring the premises.

### Pupil Performance: Rural/Urban

**Mr McNarry** asked the Minister of Education for his assessment of the fact that pupil performance, at Key Stages 1 and 2 in English and Maths, in rural primary schools is significantly better than pupil performance at schools in an urban location. (AQO 4559/11-15)

**Mr O'Dowd:** Pupil performance at Key Stages 1 and 2 in English and Maths in rural primary schools is not significantly better than pupil performance at schools in an urban location.

In 2011/12 there was a one percentage point difference in English and a one point two percentage point difference in mathematics between those pupils attending urban and rural schools at the end of Key Stage One.

At Key Stage Two the difference was slightly more marked with a 5.2 percentage point difference in English and a 5.4 percentage point difference in mathematics.

Research suggests that social disadvantage is the strongest factor impacting on attainment and we know from our evidence that schools in urban areas have a greater concentration of pupils entitled to free school meals than schools in rural areas (36% of pupils attending primary schools in urban areas are FSME compared to 21% in rural areas). It is therefore my assessment that the difference in attainment at Key Stage Two reflects the distribution of disadvantage between urban and rural areas. Of the 50,000 primary school pupils entitled to FSM, just under 36,000 (72%) are enrolled in schools in urban areas.

I will continue to implement my policies to raise standards and tackle educational underachievement. These policies and programmes are realising improvements for all our young people. This is evidenced by improved outcomes at Key Stage 2, GCSE and A Level.

However, we still have room for improvement to raise achievement among all our young people and in particular to close the gaps in achievement that currently exist, particularly among our most and least disadvantaged young people.

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.

## Department for Employment and Learning

### Staff: Recruitment Agencies

**Mr Swann** asked the Minister for Employment and Learning to detail the number of people employed by recruitment agencies in (i) his Department; and (ii) arms-length bodies, as of 1 April (a) 2011; (b) 2012; and (c) 2013. (AQW 25199/11-15)

**Dr Farry (The Minister for Employment and Learning):** The number of people employed by recruitment agencies within the Department for Employment and Learning, and its Arms-Length Bodies, as of 1 April in each of the last three years is as follows:

Year	Department	Arms-Length Bodies
2011	1	260
2012	9	206
2013	3	171.5
<b>Total</b>	<b>13</b>	<b>637.5</b>

### Kilcooley Women's Centre, Bangor

**Mr Easton** asked the Minister for Employment and Learning to detail how much funding his Department provides to Kilcooley Women's Centre, Bangor. (AQW 25229/11-15)

**Dr Farry:** My Department does not have any statutory basis or remit to core fund voluntary or community organisations to deliver training or education, nor is it resourced to assist voluntary and community organisations to find funding. My Department is therefore unable to help find funding opportunities for the Kilcooley Women's Education Centre.

However, in a recent competition under the Collaboration and Innovation Fund to address issues associated with young people not in education, employment or training, the Training for Women Network (TWN) was successful in securing £770,067 for a project to help 440 young women in this category; Kilcooley Women's Education Centre is one of eight community centres collaborating to deliver this project and could potentially receive up to £25,945.00 in 2013/14 from TWN.

TWN has also secured funding from the Northern Ireland European Social Fund Programme 2007-2013 for their 'Advancement of Women' project, which delivers training to women across Northern Ireland via 12 regional partner organisations; Kilcooley Women's Centre is one of the 12 participant organisations benefiting from the funding, which includes £711,847 (European Social Fund) and £444,905 contribution by my Department over a two year period 2013/14 – 2014/15.

In addition, payments of £1,040 were made to Kilcooley Women's Centre and Development Group in respect of a Steps to Work Employer Subsidy.

### Kilcooley Women's Centre, Bangor

**Mr Easton** asked the Minister for Employment and Learning to detail how much funding the South Eastern Regional College provides to Kilcooley Women's Centre, Bangor.

**(AQW 25230/11-15)**

**Dr Farry:** My Department does not hold the information requested.

Therefore, I have asked the Director of South Eastern Regional College to respond to the Member directly on this matter.

### Apprenticeships

**Mr Easton** asked the Minister for Employment and Learning how many apprenticeship places are currently funded by his Department.

**(AQW 25231/11-15)**

**Dr Farry:** My Department funds the 'off the job' training element of an apprenticeship through the ApprenticeshipsNI programme. ApprenticeshipsNI aims to provide participants with the opportunity to take part in a Level 2/Level 3 Apprenticeship where the apprentice, in paid employment from day one, works towards achieving an industry-approved Level 2/Level 3 Apprenticeship Framework.

The latest statistical bulletin shows that the total number of participants on the programme at 30 April 2013 was 8,998. The full statistical bulletin can be viewed on the Department's website <http://www.delni.gov.uk/appsni-bulletin-aug-13.pdf>.

The latest statistical bulletin, published on 29 August 2013, refers to the position as at 30 April 2013. Further publications will be produced on a quarterly basis.

### North West Regional College: Health and Social Care

**Mr P Ramsey** asked the Minister for Employment and Learning to detail the (i) number of applications; and (ii) number of participating students; (iii) pass rate; and (iv) fail rate for the Health and Social Care course at the North West Regional College, in each of the last five years.

**(AQW 25292/11-15)**

**Dr Farry:** Professional and Technical Enrolment and Performance Data for Health and Social Care courses at the North West Regional College are set out in the table overleaf.

The (i) number of applications is not available centrally. The (ii) number of students enrolled, (iii) the 'Achievement' Rate and (iv) the 'No Achievement' Rate, are detailed.

Academic Year	(i) Number of Applications (Note 1)	(ii) Students Enrolled	(iii) Achievement Rate (Note 4)	(iv) No Achievement Rate (Note 4)
2007/08	N/A	4,148	N/A	N/A
2008/09	N/A	3,983	N/A	N/A
2009/10	N/A	5,039	N/A	N/A
2010/11	N/A	5,019	92%	8%
2011/12	N/A	7,775	89%	11%

**Sources:** Further Education Statistical Record (FESR) & Further Education Leavers Survey (FELS)

**Notes:**

- (1) Applications information for courses is not held centrally. It has not been possible to obtain figures from the college in the required timeframe.

- (2) 'Students Enrolled' is the number of individual students enrolled in Full Time and Part Time courses under Sector Subject Area 1.3 (Health and Social Care) across all levels of study.
- (3) Only professional and technical courses are included in this analysis (which excludes hobby and leisure courses).
- (4) Due to data quality, FE performance statistics are reliable only since 2010/11.
- (5) 'Achievement' Rate is the number of 'Achievements' (full and partial) divided by the number of Final Year Completers.
- (6) 'No Achievement' Rate is the number of 'No Achievements' divided by the number of Final Year Completers (excluding those continuing study).

### North West Regional College: Beauty Therapy

**Mr P Ramsey** asked the Minister for Employment and Learning to detail the (i) number of applications; (ii) number of participating students; (iii) pass rate; and (iv) fail rate for the beauty course at the North West Regional College, in each of the last five years.

**(AQW 25293/11-15)**

**Dr Farry:** Professional and Technical Enrolment and Performance Data for Beauty Therapy Courses at the North West Regional College are set out in the table overleaf.

The (i) number of applications is not available centrally. The (ii) number of students enrolled, (iii) the 'Achievement' Rate and (iv) the 'No Achievement' Rate, are detailed.

Academic Year	(i) Number of Applications (Note 1)	(ii) Students Enrolled	(iii) Achievement Rate (Note 4)	(iv) No Achievement Rate (Note 4)
2007/08	N/A	3,704	N/A	N/A
2008/09	N/A	3,418	N/A	N/A
2009/10	N/A	3,477	N/A	N/A
2010/11	N/A	3,608	92%	8%
2011/12	N/A	3,586	92%	8%

**Sources:** Further Education Statistical Record (FESR) & Further Education Leavers Survey (FELS)

**Notes:**

- (1) Applications information for courses is not held centrally. It has not been possible to obtain figures from the college in the required timeframe.
- (2) 'Students Enrolled' is the number of individual students enrolled in Full Time and Part Time courses under subject code W800 (Beauty Therapy) across all levels of study.
- (3) Only professional and technical courses are included in this analysis (which excludes hobby and leisure courses).
- (4) Due to data quality, FE performance statistics are reliable only since 2010/11.
- (5) 'Achievement' Rate is the number of 'Achievements' (full and partial) divided by the number of Final Year Completers.
- (6) 'No Achievement' Rate is the number of 'No Achievements' divided by the number of Final Year Completers (excluding those continuing study).

### Programme for Government Commitments

**Mr Copeland** asked the Minister for Employment and Learning for an update on the progress made on each of his Department's Programme for Government commitments.

**(AQW 25297/11-15)**

**Dr Farry:** The 2011-15 Programme for Government contains five Key Commitments allocated to the Department, as follows:

- 1 increase uptake in economically relevant Science, Technology, Engineering and Mathematics (STEM) places (target:700 additional places);
- 2 upskill the working age population by delivering over 200,000 qualifications;
- 3 develop and implement a Strategy to reduce economic activity through skills, training, incentives and job creation;
- 4 support people (with an emphasis on young people) in to employment by providing skills and training (target:114,000); and
- 5 ensure there are no increases in student fees beyond the rate of inflation for Northern Ireland students studying here.



The final commitment listed above, to ensure there are no increases in student fees beyond the rate of inflation for Northern Ireland students studying here, is a policy commitment whose delivery consists of maintaining the policy.

Of the other four commitments, three are on track (1, 2 and 4) and one is broadly on track (3) for achievement.

Further details on the progress of our PfG commitments can be found on the OFMDFM website at <http://www.northernireland.gov.uk/index/work-of-the-executive/pfg-budget-economic-strategy/pfg/strategic-online-report-2011-2015.htm>.

## Students Studying in Scotland

**Mr Weir** asked the Minister for Employment and Learning to detail any progress made with the Scottish Government regarding fees paid by local students studying in Scotland.  
(AQW 25325/11-15)

**Dr Farry:** I can advise the member that for the incoming academic year 2013/14 the Scottish Government has changed its policy which exempted Northern Ireland domiciled students with Irish passports from paying tuition fees, if they enrolled in a Scottish higher education institution as an EU national. Under Scottish legislation Scottish domiciles do not pay tuition fees. EU legislation requires devolved administrations, within member states, to treat EU students as they treat their own domiciles when it comes to charging tuition fees.

Scottish Government has now added another criterion for Northern Ireland domiciles to support EU dual nationality applications. From academic year 2013/14 Northern Ireland domiciles with Irish passports applying as an EU student to a Scottish higher education institution will be obliged to demonstrate they have exercised their right of free movement within the EU and resided for at least three months in another EU member state. Scottish Government officials have advised the evidence Northern Ireland domiciles applying under dual nationality may provide to demonstrate residing in another member state could be bank statements, utility bills, confirmation from member state government officials. It is too early in the academic year to be able to report on how this policy change has affected Northern Ireland students applying to Scottish higher education institutions for 2013/14.

## Poppies

**Mr Easton** asked the Minister for Employment and Learning what legislation exists, or is planned, to protect employees who wish to wear poppies from being asked to remove them by their employer.  
(AQW 25366/11-15)

**Dr Farry:** Legislation covering emblems and symbols does not fall within my Department's remit. However, the Equality Commission's position regarding the wearing of poppies is contained in the publication: Promoting a Good and Harmonious Working Environment, a guide for Employers and Employees which can be found at the following link:

<http://www.equalityni.org/archive/pdf/Harmonyatwork.pdf>.

In summary, the Equality Commission recognises the sensitivity surrounding the use of emblems and symbols in Northern Ireland, and offers guidance on these issues based on the Fair Employment and Treatment (Northern Ireland) Order 1998, which is the responsibility of the Office of the First Minister and deputy First Minister.

It is a part of the Commission's remit to give advice and guidance on Fair Employment legislation, and it is for the Fair Employment Tribunal and the courts to interpret the law.

## Sign Language Courses

**Ms P Bradley** asked the Minister for Employment and Learning to outline the assistance that is provided to parents of profoundly deaf children when undertaking courses in sign language.  
(AQW 25401/11-15)

**Dr Farry:** My Department provides a range of financial assistance to assist individuals to undertake accredited courses at further education colleges. This assistance is not, however, targeted directly at specific groups, such as parents or carers of children with disabilities. To ensure that funding is directed to those most in need of support, eligibility for assistance is restricted by a number of criteria, including means-testing based on household income. As a result, the amount of assistance provided is dependent on individual circumstances.

The two main sources of support are the Further Education (FE) Awards and Hardship Funds. FE Awards provide a maintenance grant for eligible students undertaking full-time or part-time courses. Individuals experiencing exceptional financial difficulty may also be eligible for help through college Hardship Funds. Students with dependent children may also be eligible to receive assistance with childcare costs which is in addition to the other available financial support.

Further details regarding financial assistance can be obtained from the Student Finance Team in any of the Northern Ireland further education colleges.

## Sign Language Courses

**Ms P Bradley** asked the Minister for Employment and Learning whether parents of profoundly deaf children are given priority when enrolling on sign language courses.

**(AQW 25402/11-15)**

**Dr Farry:** Further education colleges are responsible for their own enrolment procedures; therefore, my Department has no role in this process.

Nevertheless, I have asked the Directors of each of the six colleges to respond to the Member, directly, on this matter.

## Welding Courses: Mid Ulster

**Mr I McCrea** asked the Minister for Employment and Learning to detail what training opportunities are available at Further Education Colleges in Mid Ulster for people wanting to obtain a qualification in welding.

**(AQW 25460/11-15)**

**Dr Farry:** I can confirm that further education colleges in the Mid Ulster area offer welding qualifications from level 1 through to level 3. This provision is available through further education courses, or through the Department's Training for Success and ApprenticeshipsNI programmes, and leads to qualifications that are on the Qualification Credit Framework which are, therefore, recognised nationally.

Enrolments in the Mid Ulster area in the 2011/12 academic year, the last year for which validated data is available, are outlined in the table below:

College name	Further Education Provision enrolments.	Training Provision enrolments.
Northern Regional College (NRC)	34	0
Southern Regional College (SRC)	12	79
South West College (SWC)	253	20
<b>Total</b>	<b>299</b>	<b>99</b>

In total, in 2011/12 including FE and Training, there were 398 enrolments in the Mid-Ulster area.

Finally, I can confirm that in the 2011/12 academic year there were 560 enrolments on 'welding' courses across the Northern Ireland FE Sector, including those outlined above in the Mid Ulster area.

## Red Sky

**Mr Copeland** asked the Minister for Employment and Learning to detail the total number of employees who made use of the Transfer of Undertakings (Protection of Employment) (TUPE) Regulations after the dissolution of the Red Sky Group.

**(AQW 25516/11-15)**

**Dr Farry:** My Department does not hold this information. The Department's role is to establish and maintain Northern Ireland's employment relations legislative framework, including the TUPE Regulations.

Compliance with the governing legislation is entirely a matter for individual employees, employers, and any administrators that are appointed. There is no duty to inform the Department of the details of any TUPE arrangement.

## Further Education: Quality

**Mr Gardiner** asked the Minister for Employment and Learning what quality control checks his Department routinely carries out on Regional Colleges.

**(AQW 25517/11-15)**

**Dr Farry:** My Department has an oversight and scrutiny role on a number of key aspects of the quality of colleges' performance. For example, the Department monitors annually colleges' student enrolments, and their rates of student retention, achievement and success, and releases detailed annual statistical bulletins in these areas. Colleges produce annual college self assessments and quality improvement plans, and these are reviewed by the Education and Training Inspectorate (ETI). The ETI also carries out a whole college inspection of each college every three years, and their reports are published. Where weaknesses are found by the ETI, colleges are obliged to produce improvement plans, and are subject to follow-up inspection.

More widely, the Department through its governance framework, routinely monitors colleges' financial and risk management processes and outcomes.

Finally, every year the Department holds two key meetings with the Chairs and Directors of each college. One of these is part of the College Development Planning process through which the Department monitors individual college's performance in the previous year and sets targets and budgets for the coming year. The second is an annual accountability review meeting with the Department's Permanent Secretary and senior staff with responsibility for further education.

## Further Education: Equal Opportunities

**Mr Gardiner** asked the Minister for Employment and Learning what checks his Department routinely carries out on Regional Colleges in relation to the provision of equal educational opportunities for young people.

**(AQW 25520/11-15)**

**Dr Farry:** All further education colleges in Northern Ireland are designated as public bodies. Under Schedule 9 of the Northern Ireland Act 1998, they must submit an Equality Scheme to the Equality Commission stating how they promote equality of opportunity and good relations, between persons of different sexual orientation, religious belief, political opinion or racial group. My Department does not therefore carry out routine checks on this aspect of their duties.

## Zero-hour Contracts

**Mr Flanagan** asked the Minister for Employment and Learning for his assessment of the number of employees currently on zero hour contracts.

**(AQO 4565/11-15)**

**Dr Farry:** There is currently no definitive assessment of the number of workers on zero-hours contracts at a UK level. The Labour Force Survey estimates that there are around 250,000 workers on zero-hours contracts in the UK as a whole. The Chartered Institute for Personnel and Development provides separate analysis that the numbers could be up to one million.

The Northern Ireland sample of the UK Labour Force Survey is statistically too small to provide a reliable estimate of the numbers on zero-hours contracts here.

I have therefore asked my officials to urgently commission new research, to establish a more reliable estimate of the number of workers on zero-hours contracts here in Northern Ireland. The research will also seek to identify the merits and demerits of using these type of contracts. The purpose of the research is to provide the Department with a more informed understanding of whether there is a need to introduce protections for workers on zero-hours contracts. The Department will therefore welcome any evidence from stakeholders regarding the abuse of zero-hours contracts.

In the interim, I will continue to keep a close eye on the emerging position in Great Britain.

## Unemployment

**Mr Buchanan** asked the Minister for Employment and Learning to outline any proposed new initiatives to address ongoing long-term unemployment.

**(AQO 4566/11-15)**

**Dr Farry:** As Minister, I have introduced a comprehensive range of initiatives to address unemployment in Northern Ireland. In direct response to the economic downturn and as part of the Northern Ireland Executive's Economy and Jobs Initiative my Department's Steps to Work programme has introduced two additional employment strands, known as First Start and Step Ahead 50+. These initiatives are targeted at long term unemployed young people aged 18 -24 and those aged 50 and over respectively.

My Department also plans to introduce a new employment programme in June 2014. Steps 2 Success will replace and build on the success of the existing Steps to Work Programme. It is designed to give Providers the flexibility to offer provision to meet the needs of participants and work to ensure they do not move into longer term unemployment.

I have established a very successful Youth Employment Scheme providing help and support to young people aged between 18 and 24 years old who are currently unemployed and seeking permanent work. In addition DEL has developed and leads on the Executive's cross-departmental strategy 'Pathways to Success' for addressing the needs of young people who are not in employment, education and training (NEET).

As part of the Strategy, I introduced the Collaboration and Innovation Fund to help unemployed 16 – 24 year old young people who have a diverse range of employability needs. I have extended the Local Employment Intermediary Service to all areas of Northern Ireland to support young people that are in the NEET category and have also scaled up the Community Family Support Programme.

My Department, in partnership with the Department for Enterprise Trade and Investment and other relevant Executive Departments, is currently developing a new strategy to tackle economic inactivity and I hope to gain Executive approval for the draft strategy later this year.

## Community Family Support Programme

**Mr McGlone** asked the Minister for Employment and Learning for an update on the roll-out of the Community Family Support Programme.

**(AQO 4567/11-15)**

**Dr Farry:** A pilot of the family support programme involving 44 families has recently been completed. This has confirmed the effectiveness of the initiative. Despite the small scale of the pilot there have been a number of very positive outcomes. Some parents have moved into employment, some young people have returned to school or entered training programmes and a number of mothers are volunteering in the community.

My Department is now poised to roll out the programme to at least 720 families across Northern Ireland. A tendering process has been conducted to identify the providers who will take the initiative forward and the successful organisations will be announced shortly.

My Department intends to have the programme operational by the first week in October 2013, enabling disadvantaged families from throughout Northern Ireland to avail of this service.

The programme will be delivered in five contract areas across Northern Ireland, based on the Health and Social Care Trust areas. The intervention will initially support 720 families from October 2013 to March 2015.

The initiative is designed to help families make life changing decisions to enhance their prospects and become full participants in society. The programme will also support families with a high level of need to develop their capacity to reach their full potential.

During the 26 week programme families will receive help to address the health, social, economic, educational, employment and training issues that impact on their daily lives.

Professional support workers will engage and consult with parents of children and young people to promote early intervention and high quality parenting, and to identify solutions to address their specific needs.

Issues such as education, essential skills, housing, money management, anger management, healthy living, childcare, alcohol and drugs misuse will be addressed by the initiative.

The CFSP will focus primarily on the needs of families with post primary school children to support parents with young people (16-24 years) not in education, employment or training (NEET) to re-engage with education, training or employment and help prevent younger family members falling into the NEET category.

The CFSP will also have a structured family learning component to enhance family life skills. This learning component will help address issues that families are faced with in their daily lives e.g. family values, changing behaviour, anger management, drug and alcohol misuse, speaking and listening etc.

CFSP providers will work in partnership with statutory agencies such as Health and Social Care Trusts and Youth Justice Agency to support families and deliver the programme.

## Schools: Leaving Age

**Mr Irwin** asked the Minister for Employment and Learning for his assessment of the implications to his Department of the increase in education participation age in the rest of the UK from 16 to 17 years old and the plans to increase this again to 18 years old in 2015.

**(AQO 4568/11-15)**

**Dr Farry:** My Department does not hold legislative responsibility for setting the minimum school leaving age. It is a matter for the Minister for Education and his department.

The changes referred to by the member relate to legislation applicable only to England where the new Compulsory School Leaving Act will raise the education leaving age to 17 in 2013 and to 18 from 2015.

That does not necessarily mean young people staying on at school, rather, it aims to raise the level of educational participation among young people aged 16 to 18 across a range of educational provisions including training and apprenticeships.

These proposals do not impact on Northern Ireland or on the work of my Department. Young people in Northern Ireland who have reached the minimum school leaving age and leave school have a range of options including access to a wide range of courses at further education colleges.

In addition, my Department offers a guaranteed training place to all school leavers aged 16 and 17 years of age through its Training for Success programme, as well as extended eligibility for those with a disability or from an in-care background. There are 2,160 young people on Training for Success; 4,739 on Programme Led Apprenticeships and 4,949 are employed as apprentices with training funded through the Department's ApprenticeshipsNI programme.

Participation in full-time education and training in Northern Ireland for 2010/11, the latest year for which figures are available, shows participation rates of 93.8% and 86.3% for 16 and 17 year olds respectively. Combined figures for both cohorts show a participation rate of 90.0%

In order to engage those not in education, employment or training my department developed and leads the cross-departmental strategy 'Pathways to Success' as the Executive's formal strategy for addressing the needs of these young people. To date 705 young people are accessing the Collaboration and Innovation Fund programme.

In addition: 272 young people are taking part in the Department's Local Employment Intermediary Service (LEMIS); 2,298 NEET have been assisted through the NIESF Programme (an average of 400 per year).

## Steps 2 Success

**Mr Milne** asked the Minister for Employment and Learning to outline the mechanisms in place to ensure that the Steps to Success scheme does not become discredited.

**(AQO 4569/11-15)**

**Dr Farry:** The Department intends to introduce the Steps 2 Success programme in June 2014 as the Department's main programme to assist unemployed people in receipt of benefits to find and sustain employment. Steps 2 Success will replace and build on the success of the Steps to Work programme. Stage 1 of the two stage procurement process is presently underway.

The Department has undertaken an extensive development and consultation process to ensure that the programme is designed to best meet the needs of participants and employers.

The following key elements have been put in place.

The Central Procurement Directorate of the Department of Finance and Personnel has been involved from the start of the development process to ensure that the design features of the programme meet best procurement practice.

The Departmental Solicitor's Office has been involved in assessing and assuring the procurement process and documentation to ensure that these meet all statutory requirements.

An extensive public consultation process has been undertaken which elicited over 80 written responses from a wide range of interested parties. Following analysis of responses the Department amended a number of the design features of the programme.

The Department has taken account of lessons learned from the introduction of the Work Programme in Great Britain and best practice elsewhere, to ensure Steps 2 Success is designed to best meet the needs of participants and employers throughout all parts of Northern Ireland.

The Department is introducing a Service Guarantee with the intention of using this to help define the level of service that all participants on the programme will receive from the provider.

It is my assessment that these measures will ensure that the new programme is 'fit for purpose', tailored to meet the needs of Northern Ireland, and will build upon on the very credible performance of Steps to Work.

## University Fees

**Mr D Bradley** asked the Minister for Employment and Learning for his assessment of the above-inflation increase in postgraduate-taught course fees at Queen's University, Belfast for the incoming year.

**(AQO 4571/11-15)**

**Dr Farry:** Whilst my Department determines the upper limit for undergraduate fees, Universities are responsible for determining the level of fees charged for postgraduate-taught courses.

## Youth Employment Scheme: South Antrim

**Mr Girvan** asked the Minister for Employment and Learning for his assessment of the impact of the Youth Employment Scheme in South Antrim.

**(AQO 4572/11-15)**

**Dr Farry:** The Youth Employment Scheme was launched in July last year and since then within the South Antrim area 284 opportunities for young people have been offered by employers. As at 6 September 129 young people in this area have participated in the scheme by availing of these opportunities, with 30 having entered permanent subsidised employment. In addition, 87 young people have secured six months' temporary employment under the First Start initiative.

A Post Implementation Review of the Youth Employment Scheme has been carried out which recommended some revisions to the scheme that should help to increase uptake by both young people and employers. I intend to implement these revisions later this month which includes the payment of a Benefit Based Training Allowance to participants on work experience, modifications to the restrictions on the eligible job growth sectors and involving Steps to Work Lead Contractors to source and deliver training within Skills Development placements.

The Youth Employment Scheme is not the only provision available for young people in South Antrim. The Department's full range of support, both from Employment Service frontline services and contracted provision like the Steps to Work programme, are in place. In the period April to date, the Employment Service has helped 591 young unemployed people aged 18 to 24 find employment in the South Antrim area.

I appreciate the member's interest in the Youth Employment Scheme and would ask all members to encourage employers and young people in their constituencies to become involved.



## Department of Enterprise, Trade and Investment

### Electricity Transmission System

**Mr Allister** asked the Minister of Enterprise, Trade and Investment what input will she have on the branding review of the name System Operator for Northern Ireland (SONI).

(AQW 25202/11-15)

**Mrs Foster (The Minister of Enterprise, Trade and Investment):** I have no role or input into branding reviews undertaken by commercial companies.

### Electricity Transmission System

**Mr Allister** asked the Minister of Enterprise, Trade and Investment, given that Condition 12 of the System Operator for Northern Ireland (SONI) Licence requires the licensee at all times to maintain “the full operational independence of the Transmission System Operator Business”, why the Transmission System Operator Business is now fully under the control of the Eirgrid Executive Directors based in Dublin; and for her assessment of whether the Eirgrid Group Board has embarked on a strategy of full integration with the goal of a seamless all-Ireland Transmission System Operator Business.

(AQW 25208/11-15)

**Mrs Foster:** I am not party to internal discussions conducted by the EirGrid board.

SONI licence conditions, including Condition 12, are monitored by the Utility Regulator. SONI is required to provide an annual Compliance Plan which is reviewed by the Regulator, demonstrating how it ensures operational independence in line with its licence conditions. Moreover, any proposals to amend the SONI licence are subject to scrutiny by the Regulator and public consultation.

Certain provisions were also put in place as a condition of the arrangements for acquisition of SONI by EirGrid. These included the undertaking that two independent members of Northern Ireland background and appropriate standing be appointed to the EirGrid board. EirGrid's Memorandum and Articles of Association were also widened to provide an additional level of protection and to ensure ongoing financial security of SONI.

The requirement for SONI to have full managerial and operational independence of the Transmission System Operator Business applies in respect of any managerial and operational independence from any business/company that itself undertakes generation or supply activities. This reflects, and is in compliance with the requirements of applicable EU law.

### Electricity Transmission System

**Mr Allister** asked the Minister of Enterprise, Trade and Investment for her assessment of the how the Regulator is monitoring whether Northern Ireland Electricity and the System Operator for Northern Ireland are complying with their licences, and in particular, how each have remained fully independent of ESB and Eirgrid by providing the premises, systems, equipment, facilities, property, personnel, data and management resources that are necessary for their efficient and effective managerial and operational independence as per Condition 12 of each licence.

(AQW 25209/11-15)

**Mrs Foster:** The Regulator acts independently of and is not accountable to my Department. It is responsible for keeping under review the activities undertaken by NIE and SONI and their compliance with their respective licence obligations. With regard to Condition 12 in particular, each licensee has a Compliance Plan (outlining the steps being taken or to be taken by the respective licensee to meet the requirements of that condition) and appoints a Compliance Officer to monitor and report (to the Utility Regulator) on compliance and any particular issues arising from or in respect of the obligations of that condition.

I am informed that in addition to its general monitoring and updates from the Compliance Officer, where it considers it appropriate and/or necessary to do so (including for example in response to consumer complaints and/or information from third parties) the Utility Regulator carries out more detailed investigations.

### Electricity Transmission System

**Mr Allister** asked the Minister of Enterprise, Trade and Investment how many meetings her Department has had with (i) ESB; (ii) Eirgrid; and (iii) the Utility Regulator to discuss the importance of securing existing jobs and maintaining the identity of the electricity network business in Northern Ireland following the sale of both Northern Ireland Electricity and System Operator for Northern Ireland to ESB and Eirgrid.

(AQW 25210/11-15)

**Mrs Foster:** I meet regularly with the Utility Regulator and companies in the energy sector to discuss a range of issues. On the specific issue of the sale of NIE to ESB, I met with senior representatives from NIE and ESB and with the Irish Energy Minister Eamon Ryan prior to the sale and obtained assurances on NIE jobs and maintenance of the identity of NIE. As a condition of acquisition of SONI by EirGrid, the Irish Energy Minister also put in place legislative amendments to expand the membership of the EirGrid board to allow appointment of independent members of Northern Ireland background and appropriate standing.

## Electricity Transmission System

**Mr Allister** asked the Minister of Enterprise, Trade and Investment, as Northern Ireland Electricity (NIE) and System Operator Northern Ireland are now owned by state owned companies in the Republic of Ireland, what measures are in place to ensure that NIE employees and consumers are not disadvantaged by investment decisions to the benefit of customers in the Republic of Ireland and the Irish Government, as the sole shareholder and monopolised controller of the electricity industry on the island of Ireland.

(AQW 25211/11-15)

**Mrs Foster:** The NIE Transmission and Distribution licences and the SONI Transmission System Operator licence contain specific conditions relating to provision of undertakings by the ultimate owners to ensure the independence of decision making and availability of resource to conduct their business. Monitoring of compliance with the licence conditions is a matter for the Utility Regulator.

## Staff: Recruitment Agencies

**Mr Swann** asked the Minister of Enterprise, Trade and Investment to detail the number of people employed by recruitment agencies in (i) her Department; and (ii) arms-length bodies, as of 1 April (a) 2011; (b) 2012; and (c) 2013.

(AQW 25258/11-15)

**Mrs Foster:**

Dept/ NDPB	Number of People Employed by Recruitment Agencies		
	1 April 2011	1 April 2012	1 April 2013
DETI	1	0	0
HSENI	1	1	1
NITB	1	4	10
InvestNI	1	0	0
GCCNI	2	0	0
<b>Total</b>	<b>6</b>	<b>5</b>	<b>11</b>

## Programme for Government Commitments

**Mr Copeland** asked the Minister of Enterprise, Trade and Investment for an update on the progress made on each of her Department's Programme for Government commitments.

(AQW 25290/11-15)

**Mrs Foster:** Progress on the delivery of DETI Programme for Government commitments is closely monitored in accordance with the programme arrangements and delivery framework published by OFMDFM.

The latest available information on progress against Programme for Government Commitments can be accessed at: <http://www.northernireland.gov.uk/index/work-of-the-executive/pfg-budget-economic-strategy/pfg/strategic-online-report-2011-2015.htm>

## Rock Shopfitting International

**Mr Eastwood** asked the Minister of Enterprise, Trade and Investment what action she will take to safeguard the 100 jobs currently under threat following Tesco's decision to cancel their contract with Rock Shopfitting International Ltd.

(AQW 25490/11-15)

**Mrs Foster:** Mr McCafferty contacted me in July 2011 and, at his request, I personally intervened with Tesco senior management regarding an ongoing issue between the companies. At the same time Mr McCafferty met with the staff from Invest NI's North West regional team. I've now instructed Invest NI to contact Mr McCafferty to discuss his company's current situation.

## Department of the Environment

### Southern Area Planning Office: Case Number R/2008/0164/CA

**Mr Wells** asked the Minister of the Environment, pursuant to AQW 22334/11-15, whether aerial photographs confirmed the presence of a structure on the site.

(AQW 25152/11-15)

**Mr Durkan (The Minister of the Environment):** I can confirm that as part of the enforcement investigation, the Department obtained aerial photographs which confirmed the presence of a structure on the site.

## Compliance, Improvement and Review Team

**Mr Agnew** asked the Minister of the Environment when an answer will be provided to AQW 22040/11-15, given that it was due for answer on 19 April 2013.

**(AQW 25243/11-15)**

**Mr Durkan:** Following consideration of the issues associated with AQW 22040/11-15 regarding the ongoing audit of minerals planning application files I intend to issue a response within the coming days.

## Moy Park

**Mr Storey** asked the Minister of the Environment what steps his Department is taking regarding the planning process of the proposed extension plans by Moy Park.

**(AQW 25252/11-15)**

**Mr Durkan:** The Department has been in active pre application discussion with Moy Park and other key consultees in relation to the proposed expansion plans. In order to ensure the applications are processed as efficiently as possible the Department has created a dedicated project team based at the South Antrim Area Planning Office in Ballymena. This team will deal strategically with all Moy Park planning applications for poultry units across Northern Ireland.

The importance of this strategic project has been emphasised to staff, key consultees and all Councils likely to be affected by the applications have been advised to highlight the importance of this forthcoming project within their Districts.

I consider the agri-food sector to be a key economic driver and that is why I have ensured that my officials have taken proactive measures to ensure the planning process responds appropriately to the demands of the industry. Overall I see this as a core project for my Department where timely and robust planning decisions can be made that will assist economic recovery here in the North.

## Staff: Recruitment Agencies

**Mr Swann** asked the Minister of the Environment to detail the number of people employed by recruitment agencies in (i) his Department; and (ii) arms-length bodies, as of 1 April (a) 2011; (b) 2012; and (c) 2013.

**(AQW 25257/11-15)**

**Mr Durkan:** The Department has two arms-length bodies – Northern Ireland Local Government Officers' Superannuation Committee (NILGOSC) and Local Government Staff Commission (LGSC).

The number of people (headcount) employed by recruitment agencies in the Department and its arms-length bodies (NILGOSC & LGSC) is shown in the following table.

Date	Number of Agency Workers (headcount)			
	DOE	NILGOSC	LGSC	Total
1 April 2011	86	2	0	88
30 March 2012*	144	3	0	147
26 April 2013*	165	1	0	166

\* Closest figures available to 1 April.

## Statutory Transition Committees

**Mr Storey** asked the Minister of the Environment what legal standing the guidance issued by his Department has in relation to the nomination process with regard to the Statutory Transition Committees.

**(AQW 25326/11-15)**

**Mr Durkan:** The current guidance has a legal position in relation to the functions of a statutory transition committee but has no basis in law in relation to the nomination process. The guidance was intended to help Councils make fair and balanced decisions, as expected by the electorate, when nominating members to the statutory transition committees.

In order to allow Councils maximum flexibility, no particular method of democratic selection was prescribed within the statutory transition committee regulations. However, my predecessor did recommend in the guidance that Councils use a recognised method of proportional representation namely d'Hondt, Sainte Lague and Single Transferable Vote. He advocated a light touch approach, believing that Councils should be trusted to demonstrate political maturity and make equitable decisions for the benefit of all citizens and rate payers. With some exceptions, most Councils have complied with the guidance.

I have written to those Councils who have still to comply asking them to re-run their nominations process. I am hopeful they will act accordingly. In the event of a failure to do so I intend to intervene to ensure local government reform proceeds for the benefit of citizens, ratepayers and local business.

## Cycling: Road Safety

**Mr Weir** asked the Minister of the Environment what actions or initiatives are in place to reduce the number of road deaths and serious injuries amongst cyclists.

**(AQW 25331/11-15)**

**Mr Durkan:** My Department has a statutory duty to promote road safety and, within the context of the Northern Ireland Road Safety Strategy, does this through a wide range of road safety education activities, including road safety public information campaigns and education programmes.

I believe that reducing further all deaths and serious injuries on our roads, with the ultimate ambition of 'Vision Zero', where any death is unacceptable, is an important and achievable objective.

Between 2008 and 2012, six cyclists died on our roads. So far this year three cyclists have died. In 2012, 55 cyclists were seriously injured, an increase from 36 in 2003. The rate of Pedal Cyclist deaths and serious injuries per 100 million kilometers cycled in 2011, the latest figures available, was 77, an increase of 28% on the 2004-2008 baseline of 60.

Drivers are responsible for the majority of collisions, with the main causes being speeding, drink driving and inattention on our roads. Changing the attitudes and behaviours of drivers is therefore the most effective way of protecting all road users and our campaigns concentrate on changing such behaviours. The Road Safety Strategy recognises cyclists as a vulnerable road user group and includes a range of actions that relate to cyclists' safety that are summarised below.

In October 2011, the Department launched the 'Be Cycle Aware' campaign to remind drivers and cyclists to pay attention when sharing the road. This campaign consists of two radio messages and bus back posters.

In May 2012, a campaign was launched to encourage road users to 'respect everyone's journey'. The important safety messages to drivers will benefit all vulnerable road user groups, including cyclists.

In September 2012, a campaign was launched, focusing on wider road user responsibility, urging all road users to take responsibility for their actions on the road. The television, press and online campaign includes an injured cyclist saying "I was cycling in the bike lane. The driver said the sun was in his eyes."

A further campaign, launched on 24 April 2013, invites everyone to 'Share the Road to Zero'. This is aimed at all road user groups – cyclists, pedestrians, motorcyclists, drivers and passengers and, indeed, focuses heavily on cyclists in the opening scenes. The aim is to get every road user to take personal responsibility for helping to prevent deaths on Northern Ireland's roads. The social media aspect of this campaign provides appropriately targeted road safety messages to subscribers. This can be found at [www.sharetheroadtozero.com](http://www.sharetheroadtozero.com)

Rules 204 to 218 in the Highway Code provide advice on how drivers should treat vulnerable road users, including cyclists, with extra care and attention. Advice specifically for cyclists can be found in Rules 59-82. A 'Cycling Skills & Cycling Safety' guide, developed jointly by DOE and DRD, is available in hard copy and online and provides information on the benefits of cycling, on basic safety requirements and on the rules of the road.

The Cycling Proficiency Scheme is offered by the DOE Road Safety Education Officer Service to every primary school in Northern Ireland. Over 530 Primary Schools participate in the scheme each year, with approximately 8,365 children benefiting from the scheme annually.

Given a rise in cyclist casualties, the Department is currently analysing available data and has commissioned qualitative research to help inform consideration of potential new educational activity around cyclist safety.

I recognise the continuing challenges of reducing casualties on our roads, and will take forward further actions as appropriate from this analysis and research.

## Illegal Dumping Sites

**Mr Agnew** asked the Minister of the Environment to detail the twenty five illegal dumping sites that his Department are reviewing.

**(AQW 25338/11-15)**

**Mr Durkan:** Unfortunately I cannot provide you with the details of the individuals, businesses or locations that the Northern Ireland Environment Agency's Environmental Crime Unit is currently investigating in relation to alleged unauthorised dumping. Releasing the identities of those suspected of being involved in criminality would have the potential to damage ongoing investigations. I can however assure you that information will be released on the progress of investigations at an appropriate time.

NIEA is using intelligence coupled with all the legal powers contained in environmental law to identify and act against those believed to be committing criminal offences within the waste management sector – I will not allow authorisations to manage waste that are issued by my Department to be abused to the detriment of the environment, public health and the economy.

## Programme for Government Commitments

**Mr Copeland** asked the Minister of the Environment for an update on the progress made on each of his Department's Programme for Government commitments.

**(AQW 25352/11-15)**

**Mr Durkan:** The Department of the Environment has 6 Programme for Government commitments. An update of progress on each commitment is outlined below.

Commitment number 8 – to ensure 90% of large scale investment planning decisions are made within 6 months and applications with job creation potential are given additional weight.

This commitment relates to all major applications designated under Article 31 of the Planning (NI) Order 1991 and other significant development proposals identified by Area Planning Managers. It is being phased in over three years – 2012/13 60%, 2013/14 75% and 2014/15 90%. Large scale investment decisions are monitored on a regular basis and the finalised figures for 2012/13 show 72% were processed within the 6 month target. The Department continues to focus its efforts and resources to ensure this business target of 75% large scale investment decisions are processed within 6 months. Applications will be prioritised and carefully managed throughout the business year.

Commitment number 49 - Implement a levy on single use carrier bags by 2013 and extend this to reusable bags from April 1st 2014.

The 5 pence levy on single use carrier bags launched on 8 April 2013 and has been broadly welcomed by the public and retailers alike.

Provisional returns for the first quarter suggest a substantial reduction in the number of single use bags dispensed by retailers. The Department will publish validated statistics for 2013/14 next year.

The Carrier Bags Bill is currently at Committee Stage in the Assembly. The Bill provides the Department with the powers to extend charging beyond single use bags. Assuming the Bill is passed, the Department plans to use these powers to make Regulations applying the levy to all new carrier bags costing less than 20p.

Commitment number 50 - Continue to work towards a reduction in greenhouse gas emissions by at least 35% on 1990 levels by 2025.

The latest greenhouse gas emission figures for Northern Ireland, 1990-2011 were published on 7 June 2013. Northern Ireland's 2011 emissions are estimated at 19,827 kilotonnes of carbon dioxide equivalent. This represents a decrease of over 5% compared to 2010. This is mainly due to a large reduction in the burning of oil in the residential and business sectors after the exceptionally cold weather in 2010, and a reduction in emissions from coal consumption at power stations. The 2011 emission levels also show a longer term decrease of over 17% since the base year, 1990. This new figure for emissions up to 2011 will now be used (with other information) to provide a fresh estimate of the likely greenhouse gas emissions for 2025. The new projection will be available in the autumn. The previous projection based on 2010 data was for a 28.7% reduction by 2025.

Commitment number 51 - Work towards halting the loss of biodiversity by 2020.

Progress to date includes:

- The launch of an Invasive Species Strategy.
- Consolidation of Conservation Regulations is progressing.
- Development of a revised Biodiversity Strategy is on-going and informal discussions with departments on objectives and actions currently taking place. It is intended that formal consultation will be in late autumn.
- The Marine Division has completed the Rathlin Island European Marine Site Management Scheme after consultation with statutory authorities, non-governmental organisations and private individuals. The Management Scheme was launched by the Minister on 1 June 2013. It aims to secure compliance with the objectives of the European Habitats and Birds Directives.

Commitment number 52 - Achieve a household waste recycling or composting rate of 45% by end of March 2015.

Provisional results for 2012/13 show a household recycling and composting rate of 40%. The inclement weather in the January-March 2013 quarter did have a negative effect on the recycling rate, resulting in the annual increase being suppressed. Although increasing the recycling rates has been challenging, waste arisings continue to fall demonstrating that the actions in the delivery plan are producing positive results for resource efficiency within Northern Ireland.

Commitment number 75 – Establish the new 11 Council model for Local Government by 2015.

The Local Government Bill has been agreed by the Executive and will be introduced into the Assembly in late September 2013. The Local Government (Statutory Transition Committee) Regulations (NI) 2013 were approved by the Assembly on 1 July 2013 and became operational on 2 July 2013. This provided for the establishment of new statutory transition committees to drive the convergence process at local level. Regulations to provide for severance arrangements for councillors were made in July 2013 and the scheme became operational in August 2013.

## Pollution: River Faughan

**Mr Agnew** asked the Minister of the Environment, pursuant to AQW 24955/11-15, to detail the specifics of the pollution that was detected in the tributary to the River Faughan; and what measures have been taken to prevent this pollution reaching and damaging the River Faughan.

(AQW 25387/11-15)



**Mr Durkan:** NIEA has collected a number of water and effluent samples from both the site and surrounding waterways, as part of the ongoing investigation and to establish impacts. As the results of these samples form a key part of the evidence in this pending prosecution the information is sub judice, and releasing or publicly commenting on them prior to any court hearing could endanger the case. However, I can confirm that the River Faughan does not appear to have been impacted and that sufficient monitoring is in place to detect any problems at an early stage.

Working with NIEA, NIW has facilitated the disposal of the waste effluent captured in a lagoon at the former waste management site at Culmore Waste Water Treatment Works. This waste effluent will be treated at Culmore WWTW over a number of weeks. The removal of this polluting liquid from the Mobuoy Road will further reduce the risk of it entering the watercourses in the area and causing pollution.

I can assure you that NIEA has in place a detailed, ongoing sampling and monitoring programme in the River Faughan and on this site, to ensure that both the river and the public are protected.

### **Pollution: River Faughan**

**Mr Agnew** asked the Minister of the Environment, pursuant to AQW 24955/11-15, (i) what enforcement action has been taken; (ii) on what date this action was taken; (iii) what future enforcement action will be taken; and (iv) when this action will be taken. (AQW 25388/11-15)

**Mr Durkan:** As you will appreciate, this is a wide ranging and complex investigation. The Northern Ireland Environment Agency has carried out an extensive range of enforcement action to date. A number of days have been spent conducting intrusive inspections of the area gathering evidence of the criminality involved and the polluting potential of the waste being kept. The intrusive surveys took place between August 2012 and July 2013. In addition, a number of private and business premises have been searched under warrant between November 2012 and July 2013.

Two individuals were arrested in November 2012 and have been questioned on a number of occasions. Further individuals have been questioned.

The waste management licence for the waste treatment facility at Mobuoy Road was revoked in June 2013 and a number of statutory notices were issued to landowners under both the Waste and Contaminated Land (Northern Ireland) Order 1997 and the Environmental Liability (Prevention and Remediation) Regulations (Northern Ireland) 2009.

The investigation continues and further action is planned. It is not possible to disclose details of planned actions as this might assist those who are subject of the investigation.

### **Mineral Extraction at Mobouy Road, Derry**

**Mr Agnew** asked the Minister of the Environment, pursuant to AQW 24485/11-15, how enforcement action by Strategic Planning Division could have prejudiced any Northern Ireland Environmental Agency criminal investigation into unauthorised mineral extraction at Mobouy Road. (AQW 25389/11-15)

**Mr Durkan:** In addition to the ongoing investigations by DoE Planning and Local Government Group – Strategic Planning Division, there is a criminal investigation being pursued by NIEA Environmental Crime Unit in relation to alleged illegal landfill at this location.

I therefore cannot elaborate on the details of these investigations as it may result in criminal proceedings and I must ensure that there is no prejudice to this process.

### **Landfill Site at Mobouy Road, Derry**

**Mr Agnew** asked the Minister of the Environment (i) whether the removal of illegal waste at Mobouy Road requires an Environmental Impact Assessment prior to work starting; (ii) how his Department is paying for the removal of this waste; and (iii) whether it will recuperate any of the costs prior to the work starting. (AQW 25391/11-15)

**Mr Durkan:** At this point in time it is premature to speculate on the manner in which the illegal waste is to be dealt with.

Clearly if the waste was to be removed a great deal of work would be required to develop a method of carrying out the works in order not to cause environmental or health risks as a result. At present the NIEA is using some funding obtained during this financial year to remove waste that was left within the premises of the previously licensed waste management facility and remove leachate from a lagoon within the premises.

In spite of being served with statutory notices, the site was left in a state that was causing a risk of fire and was giving rise to a problem with flies in the area.

It would be the intention of the Department to pursue those suspected of the illegal activities in Operation Sycamore using the full force of the law to recover costs and criminal benefit. As the investigation is still ongoing it would not be appropriate for me to comment in any detail about those matters at this stage.

## Mineral Extraction at Mobouy Road, Derry

**Mr Agnew** asked the Minister of the Environment, pursuant to AQW 24485/11-15, why no enforcement action was taken over the unauthorised mineral extraction at Mobouy Road between 2000 and 2012.

**(AQW 25393/11-15)**

**Mr Durkan:** There have been a number of enforcement cases opened for investigation in relation to unauthorised mineral extraction at Mobouy Road and several remain open at this time. The Department has also served an Enforcement Notice. The Department has also a number of retrospective planning applications in relation to the unauthorised mineral extraction.

There is also an ongoing NIEA criminal investigation into alleged illegal landfill at this location. It would be inappropriate at this time to provide further comment or detail as it may prejudice that investigation and any subsequent prosecution should this take place.

## Planning Application: Kilkeel

**Ms Ruane** asked the Minister of the Environment when he will reply to my correspondence on a planning application for an Activity Centre, Fair Road, Greencastle, Kilkeel, Co.Down.

**(AQW 25398/11-15)**

**Mr Durkan:** Your letter of 5 July 2013 was addressed to the then DOE Minister Alex Attwood. Minister Attwood had expressed a wish to visit the site and to review the planning application.

I considered it appropriate to follow through with that commitment. I recently carried out the site visit with planning officials. I will now review the case and respond to your correspondence in the near future.

## Local Government: Co-option

**Mr Weir** asked the Minister of the Environment whether he has had any discussions with the Northern Ireland Office in relation to the bar on co-options to the existing 26 local councils in 2014; and what was the outcome of these discussions.

**(AQW 25399/11-15)**

**Mr Durkan:** On 22 July, the Secretary of State wrote to me confirming that she is content to make an amendment to the Electoral Law Act (Northern Ireland) 1962 to clarify the co-option provisions in respect of a vacancy which occurs in one of the existing 26 councils from 1 January 2014.

I understand that an Order in Council including provision to extend the period for co-option until 1 January 2015 will be laid at Westminster in the near future.

## Statutory Transition Committees

**Mr Campbell** asked the Minister of the Environment whether he will ensure that the principle of proportionality, whether through the D'hondt allocation process or otherwise, is administered in an equitable way to the transition committees on local councils.

**(AQW 25406/11-15)**

**Mr Durkan:** I fully support the principle of proportionality and that is demonstrated by the fact that I have written to a number of councils that have not complied with the spirit and intent of the regulations and associated guidance. I have requested that these councils rerun their nomination process using the democratic method of proportional representation outlined in departmental guidance to ensure that the appointees to statutory transition committees are nominated in a fair and equitable manner.

I also believe there is a need for collective responsibility across all political parties represented in councils, which is the reason why I wrote to all party leaders recently asking them to engage with their local councillors about political maturity and impartial decisions that benefit all citizens.

## Dog Fouling

**Lord Morrow** asked the Minister of the Environment (i) how many Fixed Penalty Notices have been issued for dog fouling in each council, in each of the last two years; (ii) how much these accrued in fines; (iii) how many fines were unpaid; and (iv) how many required court action.

**(AQW 25431/11-15)**

**Mr Durkan:** The Department obtains statistical information on fixed penalty notices on an annual basis and this relates to financial years rather than calendar years. The Table attached reflects the information provided by all 26 Councils for the 2011/12 and 2012/13 financial years.

The figures for some councils show a smaller number of fines paid compared with fines issued. Apart from straightforward cases where the fine has simply not been paid there may be other factors which explain the difference between some of the figures. In an ideal world every fine would be paid. However, in reality, this will not be the case. On occasion, there will be reasons where to pursue payment would not be in the public interest, for example, where further information about the

circumstances of an alleged offender comes to light or where someone that had been issued with a fine had moved and a forwarding address cannot reasonably be obtained.

Council	2011/12				2012/13			
	FPNs Issued 2011/12	FPNs Paid 2011/12	FPN Receipts	Number of Cases Referred For Court Action For Fixed Penalty Non-Payment	FPNS Issued 2012/13	FPNS Paid 2012/13	FPN Receipts	Number of Cases Referred For Court Action For Fixed Penalty Non-Payment
Antrim	0	0	0	0	2	2	£100	0
Ards	13	12	£600	0	15	13	£650	0
Armagh	5	2	£100	0	3	2	£100	0
Ballymena	9	9	£450	0	6	6	£300	0
Ballymoney	0	0	0	0	1	1	£50	0
Banbridge	1	0	0	0	3	3	£150	0
Belfast	92	54	£4,725	10	189	118	£6,550	53
Carrickfergus	3	3	£150	0	0	0	0	0
Castlereagh	0	0	0	0	14	13	£650	1
Coleraine	17	13	£650	1	8	5	£250	0
Cookstown	0	0	0	0	1	1	£50	0
Craigavon	38	37	£1,850	0	48	44	£2,200	1
Derry	3	3	£150	0	1	1	£50	0
Down	16	14	£967	0	9	6	£300	0
Dungannon & South Tyrone	0	0	0	0	3	1	£50	1
Fermanagh	0	0	0	0	1	0	0	0
Larne	2	2	£100	0	8	7	£350	1
Limavady	0	0	0	0	1	1	£50	0
Lisburn	6	6	£300	0	15	9	£450	0
Magherafelt	0	0	0	0	0	0	0	0
Moyle	1	1	£50	0	2	2	£100	0
Newry & Mourne	4	4	£200	0	4	3	£150	0
Newtownabbey	17	13	£650	1	16	16	£870	0
North Down	1	1	£50	0	5	5	£250	0
Omagh	1	1	£50	0	2	1	£50	0
Strabane	2	2	£100	0	7	7	£350	0
<b>Totals</b>	<b>231</b>	<b>177</b>	<b>£11,142</b>	<b>12</b>	<b>364</b>	<b>267</b>	<b>£14,070</b>	<b>57</b>

### Local Government: Payment of Invoices

**Mr McClarty** asked the Minister of the Environment to detail the number of suppliers invoices paid within ten working days of receipt by each local council (i) between 1 April 2013 and 31 August 2013; and (ii) in the 2012/13 financial year.

**(AQW 25435/11-15)**

**Mr Durkan:** This information is not held by the Department. The details set out in the table below have been provided by individual councils.

<b>Council</b>	<b>(i) 01 April 2013 – 31 August 2013</b>	<b>(ii) 2012/ 2013 financial year</b>
Antrim	1665	2329
Ards	2859	6376
Armagh	1933	4272
Ballymena	2558	4908
Ballymoney	77	1007
Banbridge	647	1824
Belfast	6703	23881
Carrickfergus	635	1495
Castlereagh	2182	8360
*Coleraine	1122	1445
Cookstown	1716	3917
*Craigavon	411	2396
Derry	2818	8547
Down	1941	3919
Dungannon and South Tyrone	1405	3909
Fermanagh	1962	3532
Larne	419	1352
Limavady	1361	1561
Lisburn	1091	6147
Magherafelt	2160	4456
Moyle	471	1004
Newry & Mourne	713	1647
Newtownabbey	5853	10299
North Down	3391	7240
Omagh	1101	2489
Strabane	652	1536

\* Coleraine Borough Council advises that arrangements for the accurate recording of this information were initiated in October 2012, so the figures cover only the period October 2012 – March 2013.

\* Craigavon Borough Council advises that the figures for 2013/2014 cover only from April to June

### Local Government: Payment of Invoices

**Mr McClarty** asked the Minister of the Environment to detail the number of suppliers invoices (i) paid; (ii) paid within 30 days; and (iii) paid later than 30 days by each local council (a) in the 2012/13 financial year; and (b) between 1 April 2013 and 31 August 2013.

**(AQW 25436/11-15)**

**Mr Durkan:** This information is not held by the Department. The details set out in the following table has been provided by the individual councils.

<b>Council</b>	<b>(i) total paid in period</b>	<b>(ii) paid within 30 days</b>	<b>(iii) paid after 30 days</b>
Antrim	a) 10191 b)4415	a) 5493 b)3019	a) 4698 b)1396
Ards	a) 12034 b)5871	a) 10462 b)4847	a) 1572 b)1024

<b>Council</b>	<b>(i) total paid in period</b>	<b>(ii) paid within 30 days</b>	<b>(iii) paid after 30 days</b>
Armagh	a) 10409 b)5040	a) 9861 b)4768	a) 548 b)272
Ballymena	a) 11700 b)4510	a) 10385 b)4214	a) 1315 b)296
Ballymoney	a) 5811 b)2396	a) 4712 b)1532	a) 1099 b)864
Banbridge	a) 6527 b)2625	a)4293 b)1987	a) 2234 b)638
Belfast	a) 53340 b)22250	a) 42413 b)18160	a) 10927 b)4090
Carrickfergus	a) 6104 b)2206	a) 4081 b)1835	a) 2023 b) 371
Castlereagh	a) 11797 b)3978	a) 11676 b)3838	a) 121 b)140
*Coleraine	a) 4986 b)4741	a) 3955 b)3783	a) 1031 b)958
Cookstown	a) 6231 b) 2567	a) 6101 b) 2514	a) 130 b) 53
*Craigavon	a) 12266 b)2209	a) 8404 b)1436	a) 3862 b)773
Derry	a) 23108 b)8205	a) 18204 b)6308	a) 4904 b)1897
Down	a) 13094 b)5619	a)10525 b)4577	a) 2569 b)1042
Dungannon and South Tyrone	a) 6205 b)2209	a) 5981 b)2174	a) 224 b)35
Fermanagh	a) 10304 b)5120	a) 7983 b)4347	a) 2321 b)770
Larne	a) 5012 b)1260	a) 3579 b)859	a) 1433 b)401
Limavady	a) 7238 b)3306	a) 6110 b)2799	a) 1128 b)507
Lisburn	a) 13371 b)6547	a) 7717 b)4085	a) 5654 b)2462
Magherafelt	a) 6355 b)2709	a) 6138 b)2609	a) 217 b)100
Moyle	a) 3401 b)1561	a) 2554 b)1274	a) 847 b)287
Newry & Mourne	a) 13724 b)5796	a) 8042 b)2709	a) 5682 b)3086
Newtownabbey	a) 17332 b)6475	a)15137 b)6380	a) 2195 b)95
North Down	a) 10571 b)4590	a) 8951 b)4392	a) 1620 b)198
Omagh	a) 5670 b)2457	a) 4408 b)2094	a)1262 b)363
Strabane	a) 4333 b)1611	a) 3659 b)1482	a) 674 b)129



- \* Coleraine Borough Council advises that arrangements for the accurate recording of this information were initiated in October 2012, so the figures cover only the period October 2012 – March 2013
- \* Craigavon Borough Council advises that the figures for 2013/2014 cover only from April to June.

## Quarries

**Mrs Dobson** asked the Minister of the Environment, pursuant to AQW 25055/11-15, what plans he has to ease the bureaucratic burden on landowners who voluntarily undertake to drain or infill quarries.  
(AQW 25455/11-15)

**Mr Durkan:** I have no immediate plans to make changes to the current regulatory regime at present. I have asked District Councils to undertake a risk assessment on all disused quarries and this is expected to be completed in the autumn. I will carefully consider the outcome of this risk assessment and seek to identify whether there are any appropriate opportunities to work with landowners to help prevent further tragedy.

## Wind Farms: Areas of Outstanding Natural Beauty

**Ms Lo** asked the Minister of the Environment whether there are any restrictions on developing windfarms in Areas of Outstanding Natural Beauty.  
(AQW 25461/11-15)

**Mr Durkan:** While my Department's policy for assessing windfarm proposals does not distinguish between Areas of Outstanding Natural Beauty and other undesignated landscapes, it is a policy presumption that development will not be allowed where this will result in an unacceptable adverse impact on visual amenity or landscape character of that area.

## Wind Farms

**Ms Lo** asked the Minister of the Environment whether there is any zoning of areas for the development of windfarms.  
(AQW 25462/11-15)

**Mr Durkan:** There are no zones designated for the development of wind farms in Northern Ireland. The location of proposed developments will be assessed on a case by case basis in line with Planning Policy Statement 18 and associated documents, which aim to facilitate the siting of renewable energy generating facilities in appropriate locations within the built and natural environment, and other regional policy.

## Wind Farms

**Ms Lo** asked the Minister of the Environment whether there are any locational guidelines for planners on the development of windfarms.  
(AQW 25463/11-15)

**Mr Durkan:** Planning Policy Statement 18 Renewable Energy (PPS 18) sets out the planning policy for development that generates energy from renewable resources, including wind energy. The application of PPS 18 is one of the material considerations that the Department shall have regard to in the determination of planning applications for wind turbines and wind farms.

The policy is accompanied by a 'Best Practice Guidance to Planning Policy Statement 18' document, which provides technical information and guidance on a range of renewable energy technologies.

It is also accompanied by a Supplementary Planning Guidance document entitled 'Wind Energy Development in Northern Ireland's Landscapes'. This document, published by the Northern Ireland Environment Agency, provides broad and strategic guidance in relation to the visual and landscape impacts of wind energy development.

The supplementary planning guidance document 'Wind Energy Development in Northern Ireland's Landscapes' identifies 130 Landscape Character Areas (LCA) and provides an assessment of the characteristics and values associated with each one. It provides guidance on a number of issues including the broad locations that would be the most suitable for wind energy development, in landscape and visual terms, for each LCA.

When assessing planning applications for wind farms, consideration will therefore be given to PPS18, Best Practice guidance, supplementary planning guidance and also to all other material factors. Although the guidance referred to does not provide site specific locational guidelines it is important to note that a detailed consideration of the particular landscape, visual impacts and locational matters associated with each wind farm planning application will take place on a case by case basis.

## Mineral Extraction: Renewal of Permission

**Mr Agnew** asked the Minister of the Environment to detail the number of times that reviews of old mineral permissions have been carried out since 2000; and the number of times since 2000 when an assessment of current minerals permissions have been carried out on special areas of conservation.  
(AQW 25467/11-15)

**Mr Durkan:** While the review of old minerals permissions has not yet commenced, I am exploring options and timelines for introducing this review which will enable my Department to apply up-to-date conditions of operation.

### Single-use Plastic Bag Levy

**Mr Agnew** asked the Minister of the Environment (i) how much his Department now forecasts the single-use plastic bag levy will raise in each year until 2015; (ii) what environmental projects were allocated the £4m originally forecasted from the single-use plastic bag levy; and (iii) whether £4m will continue to be allocated to these projects.

(AQW 25468/11-15)

**Mr Durkan:** The carrier bag levy is an environmental measure intended to substantially reduce the number of carrier bags issued in Northern Ireland and to encourage the reuse of all types of bags. The evidence from the first quarter of charging shows that the Department, working in conjunction with retailers and consumers, has delivered a step change in bag use.

Retailers provided their returns to the Department of the Environment for the first quarter (8 April to 30 June inclusive) in July 2013. The total amount of revenue collected for this period was £885,000. While a number of factors such as seasonal variation are likely to impact revenue in the remaining quarters of the financial year 2013/14, based on the first quarter returns, the Department anticipates that the single use bag levy will generate in the region of £3m this year (net of operational costs).

The amount of revenue generated by the levy is expected to increase in subsequent years, when the levy will be extended to new carrier bags costing less than 20 pence (both single use and low cost reusable bags). Since retailers do not currently report the number of reusable bags issued here, it is not possible to accurately forecast the amount of additional revenue this is likely to generate. However the general quantum of additional revenue, over and above the £3m from single use bags, is expected to be in the hundreds of thousands of pounds. This reflects the fact that the number of reusable bags issued by retailers is much lower than the number of single use bags.

When shoppers still choose to purchase a new carrier bag, the environmental impact will be offset by investing the levy proceeds in community based projects that deliver environmental improvement. None of the revenue generated from the carrier bag levy has been allocated to projects yet. I intend to make an announcement on this subject in the near future.

### Planning Service: Economists

**Mr Agnew** asked the Minister of the Environment, pursuant to AQW 18791/11-15, to detail the number of times planning service requested the services of departmental economists in 2012.

(AQW 25503/11-15)

**Mr Durkan:** In 2012 DOE planning requested the services of departmental economists on 5 occasions in relation to assessing planning applications and on 3 occasions in relation to appeal hearings following the Department's decision on a planning application.

### George Best Belfast City Airport

**Mr Agnew** asked the Minister of the Environment, in relation to Paragraph 1 of the Planning Agreement 2008 between his Department and the George Best Belfast City Airport, to detail the flights that have taken off from, or arrived at, the airport outside of the agreed extended hours due to reasons other than exceptional circumstances; and what action was taken as a result.

(AQW 25526/11-15)

**Mr Durkan:** George Best Belfast City Airport provides the Department with Seats for Sale and Extensions (late flights after 9.30pm) Log Information on a bi-monthly basis. This information includes explanations for delayed flights which invoke a range of issues typical to a regional airport. The level of extensions at the airport has remained at approximately 1% of the total air traffic movements for the last few years.

I am satisfied that the explanations for late flights which have been provided to date are compliant with the Planning Agreement and that there have been no flights that have taken off from, or arrived at, the airport outside the agreed extended hours due to reasons other than exceptional circumstances.

### Wind Farms: Planning Applications

**Mr Buchanan** asked the Minister of the Environment how many current planning applications for wind farms in each constituency are awaiting a determination.

(AQW 25580/11-15)

**Mr Durkan:** There are currently 44 wind farm applications awaiting determination. The following table details these by constituency:

#### The number of Wind farm applications that were pending, as at 31st July 2013

Constituency	Pending applications
East Antrim	3

Constituency	Pending applications
East Londonderry	7
Fermanagh and South Tyrone	1
Mid Ulster	2
Newry and Armagh	2
North Antrim	8
South Antrim	1
South Down	2
West Tyrone	18
Total	44

**Notes:**

1 Up to 31st July 2013 is currently our latest Renewable Energy information.

**Wind Farms: Environmental Impact Assessments**

**Mr Buchanan** asked the Minister of the Environment how many wind farms, that received approval from the Planning Service in the last five years, had an Environmental Impact Assessment carried out prior to approval being granted.

**(AQW 25581/11-15)**

**Mr Durkan:** All planning applications for wind farms approved by the Department in the last five years have had an Environmental Impact Assessment carried out prior to approval.

**Wind Farms: Planning Applications**

**Mr Buchanan** asked the Minister of the Environment how many wind farms have received planning permission in each of the last five years, broken down by constituency.

**(AQW 25584/11-15)**

**Mr Durkan:** The following table details windfarm approvals by constituency:

**The number of Wind farm applications that were approved, between April 2008 and July 2013, by parliamentary constituency**

	2008/ 2009	2009/ 2010	2010/ 2011	2011/ 2012	2012/ 2013	Apr- Jul 2013
Belfast East	0	0	0	1	0	0
East Antrim	1	0	0	0	0	0
East Londonderry	0	2	1	2	3	2
Fermanagh and South Tyrone	2	2	2	1	1	0
Foyle	1	0	0	0	0	0
Lagan Valley	1	0	0	0	0	0
Mid Ulster	0	0	1	2	2	0
Newry and Armagh	0	1	0	0	0	0
North Antrim	1	3	1	1	3	0
South Antrim	0	2	2	1	1	0
West Tyrone	4	4	6	2	1	0
<b>Total</b>	<b>10</b>	<b>14</b>	<b>13</b>	<b>10</b>	<b>11</b>	<b>2</b>

**Notes:**

1 Latest available fully validated renewable energy information.

## Compliance, Improvement and Review Team

**Mr Agnew** asked the Minister of the Environment, pursuant to AQW 22037/11-15, on what legal basis he is withholding the reference numbers; and to detail the planning applications.

**(AQW 25615/11-15)**

**Mr Durkan:** In response to AQW 22037/11-15 my predecessor (Minister Alex Attwood) indicated that there was an ongoing audit of minerals planning application files which had not yet been completed. The reference numbers, locations and descriptions of minerals applications forms part of this audit work which is still in the course of completion.

The Environmental Information Regulations 2004, Part 3, Regulation 12(4)(d) outlines the exception to the duty to disclose environmental information in this instance.

## Cycling: Road Safety

**Mr McKay** asked the Minister of the Environment what action he is taking to prevent cyclists being killed or seriously injured on roads.

**(AQW 25631/11-15)**

**Mr Durkan:** My Department has a statutory duty to promote road safety and, within the context of the Northern Ireland Road Safety Strategy, does this through a wide range of road safety education activities, including road safety public information campaigns and education programmes.

I believe that reducing further all deaths and serious injuries on our roads, with the ultimate ambition of 'Vision Zero', where any death is unacceptable, is an important and achievable objective.

Between 2008 and 2012, six cyclists died on our roads. So far this year three cyclists have died. In 2012, 55 cyclists were seriously injured, an increase from 36 in 2003. The rate of Pedal Cyclist deaths and serious injuries per 100 million kilometers cycled in 2011, the latest figures available, was 77, an increase of 28% on the 2004-2008 baseline of 60.

Drivers are responsible for the majority of collisions, with the main causes being speeding, drink driving and inattention on our roads. Changing the attitudes and behaviours of drivers is therefore the most effective way of protecting all road users and our campaigns concentrate on changing such behaviours. The Road Safety Strategy recognises cyclists as a vulnerable road user group and includes a range of actions that relate to cyclists' safety.

In October 2011, the Department launched the 'Be Cycle Aware' campaign to remind drivers and cyclists to pay attention when sharing the road. This campaign consists of two radio messages and bus back posters.

In May 2012, a campaign was launched to encourage road users to 'respect everyone's journey'. The important safety messages to drivers will benefit all vulnerable road user groups, including cyclists.

In September 2012, a campaign was launched, focusing on wider road user responsibility, urging all road users to take responsibility for their actions on the road. The television, press and online campaign includes an injured cyclist saying "I was cycling in the bike lane. The driver said the sun was in his eyes."

A further campaign, launched on 24 April 2013, invites everyone to 'Share the Road to Zero'. This is aimed at all road user groups – cyclists, pedestrians, motorcyclists, drivers and passengers and, indeed, focuses heavily on cyclists in the opening scenes. The aim is to get every road user to take personal responsibility for helping to prevent deaths on Northern Ireland's roads. The social media aspect of this campaign provides appropriately targeted road safety messages to subscribers. This can be found at [www.sharetheroadtozero.com](http://www.sharetheroadtozero.com)

A 'Cycling Skills & Cycling Safety' guide, developed jointly by DOE and DRD, is available in hard copy and online and provides information on the benefits of cycling, on basic safety requirements and on the rules of the road.

The Cycling Proficiency Scheme is offered by the DOE Road Safety Education Officer Service to every primary school in Northern Ireland. Over 530 Primary Schools participate in the scheme each year, with approximately 8,365 children benefiting from the scheme annually.

Rules 204 to 218 in the Highway Code provide advice on how drivers should treat vulnerable road users, including cyclists, with extra care and attention. Advice specifically for cyclists can be found in Rules 59-82.

Given a rise in cyclist casualties, the Department is currently analysing available data and has commissioned qualitative research to help inform consideration of potential new educational activity around cyclist safety.

I recognise the continuing challenges of reducing casualties on our roads, and will take forward further actions as appropriate from this analysis and research.

## Cycling: Road Safety

**Mr McKay** asked the Minister of the Environment what proposals he has to make roads safer for cyclists.

**(AQW 25637/11-15)**

**Mr Durkan:** My Department has a statutory duty to promote road safety and, within the context of the Northern Ireland Road Safety Strategy, does this through a wide range of road safety education activities, including road safety public information campaigns and education programmes.

I believe that reducing further all deaths and serious injuries on our roads, with the ultimate ambition of 'Vision Zero', where any death is unacceptable, is an important and achievable objective.

Between 2008 and 2012, six cyclists died on our roads. So far this year three cyclists have died. In 2012, 55 cyclists were seriously injured, an increase from 36 in 2003. The rate of Pedal Cyclist deaths and serious injuries per 100 million kilometers cycled in 2011, the latest figures available, was 77, an increase of 28% on the 2004-2008 baseline of 60.

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Given a rise in cyclist casualties, the Department is currently analysing available data and has commissioned qualitative research to help inform consideration of potential new educational activity around cyclist safety.

I recognise the continuing challenges of reducing casualties on our roads, and will take forward further actions as appropriate from this analysis and research.

## Department of Finance and Personnel

### Suicide

**Lord Morrow** asked the Minister of Finance and Personnel to detail the number of (i) deaths by suicide; (ii) deaths from complications following a suicide attempt; and (iii) suspected deaths by suicide in cases where there has not been an inquest or coroner verdict, in each of the last five years, broken down by Health and Social Care Trust area.

**(AQW 25307/11-15)**

**Mr Hamilton (The Minister of Finance and Personnel):** The table overleaf details the number of deaths registered as a suicide<sup>1</sup> in Northern Ireland, for 2008 to 2012, broken down by Health and Social Care Trust Area.

Cause of death is based on a medical or coroner's certificate. The certifying doctor or coroner states the direct cause of death (e.g. 'Suicide') on the certificate. It would thus be very unusual for "Complications following a suicide attempt" to be written on a death certificate.

There is a duty placed on all medical practitioners (and others for example the Registrar of Deaths or Funeral Directors) and the Police Service for Northern Ireland (PSNI) in the 1959 Coroners Act (Northern Ireland) to report all deaths from unnatural causes to the coroner for investigation. This would include all cases of known or suspected suicide. The PSNI Investigating Officer must then collate an inquest file on behalf of the coroner to investigate the full circumstances surrounding the death. Once the file is complete the coroner will decide if an inquest is necessary. This is dependent on the circumstances of the death and the final report of the post mortem examination.



The purpose of the coroner's investigation, with or without inquest is to find out who the person was and, how, when and where they died and to establish the details the Registrar of Deaths needs to register the death. There should therefore be no instances in Northern Ireland of any suspected suicide being registered which has not been the subject of a coroner's investigation.

1 In considering suicide events it is conventional to include cases where the cause of death is classified as either 'Suicide and self-inflicted injury' or 'Undetermined injury'. Since 2001, the ICD10 codes used for 'Suicide and self-inflicted injury' are X60-X84 and Y87.0 and the ICD10 codes used for 'Undetermined injury' are Y10-Y34 and Y87.

**Table 1: Number of Deaths Registered as Suicide<sup>1</sup> in Northern Ireland by Health and Social Care Trust Area, 2008-2012**

Health & Social Care Trust	Registration Year				
	2008	2009	2010	2011	2012P
Belfast HSCT	68	72	79	80	72
Northern HSCT	55	54	65	61	67
South Eastern HSCT	37	32	65	52	47
Southern HSCT	69	47	51	57	46
Western HSCT	53	55	53	39	46
Northern Ireland	282	260	313	289	278

1 In considering suicide events it is conventional to include cases where the cause of death is classified as either 'Suicide and self-inflicted injury' or 'Undetermined injury'. Since 2001, the ICD10 codes used for 'Suicide and self-inflicted injury' are X60-X84 and Y87.0 and the ICD10 codes used for 'Undetermined injury' are Y10-Y34 and Y87.

P Data for 2012 remains provisional until the publication of the Annual Report of the Registrar General in late 2013.

## Rate Relief Scheme

**Mr Cree** asked the Minister of Finance and Personnel to detail the number of households in receipt of Rates Relief at the end of the financial year 2012-13.

**(AQW 25492/11-15)**

**Mr Hamilton:** Only one person in a household can obtain Rate Relief. As at 31st March 2013 there were a total of 17,563 live Rate Relief awards.

The figure provided relates to claims for Rate Relief administered by Land & Property Services.

## Rate Relief Scheme

**Mr Cree** asked the Minister of Finance and Personnel to detail how many people on the Rates Relief Scheme were in employment during the financial year 2012-13.

**(AQW 25493/11-15)**

**Mr Hamilton:** Information on the employment status of rate relief recipients is not available. Of the 17,563 live awards of Rate Relief at 31st March 2013, a total of 5,824 households had reported some earned income.

The figures provided relate to claims for Rate Relief administered by Land & Property Services.

## Community Safety College, Desertcreat

**Mr Elliott** asked the Minister of Finance and Personnel if he has approved the process for the development and construction contract of the new Northern Ireland Community Safety College at Desertcreat.

**(AQW 25534/11-15)**

**Mr Hamilton:** Having completed their internal processes and endorsed the business case for the Northern Ireland Community Safety College at Desertcreat, the Department of Justice (DOJ) and the Department of Health, Social Services and Public Safety (DHSSPS) formally submitted a joint business case to my Department (DFP). Following consideration this case received DFP approval in September 2011.

Following this DOJ invited tenders for the project. It was soon clear that the tender responses were in excess of costs in the approved business case. To address this, a bill of reductions exercise was necessary and an Addendum to the business case required to ensure value for money and that the ethos and functionality of the college is maintained. The Addendum will require DFP approval, but as yet it has not been received.

DOJ and DHSSPS appointed Health Estates as their Centre of Procurement Excellence (CoPE), whose role was to take forward the procurement process for the Northern Ireland Community Safety. The process for the development and construction contract itself therefore is not an issue for my Department but the appointed Centre of Procurement Excellence.

## Farm Maps

**Mr Beggs** asked the Minister of Finance and Personnel, pursuant to AQW 22464/11-15 to detail the (i) sub-contractors; and (ii) value of the contracts.

**(AQW 25603/11-15)**

**Mr Hamilton:** The positional improvement part of the Land Parcel Identification System (LPIS) Improvement Project was carried out by two Land & Property Services sub-contractors DSM Geodata Ltd and BLOM Aerofilms Ltd.

The total monies spent on the contracts, now completed, totalled £2.43 million. The DSM contract accounted for £1.14 million and the BLOM contract accounted for £1.29 million

## Northern Ireland Civil Service Pensions

**Mr McGlone** asked the Minister of Finance and Personnel what consideration he has given to ensuring that correspondence sent to members of the public regarding Northern Ireland Civil Service pensions can be understood by the recipient, who is unlikely to have in-depth actuarial knowledge.

**(AQW 25665/11-15)**

**Mr Hamilton:** Civil Service Pensions has a dedicated Communications Section responsible for maintaining the website, booklets, leaflets and standard letters which are issued to scheme members. In all their literature and correspondence Civil Service Pensions Branch endeavours to use plain English. Where technical terms are used in the booklets and leaflets they are put in bold and explained in a Glossary Section. Pensions is a complex area and therefore Civil Service Pensions also recommends that members seek financial advice when making life changing decisions relating to their pension.

## Rate Revenue

**Mr McGlone** asked the Minister of Finance and Personnel for an estimate of the rates revenue that has been lost since 2007 as a result of the closure of retail outlets due to the recession.

**(AQO 4537/11-15)**

**Mr Hamilton:** Land & Property Services does not collect or generally hold information on why retail outlets close down or vacate premises. There are many reasons why a business or retail outlet closes, for example retirement, lack of sales due to the increase in e-commerce, competition, movement to another location and so on. For this reason LPS is unable to provide an estimate of rate revenue that has been lost since 2007 as a result of the closure of retail outlets due to the recession.

## Rate Relief Scheme

**Mr Elliott** asked the Minister of Finance and Personnel how many pensioners were included in the 2012/13 Rates Relief Scheme.

**(AQO 4544/11-15)**

**Mr Hamilton:** There were approximately 17,500 pensioners included in the 2012/13 Rate Relief Scheme, over 11,000 of these were owner occupiers and around 6,500 were tenants.

The Low Income Rate Relief scheme was introduced under Direct Rule in April 2007 to address shortcoming in the rating system where there were virtually no reliefs beyond those available through the housing benefit system. It is a top up scheme which provides assistance to those low income households that are just beyond the thresholds for Housing Benefit or that are in receipt of partial Housing Benefit. The scheme was biased in favour of pensioners, particularly those who are asset rich and income poor. The scheme costs the NI Executive almost £7m per annum.

Since its introduction other allowances were introduced by the NI Assembly to help moderate the excesses of the new rating system, including the £400,000 value cap and the Lone Pensioner Allowance.

My Department is currently out for consultation on removal of the top up scheme. This is so we can better afford to retain the main rate rebate scheme which currently helps around 225, 000 of our lowest income households but is faced with a 10% cut in funding imposed by HM Government – a cut that applies throughout the UK.

Before jumping to conclusions on the removal of the top up scheme I would urge members to study the worked examples in the consultation paper, as they do show that the scheme is not targeted at the poorest households, whether that be pensioners or those of working age.

Given the continuing public spending squeeze, we have to look at these things in terms of what are our real priorities in terms of helping those least able to pay rates.

## Capital Resource Allocation

**Mr G Robinson** asked the Minister of Finance and Personnel how he intends to proceed with the allocation of resources freed up by the delay in the A5 and the additional capital allocated by Her Majesty's Government.

**(AQO 4536/11-15)**

**Mr Hamilton:** As the Member will recall, the Executive agreed as part of June Monitoring that my officials would commission a capital budget reallocation exercise for the 2014-15 financial year. The main objective of this exercise is to reallocate capital funding that has become available due to delay in projects such as the A5 road scheme and additional allocations received from HM Treasury.

An important element of this exercise will also be to make further progress on allocating out the Financial Transactions capital funding the Executive has available over the next three years.

The capital budget reallocation exercise is now well underway and I intend to inform the Assembly of the outcome once the Executive has considered my proposals as part of the October Monitoring round.

## Surplus Land Sales

**Mrs D Kelly** asked the Minister of Finance and Personnel what assets have been raised through the sale of surplus land through Land and Property Services over the last three years.

(AQO 4538/11-15)

**Mr Hamilton:** I am presuming that the Member is referring to monies realised from the sale of surplus land and buildings managed through Land & Property Services (LPS).

I can report that in the period January 2010 to August 2013 the total sales proceeds realised from the sale of surplus land and buildings through LPS amounted to £39,188,373. This figure includes all land and buildings sold on the open market as well as properties sold to other public sector bodies. A further £2,554,375 of sales are agreed "subject to contract."

## Economic Pact

**Mr Douglas** asked the Minister of Finance and Personnel for an update on his Department's role in the implementation of the Economic Pact.

(AQO 4539/11-15)

**Mr Hamilton:** My Department is responsible for taking forward a range of actions included in the Economic Pact and will report to the First and deputy First Minister on progress. Broadly speaking these are on track to meet the agreed delivery timetable.

For example, work on allocating the £100 million in additional borrowing is underway as part of a 2014-15 Capital reallocation exercise, while my officials are in discussions with their BIS counterparts to confirm Northern Ireland's allocation in respect of both the PEACE and INTERREG Programmes.

Furthermore, within the last couple of weeks I have held a series of meetings with the Secretary of State, the Chief Executive of the British Bankers Association, and the Irish Finance Minister to help progress access to finance issues. Work is also ongoing to prepare for the implementation of any positive decision on the devolution of Corporation Tax and in considering the case for Enterprise Zones and the potential for devolving additional fiscal powers.

My Department and I will continue to work to progress these and the other issues in the Economic Pact significantly over the coming months.

## Zero-carbon Homes

**Mr Byrne** asked the Minister of Finance and Personnel what efforts his Department has made to promote the development of Zero Carbon Homes through the rates process.

(AQO 4540/11-15)

**Mr Hamilton:** In 2009 my Department introduced a scheme to provide a rates holiday to the first occupiers of newly built zero and low carbon houses. However my predecessor closed the scheme in 2012 due to the high cost of administration and the relatively low take up. He chose instead to transfer the funding to the Green New Deal, in order to make better use of available money in pursuit of similar aims.

I have no plans to resurrect the scheme.

## Public Sector Reform

**Mr Hilditch** asked the Minister of Finance and Personnel how the new Public Sector Reform Division will operate.

(AQO 4541/11-15)

**Mr Hamilton:** I firmly believe people in Northern Ireland are entitled to world class public services both in terms of the quality and coverage of those services, and to achieve this goal, we need to make the Executive's resources stretch as far as possible. I have therefore established, within my department, a new Public Sector Reform Division to be a catalyst for change and improvement, designed to support and enable departments, arms length bodies and local government to deliver more effective public services.

Creating a more competitive government will both improve our public services and help to stimulate economic growth. There is certainly potential to deliver public services in a more cost effective and efficient manner, for example, by thinking innovatively about procurement and by ensuring we have in place the most effective delivery models. The new reformed

RPA structure creates opportunities for new, larger councils to engage in collaborative procurement and shared service undertakings. Organisations like the European Investment Bank are keen to assist in developing our infrastructure but the previous local authority structure and HM Treasury rules frequently hindered such developments advancing.

The new Reform Division will also have a key role to play in encouraging the private sector and local authorities to bring forward investments that can utilise the increasing amounts of Financial Transactions Capital that the Executive receives from HM Treasury.

## Rate Liability for the Landlord Sector

**Mr McGimpsey** asked the Minister of Finance and Personnel for his assessment of any preliminary findings of the consultation on the review of Rates Liability for the Landlord Sector.

**(AQO 4542/11-15)**

**Mr Hamilton:** My Department has recently published the outcome of the consultation on review of rates liability for the landlord sector on the Rating Policy Division website.

The consultation closed on the 28 June 2013. A total of 16 responses to the consultation exercise were received, consisting of 2 businesses, 8 organisations, 2 district councils, 1 political party and 3 ratepayers.

My initial assessment is that the policy proposals to simplify the current arrangements were well supported by the consultation and I am inclined to make these relatively straightforward changes, with the Assembly's support, through new legislation. The measures to be taken forward will remove the need for landlords to provide tenancy agreements to LPS and will also standardise the level of allowance.

Furthermore my Department has also put in place administrative arrangements to deal with difficult cases. However, the Department must act in accordance with the legislation when assessing rate liability and recovering outstanding debt.

I should add that some consultees want radical changes to be made to the rating system. They lie in opposing camps - landlords would like tenants to be liable in all cases and vice versa for the advice sector.

Either of those approaches would represent a major change and I am not convinced that now is the time to do that given everything else that is going on, in particular Welfare Reform with the difficult question of direct payment of housing costs to landlords. I think the sensible thing is to wait before we do anything radical with the rates and we can revisit this whole area at a better time.

## Rates: Capital Value Limit

**Mr Flanagan** asked the Minister of Finance and Personnel what consideration has been given to removing the statutory maximum capital value limit for rating purposes instead of scrapping rate relief payments, as proposed by his predecessor.

**(AQO 4543/11-15)**

**Mr Hamilton:** This particular issue was consulted upon during my Department's preliminary public consultation which took place between January and April this year. A few organisations suggested this as an alternative way of helping close the funding gap caused by the restricted funds now provided for rate rebate under Housing Benefit.

However, I share the views of my predecessor that this measure, which was introduced following the Executive's 2007 Review of the Domestic Rating system, remains relevant today as it continues to moderate one of the extreme effects of the rating system introduced under Direct Rule. It does this by ensuring that no ratepayer in Northern Ireland pays more than the average of someone in the highest council tax band in England.

Whilst I am not one for keeping old policies that are redundant or don't do their job properly or are low priority, I think I am on safe ground in saying that what was fair then, remains fair today. For this reason I am not keen to pursue this particular suggestion. However, before making my mind up on the matter I would like to consider the outcome of the current consultation on the future of Rate Rebate.

## Fiscal Powers

**Mr Ó hOisín** asked the Minister of Finance and Personnel for his assessment of the recent research report produced by the Northern Ireland Council for Voluntary Action regarding the potential for enhanced fiscal powers.

**(AQO 4545/11-15)**

**Mr Hamilton:** NICVA's recent report on the Assembly's fiscal powers provides a useful contribution on the debate on this matter it sets out the current Scottish and Welsh approaches to fiscal devolution and using that identifies some further fiscal powers that we might seek. However, in considering this it is important to recognise that the context and rationale behind the devolution process in the other administrations is somewhat different from our own.

Financial accountability has been a major focus for Scotland and Wales whilst in contrast we have, unapologetically, taken an economic focus thus far. Increasing accountability is about bringing the revenues you raise more into line with the monies that you spend. That is why income tax powers are such a big part of this for Scotland and Wales. While Corporation tax with a total tax base of maybe £800m-£900m remains a possibility, it would in my view be unwise to seek devolution of any other substantial tax.

That said, we are examining the potential for devolving specific additional powers in line with that commitment in the Economic Pact.

## Department of Health, Social Services and Public Safety

### Heart Surgery

**Mr Swann** asked the Minister of Health, Social Services and Public Safety to detail the number of local children who have required cardiac procedures in each of the last five years.

**(AQW 25302/11-15)**

**Mr Poots (The Minister of Health, Social Services and Public Safety):** Information on the number of cardiac procedures carried out on local children, in each of the last five years is detailed in the table below.

Year	Number of cardiac procedures
2008/09*	111
2009/10*	97
2010/11	121
2011/12	131
2012/13	132

**Source:** Belfast Health and Social Care Trust (HSCT) Information Department and the Northern Ireland Health and Social Care Board (HSCB)

\* HSCB was unable to provide data on the number of cardiac procedures undertaken during 2008/09 and 2009/10. As such the figures for these years relate only to those children resident in Northern Ireland who were treated at the Belfast HSCT.

### Heart Surgery

**Mr Swann** asked the Minister of Health, Social Services and Public Safety to detail the number of local children that have had cardiac procedures completed in (i) Northern Ireland; (ii) Republic of Ireland; and (iii) England, in each of the last three years.

**(AQW 25303/11-15)**

**Mr Poots:** Information on the number of paediatric cardiac procedures carried out on children resident in Northern Ireland, in each of the last three years is detailed in the table below.

Year	Northern Ireland <sup>1</sup>	Republic of Ireland <sup>2</sup>	England <sup>2</sup>
2010/11	70	9	42
2011/12	80	15	36
2012/13	58	40 <sup>P</sup>	34 <sup>P</sup>

**Source:**

- 1 Belfast Health and Social Care Trust (HSCT) Information Department
- 2 Northern Ireland Health and Social Care Board (HSCB)

**Note:**

P 2012/13 is provisional and subject to validation

### Loane House

**Lord Morrow** asked the Minister of Health, Social Services and Public Safety if the closure of twelve beds by the Southern Health and Social Care Trust in Loane House, South Tyrone Hospital, is (i) temporary, and if so, for how long; or (ii) permanent, and if so, why.

**(AQW 25312/11-15)**

**Mr Poots:** There has been a temporary closure of 12 beds at Loane House due to a downturn in demand over the summer months. The Southern Health and Social Care Trust has advised that as soon as the rate of referrals to Loane House increases the beds would be reopened.



## Health and Social Care: Complaints

**Mr Allister** asked the Minister of Health, Social Services and Public Safety why complaints against doctors and dentists are dealt with by an independent body but complaints against nursing staff are dealt with internally; and to outline the plans he has to bring independent oversight and appeal procedures to the nursing profession.

(AQW 25344/11-15)

**Mr Poots:** The procedures for dealing with all HSC staff, including doctors and nurses, are employer led and managed internally. In addition, in serious cases, HSC employers may make referrals to relevant professional bodies e.g. Nursing and Midwifery Council (NMC) in the case of nurses or General Medical Council (GMC) in the case of doctors.

I have no plans to bring independent oversight and appeal procedures to the nursing profession.

## Health and Social Care: Complaints

**Mr Allister** asked the Minister of Health, Social Services and Public Safety to outline the criteria that is used for immediate suspension of nurses following complaints; and how the rate of suspension compares with complaints against doctors that are now dealt with by an independent investigatory body.

(AQW 25345/11-15)

**Mr Poots:** The immediate suspension of a nurse will apply on lapse of registration with the Nursing and Midwifery Council (NMC). In other cases, immediate suspension may be appropriate where gross misconduct is suspected or alleged and where continued working may give rise to further misconduct or interference with the process of fair investigation. In the calendar year ending December 2012, 53 nurses were suspended compared to 3 doctors.

## Health and Social Care: Missed Appointments

**Mr Weir** asked the Minister of Health, Social Services and Public Safety how many appointments were missed at (i) GP surgeries in North Down; (ii) Bangor Hospital; (iii) Newtownards Hospital; and (iv) the Ulster Hospital, over the last twelve months.

(AQW 25371/11-15)

**Mr Poots:**

- (i) General Practitioners (GPs) are independent contractors who contract with the Health and Social Care Board to provide Primary Medical Services to their patients. As independent contractors, GPs are responsible for the day to day management of their practice, including patient appointment arrangements, therefore information on missed appointments is not collated centrally and therefore could only be available at disproportionate cost. (AQW 25371/11-15 & AQW 25372/11-15)
- (ii) – (iv) The number of outpatient appointments missed at Bangor Hospital, Newtownards Hospital and Ulster Hospital, in each quarter of the last twelve months, is shown in the table overleaf. These figures represent the number of outpatient appointments where a patient did not attend (DNA) and failed to give advance warning to the hospital. (AQW 25371/11-15)

When assessing the level of missed outpatient appointments, it is more appropriate to consider these in the context of the total number of outpatient attendances, in order to provide a more comparative trend analysis. This involves the calculation of a standardised measure of missed appointments, which is called a DNA rate. DNA rates are also presented in the table below.

Hospital	Quarter Ending	No. of Missed Outpatient Appointments	Missed appointment (DNA) rate <sup>1</sup>
Bangor	September 2012	223	7.3
	December 2012	252	7.8
	March 2013	259	7.8
	June 2013 <sup>P</sup>	222	6.6
	<b>Total</b>	<b>956</b>	<b>7.4</b>
Newtownards	September 2012	503	8.9
	December 2012	509	9.1
	March 2013	560	10.0
	June 2013 <sup>P</sup>	526	9.0
	<b>Total</b>	<b>2,098</b>	<b>9.3</b>

Hospital	Quarter Ending	No. of Missed Outpatient Appointments	Missed appointment (DNA) rate <sup>1</sup>
Ulster	September 2012	3,725	10.2
	December 2012	3,939	10.1
	March 2013	4,090	10.6
	June 2013 <sup>P</sup>	4,044	10.4
	<b>Total</b>	<b>15,798</b>	<b>10.3</b>

**Source:** Quarterly Outpatient Activity Return (QOAR) Part 1

**P** Data is currently provisional

**1** The DNA rate is calculated as follows: (Number of missed appointments/(Number of outpatient attendances + Number of missed appointments))\*100

The cost of a hospital appointment being missed can only be provided at disproportionate cost. (AQW 25372/11-15)

## Health and Social Care: Missed Appointments

**Mr Weir** asked the Minister of Health, Social Services and Public Safety to detail the cost of missed appointments at (i) GP surgeries in North Down; (ii) Bangor Hospital; (iii) Newtownards Hospital; and (iv) the Ulster Hospital, over the last twelve months.

**(AQW 25372/11-15)**

**Mr Poots:**

- (i) General Practitioners (GPs) are independent contractors who contract with the Health and Social Care Board to provide Primary Medical Services to their patients. As independent contractors, GPs are responsible for the day to day management of their practice, including patient appointment arrangements, therefore information on missed appointments is not collated centrally and therefore could only be available at disproportionate cost. (AQW 25371/11-15 & AQW 25372/11-15)
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The cost of a hospital appointment being missed can only be provided at disproportionate cost. (AQW 25372/11-15)

**Deafness**

**Ms P Bradley** asked the Minister of Health, Social Services and Public Safety what assistance his Department provides for the parents of profoundly deaf children.

(AQW 25374/11-15)

**Mr Poots:** Following diagnosis and assessment, appropriate advice and guidance is given to parents and/or carers by Health and Social Care Trusts. These include for example, counselling support, parents support groups and family sign classes. Any child who is profoundly deaf is entitled to be assessed under the Understanding the Needs of Children in Northern Ireland framework, which includes a section on the needs of carers.

In addition, my Department's Physical and Sensory Disability Strategy which was published in 2012, recognises the important role that carers play in lives of children with disabilities. The needs of children and their carers are also being addressed through the Children with Disabilities Sub-group of the Children and Young People's Strategic Partnership which includes representatives from the field of sensory disability, including the National Deaf Children's Society

The Health and Social Care Board has also recently identified an additional £750k of funding support for the carers of children with a disability.

**Residential and Respite Care: Carrickfergus**

**Mr Copeland** asked the Minister of Health, Social Services and Public Safety what provision exists in the Carrickfergus area for elderly people who require (i) residential care; and (ii) respite care; and what is the current waiting time for each.

(AQW 25433/11-15)

**Mr Poots:** The Northern HSC trust has informed me that there are 3 care homes in the Carrickfergus area which provide, amongst other services, residential care for the elderly.

The Trust also advises that there are 2 dedicated respite care beds available in Joymount Residential Unit. Should demand for respite beds increase the Trust will commission additional capacity from the independent sector to meet this need.

There is currently no waiting list for residential or respite care in the area.

**Joymount House**

**Mr Copeland** asked the Minister of Health, Social Services and Public Safety how many beds for respite care were available in Joymount House between the 28 June and 7 July 2013.

(AQW 25434/11-15)

**Mr Poots:** The information is not held centrally and was requested from the Northern Health and Social Care (HSC) Trust.

The Northern HSC Trust stated that there are 2 dedicated respite beds in Joymount House. Both were occupied between the 28 June and 7 July 2013.

**Health and Social Care: Payment of Invoices**

**Mr McClarty** asked the Minister of Health, Social Services and Public Safety to detail the number of suppliers invoices (i) paid; and (ii) paid within ten working days of receipt by each Health and Social Care Trust (a) between 1 April 2013 and 31 August 2013; and (b) in the 2012/13 financial year.

(AQW 25438/11-15)

**Mr Poots:** The number of invoices paid by each Health and Social Care Trust and the number paid within ten working days of receipt (a) between 1 April 2013 and 31 August 2013; and (b) in the 2012/13 financial year are contained in the table below.

Trust	1 April 2013 to 31 August 2013		2012/13 Annual Accounts	
	Total Invoices paid	Total paid within 10 working days	Total Invoices paid	Total paid within 10 working days
Belfast	154,103	93,605	365,366	141,411
Northern	36,232	14,806	144,344	64,211

Trust	1 April 2013 to 31 August 2013		2012/13 Annual Accounts	
	Total Invoices paid	Total paid within 10 working days	Total Invoices paid	Total paid within 10 working days
Southern	48,608	23,762	123,324	59,689
South Eastern	55,736	25,724	148,914	74,183
Western	47,432	33,295	119,570	76,188
N.I.A.S.	6,233	1,243	14,690	3,467

## Nursing and Care Homes

**Mr Allister** asked the Minister of Health, Social Services and Public Safety whether the Regulation and Quality Improvement Authority has expressed a view on the sufficiency of the present level of fees paid to private nursing and care homes, having regard to the standards which they require.

**(AQW 25441/11-15)**

**Mr Poots:** The level of fees is a matter for agreement between the provider and the placing authority, normally a Health and Social Care Trust or in the case of private funders, an individual client or their representative.

The Regulation and Quality Improvement Authority as an independent arms length body is required to register and inspect all residential care and nursing homes in accordance with regulations and against minimum care standards published by the Department of Health Social Services and Public Safety.

Regulations include a requirement that the provider furnishes the patient or resident with a statement specifying the fees payable and to notify in advance, any increase in fees.

RQIA as regulator monitors compliance with the regulations but has no role in the setting of such fees.

## Ex-service Personnel

**Mr Copeland** asked the Minister of Health, Social Services and Public Safety how many ex-service personnel, who served during 31 August 1969 and 31 July 2007, from the (i) armed forces; (ii) UDR; (iii) RUC; and (iv) Prison Service are currently suffering from (a) mental health issues; and (b) physical injury.

**(AQW 25494/11-15)**

**Mr Poots:** This information is not collected by the DHSSPS.

## Bangor Hospital

**Mr Easton** asked the Minister of Health, Social Services and Public Safety what services are currently available at Bangor Hospital.

**(AQW 25499/11-15)**

**Mr Poots:** Current services at Bangor Hospital consist of a wide range of outpatient clinics including diabetes, chest, rheumatology, gynaecology, skin, pain, audiology, sexual health and reproductive services, wound management, lymphoedema, and continence. The hospital also houses a therapy and rehabilitation centre, minor injuries unit, radiology service, along with medical outpatients and 20 GP inpatient beds. Bangor Hospital also contains offices for Cruse Bereavement Care.

## Community Safety College, Desertcreat

**Mr Elliott** asked the Minister of Health, Social Services and Public Safety whether he has agreed the process for development and the construction contract of the new Northern Ireland Community Safety College at Desertcreat.

**(AQW 25550/11-15)**

**Mr Poots:** This project is being procured and funded through the normal method of public capital procurement using competitive tendering processes, in line with DFP and Departmental guidance. The project is now at the stage where consideration is being given to the appointment of the preferred bidder.

As you will be aware the costs of this project have increased since the business case was approved in 2011, requiring approval of the addendum to the business case by all parties – Departments and the three relevant bodies. This is currently underway.

## Bangor Hospital

**Mr Easton** asked the Minister of Health, Social Services and Public Safety how many outpatients have attended Bangor Hospital over the last three years.

**(AQW 25594/11-15)**

**Mr Poots:** This information is not collected by the DHSSPS.

## Foundation Dentists

**Mr Beggs** asked the Minister of Health, Social Services and Public Safety how many places were available for Foundation Dentists commencing practice based training in August 2013.

**(AQW 25596/11-15)**

**Mr Poots:** There were 34 places available in Northern Ireland for Foundation Dentists commencing practice based training in August 2013.

## Childcare: South Tyrone

**Ms McGahan** asked the Minister of Health, Social Services and Public Safety to detail the child care services and providers located in the South Tyrone constituency.

**(AQW 25609/11-15)**

**Mr Poots:** The website, [www.familysupportni.gov.uk](http://www.familysupportni.gov.uk), lists all registered childcare providers across Northern Ireland.

Registered childminders are also included on the website apart from a small number who have requested that their details are withheld on security grounds.

A list of registered childcare providers in the South Tyrone constituency is attached.

### Registered Childcare Provision in South Tyrone Constituency

Name	Postcode
Caledon Playgroup	BT68 4UF
Aughnacloy Parent & Toddler Group	BT69 6AX
Aughnacloy Playgroup Ltd	BT69 6DU
Dungannon SureStart Ballysaggart Time 2 Be Me 2YOP	BT70 1BS
Kiddiwinkles at Ballysaggart	BT70 1BS
Little Ladybird Adult & Child Group	BT70 1BS
Naiscoil Aodha Rua	BT70 1HD
The Roundabout Club	BT70 1HE
Rainbow Playgroup	BT70 1LE
Ballygawley Cross Community Parent & Toddler Group	BT70 2HD
Galbally Parent & Toddler Group	BT70 2NX
Lollipop Playgroup	BT70 3DL
Tarrant Tots Parent and Toddler	BT70 3DL
Ballygawley Early Years Ltd Playgroup	BT702HD
Paddington Playgroup	BT702NX
Newmills Parent & Toddler Group	BT71 4BL
Newmills Playgroup	BT71 4HJ
Forever Friends Playgroup	BT71 4JJ
Jumpin Jacks Parent & Toddler Group	BT71 4LS
Happy Days Playgroup (Coalisland)	BT71 4NW
An Tearmann Parent & Toddler Group	BT71 4PF
Krafty Kidz Afterschool	BT71 4PF
Little Teddy Bear Parent and Toddler Group	BT71 4PF



Name	Postcode
Time To Be Me	BT71 4PF
Iar Scoil Ui Neill	BT71 4PU
Little bo Beep Parent & Toddler Group	BT71 4PU
Busy Kids Day Nursery	BT71 4QZ
Busy Kids Out Of School Club	BT71 4QZ
Brockagh Playgroup	BT71 5DX
Jolly Tots	BT71 6AA
Dungannon Campus Out of School Club	BT71 6BE
Washingford @ Sth West College	BT71 6BQ
Kiddiwinkles Afterschool Club	BT71 6DE
Kiddiwinkles Playgroup	BT71 6DE
Tiny Stars Playgroup	BT71 6HX
Loughshore Playgroup	BT71 6PA
Rainbow Community Child Care Day Nursery	BT71 6PW
Rainbow Community Childcare Out of School Club	BT71 6PW
Kiddiwinkles Day Nursery	BT71 6QD
Little Sunbeams Parent and Toddler Group	BT71 6RL
St Peter's Out of School Club	BT71 6SW
St Peter's Playgroup	BT71 6SW
Washingford Day Care	BT71 7BG
Washingford Day Care After School	BT71 7BG
Washingford Playgroup	BT71 7BG
Kute Little Treasures Day Nursery	BT71 7HJ
Kute Little Treasures Out of School Club	BT71 7HJ
Benburb Community Playgroup	BT71 7JT
Little Stars Parent & Toddler Group	BT71 7RG
Humpty Dumpty Playgroup	BT71 7RJ
Moy Community Playgroup	BT71 7SN
Panda Playgroup	BT71 1TH
Little Acorns Playgroup Laghey	BT71 6RJ
Killyman Playgroup	BT71 6RL
Kids R Us	BT75 0PA
Fivemiletown Out of School Club	BT75 0PQ
Clogher Valley Playgroup	BT76 0UW
Clogher Valley SS Two's Company	BT77 0BG
Woodland Adventure Playgroup	BT77 0ET

**Registered Childminders in South Tyrone Constituency**

First Name	Surname	Post Code
Wendy	Beatty	BT69 6DB
Lorna	Kyle	BT69 6DU
Helen	Cadoo	BT69 6EW

First Name	Surname	Post Code
Eimear	Lowe	BT70 1HG
Eimear	Lowe	BT70 1HG
Olive	Reid	BT70 1LB
Frances	McKillion	BT70 1LZ
Linda	Symington	BT70 1NN
Fiona	Currie	BT70 1QX
Alberta	Hall	BT70 1SG
Sabrina	Mullin	BT70 1SR
Jayne	McArdle	BT70 1SU
Donna	Mallon	BT70 1TF
Wendy	McFarland	BT70 1TW
Lisa	McCrystal	BT70 2EY
Brenda	Douglas	BT70 2HA
Sheila	McBride	BT70 2JF
Roberta	Devlin	BT70 2JN
Joanne	Galloway	BT70 2JU
Noleen	Carson	BT70 2LJ
Lorraine	Gillespie	BT70 2ND
Sylvia	Gates	BT70 2TZ
Zoe	Burrows	BT70 3AB
Ann	Muldoon	BT70 3AT
Siobhan	McVeigh	BT70 3BP
Mairead	McKane	BT70 3BT
Denise	McCann	BT70 3BW
Maria	Heatherington	BT70 3EL
Iwona	Wnek-Labedzka	BT70 3EL
Patricia	Shields	BT70 3EU
Annmarie	Kelly	BT70 3GZ
Veronica	Hughes	BT70 3GZ
Roseleen	Donaghy	BT70 3HH
Margaret	Hamill	BT70 3LU
Paula	Allen	BT70 3LY
Ciara	Campbell	BT70 5DA
Jill	Crooks	BT71 4BG
Estelle	Evans	BT71 4DW
Jennifer	Wilson	BT71 4EE
Edith	Reid	BT71 4ES
Esther	Little	BT71 4GX
Tracey	Rodgers	BT71 4HJ
Orla	Hughes	BT71 4LF
Grainne	Scullion	BT71 4LW

First Name	Surname	Post Code
Julie	Hughes	BT71 4LW
Bernie	Campbell	BT71 4LY
Petra	Toner	BT71 4NG
Sheenagh	Corr	BT71 4PF
Paula	Quinn	BT71 4PT
Claire	Scullion	BT71 4RT
Lea	Bleeks	BT71 4ST
Alicia	McDonald	BT71 4TH
Sinead	Daly	BT71 4XF
Roisin	Coyle	BT71 5EN
Fiona	McKeown	BT71 5EW
Karen	Brodison	BT71 5PX
Linda	Burrows	BT71 5QQ
Evelyn	Holmes	BT71 6DU
Claire	McCann	BT71 6EZ
Laura	Bloomer	BT71 6FR
Orla	Currie	BT71 6GY
Darina	Coary	BT71 6GY
Margaret	Hazlie	BT71 6HN
Cherie	Cardwell	BT71 6HW
Caitriona	Donnelly	BT71 6HX
Tracy	McGahan	BT71 6HZ
Clodagh	Kerr	BT71 6JP
Sharon	Gallagher	BT71 6JW
Kathleen	Toal	BT71 6LR
Allison	Green	BT71 6LT
Alison	Cullen	BT71 6NB
Frances	Gilpin	BT71 6PL
Shirley	McKee	BT71 6QT
Karen	Sloss	BT71 6SB
Joan	Willis	BT71 6SF
Ellen	Donnelly	BT71 6SS
Martina	Murphy	BT71 6SY
Bernadette	Mulhall	BT71 6TN
Julie	Johnston	BT71 6UB
Stacey	Donaghy	BT71 6UE
Anne	McCreedy	BT71 6UH
Nicola	Robinson	BT71 6XA
Eleanor	Peile	BT71 6XD
Julie	Burke	BT71 6XP
Orlagh	Moore	BT71 7BH

First Name	Surname	Post Code
Eimear	Burns	BT71 7BH
Pamela	Montgomery	BT71 7EJ
Eleanor	McCaughey	BT71 7ES
Tina	Finn	BT71 7JF
Gillian	Harvison	BT71 7PE
Deirdre	Daly	BT71 7PP
Caroline	Burton	BT71 7PP
Camelia	McWhirter	BT71 7PQ
Tanya	Burke	BT71 7PW
Helen	Fearon	BT71 7PZ
Karen	Paisley	BT71 7RN
Jacqui	Williamson	BT71 7SS
Bernadette	Hughes	BT71 7SS
Mairead	Quinn	BT71 7TD
Eileen	Morris	BT71 7TH
Marie	O'Hagan	BT71 7TJ
Magdalena	Kesy	BT71 7TY
Phyllis	Willis	BT716NU
Jacqueline	Meneely	BT716UE
Lisa	Fee	BT75 0JD
Gemma	Cunningham	BT75 0LQ
Hilary	Johnston	BT75 0LQ
Helga	Montgomery	BT75 0PS
Charlene	Farmer	BT75 0PZ
Natalie	Holme	BT75 0QJ
Amanda	Lee	BT75 0QP
Paula	Scott	BT75 0SA
Kerry	Ferguson	BT75 0SD
Wilma	Lee	BT76 0AS
Sharon	Robinson	BT76 0AS
Joan	Beatty	BT76 0HF
Pauline	Robson	BT77 0BE
Charleen	Thompson	BT77 0BP
Valerie	McFarland	BT77 0BW
Doreen	Irvine	BT77 0DE
Sharon	Little	BT77 0EH
Veronica	McKenna	BT78 2SQ

## Continuing Healthcare

**Ms Maeve McLaughlin** asked the Minister of Health, Social Services and Public Safety what mechanisms are in place to ensure that Health and Social Care Trusts are compliant with the provision of Continuing Health Care.  
(AQW 25610/11-15)

**Mr Poots:** Departmental Circular ECCU 1/2010 'Care Management, Provision of Services and Charging Guidance' provides Health and Social Care (HSC) Trusts with direction on the assessment of a person's health and social care needs. As set out in the circular the outcome of the assessment could be either a primary need for health care, which is provided free; or social care for which a means tested contribution may be required.

My Department sought confirmation from all HSC Trusts in October 2012 that they were compliant with this circular. All HSC Trusts confirmed that this was the case.

### **Pinewood Residential Care Home, Ballymena**

**Mr Swann** asked the Minister of Health, Social Services and Public Safety whether the consultation regarding the closure of the Pinewood Home in Ballymena was completed prior to his Statement of 3rd May 2013.

**(AQW 25617/11-15)**

**Mr Poots:** On 03rd May I stopped all Trust consultation processes with regard to statutory residential homes for older people. Consequently, the Northern Health and Social Care Trust's consultation on the Future of Statutory of Residential Care for Older People, which included Pinewood, was not completed.

The HSC Board launched the Project Initiation Document for their Project on Improving Services for Older People – A New Process for Consulting, Engaging and Implementing Change on 21 August 2013. This new regional approach gives assurance that best practice will be followed in the future development of proposals, engagement and delivery of change.

Pinewood Residential Care Home will be considered as part of this process going forward. Residents, families and staff have been advised of the new two stage process and I would encourage people to share their views during the forthcoming two periods of public consultation.

### **Hydraulic Fracturing**

**Mr Agnew** asked the Minister of Health, Social Services and Public Safety whether his Department has made, or intends to make, any assessment of the health impacts from the extraction of oil or gas using slick water high volume hydraulic fracturing.

**(AQW 25626/11-15)**

**Mr Poots:** Public Health England (formerly the Health Protection Agency), provides specialist advice and support to Departments and agencies across the UK on a wide range of health protection matters. PHE is currently reviewing the potential health impacts of hydraulic fracturing, the process commonly known as fracking. It is anticipated that this report will be available in the near future. My Department and the Public Health Agency will be guided by this advice.

### **Cycling and Pedestrian Infrastructure**

**Mr McKay** asked the Minister of Health, Social Services and Public Safety whether his Department is promoting the need for proper cycling and pedestrian infrastructure as an aid in improving public health.

**(AQW 25634/11-15)**

**Mr Poots:** I would like to answer both these questions together as they are of a similar nature.

My Department and the Department for Regional Development have ongoing discussions about the importance of creating an environment that promotes walking and cycling, including the need for appropriate infrastructure. This supports the delivery of my Department's obesity prevention framework, "A Fitter Future for All", and DRD's Active Travel Strategy for Northern Ireland, which was launched in January 2013, and the Active Travel Action Plan, launched in August 2013.

### **Cycling and Pedestrian Infrastructure**

**Mr McKay** asked the Minister of Health, Social Services and Public Safety what communication he has had with the Minister for Regional Development on the link between better cycling infrastructure and improved levels of public health.

**(AQW 25635/11-15)**

**Mr Poots:** I would like to answer both these questions together as they are of a similar nature.

My Department and the Department for Regional Development have ongoing discussions about the importance of creating an environment that promotes walking and cycling, including the need for appropriate infrastructure. This supports the delivery of my Department's obesity prevention framework, "A Fitter Future for All", and DRD's Active Travel Strategy for Northern Ireland, which was launched in January 2013, and the Active Travel Action Plan, launched in August 2013.

### **Belfast School of Dentistry**

**Mr Allister** asked the Minister of Health, Social Services and Public Safety what assurances he can give on the future of the Belfast School of Dentistry; and whether there are any plans to migrate the service elsewhere.

**(AQW 25682/11-15)**

**Mr Poots:** The General Dental Council has a statutory obligation to quality assure dental education courses and judges whether students have reached a level of experience suitable to allow GDC registration. It decides if an undergraduate



dentistry course is deemed sufficient and so enables a dental school to recruit and train students. The 2011 and 2012 GDC inspection reports for the Belfast School of Dentistry at Queen's University concluded that the then final year students would be allowed to register and that the course was sufficient. However both reports required further inspections in the next year. The report of the GDC inspection of 16 and 17 April this year has not yet been published but Queen's graduates joined the GDC register in June.

I remain committed to having a dental school in Northern Ireland. A local dental school provides a key source of trained dentists for our future dental workforce and consultant staff also provide an important specialist service function. I have previously assured the GDC of my full support and commitment to the Belfast School of Dentistry and the GDC have acknowledged the strong and clear level of support from my Department at a time when sustainability and vulnerability are concerns for those involved with the dental school. I note the progress that has been made at the School of Dentistry at Queen's and continue to keep the situation under review.

My Department provides recurrent funding of almost £6m, along with similar funding from DEL, for undergraduate dental education including senior clinical academic staff. My Department has also invested £2.9m in recent years to refurbish clinical areas in the dental school and the GDC has been pleased with the positive impact that this has made.

No plans have been made to migrate the service elsewhere.

## Deafness

**Mr Weir** asked the Minister of Health, Social Services and Public Safety how many children in each constituency are diagnosed as profoundly deaf.

(AQW 25722/11-15)

**Mr Poots:** Refer to answer in AQW 25375/11-15

The information provided in the answer to AQW 25375/11-15 cannot be disaggregated beyond Health and Social Care (HSC) Trust Area.

## Smoking: Western Health and Social Care Trust

**Mr Wells** asked the Minister of Health, Social Services and Public Safety for his assessment of the decision by the Western Health and Social Care Trust to prohibit smoking throughout all its buildings and grounds; and whether he has any plans to encourage other Trusts to implement a similar policy.

(AQW 25725/11-15)

**Mr Poots:** I fully support the decision by the Western Health and Social Care Trust to become completely smoke-free by prohibiting smoking in both premises and grounds. This decision is in line with my Department's 10-year tobacco control strategy which encourages organisations, such as HSC Trusts, to go further than the legislation requires by adopting more comprehensive smoke-free policies.

The Public Health Agency has established a steering group to implement the tobacco control strategy and its action plan includes a commitment to support any HSC Trust wishing to become completely smoke-free. I have no doubt that the decision by the Western Trust will encourage other Trusts to adopt similar policies.

## Community Safety College, Desertcreat

**Mrs Overend** asked the Minister of Health, Social Services and Public Safety to outline the outstanding approvals needed before work can begin on the Training College at Desertcreat.

(AQW 25774/11-15)

**Mr Poots:** The business case was approved in 2011, at which point work commenced on the design element of this project.

The costs for this project subsequently increased significantly, requiring a new addendum to be developed and approved by all parties before the project can continue.

The addendum to the business case needs to be approved by both my Department and the Department of Justice, whilst the Northern Ireland Fire and Rescue Service, Police Service for Northern Ireland and the Northern Ireland Prison Service need to agree the plans in terms of value for money and affordability. Finally, given the cost of this project, approval is required by the Department of Finance and Personnel.

## Residential Care

**Mr Gardiner** asked the Minister of Health, Social Services and Public Safety what steps have been taken to improve health service engagement with elderly people and their families over the future of Health Service residential care homes and care packages for the elderly.

(AQO 4580/11-15)

**Mr Poots:** The HSC Board launched the Project Initiation Document for their Project on Improving Services for Older People – A New Process for Consulting, Engaging and Implementing Change on 21 August 2013. This new regional approach will

include two periods of public consultation: the first will be on draft criteria which will be applied to statutory residential homes at a local level by Trusts; the second will focus on any proposals arising from that exercise.

With that in mind I am confident that this revised process will allow every opportunity for people to share their views with adequate transparency and consistency. The HSC Board will be working closely with residents and relatives throughout the process, as well as liaising with key stakeholders such as the Commissioner for Older People for Northern Ireland, the PCC and Age NI.

## Causeway Hospital

**Mr McQuillan** asked the Minister of Health, Social Services and Public Safety for an update on the options appraisal for the management arrangements at the Causeway Hospital.

**(AQO 4581/11-15)**

**Mr Poots:** The Post Consultation Report on the "Transforming Your Care: Vision to Action" published in March 2013 recommended that an options appraisal on the future of management arrangements for Causeway Hospital should go forward, with a view to completing this appraisal within 6 months. My Department had begun preparatory work on the appraisal.

In parallel with this, work has been ongoing at the Northern Trust to take forward the implementation of the Turnaround Improvement Plan. A key element of that work is a series of service reviews, including networking of clinical services, and development of a new model for medical leadership and management. These processes should provide the Trust the opportunity to embed necessary change and reform. I am advised that it is the view of the Turnaround and Support Team that an appraisal on future management options should be informed by this work and therefore should follow on from it. This view is shared by the Trust. Accordingly, I am of the view that these processes should be substantially in place before further work is carried out on the options appraisal on management arrangements.

My objective remains to ensure that we have effective delivery of safe, sustainable and resilient services for patients and clients served by the Causeway Hospital.

## Residential Care

**Mr Cree** asked the Minister of Health, Social Services and Public Safety whether he will give a commitment that, following consultation, statutory residential care homes will not be forced to close in areas where there is no alternative local supported housing or a lack of affordable care.

**(AQO 4582/11-15)**

**Mr Poots:** The HSC Board launched the Project Initiation Document for their Project on Improving Services for Older People – A New Process for Consulting, Engaging and Implementing Change on 21 August 2013. This new regional approach gives assurance that best practice will be followed in the future development of proposals, engagement and delivery of change.

As this revised approach is only just underway it would be wrong of me to predetermine its outcome. There will be two periods of public consultation as the process moves forward and I would encourage people to share their views and any concerns they may have during those consultations before any decisions are made on individual statutory homes.

I would like to be clear, however, that, should a resident living in a statutory residential home move to a different home as a result of decisions made in this process, they will not be financially disadvantaged by any such move.

## Care Pathway

**Mr Kinahan** asked the Minister of Health, Social Services and Public Safety to outline the emergency and urgent care pathway procedure in time-critical cases for children and young people.

**(AQO 4583/11-15)**

**Mr Poots:** I understand that this question is in respect of children and young people presenting to hospital emergency departments requiring cardiac care.

Cardiac emergencies in children are rare occurrences. If a child presents to an emergency department they will be assessed and stabilised. The emergency department staff may call for assistance from paediatric, anaesthetic or other specialty teams if they are available on site. The child will then usually be admitted for further assessment and treatment. The clinicians will decide if the admission should be to the local paediatric unit, or to the regional paediatric intensive care unit, or the regional paediatric cardiology unit in the Royal Belfast Hospital for Sick Children. Further care and treatment will depend on the individual patient's condition.

## Elderly and Vulnerable People

**Ms McCorley** asked the Minister of Health, Social Services and Public Safety whether he will consider a rights-based approach to the protection of elderly and vulnerable people.

**(AQO 4584/11-15)**

**Mr Poots:** Current regional adult protection policy and procedural guidance is based on principles that respect the rights of all vulnerable adults, including the elderly.

Furthermore, my Department, in conjunction with the Department of Justice, is also in the process of developing both a new Safeguarding Vulnerable Adults Policy Framework and a Mental Capacity Bill. Both the Policy Framework and the Bill will be underpinned by a number of principles which reflect a rights-based approach and have safeguarding the rights and dignity of people who fall within scope at their core.

## Bexsero Vaccine

**Mrs Overend** asked the Minister of Health, Social Services and Public Safety for his assessment of the decision by the Joint Committee on Vaccination and Immunisation not to recommend the Meningitis B vaccine Bexsero for adoption into the national immunisation program.

**(AQO 4585/11-15)**

**Mr Poots:** The Joint Committee on Vaccination and Immunisation (JCVI) issued an interim position statement on the vaccine Bexsero® on 24 July. Before finalising its advice to Ministers, JCVI will seek comments from the key stakeholders who provided evidence to JCVI and its sub-committee about the use of this vaccine. This includes the national meningitis charities and Novartis, the vaccine manufacturer.

I will consider the final JCVI recommendations before deciding what the policy will be in Northern Ireland.

In the meantime, I would like to reiterate that I welcome the quest for an effective, safe and cost-effective vaccine to protect against meningitis B.

## Loane House

**Lord Morrow** asked the Minister of Health, Social Services and Public Safety for his assessment of the future of Loane House at South Tyrone Hospital, Dungannon.

**(AQO 4586/11-15)**

**Mr Poots:** No decision has been taken regarding the future of Loane House. The Southern Health and Social Care Trust is exploring options across the Trust for improved, affordable delivery of care in light of the changes outlined in Transforming Your Care which are required to meet the needs of our growing older population. The Trust is committed to working with the Health and Social Care Board as commissioner of services and engaging at an early stage with clinical leaders, the wider body of staff in the Trust, key partners, and the wider community.

## Welfare Reform

**Mr Milne** asked the Minister of Health, Social Services and Public Safety for an update on progress on cross departmental working to monitor the impact of Welfare Reform on the lives of health and social care users.

**(AQO 4587/11-15)**

**Mr Poots:** Welfare reform will undoubtedly impact on the lives of health and social care users in Northern Ireland.

The delivery of passported benefits, such as free dental and ophthalmic care and the Healthy Start scheme, an important issue for my Department, with the forthcoming introduction of Universal Credit. To this end, my Department have been liaising closely with the Department for Social Development and counterparts in Great Britain in order to examine the potential implications for services and patients.

My Department has also been involved in several areas as follows:

In respect of childcare, my Department is working with the Office of the First Minister and deputy First Minister and DSD to ensure that the forthcoming Childcare Strategy takes account of the impact of Welfare Reform. Work has taken place on amendments to the familysupportNI website to ensure that the Social Security Agency has access to provision of accurate, up to date, information on registered childcare settings. My Department, in conjunction with colleagues in the Social Security Agency, is considering terms of reference for research on the impacts of ratios of adults to children in registered settings on the costs of childcare to parents.

In respect of adult services, my Department is currently taking forward a three-stage process of reform to establish the future direction and funding of adult care and support in Northern Ireland. In doing so my Department has worked closely with DSD, recognising the key role that benefits play in helping people with care needs to remain independent.

In respect of General Medical Services there has been an initial discussion between my Department and DSD with regard to the issues surrounding medical reports and work capability assessments. Both Departments agreed to continue to work together to try progress any emerging issues and to minimise the impact on individuals.

## Department of Justice

### Glorifying Terrorism

**Lord Morrow** asked the Minister of Justice to provide a definition of the criminal offence of glorifying terrorism.  
(AQW 25156/11-15)

**Mr Ford (The Minister of Justice):** Section 1 of the Terrorism Act 2006 makes it an offence to publish statements which are likely to be understood by members of the public as a direct or indirect encouragement to commit, prepare or instigate a terrorist offence. Indirect encouragement includes statements which glorify acts or offences of terrorism whether in the past, in the future, or of terrorism more generally. Glorification includes any form of praise or celebration.

### Welfare of Animals Act (Northern Ireland) 2011

**Mr Weir** asked the Minister of Justice to detail the number of people that have been convicted of offences under the Welfare of Animals Act 2011.  
(AQW 25180/11-15)

**Mr Ford:** Sentencing and conviction datasets are currently available only up to 2009. The Welfare of Animals Act came into force on 11 July 2011. Therefore, it is not possible to provide the information requested.

### Welfare of Animals Act (Northern Ireland) 2011

**Mr Weir** asked the Minister of Justice to detail the number of people that have been charged under the Welfare of Animals Act 2011, and of these, how many were tried on indictment.  
(AQW 25181/11-15)

**Mr Ford:** Sentencing and conviction datasets are currently available only up to 2009. The Welfare of Animals Act came into force on 11 July 2011. Therefore, it is not possible to provide the information requested.

### Cattle and Sheep Theft

**Mr Swann** asked the Minister of Justice to detail how many (i) cattle; and (ii) sheep have been (a) stolen; or (b) reported missing, in each constituency, in each of the last three years.  
(AQW 25197/11-15)

**Mr Ford:** The issue raised in this question is an operational matter for the Chief Constable.

Given the way that thefts are recorded, the detailed data may not be available.

### Staff: Recruitment Agencies

**Mr Swann** asked the Minister of Justice to detail the number of people employed by recruitment agencies in (i) his Department; and (ii) arms-length bodies, as of 1 April (a) 2011; (b) 2012; and (c) 2013.  
(AQW 25198/11-15)

**Mr Ford:** The number of people employed by recruitment agencies in the Department of Justice and its arms-length bodies (ALBs), at 1 April 2011, 1 April 2012 and 1 April 2013 are detailed below:

Date	Number of people employed by Recruitment Agencies in DOJ (inc Agencies)	Number of people employed by Recruitment Agencies in DOJ ALBs
1 April 2011	44	676
1 April 2012	36	430
1 April 2013	50	409

### Noel Parker

**Lord Morrow** asked the Minister of Justice, pursuant to AQW 24515/11-15, to detail (i) the reason for the delay in answering this question; (ii) when the investigation commenced; (iii) who ordered the investigation; (iv) how many staff and at what grades are carrying out the investigation; (v) the terms of reference; and (vi) when this is expected to be concluded.  
(AQW 25218/11-15)

**Mr Ford:** In response to AQW/24515/11-15 NIPS advised that an internal investigation had been established into the temporary leave application and risk assessment process of Mr Parker in 2008. There was a delay in answering in order to ensure that the answer was accurate.

This investigation was initiated by the Director of Offender Policy and Operations on 4 July 2013 when terms of reference were issued to a Governor II from Headquarters assisted by a Principal Officer.

The terms of reference required the investigators to establish the circumstances around the following matters:

- i Whether managers within the Lifer Management Unit followed the correct procedures when authorising the accompanied temporary release of Noel Parker in 2008.
- ii. If errors were made in the temporary release process or application what were they and who made them?
- iii. What influence did a named manager have on this process and what were the circumstances that led to their departure from the Northern Ireland Prison Service?

The investigation itself was conducted under the provisions of the Code of Conduct and Discipline, and was submitted to the commissioning authority on 31 August.

## William Beggs

**Lord Morrow** asked the Minister of Justice, in relation to William Beggs, formerly from Northern Ireland and having returned from serving a custodial sentence in Scotland, given that the murder conviction included sexual violence and despite a court ruling which ordered his name being removed from the sex-offender register due an incorrect administrative recording of his conviction at trial, and given that he is now residing in Northern Ireland (i) what assurances can be provided that an appropriate order is sought to ensure he is monitored given the nature of the crime, the sexual violence involved and the risk to public safety; and (ii) to outline the procedure for obtaining such an order.

(AQW 25221/11-15)

**Mr Ford:** Mr Beggs is a life sentence prisoner in custody in Scotland, and as such, the Department of Justice has no role in the management of this individual.

## Marian McGlinchey

**Lord Morrow** asked the Minister of Justice to detail the amount of Legal Aid that has been paid for all court cases in respect of Marian McGlinchey since she was first charged with the current offences of providing a phone for use in terrorism; attending a meeting of a proscribed organisation; resisting and obstructing police on 10 July 2010 and the granted application to have this set aside; and all other applications at all court levels in respect of the alleged inability to appear at court due to health and media concerns.

(AQW 25268/11-15)

**Mr Ford:** The total legal aid paid to date in respect of various offences relating to Marian McGlinchey heard in the Magistrates' Court is £14,290.19 (including VAT of £2,381.70).

Of the fees paid in Magistrates' Court proceedings a total of £10,838.17 (including VAT of £1,806.36) was paid to solicitors and a total of £3,452.02 (including VAT of £575.34) was paid to counsel.

The Northern Ireland Legal Services Commission is precluded from releasing any information in respect of any payments made under the civil Legal Aid Schemes by virtue of Article 24 of the Legal Aid, Advice and Assistance (NI) Order 1981 without the legally assisted person's express consent.

## Chairman of the Prison Officers' Association

**Lord Morrow** asked the Minister of Justice for assessment of the remarks made by the Chairman of the Prison Officers' Association in an article in the Irish News on 24 June 2013, particularly in relation to the statements "The reality is that they (new custody officers) will never become an offender supervisor" and "Magilligan is just a powder keg because people lie about doing nothing."

(AQW 25269/11-15)

**Mr Ford:** The comments quoted in the Irish News on Wednesday 24 July are the views of the chairperson of the Prison Officers Association. However, the Member should note the following:

- (i) The Terms and Conditions of Employment for those recruited to the role of Custody Prison Officer (Custody Officer) since September 2012 explicitly state that Custody Officers in possession of a Certificate of Competence will be eligible to apply for Prison Officer Offender Supervisor vacancies.

Those who have been recruited to this role since September 2012 are currently undertaking a programme of development leading to the attainment of this Certificate of Competence.

- (ii) Whilst in the past year the population at Magilligan Prison has increased, there is a range of activities for Prisoners. These include access to recreational programmes, education and skills programmes and visits.



## Trafficking: Confiscated Funds

**Lord Morrow** asked the Minister of Justice to detail (i) the total funds confiscated from prosecuted traffickers in each year since 2009; and (ii) the proportion of these funds awarded to victims as compensation.

**(AQW 25270/11-15)**

**Mr Ford:** A total of £68,081 has been confiscated from convicted traffickers. This sum relates to monies confiscated in 2012 from the convicted trafficker, Rong Chen. Of this, 50% was available to the Assets Recovery Community Scheme.

A total of £52,500 has been paid in compensation to victims of trafficking. £30,000 was paid to one victim in 2009 and £22,500 was paid to another victim in 2013.

However, these compensation payments were made under the Northern Ireland Criminal Injuries Compensation Scheme (2009), and not directly from funds confiscated from those convicted.

## Kieran Doherty

**Mr Allister** asked the Minister of Justice, further to the award of compensation arising from the death of Kieran Doherty, what plans he has to review the criminal injury compensation legislation.

**(AQW 25296/11-15)**

**Mr Ford:** In June 2013, I launched a five year Strategy for Victims and Witnesses of Crime which included a commitment to review the legislation underpinning the Criminal Injuries and Criminal Damage Compensation Schemes. The review has commenced and it is my intention to publish a Consultation Paper relating to the criminal injuries scheme by next summer. The decision to review the legislation underpinning the compensation schemes was taken before the recent coverage of the Doherty case.

## Programme for Government Commitments

**Mr Copeland** asked the Minister of Justice for an update on the progress made on each of his Department's Programme for Government commitments.

**(AQW 25300/11-15)**

**Mr Ford:** Of the seven Department of Justice Programme for Government (PfG) commitments, progress at the end of the first quarter indicates that the Department is on track, or broadly on track to deliver against six of the seven commitments.

The remaining commitment, that of delivering at least 70% of the programme capital budget for the construction of the new Police, Prison, and Fire Training College is not expected to be delivered within the current PfG period.

Details on the progress against each commitment is set out at Annex A.

## ANNEX A

### Commitment 53:

**Quarter: April–June**

#### **Substantially complete the construction of the new Police, Prison and Fire Training College**

Recent action has addressed the immediate issues identified in the previous report. Provided that the identified dependencies do not raise new issues, achievement of the overall Commitment remains possible. The programme as a whole is highly sensitive to further delay - consequently early identification of potential issues and prompt, robust action to address these will be essential to the achievement of the Commitment.

### Commitment 54:

**Quarter April-June**

#### **Reduce the level of serious crime**

The position in respect of the cross-Departmental Strategic Framework for Reducing Offending has been rectified. The Central Team anticipates sight of the findings of the CJINI report in the next reporting quarter. The proposed broadly on track assessment is appropriate.

### Commitment 55:

**Quarter: April-June**

#### **Tackle crime against older and vulnerable people by more effective and appropriate sentences and other measures**

The Minister of Justice announced measures for transparency, consistency, and understanding of sentencing practice in June 2012. As part of these measures, two lay members, one of whom is representative of the views of victims, have been recruited to the Sentencing Group, established by the Lord Chief Justice to enhance the guidance available to the judiciary. Justice Committee agreed the action plan tackling crime against older and vulnerable people in January 2013 and a number of actions are now being progressed. The Central Review Team is content that appropriate consideration of the requirement for legislative changes has occurred, and that the commitment is therefore on track for delivery.

**Commitment 56:****Quarter: April-June****Improve community safety by tackling anti-social behaviour \*Statistically significant change**

The baseline for the percentage of people affected by ASB has been established as 82.1%\*. This has been taken from the Northern Ireland Crime Survey. Policing and Community Safety Partnerships have all now been fully established and are operational. ASB action plan agreed by Justice Committee in January 2013 and actions are being progressed.

**Commitment 57:****Quarter: April-June****Improve access to Justice**

The Minister for Justice published his response to the Access to Justice Review and associated Departmental Action Plan. A Bill to give effect to reforms requiring primary legislation will be introduced in autumn 2013.

**Commitment 68:****Quarter: April-June****Actively seek local agreement to reduce the number of 'peace walls'**

The 2012/13 milestone is complete. Implementation of action plans on 40 to 54 remaining structures has begun per the 2013/14 milestone. Preparation for monitoring community tensions and residents concerns are in hand. Reporting in future quarters should focus on: engagement at the remaining 14 structures; progress on implementation of action plans; and, where appropriate, actual or anticipated further reductions in numbers of physical structures.

**Commitment 69:****Quarter: April-June****Reform and modernise the Prison Service**

Currently, 100% of the recommendations in the Prison Review Action Plan are on track for achievement within the agreed timescales.

**Prisons: Sexual Offences**

**Lord Morrow** asked the Minister of Justice, pursuant to AQW 25084/11-15, whether there have been any reports of (i) rape; (ii) indecent and/or sexual assault; (iii) lewd and/or obscene behaviour; and/or (iv) any other sexual offence whilst in a prison facility in each of the last five years, broken down by prison facility.

**(AQW 25311/11-15)**

**Mr Ford:** The tables below provide the requested information for each prison.

**Hydebank**

	2013	2012	2011	2010	2009
Rape	0	0	0	0	0
Indecent and/or sexual assault	2	0	3	0	0
Lewd and/or obscene behaviour	0	2	5	2	2
Any other sexual offence	0	0	0	0	0

**Magilligan**

	2013	2012	2011	2010	2009
Rape	0	0	0	0	0
Indecent and/or sexual assault	0	1	0	0	0
Lewd and/or obscene behaviour	0	1	1	1	3
Any other sexual offence	0	0	0	0	0

**Maghaberry**

	2013	2012	2011	2010	2009
Rape	0	0	0	0	0
Indecent and/or sexual assault	0	0	0	0	0
Lewd and/or obscene behaviour	3	5	7	3	2

	2013	2012	2011	2010	2009
Any other sexual offence	0	0	0	0	0

## Human Trafficking

**Lord Morrow** asked the Minister of Justice, pursuant to AQW 18870/11-15, to detail (i) the mechanism used for logging cases involving issues of human trafficking where no prosecution for offences was brought but individuals were prosecuted for other offences, such as controlling prostitution; and (ii) the number of cases that have been logged in each of the last five financial years.

**(AQW 25314/11-15)**

**Mr Ford:** The information requested is as follows:

- (i) A broad range of information for such cases is recorded on the PPS Case Management System (CMS), including key data relating to suspects, the nature of the offences for which they have been charged or reported by police, the prosecutorial decisions and offences relating to individual suspects and (where appropriate) any outcomes at court.

Relevant management reports are produced on request.

- (ii) For each financial year from 2008/09 to 2012/13, the following details have been provided, as recorded via the PPS CMS:

- The numbers of cases submitted by police, involving at least one offence of human trafficking. A case may involve several individual suspects.
- The numbers of individual suspects charged or reported in respect of human trafficking offences.

### Files Received by the PPS with a Complaint Relating to Human Trafficking 2008/09 to 2012/13\*

Financial Year	Number of Cases	Number of Suspects
2008/09	4	6
2009/10	2	5
2010/11	3	5
2011/12	3	5
2012/13	5	7
<b>Total</b>	<b>17</b>	<b>28</b>

\* Based on date first papers received from police.

## Prison Service: Reform

**Mr Easton** asked the Minister of Justice for an update on the reform of the Northern Ireland Prison Service.

**(AQW 25332/11-15)**

**Mr Ford:** Good progress is being made against the extensive programme of end to end transformational reform, guided by the 40 recommendations made by the Prison Review Team (PRT). To date, nine recommendations have been approved as complete by the Prison Review Oversight Group, which I Chair.

The Northern Ireland Prison Service is currently half way through a three year programme of reform which will run until April 2015. A clear pathway for delivery has been developed to ensure all recommendations are implemented, with the remaining recommendations due to be completed at various stages over the next 18 months.

The Oversight Group has a robust independent element and provides the Justice Committee with an update on progress after each meeting. The next update will be issued to the Committee in October 2013.

## Lisnevin Site, Millisle

**Mr Easton** asked the Minister of Justice whether there is a timetable in place for the sale of the Lisnevin site, Millisle.

**(AQW 25333/11-15)**

**Mr Ford:** The current plan for closure and vacating Millisle is predicated on the opening of the Northern Ireland Community Safety College. However NIPS will shortly explore options for the early disposal of the Millisle site which will include offering the site to other Government bodies. If no interest is shown by the public sector, it will be advertised for sale on the open market. In the meantime the site will continue in its present role as the Prison Service College.

## Prostitution

**Lord Morrow** asked the Minister of Justice to detail (i) the terms of reference for the inquiry into prostitution; (ii) who has been appointed to carry out the inquiry; (iii) the groups, organisations and/or individuals who will be invited to participate; (iv) when it will commence; and (v) when it is expected to conclude.

**(AQW 25379/11-15)**

**Mr Ford:** I recently announced that I intend to commission independent research into the extent and nature of prostitution in Northern Ireland. Initial work is underway to scope the extent of the research required. Once this work is complete, a specification will be drawn up and tenders will be sought. I have undertaken to share the specification with the Justice Committee.

## Thomas Ward

**Lord Morrow** asked the Minister of Justice to outline the Terms of Reference for the Serious Case Review into the handling and monitoring of Thomas Ward; and why the report has not yet been published despite being completed in September 2012 and presented to the Strategic Management Board of the Public Protection Arrangements in Northern Ireland.

**(AQW 25380/11-15)**

**Mr Ford:** As explained in an earlier answer (AQW/13008/11-15), the case did not fall within the guidelines for a serious case review as defined in the PPANI guidance. However, in view of the circumstances, the PPANI Strategic Management Board, representing the relevant agencies, decided to undertake internal agency reviews of the case.

The purpose of the reviews was to look at the respective agencies' practice in this case; and identify any learning for future application.

These agency reviews were considered at the September 2012 meeting of the PPANI Strategic Management Board (SMB), and an executive summary was provided to the Department.

Thomas Ward then lodged an application for leave to appeal to the Court of Appeal against his conviction and sentence.

Decisions on publication of the conclusions of the report cannot be taken until judgment is made in the appeal proceedings currently before the Court of Appeal.

## Prison Service: Museum Collection

**Mr Nesbitt** asked the Minister of Justice to outline his plans to preserve and promote the Northern Ireland Prison Service Museum Collection.

**(AQW 25383/11-15)**

**Mr Ford:** I recognise the importance of many of the artefacts held by the Northern Ireland Prison Service.

NIPS is currently giving consideration to the future arrangements for storing and managing these artefacts and has engaged with a number of interested parties. Work is also ongoing to clarify what, if any, legal obligations are attached to the material. No final decisions have been taken.

## Magilligan Prison: Rebuilding

**Mr Campbell** asked the Minister of Justice, following his announcement in March 2013 to outline the progress made, and the future timetable, regarding the rebuilding of Magilligan Prison on the existing site.

**(AQW 25404/11-15)**

**Mr Ford:** Following my update to the Assembly on 19 March 2013 and my response to question AQW/22450/11-15 dated 16 May 2013, NIPS Officials continue their work in developing the plans for all the projects included in the Estate Strategy, including that of the rebuilding of Magilligan.

In the intervening period, a Strategic Outline Business Case has been developed in-house and approved by colleagues in the Department of Finance and Personnel. NIPS Officials are in the process of developing the Outline Business Case (OBC) for the project with a deadline for completion by the end of this year.

The future programme is dependent on the OBC being approved and capital funding being made available. Until the Business Case is approved and capital funding made available, I am unable to provide any further details of the timetable.

## Maghaberry Prison: Suicide and Self-harm

**Lord Morrow** asked the Minister of Justice whether he plans to place a copy of the local Maghaberry policy and procedures pertaining to hot and cold debriefs, as referred to in Annex N of the Suicide and Self-Harm Prevention Policy 2011, in the Assembly Library.

**(AQW 25425/11-15)**

**Mr Ford:** I have no plans to place the local Maghaberry policy in the Assembly Library.

## Prisons: Leaving Grants

**Lord Morrow** asked the Minister of Justice to detail (i) the grants that are available to assist people leaving a prison facility after serving a custodial sentence to either find or set up employment; (ii) who provides funding for the grants; (iii) the application procedure; (iv) if more than one grant or allocation of funding can be paid to an ex-prisoner following release(s); (v) what follow-up monitoring is carried out to ensure funding is appropriately expended and utilised; and (vi) if a grant is found to have been misspent or misused does the grant have to be paid back and is there any other penalty.

(AQW 25428/11-15)

**Mr Ford:** My Department does not make any grants available to assist people leaving a prison facility after serving a custodial sentence to either find or set up employment. I am however aware that NIACRO occasionally provides grants to organisations, but not individuals, for the purpose of assisting ex-offenders to find employment through its Jobtrack programme.

## Scanning Equipment

**Mr P Ramsey** asked the Minister of Justice for an update on the implementation of electronic scanning equipment across the prison estate, specifically the application by the Northern Ireland Prison Service to the Department of the Environment, Food and Rural Affairs under the Ionising Radiation legislation.

(AQW 25557/11-15)

**Mr Ford:** The Northern Ireland Prison Service submitted its Justification Application on behalf of the Department of Justice to the Department of Energy and Climate Change (DECC), in May 2013. In compliance with the legislation surrounding the Justification of Practices involving Ionising Radiation Regulations 2004, DECC have a co-ordination role in this process and have established a Justification Liaison Group (JLG).

The JLG met in London, on 21 August 2013 to consider the NIPS Application. This meeting was chaired by a representative from the National Offender Management Service (NOMS) and included representatives of the Health and Safety Executive, the Office for Nuclear Development, the Food Standards Agency, the Welsh Executive, Health Protection Agency and NIPS.

The meeting agreed that the NIPS Justification Application was similar, but not identical, to existing practices employed by the United Kingdom Borders Agency (UKBA). However, because the UKBA practice pre-dated the enactment of the 2004 legislation and had never been subject to a full justification process, it is likely that they will subject the NIPS Application to further scrutiny before coming to a final determination.

My Officials and I await the written determination from this Group which will show what further information, if any, may be required from NIPS should a full justification process prove necessary and the timescale within which this will take place.

## Speech, Language and Communication Difficulties and Criminality

**Mr Agnew** asked the Minister of Justice for his assessment of the link between speech, language and communication difficulties and criminality; and to outline the preventative measures being taken by his Department.

(AQW 25900/11-15)

**Mr Ford:** There are many factors associated with offending behaviour. It is the case that individuals with speech, language and communication difficulties are over-represented in the justice system but there is no automatic link between such communication difficulties and offending.

Individuals with speech, language and communication difficulties have particular needs within the criminal justice system in terms of support. My Department has introduced a number of measures to address these needs and provides assistance at critical points in the criminal justice journey.

Earlier this year, I launched the Registered Intermediaries Scheme pilot. Registered Intermediaries are communication specialists who assist vulnerable individuals with significant communication difficulties to communicate their answers more effectively during police interview and when giving evidence at court.

The Youth Justice Agency is working in partnership with the Royal College of Speech and Language Therapists (RCSLT) to enhance support for young people with speech, language and communication difficulties within the youth justice system. This included the development of an e-learning tool to assist staff in identifying young people experiencing difficulties with communication.

On 12 September 2013, I approved the appointment of a dedicated Speech and Language Therapist resource to be based at the Woodlands Juvenile Justice Centre.

The Police Service of Northern Ireland (PSNI) is separately working with Mindwise in Belfast, Antrim and Londonderry to ensure that young people and adults (aged 13-25) engaging with PSNI are provided with support and advocacy in a number of areas including assistance with communication.

Within prison custody, the Northern Ireland Prison Service (NIPS) provides a varied selection of programmes to meet prisoners' speech, language and communication needs. Prisoners are screened on committal to identify indicators of speech, language and communication difficulties.

Under the auspice of the Strategic Framework for Reducing Offending, my Department is looking at options to improve the management and support of vulnerable individuals across the justice system - particularly those with mental health issues



and learning, speech and communication difficulties. Early priorities for this work will include improving arrangements for assessing offender needs and vulnerabilities and providing appropriate training and guidance for staff working with vulnerable offenders in all areas of the justice system.

## Department for Regional Development

### Flooding: Craigdarragh Road, Helen's Bay

**Mr Dunne** asked the Minister for Regional Development to detail any flooding incidents that have occurred on the roadway at the railway bridge at Craigdarragh Road, Helen's Bay and to outline any remedial drainage works that have been carried out at the bridge since 2009.

(AQW 25173/11-15)

**Mr Kennedy (The Minister for Regional Development):** Flooding incidents have occurred at this location on the following dates:

- |                     |                         |
|---------------------|-------------------------|
| ■ 5 January 2009;   | ■ 24 October 2011;      |
| ■ 21 July 2009;     | ■ 27 August 2012;       |
| ■ 12 November 2009; | ■ 17 October 2012;      |
| ■ 29 October 2010;  | ■ 22 November 2012; and |
| ■ 11 November 2010; | ■ 5 February 2013.      |
| ■ 17 October 2011;  |                         |

The railway over bridge is located at the low point on Craigdarragh Road and, during periods of heavy rainfall, debris is carried by surface water to this point.

Although Roads Service has installed large gully covers at this location, leaves and debris can on occasions prevent surface water from accessing the gullies. Indeed, seven of the eleven incidents detailed above occurred in the autumn, when fallen leaves were the main contributing factor.

On all occasions Roads Service staff have removed the debris covering the gullies which has allowed the water to drain from the road. The drainage system at this location is considered to be functioning correctly.

### Roads: Bangor

**Mr Weir** asked the Minister for Regional Development to detail the total spent by Roads Service on the (i) Rathgael Road; and (ii) Balloo Road in Bangor, in each of the last five years.

(AQW 25182/11-15)

**Mr Kennedy:** My Department does not monitor capital and resource expenditure for individual roads. I would remind the Member that information on completed and proposed roads schemes for the current financial year can be found in Roads Service's Spring and Autumn Reports to Councils. These reports can be accessed from my Department's internet site at the following web address:

[www.drndi.gov.uk/index/freedom\\_of\\_information/customer\\_information/cinformationtype-results.htm?signpost=Customer+information&informationType=Roads+Service+reports+to+councils](http://www.drndi.gov.uk/index/freedom_of_information/customer_information/cinformationtype-results.htm?signpost=Customer+information&informationType=Roads+Service+reports+to+councils)

### Roads: Bangor

**Mr Weir** asked the Minister for Regional Development to detail the number times that roadworks have taken place on the Rathgael Road, Bangor, in each of the last five years.

(AQW 25183/11-15)

**Mr Kennedy:** The following works have been carried out on the Rathgael Road, Bangor in the last five years:

- Apr/Mar 2010 - Drainage works involving a two week road closure on the section of Rathgael Road from the A2 to Clandeboye Road;
- February 2012 – Carriageway refurbishment patch involving a three day closure on the section of Rathgael Road from the A2 to Clandeboye Road; and
- August 2013 – Resurfacing scheme involving a three week road closure on the section of Rathgael Road from Clandeboye Road to Balloo Road RBT.

### Cycle Hoops

**Mr McKay** asked the Minister for Regional Development how many cycle hoops have been installed in each council area in each of the last five years.

(AQW 25212/11-15)

**Mr Kennedy:** Over the last five years my Department has installed 156 cycle hoops in the following council areas:

- |                      |                   |
|----------------------|-------------------|
| ■ Belfast – 97       | ■ Coleraine – 4   |
| ■ Londonderry – 18   | ■ Moyle – 3       |
| ■ Down – 6           | ■ Dungannon – 2   |
| ■ North Down – 6     | ■ Omagh – 2       |
| ■ Limavady – 5       | ■ Lisburn – 2     |
| ■ Newry & Mourne – 4 | ■ Castlereagh - 1 |
| ■ Magherafelt – 6    |                   |

Cyclehoop is the trade name of a specific brand of cycle stand which attaches to existing street lighting columns or sign posts. Therefore, for the purposes of answering this question, the information above refers to cycle stands in general and not a specific brand or type.

Councils and, for example, the Department for Social Development as part of public realm works, may have also installed cycle stands and other cycling facilities, details of which are not maintained by my Department or included in the above figures.

## Bicycle Racks on Buses

**Mr McKay** asked the Minister for Regional Development what consideration he has given to introducing bicycle racks on Ulsterbus and Metro services.

**(AQW 25213/11-15)**

**Mr Kennedy:** Translink considered introducing an exterior mounted type of cycle rack for potential fitment to buses three years ago. The rack was to be fitted either to the front or rear of a bus. It was decided not to proceed as racks mounted at the front of a bus substantially obscured the driver's field of vision through the front windscreen of the bus. The rear mounted version was also ruled out as it would have severely restricted access to the bus engine compartment for both routine maintenance and emergency access.

In addition other safety issues associated with these racks were identified, primarily the potential increased risk of injury to cyclists who would be required to load, unload and secure their bicycles in the racks, as well as the potential increased risk to pedestrians if they were accidentally struck by the racks.

## Bicycle Storage Facilities on Trains

**Mr McKay** asked the Minister for Regional Development whether he has given consideration has to installing vertical storage facilities for bicycles on trains, to provide more space for cyclists and other passengers.

**(AQW 25214/11-15)**

**Mr Kennedy:** Translink is responsible for the design specification when it commissions new trains.

For Class 3000 train design, various methods of cycle storage were considered including vertical storage. Class 3000 trains entered service in 2004-05. The final design was based on a flexible multi-purpose area incorporating tip-up seats, space for parents with buggies, standing passenger space or accommodating up to 4 bicycles which are securely stowed with minimum effort.

The design team believed that this arrangement was superior to vertical storage in regards to ease of use; less risk to other passengers and best use of space. The concept proved very successful in operation and in the design of Class 4000 trains, which entered service in 2011-12, the multi-purpose/bicycle area was duplicated in both driving cars providing a total space for 8 bicycles in a 3 car train.

In striving to provide as much capacity as possible and to carry as many passengers as possible, Translink have placed no restrictions on the number of folding bicycles that they can carry provided they are completely folded down. These may also be carried at any time, including prior to the normal 09.30 restriction.

## Parking in Cycle Lanes

**Mr McKay** asked the Minister for Regional Development whether he intends to introduce tougher penalties for drivers who park in cycle lanes.

**(AQW 25216/11-15)**

**Mr Kennedy:** In July last year, I increased the amount of a Penalty Charge Notice from £60 to £90 for all parking contraventions. My officials are currently reviewing the impact of that increase.

Mandatory cycle lanes are bounded by a solid white line and all other vehicles are excluded from entering them. A Traffic Regulation Order is needed to introduce mandatory cycle lanes and a Penalty Charge Notice can be issued if a vehicle is found parked in one. Mandatory cycle lanes are only used where it is reasonable to exclude all other traffic, for example, where there is no frontage development, no need to park, and where there is an adequate carriageway width.

Advisory cycle lanes are bounded by a broken white line and signify that other vehicles should not enter unless it is safe to do so. These can be provided without the need for an Order. The vast majority of cycle lanes here are advisory and unless there

are other parking restrictions such as clearway regulations, a Penalty Charge Notice cannot be issued to a vehicle found parked within one of these lanes.

### Staff: Recruitment Agencies

**Mr Swann** asked the Minister for Regional Development to detail the number of people employed by recruitment agencies in (i) his Department; and (ii) arms-length bodies, as of 1 April (a) 2011; (b) 2012; and (c) 2013.

**(AQW 25255/11-15)**

**Mr Kennedy:** The required information for DRD and its associated arms-length bodies is shown in the table below.

	Numbers of Agency Staff		
	1 April 2011	1 April 2012	1 April 2013
DRD	12	14	20
NIW	28*	29*	17
Translink	9	15	20
<b>Total</b>	<b>49</b>	<b>58</b>	<b>57</b>

\* Headcount figures captured at 31 March

### Wi-Fi: Buses and Trains

**Mr McKay** asked the Minister for Regional Development to detail the cost of WiFi provision on buses and trains.

**(AQW 25320/11-15)**

**Mr Kennedy:** The relevant capital and annual costs for the installation of Wi-Fi across Translink bus and train services as currently available are included in the table below.

	Capital Cost £k	Annual cost £k
Goldline	160	41
Enterprise	99.5	4
Class 3000	422	64
Class 4000	-	56
Cross Channel Services	6	8

As far as Class 4000 trains are concerned, Wi-Fi fitting was included in the procurement specification.

Internal costs for Wi-Fi fitting are minimal, as the equipment supplier is responsible for its fitting.

### Young People: Train Services

**Mr McKay** asked the Minister for Regional Development what incentives are in place to encourage young people and students to use train services.

**(AQW 25322/11-15)**

**Mr Kennedy:** yLink is the Translink youth card. This smartcard is available to all young people between the ages of 16-23 years of age (until their 24th birthday). It costs only £8 for up to 8 years and offers substantial savings across all Translink services:

- Metro 1/3 off cash singles
- Ulsterbus 1/3 off cash singles
- NI Railways 1/3 off singles, day returns, weekly and monthly fares
- Enterprise up to 50% off fares

In addition, the card offers savings and promotions with many partner businesses.

The card is promoted heavily throughout the year, but in particular at this time Translink runs a series of roadshows at Freshers' Events in third level colleges. More detailed information can be obtained at the following link,

[www.translink.co.uk/Fares/Translink-Products/ylink/](http://www.translink.co.uk/Fares/Translink-Products/ylink/).

Translink has advised that a discount for mature students using rail services was introduced separately from bus because a mature student travelling by rail is not able to obtain as good a discount without the use of the 24+ Railcard, whereas mature students using both Metro and Ulsterbus services can avail of the best discounts through standard Smartlink products which are available for bus journeys.

Furthermore, the Department for Employment and Learning (DEL) currently provides a range of financial assistance, including help with transport costs, to those students who are most in need and who might otherwise be unable to undertake a course of study at a further education college or higher education institution in Northern Ireland.

Further details are available at [www.delni.gov.uk](http://www.delni.gov.uk).

### Public Transport: Donaghadee

**Mr Weir** asked the Minister for Regional Development to detail the number of passengers travelling to and from Donaghadee on public transport, in each of the last three years.

(AQW 25324/11-15)

**Mr Kennedy:** The information cannot be provided in the format requested as Translink record the number of passenger journeys as it cannot record the number of actual passengers. The table below therefore provides the number of passenger journeys undertaken.

Financial Year	Passenger Journeys	
	Boarding Donaghadee	Alighting Donaghadee
10/11	66,782	50,737
11/12	66,883	48,628
12/13	68,039	49,202
<b>Total</b>	<b>201,704</b>	<b>148,567</b>

### Public Transport: Donaghadee and Millisle

**Mr Weir** asked the Minister for Regional Development to outline the steps that his Department and Translink are taking to increase the use of public transport in (i) Donaghadee; and (ii) Millisle.

(AQW 25330/11-15)

**Mr Kennedy:** Following liaison with my officials, Translink has advised that Donaghadee and Millisle are included in the promotional and advertising campaigns covering all areas where Ulsterbus services are operated. It has further advised it has recently concluded a campaign to encourage use of bus services for the summer / tourism season, including special fares and tickets. They will now commence a further campaign to promote the use of bus services to those travelling to college and also to promote the uptake of the yLink youth card.

### Railway Halts: Parking

**Mr McKay** asked the Minister for Regional Development to detail the railway halts where an increase in parking provision is has been identified; and the plans that are in place to address this.

(AQW 25353/11-15)

**Mr Kennedy:** Translink is currently considering Park & Ride schemes for the following railway stations and halts (in no particular order).

- |               |               |
|---------------|---------------|
| ■ Ballymoney  | ■ Holywood    |
| ■ Dunmurry    | ■ Whitehead   |
| ■ Cullybackey | ■ Ballycarry  |
| ■ Moira       | ■ Londonderry |
| ■ Whiteabbey  | ■ Ballymartin |
| ■ Finaghy     | ■ Portadown   |
| ■ Carnalea    | ■ Lurgan      |

All are at different stages and some may not proceed due to issues with Planning, land acquisition, economic appraisal, operational requirements or funding.

As you may be aware, following a Strategic Review of Park & Ride in 2011, my Department established a Park & Ride Programme Board which is responsible for co-ordinating and prioritising the implementation of Park & Ride and Park & Share projects in line with the Department's strategy.

The Programme Board has produced a 'Park & Ride Strategic Delivery Programme 2013-15' which is a prioritised schedule of new Park & Ride projects in the next 2 years with clearly defined responsibilities for funding, implementation, maintenance and operation. This Programme plans to create at least an additional 1,000 Park & Ride and Park & Share spaces across Northern Ireland in the next 2 years. The Programme is available on my Department's website at: [www.drdni.gov.uk/index/publications/publications-details.htm?docid=8996](http://www.drdni.gov.uk/index/publications/publications-details.htm?docid=8996)

Funding has been set aside for Park & Ride in my Department's budget. However, the implementation of Park & Ride schemes will take place in a constrained budgetary context.

The Programme contains a number of projects for the development of Park & Ride facilities associated with the railway network.

## Speed Limits

**Mr Weir** asked the Minister for Regional Development what legislation permits the designation of speed limits on roads of less than 30mph.

(AQW 25360/11-15)

**Mr Kennedy:** Most road traffic law pertaining to speed limits is contained in The Road Traffic Regulation (Northern Ireland) Order 1997. Other relevant legislation includes the Roads (Northern Ireland) Order 1993 and the Motor Vehicles (Speed Limits) Regulations (NI) 1989.

All speed limits, other than those on restricted roads, are made by order under Article 38 of the Road Traffic Regulation (Northern Ireland) Order 1997. This is applicable to all speed limits under 30 mph.

## Sewerage: Millisle

**Mr Easton** asked the Minister for Regional Development for an update on the new sewerage system in Millisle.

(AQW 25364/11-15)

**Mr Kennedy:** I have been advised by Northern Ireland Water (NIW) that it is investing £2.3 million in a project to upgrade the sewerage system in Millisle in order to comply with European Union bathing water standards and to reduce the risk of out of sewer flooding. The project is progressing well and is presently at design stage. Completion of the overall project will involve the replacement of the existing Shore Road Wastewater Pumping Station by a new pumping station constructed on land adjacent to the car park beside Millisle Presbyterian Church. It will also involve the construction of a new wastewater pumping sewer, a new marine emergency overflow and some other associated pipe laying work.

Subject to NIW obtaining all necessary statutory approvals and the satisfactory completion of all necessary lands and procurement procedures, it is envisaged that construction work will commence in Spring 2014 and finish in Spring 2015.

## Highway Code

**Mr Storey** asked the Minister for Regional Development for his assessment of whether the Highway Code is adequately providing for cyclists and other road users.

(AQW 25390/11-15)

**Mr Kennedy:** Statutory responsibility for the Highway Code in Northern Ireland rests with the Department of the Environment (Article 51 of the Road Traffic (Northern Ireland) Order 1995).

## Public Transport: Derry and Belfast

**Mr McKay** asked the Minister for Regional Development when an hourly public transport service between Derry and Belfast will be introduced.

(AQW 25417/11-15)

**Mr Kennedy:** Bus services between Belfast and Londonderry currently operate on a 10-minute basis during peak hours, and every 30 minutes in the off-peak.

NI Railways currently operates 9 services daily each way between Londonderry and Belfast, resulting in a 2-hour frequency service. An hourly frequency operates all day between Coleraine and Belfast.

The introduction of an hourly rail service between Belfast and Londonderry cannot be achieved until Phase 2 of the Coleraine to Londonderry renewal project is complete. At this time the predicted completion date of the work is late 2016.

## Railway Network: Portadown and Dungannon

**Mr McKay** asked the Minister for Regional Development for a breakdown of the £187m cost of extending the railway line from Portadown to Dungannon.

(AQW 25418/11-15)

**Mr Kennedy:** The estimate of £187m quoted in the consultation paper on Future Railway Investment to extend the railway from Portadown to Dungannon was an indicative figure based on an industry average of £11 million to lay a mile of new single track line, inclusive of associated infrastructure costs, multiplied by the distance of new track required, which in this case is estimated to be 17 miles.

A detailed feasibility study of any planned railway extension would be necessary in order provide a more precise breakdown of the likely costs involved.



## Comber and Donaghadee Bus Stations

**Mr Weir** asked the Minister for Regional Development to detail (i) the cost of retaining Comber Bus Station since its closure; and (ii) the actions that are being taken to dispose of Comber and Donaghadee Bus Stations.

**(AQW 25421/11-15)**

**Mr Kennedy:** Translink advise that no expenditure has been outlaid in relation to the facility at Comber since it was vacated by Ulsterbus.

Comber station was immediately put through the process whereby surplus property is initially offered to other parts of the public sector (this is known as the D1 process and is facilitated by Land and Property Services). A local Housing Association expressed an interest in purchasing it. The Housing Association has made an offer and a meeting is scheduled with Translink's Estates Department to progress potential disposal of the site.

Donaghadee Bus Station will be offered to the public sector through the D1 process. If the property is not purchased through the D1 process it will then be placed on the open market for sale through an agent.

## Wi-Fi: Bus and Train Stations

**Mr McKay** asked the Minister for Regional Development whether he would consider making WiFi available in waiting areas at major bus and train stations.

**(AQW 25540/11-15)**

**Mr Kennedy:** Wi-Fi is currently available at Central Station but is not free; it is a commercial service provided by BT Openzone.

Translink has looked at providing free Wi-Fi in key locations but this is not being progressed at present, mainly on the basis of cost and the fact that most passengers spend only a short period waiting for its services.

## Railway Network Extension

**Mr Easton** asked the Minister for Regional Development whether his Department plans to extend the rail network.

**(AQW 25604/11-15)**

**Mr Kennedy:** There has been a wide ranging response to the recent public consultation on Future Railway Investment with a variety of preferences for prioritisation of different railway investment options including those in support of extensions to the rail network.

The Department is continuing to analyse all of the information gathered as a result of the consultation alongside the on-going wider analysis of future investment in transportation infrastructure. The outcome will lead to a prioritisation framework for all future transportation investment. I expect to publish a report on the railways analysis later in the autumn.

While I am increasingly minded that we should explore the potential for extensions to the existing network at some future point, the ability to invest in the railway and indeed, in our wider transport infrastructure, will be very much dependent upon what the Executive can provide in future budget allocations

# Department for Social Development

## Social Housing: Carrickfergus

**Mr Hilditch** asked the Minister for Social Development to detail the social housing stock levels in Carrickfergus.

**(AQW 25184/11-15)**

**Mr McCausland (The Minister for Social Development):** The Housing Executive has advised that they currently have 1901 social housing units in Carrickfergus. Housing Associations have advised that they have 544 units of social housing units in Carrickfergus also.

## Rate Relief Scheme

**Mr Cree** asked the Minister for Social Development how many people in receipt of (i) Disability Living Allowance; (ii) Housing Benefit; and (iii) Employment and Support Allowance were registered on the Rates Relief Scheme in the 2012/13 financial year.

**(AQW 25249/11-15)**

**Mr McCausland:** The Housing Executive has advised that in relation to (i) the number of claimants who were in receipt of Disability Living Allowance in 2012/13 and who received Rates Relief was 3494; and (ii) the number of claimants who were in receipt of Housing Benefit in 2012/13 and who received Rates Relief was 21,325.

Neither my Department nor the Housing Executive holds the information requested at Part (iii).

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.

## Interpreters

**Lord Morrow** asked the Minister for Social Development how much has been spent on interpreters attending benefit appeal tribunals in each of the last twelve months.

**(AQW 25265/11-15)**

**Mr McCausland:** The cost to the Appeal Service (TAS) to provide interpreters at benefit appeal tribunals in each of the last twelve months is detailed in the table below.

Month	Total Cost
September 2012	1,857.24
October 2012	3,587.16
November 2012	722.44
December 2012	1,494.45
January 2013	2,154.98
February 2013	1,498.93
March 2013	1,306.43
April 2013	2,096.31
May 2013	2,249.46
June 2013	1,309.68
July 2013	1,126.30
August 2013	1,608.49
<b>Total</b>	<b>21,011.87</b>

## Social Housing: Protection of Tenancies

**Mr Allister** asked the Minister for Social Development, given his Department's role as the social housing regulator, how the Department ensures the protection of secure tenancies in the context of a proposed merger of housing associations; and whether the requirement for a ballot of tenants would assist in the protection of these tenancies.

**(AQW 25274/11-15)**

**Mr McCausland:** The Department will only approve the merger of a Registered Housing Association another Registered Housing Association. The tenancies of Housing Association tenants involved in any such merger are therefore fully protected because they remain within the same regulatory framework. A ballot of tenants would not provide any additional protection.

## Social Housing: Protection of Tenancies

**Mr Allister** asked the Minister for Social Development for his assessment of the conflict of interest that exists in his Department being the promoter of housing association mergers and the protector of secure tenancies.

**(AQW 25275/11-15)**

**Mr McCausland:** There is no question of a conflict of interest. The Department does not promote mergers. However it has been and will continue to be fully supportive of associations which wish to merge. On the issue of secure tenancies when a merger between Registered Housing Association occurs, the housing stock always remains under the control of a Registered Housing Association therefore the security of tenancy for the tenants is fully protected

## Housing Executive: Director of Transformation

**Mr Allister** asked the Minister for Social Development (i) to detail the recruitment arrangements for the appointment of a Director of Transformation in the Northern Ireland Housing Executive; (ii) why the Strategic Investment Board was involved in the recruitment; and (iii) what is the total cost of the financial package awarded to the appointee.

**(AQW 25316/11-15)**

**Mr McCausland:**

- (i) The post of Director of Transformation was filled through an open competition managed by the Strategic Investment Board (SIB). At interview each candidate was assessed against the competency requirements set out in the application pack. These competencies were determined by the requirements of the post.
- (ii) NIHE identified the need for a specialist post to support them in organisational change to improve service delivery and in preparation for the impacts of the Social Housing Reform Programme. NIHE sought the assistance of SIB in the sourcing of this resource.

- (iii) The package being offered to the successful candidate is an annual salary of £142k with reimbursement of annual travel and local accommodation costs up to £15k.

## Housing Associations: Mergers

**Mr Allister** asked the Minister for Social Development what provisions or guidance exist in relation to ballots of Housing Association tenants in the event of proposed mergers or take-overs; and what plans he has to provide for same, as exists elsewhere in the United Kingdom.

**(AQW 25317/11-15)**

**Mr McCausland:** There is no provision for Tenant ballots in respect of proposed mergers between registered Housing Associations although tenant consultation must take place. This is the position in England, Wales and Northern Ireland. The position is different in Scotland where tenant ballots are required. I do not anticipate a need to change the position in Northern Ireland at present.

## Housing Executive: Insulation

**Mr Easton** asked the Minister for Social Development what type of insulation is used in properties owned by the Northern Ireland Housing Executive.

**(AQW 25335/11-15)**

**Mr McCausland:** The Housing Executive has advised that they generally have used blown fibre and polystyrene beads which are bonded together with an adhesive as the means of cavity wall insulation in their dwellings.

They also provide roof space insulation as part of the heating installation programme and External Cyclic Maintenance (where Heating upgrades are not planned). The specification for roof insulation is regularly reviewed, with the latest specification being in use since September 2012. In the main, mineral wool insulation is used; however there are cases where Phenolic foam insulation is acceptable (areas of sloping roof of a room within a roof and roof space trap doors etc.). The aim is to improve the thermal comfort of their homes by bringing their roof space insulation up to 300mm.

## Programme for Government Commitments

**Mr Copeland** asked the Minister for Social Development for an update on the progress made on each of his Department's Programme for Government commitments.

**(AQW 25351/11-15)**

**Mr McCausland:** My Department is responsible for six of the Programme for Government commitments. The commitments on Social and affordable housing, fuel poverty and Public Realm are on target for achievement. Slippage in the Double Glazing Programme should be retrievable within the overall Programme for Government period. A Community Asset Transfer policy framework will be submitted to the Executive in the autumn following public consultation. Work is also currently underway to explore the reform of social housing structures, with engagement occurring with key stakeholders. However, it is unlikely that the new structures will be fully implemented by 2015.

## Small Pockets of Deprivation: Rathgill Estate, Bangor

**Mr Easton** asked the Minister for Social Development how much Small Pockets of Deprivation funding has been made available the Rathgill estate, Bangor, over the last five years.

**(AQW 25369/11-15)**

**Mr McCausland:** My Department has provided £304,093.00 of Small Pockets of Deprivation funding to Rathgill Estate over the last five years.

## Small Pockets of Deprivation

**Mr Easton** asked the Minister for Social Development how much has been spent on Small Pockets of Deprivation in each year since its inception.

**(AQW 25411/11-15)**

**Mr McCausland:** My Department has provided the following levels of Small Pockets of Deprivation funding:

2007/2008	£539,298
2008/2009	£739,429
2009/2010	£454,948
2010/2011	£415,740
2011/2012	£414,920
2012/2013	£450,003

## Small Pockets of Deprivation

**Mr Easton** asked the Minister for Social Development to list the areas currently receiving Small Pockets of Deprivation funding. (AQW 25416/11-15)

**Mr McCausland:** My Department is currently providing Small Pockets of Deprivation funding for: Rathgill & Harbour, Bangor; Bawnmore, Newtownabbey; Benmore & White City, Belfast; Castle, Carnany & Glebeside, Ballymoney; Gortalee, Greenisland & Sunnylands, Carrickfergus; Tullgarley & Dixon Park, Larne; Bowtown, Glen Ward & West Winds, Newtownards; Strathfoyle, Londonderry.

## Facing the Future: Housing Strategy for Northern Ireland

**Mr Swann** asked the Minister for Social Development, pursuant to the Topical Question I asked on 9 September 2013, to detail which four areas he visited. (AQW 25481/11-15)

**Mr McCausland:** On 7th August I visited Belfast's Lower Oldpark/Hillview, Tiger's Bay/Mountcollyer, Divis/Albert Street and Doury Road in Ballymena. These areas were brought to my attention by elected and community representatives who felt they demonstrate the characteristics of areas suitable for Housing Led Regeneration as set out in the Housing Strategy for NI.

## Areas at Risk Funding

**Mr Easton** asked the Minister for Social Development to list the areas currently receiving Areas at Risk funding. (AQW 25500/11-15)

**Mr McCausland:** The following Areas are currently receiving Areas at Risk Funding: Old Warren and Hillhall in Lisburn, Ballybeen and Annadale in Belfast, Ferris Park in Larne, Crossmaglen, Beechfield in Donaghadee, Scrabo in Newtownards and Gilford in Banbridge.

## Village Regeneration Scheme, South Belfast

**Mr Allister** asked the Minister for Social Development (i) how many houses have been rebuilt as part of the Village Regeneration Scheme in South Belfast; (ii) how many are yet to be rebuilt; (iii) whether the scheme has been scaled back in regard to rebuilding plans; and (iv) if so, why this is the case. (AQW 25598/11-15)

**Mr McCausland:** Regeneration plans for the Village area were approved in 2008 to include:

- The demolition of 539 dwellings; and
- The construction of 273 dwellings on a mixed tenure basis over a ten year period.

To date 87 new social dwellings are complete or nearing completion. A further 9 properties are currently being rehabilitated for future social housing. In addition a further 53 social dwellings have been completed at two adjacent overspill sites at Roden Street and Richview Court.

A further phase of social housing comprising 27 dwellings has been submitted for planning approval and is expected to start in early 2014. This planning application also seeks approval for the creation of a dedicated area of public open space which is a Planning Service requirement for the area. A further scheme to rehabilitate 13 more properties for social housing is also due to start in early 2014.

There has been no scaling back in relation to rebuilding plans.

## Housing Executive Stock Transfer: Bloomfield, Bangor

**Mr Agnew** asked the Minister for Social Development what were the results of the residents' ballot on the proposed stock transfer of the bungalows in Bloomfield, Bangor. (AQW 25625/11-15)

**Mr McCausland:** Over the period 17th May 2013 to 02nd August 2013 the Northern Ireland Housing Executive (NIHE) commissioned a formal tenant consultation exercise on the Bloomfield Bungalows Stock Transfer proposal for the transfer of 72 NIHE properties in Bloomfield estate in Bangor to Oaklee Housing Association.

Allowing for void properties and joint tenancies there were 71 ballot papers issued. These were posted to the tenants on 04th July 2013 and were to be returned by 02nd August 2013. A number of home visits were carried out by Holywell Consultancy, on behalf of the NIHE, to follow up on non response before the return deadline.

The Ballot Report was submitted to the NIHE on 05th August 2013 and the result of the ballot was as follows:

Ballot papers returned	63
Ballot response at home visit	1

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In favour of the transfer proposal	62
Not in favour of the transfer proposal	2
Ballot papers returned after the deadline	2
No response	5

In summary 90% (64 out of 71) of tenants responded in the ballot. As noted on the Offer document the outcome of the Tenant ballot is determined by a majority of those who returned their ballot papers. Therefore a majority of 96.7% (62 out of 64 responses), were in favour of the transfer proposal (although not counted, the 2 late ballot papers were also in favour of the proposal).



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# Northern Ireland Assembly

Friday 27 September 2013

## Written Answers to Questions

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

#### Single Identity Groups

**Mr I McCrea** asked the First Minister and deputy First Minister how much funding has been allocated to single identity groups in each of the last five years, broken down by (i) group; and (ii) constituency.

(AQW 19282/11-15)

**Mr P Robinson and Mr M McGuinness (The First Minister and deputy First Minister):** We do not hold this information.

#### Section 75 of the Northern Ireland Act 1998

**Ms Lo** asked the First Minister and deputy First Minister whether they will review their various strategies under Section 75 of the Northern Ireland Act to ensure they are unified, coherent and up-to-date.

(AQW 19524/11-15)

**Mr P Robinson and Mr M McGuinness:** We are committed to the fulfilment of our Section 75 obligations in all aspects of our work. We view the requirement to have due regard for the need to promote equality of opportunity and to promote good relations as important objectives of all our policies.

As we continue to develop and review our policies and strategies, we ensure all are unified, coherent and up-to-date.

#### UK Passports

**Mr Campbell** asked the First Minister and deputy First Minister whether they will make representations to the Government regarding the thousands of Northern Ireland residents who were born in the Irish Republic, but have lived in Northern Ireland for decades and are unable to obtain a United Kingdom passport.

(AQW 19730/11-15)

**Mr P Robinson and Mr M McGuinness:** We will write to the UK Government and make representations on this issue.

#### Delivering Social Change

**Mr Eastwood** asked the First Minister and deputy First Minister for an update on the Delivering Social Change signature projects.

(AQW 21225/11-15)

**Mr P Robinson and Mr M McGuinness:** Work on the implementation of the six initial Delivering Social Change Signature Programmes is ongoing and close discussions between our officials and lead departments continue in order to ensure effective delivery at the earliest opportunity.

The Department of Education has recently undertaken the recruitment process for the teachers under the numeracy and literacy project. These teachers will be in place for the beginning of the new school year.

The Department for Employment and Learning is leading on the 'Pathways to Employment for Young People' Signature Programme. A 26-week pilot of the Community Family Support programme commenced in January 2013 which is designed to focus on the needs of 44 disadvantaged families in the targeted areas of Belfast (West and East), Strabane, Cookstown and Newtownabbey. All 5 Family Liaison Officers have been recruited to support the families and they are currently working with mainstream provision to deliver the pilot. This pilot will be scaled up and rolled out as a Signature Programme to areas of greatest need where the levels of young people who are Not in Education, Employment or Training (NEETs) are highest. The intention is to replicate the model and help support over 720 families.

The Department of Health, Social Services and Public Safety has lead responsibility for the 'Direct Family Support' and 'Support for Parents' Signature Programmes. Significant progress has been made by the Health and Social Care Board and the Public Health Agency on both programmes since the launch. As part of the Family Support Hub programme, the

development infrastructure has been put in place. In the Northern Trust area, an additional Hub is coming “on-line” and Northern hubs will all be in place by the end of September.

In the Belfast Trust, work has begun to identify potential locations for four initial Hubs. The exact locations will be decided in September 2013.

In line with the Outcomes Groups’ priorities to enhance the existing early intervention services, the planning for additional investment in early intervention services to support Hub work has been completed and has begun to move to the procurement stage. The Belfast Outcomes Group has completed this work and the Southern Outcomes Group will be moving to procurement in September.

In addition, an evaluation system for Hubs has been introduced across all existing Hubs and data capture will start across all Hubs for monitoring and evaluation purposes.

Under the Support for Parents programme, a suite of parenting support programmes to be delivered has been developed from the Public Health Agency’s ongoing engagement with stakeholders through the Child Development Programme Board and the Children and Young People’s Strategic Partnership. The programmes focus on parenting programmes for the vulnerable groups.

The Department for Social Development and the Department of Education are working collaboratively to deliver 20 new Nurture Units under the ‘Early Intervention for Vulnerable Children’ Signature Programme. Twenty schools were invited to participate in an awareness session on 10 April 2013. Plans have been developed with the aim of having all Nurture Units in place by the start of the 2013/2014 academic year.

Finally, the Department for Social Development is also working in partnership with the Department of Enterprise, Trade and Investment to bring forward proposals to establish up to 11 Social Enterprise Incubation Hubs under the ‘Accelerating Social Enterprise’ Signature Programme. The Hubs will be established in currently vacant commercial premises and will offer a range of business advice and practical support to social enterprise entrepreneurs including facilities from which their businesses can operate on a ‘test-trading’ basis.

## Victims and Survivors Groups

**Mr Allister** asked the First Minister and deputy First Minister (i) how much McClure Watters was paid for the 2010 Audit of Victims and Survivors Groups; (ii) whether this was paid from core victims funding; and (iii) if not, what was the source of the payment.

**(AQW 23258/11-15)**

**Mr P Robinson and Mr M McGuinness:** FGS McClure Watters were appointed following a tender process to carry out an audit of a number of victims groups focusing on controls and governance. The audit was funded by our Department and the company paid £110, 000. This did not come from core victims funds.

## City of Culture 2013: Dermot McLaughlin

**Mr Allister** asked the First Minister and deputy First Minister why the position of Project Director with the UK City of Culture was filled by secondment by the Strategic Investment Board in March 2013 from Temple Bar Cultural Trust, given that the latter organisation is under investigation for financial irregularities; and what due diligence was completed before this appointment was approved as a Single Tender Action.

**(AQW 23403/11-15)**

**Mr P Robinson and Mr M McGuinness:** The report of the investigation referred to has not been formally published and is a matter for the Temple Bar Cultural Trust and Dublin City Council. It is understood that a report was due to be presented to Dublin City Council in March 2013 so it could not have been considered at the time of Mr McLaughlin’s appointment, nor would it have been appropriate prior to the final report being completed to draw any conclusions from allegations which may have been made.

In relation to the Single Tender Action, OFMDFM carried out appropriate consideration of the business case in relation to need, value for money and reason for the recommended appointment route and concluded that these had been demonstrated. OFMDFM was not involved in the appointment process.

## Delivering Social Change

**Mr Agnew** asked the First Minister and deputy First Minister who undertook the assessments of the cost effectiveness of the Delivering Social Change signature projects; and whether their Department had any role in the evaluation.

**(AQW 23429/11-15)**

**Mr P Robinson and Mr M McGuinness:** Through the workings of the Delivering Social Change Ministerial Sub-Committees and Programme Board we are continuing to regularly monitor progress with regard to programme implementation and budget spend, and will continue to do so post implementation.

The cost effectiveness of each of the programmes will be a key consideration, for the lead departments, within both the initial approval and evaluation processes.

## Victims and Survivors Service

**Mr Eastwood** asked the First Minister and deputy First Minister which agencies are conducting psychological assessments for the Victims and Survivors Service; and when and how these contracts were awarded.

(AQW 25011/11-15)

**Mr P Robinson and Mr M McGuinness:** The table below shows the agencies/organisations which conduct psychological assessments for the Victims and Survivors Service (VSS), the individuals conducting the assessments and details of the contracts awarded. The VSS conducts both needs reviews (stage one) and psychological assessments (stage two). Victims and Survivors Groups and Carecall only conduct psychological assessments (stage two).

Organisation	Individuals Conducting Assessments	Contract details
VSS	Psychological Assessments are conducted by two appropriately qualified Clinical Assessors	<ul style="list-style-type: none"> <li>Internal Employees – Posts filled through open recruitment</li> <li>One post was filled in January 2013, the other in May 2013</li> </ul>
Victims and Survivors Groups	Psychological Assessments are conducted by the Clinical Lead/ equivalent within the funded organisation concerned.	<ul style="list-style-type: none"> <li>Application process – funding from the Health and Well-Being Programme</li> <li>Letters of Offer were issued in March 2013, for implementation 1st April 2013 to 31st March 2014.</li> </ul>
Carecall	Psychological Assessments are carried out by a Consultant Clinical Psychologist. This psychologist is the Clinical Lead within Carecall, with responsibility for Clinical Governance.	<ul style="list-style-type: none"> <li>Direct Award Contract</li> <li>Awarded 1st January 2013, and is due to complete on 30th September 2013.</li> </ul>

## Strategic Investment Board: Paul Priestly

**Mr Allister** asked the First Minister and deputy First Minister to explain the role performed by Mr Paul Priestly in respect of the Strategic Investment Board; and to detail the process and timing of his recruitment.

(AQW 25190/11-15)

**Mr P Robinson and Mr M McGuinness:** Mr Priestly was seconded from the Department of Finance and Personnel to the Strategic Investment Board in September 2012. He is employed on a variety of work including the production of a review of the commissioning and delivery system for major infrastructure projects.

## Ilex: Matt McNulty

**Mr Allister** asked the First Minister and deputy First Minister what role (i) their Department; and (ii) the Strategic Investment Board had in the appointment of Mr Matt McNulty as Acting Chair of ILEX.

(AQW 25191/11-15)

**Mr P Robinson and Mr M McGuinness:** Sir Roy McNulty resigned from the Ilex Board in February 2012. Subsequent to his departure, Sir Roy, with the Ilex Board's support, recommended the appointment of Matt McNulty as interim Chair. Departmental officials supported this recommendation and Mr McNulty accepted the position as interim Chair in March 2012.

The Strategic Investment Board had no role in the appointment of Matt McNulty as Acting Chair of Ilex.

## City of Culture 2013: Dermot McLaughlin

**Mr Allister** asked the First Minister and deputy First Minister why the appointment of Mr Dermot McLaughlin as Project Director of UK City of Culture 2013 was approved as a single tender action; and what financial package was approved.

(AQW 25194/11-15)

**Mr P Robinson and Mr M McGuinness:** The Department approved the business case for the process to make a direct appointment as there was an urgent need to recruit a Project Director to enable key aspects of the City of Culture programme to be delivered in the required timescale.

The recruitment process and financial package were a matter for SIB and did not involve OFMDFM.

## Staff: Recruitment Agencies

**Mr Swann** asked the First Minister and deputy First Minister to detail the number of people employed by recruitment agencies in (i) their Department; and (ii) arms-length bodies, as of 1 April (a) 2011; (b) 2012; and (c) 2013.

**(AQW 25256/11-15)**

**Mr P Robinson and Mr M McGuinness:** The number of people employed by recruitment agencies in OFMDFM and its arms-length bodies is shown in the table below.

Organisation	1st April 2011	1st April 2012	1st April 2013
Department - OFMDFM	0	0	2
Historical Institutional Abuse Inquiry	0	0	3
NI Commissioner for Children and Young People	2	2	0
Equality Commission for NI	0	0	1
Commissioner for Older People NI	0	1	13
Commissioner for Public Appointments NI	0	0	0
Attorney General's Office NI	0	0	0
Planning Appeals Commission and Water Appeals Commission	0	0	0
NI Judicial Appointments Commission	1	3	3
Strategic Investment Board	0	0	1
Community Relations Council	4	3	1
Victims & Survivors Service	0	12	3
Commissioner for Victims & Survivors	4	0	5
NI Memorial Fund	0	0	1
ILEX Urban Regeneration Company	3	1	2
Maze Long Kesh DC	0	0	3

## Programme for Government Commitments

**Mr Copeland** asked the First Minister and deputy First Minister for an update on the progress made on each of their Programme for Government commitments.

**(AQW 25287/11-15)**

**Mr P Robinson and Mr M McGuinness:** Progress on the delivery of Programme for Government commitments is closely monitored in accordance with the published programme arrangements and delivery framework and includes scrutiny by departments, the Delivery Oversight Group and by the PfG Programme Board.

The latest available information on progress against Programme for Government Commitments can be accessed at: <http://www.northernireland.gov.uk/index/work-of-the-executive/pfg-budget-economic-strategy/pfg/strategic-online-report-2011-2015.htm>

## Social Investment Fund: Steering Groups

**Mr Allister** asked the First Minister and deputy First Minister how many times, and on what dates, each of the Steering Groups for the Social Investment Fund met.

**(AQW 25600/11-15)**

**Mr P Robinson and Mr M McGuinness:** The Steering Groups met on the following dates.

Zone	Date
Belfast North 16 meetings	24/10/12, 31/10/12, 7/11/12, 21/11/12, 28/11/12, 6/12/12, 19/12/12, 11/1/13, 16/1/13, 21/1/13, 23/1/13, 25/1/13, 29/1/13, 13/2/13, 25/7/13, 2/9/13
Belfast East 19 meetings	7/11/12, 27/11/12, 6/12/12, 10/12/12, 13/12/12, 19/12/12, 10/1/13, 24/1/13, 30/1/13, 11/2/13, 27/2/13, 27/3/13, 10/4/13, 17/4/13, 24/4/13, 8/5/13, 16/6/13, 1/8/13, 12/9/13
Belfast West 11 meetings	7/11/12, 22/11/12, 4/12/12, 14/12/12, 11/1/13, 18/1/13, 28/1/13, 27/2/13, 20/3/13, 11/4/13, 21/6/13

Zone	Date
Belfast South 12 meetings	9/11/12, 23/11/12, 30/11/12, 3/12/12, 13/12/12, 9/1/13, 21/1/13, 23/1/13, 19/2/13, 25/3/13, 10/5/13, 21/6/13
Northern 9 meetings	30/10/12, 21/11/12, 10/12/12, 13/12/12, 18/12/12, 14/1/13, 25/1/13, 14/2/13, 29/8/13
Derry / Londonderry 8 meetings	19/11/12, 22/11/12, 17/12/12, 8/1/13, 29/1/13, 13/2/13, 25/2/13, 3/9/13
Western 13 meetings	8/11/12, 29/11/12, 17/12/12, 8/1/13, 10/1/13, 17/1/13, 24/1/13, 30/1/13, 31/1/13, 22/2/13, 28/3/13, 17/5/13, 6/6/13
Southern 12 meetings	7/11/12, 14/11/12, 29/11/12, 6/12/12, 17/12/12, 3/1/13, 16/1/13, 30/1/13, 13/2/13, 27/2/13, 26/3/13, 14/5/13
South Eastern 11 meetings	14/11/12, 6/12/12, 17/12/12, 11/1/13, 16/1/13, 24/1/13, 30/1/13, 18/2/13, 25/2/13, 26/3/13, 28/5/13

## Social Investment Fund

**Mr Allister** asked the First Minister and deputy First Minister how many applications to the Social Investment Fund have been (i) made for each designated area; (ii) assessed; and how many successful applicants have been notified.

(AQW 25601/11-15)

**Mr P Robinson and Mr M McGuinness:** Strategic area plans were received by the Department on 28 February 2013. Each zone has submitted economic appraisals for up to ten projects within their area plans. These are currently being considered as part of a comprehensive appraisal process. As the process remains ongoing, no zones have been notified of the final outcome.

## Child Rights Indicator Framework

**Mr Lyttle** asked the First Minister and deputy First Minister how the Child Rights Indicator Framework will monitor departmental progress on the Children and Young People's Strategy.

(AQW 25640/11-15)

**Mr P Robinson and Mr M McGuinness:** The Child Rights Indicator Framework will incorporate the majority of indicators which are currently used to monitor progress on the Children and Young People Strategy and will therefore provide an evidence base for reporting not just on compliance with the UN Convention on the Rights of the Child (UNCRC) but also on delivery of the Strategy. This reflects the central role of the Strategy in co-ordinating and driving forward the work of the Executive on the delivery of children's rights and wellbeing.

## Victims and Survivors Service

**Mr Allister** asked the First Minister and deputy First Minister what analysis of need is conducted by the Victims and Survivor Service when a group applies for funding; and how this analysis is conducted.

(AQW 25659/11-15)

**Mr P Robinson and Mr M McGuinness:** The Comprehensive Needs Analysis produced by the Commission for Victims and Survivors categorises seven areas of need which are reflected in the Victims Support Programme. Groups submitting applications to the Programme are required to provide an analysis of the needs that exist within their client base and the services and support they propose to offer to meet those needs.

The independent panel, set up by the Service, then assesses the extent to which the group has objectively provided evidence of need and the adequacy and quality of the proposed services.

Two panels were established by the Service to assess applications for funding: an Independent Grant Funding Panel and an Independent Grant Funding Appeals Panel. The overall objective of the panels is to ensure a fair, objective and impartial mechanism for funding applications to be considered.

Through monitoring and evaluation returns provided by funded groups and the individual needs reviews conducted by the Service's assessors, a more comprehensive picture of needs across the victims sector is being developed. The analysis of this information will ensure the future revision of services is better targeted to where they are required.



## Department of Agriculture and Rural Development

### Bovine Tuberculosis

**Mr Dunne** asked the Minister of Agriculture and Rural Development for an update on how her Department is controlling the risk of badgers spreading Bovine Tuberculosis to cattle.

(AQW 25552/11-15)

**Mrs O'Neill (The Minister of Agriculture and Rural Development):** My Department provides generic TB disease control advice for all herdkeepers and provides specific advice to those who have a TB herd breakdown. The "Biosecurity Code for NI Farms" includes advice about reducing the risk that is posed by wildlife. The publication "TB in your Herd", which is issued to all herdkeepers who have a TB herd breakdown, also includes specific advice in relation to mitigating the risk of badgers spreading bovine Tuberculosis to cattle. We have also recently, with input from stakeholders, produced easy to understand leaflets entitled "Biosecurity Measures which help protect your herd against TB" and "Wildlife Biosecurity". These publications are available on the recently refreshed DARD website.

In addition, DARD Veterinary Officers and Animal Health and Welfare Inspectors give on-farm advice to farmers in relation to specific biosecurity issues relevant to their farm business.

I have asked my officials to develop a "test and vaccinate or remove (TVR)" wildlife intervention research. The aim of this wildlife intervention research will be to test the effectiveness of this approach on the level of TB in badgers and in cattle in the north of Ireland. It is envisaged that badgers in the study area will be tested and the test negative badgers will be vaccinated and released. Only test positive badgers will be removed.

The TVR study design is complex and there are number of preparatory phases that must be completed before the main elements of this TVR research can get underway. However, I am pleased to say that substantial preparatory work has already been undertaken. Computer modelling to help us design the TVR study has been completed. We have made good progress with badger sett surveying in two 100km<sup>2</sup> areas in Co. Down. Some 75% of the Banbridge / Rathfriland area and 61% of the area near Castlewellan have already been surveyed. We will soon invite other landowners to participate and surveying the remainder of these areas will commence again in coming weeks. We are also planning to soon commence a badger ecology study to gather baseline monitoring data on badger movements in these areas.

I also propose to consult on changing secondary legislation to allow trained and licensed lay persons to vaccinate badgers for TB. This would allow, for example, environmental organisations or interested farmers to vaccinate badgers on their own land.

I recently announced that I propose to establish a government / industry Strategic Partnership Group to develop a long term strategy to eradicate TB from the cattle population here. This new Strategic Partnership Group will be all embracing and will be asked to address all the issues including biosecurity and the wildlife factor.

I am also considering what support could be provided through the next Rural Development Programme, for example training for herdkeepers on biosecurity and if any capital funding could be made available to help herdkeepers ensure that badgers do not have access to their farmyards, housed cattle or animal feed stores.

### Ploughing Championships

**Mr Swann** asked the Minister of Agriculture and Rural Development to detail the monetary value of the support that her Department is providing to The Ploughing Competition in (i) the Republic of Ireland; and (ii) Northern Ireland.

(AQW 25632/11-15)

**Mrs O'Neill:** My Department is providing sponsorship support to the NI Ploughing Association through sponsorship to the value of £230 for the 2013 NI Ploughing Championships.

No sponsorship support is provided to the National Ploughing Championships.

### Single Payment Scheme

**Mr Frew** asked the Minister of Agriculture and Rural Development what input and contribution she made to the discussions and agreement in Brussels during the week commencing 9 September 2013, which allow for an advance 50 percent contribution to be made under the 2013 Single Payment Scheme.

(AQW 25736/11-15)

**Mrs O'Neill:** On 11 September, the Commission's Management Committee for Direct Payments agreed to allow any Member State that was in a position to do so to make up to 50% advance payments from 16 October 2013.

This was as a result of a number of Member States having made requests for derogations to make advance payments as required under the existing EU legislation. The meeting was not attended by Ministers. I understand that some Member States including south of Ireland, France, Italy, Czech Republic, Hungary and Greece made this type of request. Decisions in regard to advance payments are relevant to Paying Agencies or Member States that consider that they are in a position to make advance payments. DARD is not currently in that position, but the work necessary to change that must be carried out here and not in Brussels.

## Farm Business ID Numbers

**Mr Irwin** asked the Minister of Agriculture and Rural Development to detail the number of Farm Business ID numbers (i) applied for; and (ii) granted by her Department, in each of the last twelve months, broken down by county.

**(AQW 25963/11-15)**

**Mrs O'Neill:** The table attached provide details of the number of Farm Business ID numbers (i) applied for; and (ii) those granted, broken down per county for the period, September 2012 to August 2013.

### Farm Business IDs

County	Sep 12		Oct 12		Nov 12		Dec 12	
	No. Applied For	of which were granted	No. Applied For	of which were granted	No. Applied For	of which were granted	No. Applied For	of which were granted
Antrim	21	14	24	17	10	7	16	12
Armagh	15	14	19	19	16	13	12	10
Down	15	13	20	19	17	17	20	18
Fermanagh	7	7	3	3	9	9	0	0
Derry	9	8	8	8	18	13	14	14
Tyrone	9	6	10	7	13	10	13	10
<b>Totals</b>	<b>76</b>	<b>62</b>	<b>84</b>	<b>73</b>	<b>83</b>	<b>69</b>	<b>75</b>	<b>64</b>

County	Jan 13		Feb 13		Mar 13		Apr 13	
	No. Applied For	of which were granted	No. Applied For	of which were granted	No. Applied For	of which were granted	No. Applied For	of which were granted
Antrim	23	17	18	11	36	27	15	11
Armagh	20	18	29	27	15	12	20	11
Down	27	26	39	35	38	37	25	21
Fermanagh	9	8	7	7	12	11	7	6
Derry	7	7	13	13	19	14	6	3
Tyrone	18	13	28	20	33	24	18	10
<b>Totals</b>	<b>104</b>	<b>89</b>	<b>134</b>	<b>113</b>	<b>153</b>	<b>125</b>	<b>91</b>	<b>62</b>

County	May 13		Jun 13		Jul 13		Aug 13	
	No. Applied For	of which were granted	No. Applied For	of which were granted	No. Applied For	of which were granted	No. Applied For	of which were granted
Antrim	15	12	15	8	12	8	15	8
Armagh	7	6	14	11	11	4	15	4
Down	22	20	13	11	21	16	24	17
Fermanagh	7	5	6	4	5	2	10	4
Derry	11	7	10	6	4	3	6	4
Tyrone	12	8	15	6	11	7	13	2
<b>Totals</b>	<b>74</b>	<b>58</b>	<b>73</b>	<b>46</b>	<b>64</b>	<b>40</b>	<b>83</b>	<b>39</b>

## Department of Culture, Arts and Leisure

### Milk Cup Funding

**Mr G Robinson** asked the Minister of Culture, Arts and Leisure whether she is considering allocating additional funding to the Milk Cup in order to support its ongoing development.

**(AQW 24425/11-15)**

**Ms Ní Chuilín (The Minister of Culture, Arts and Leisure):** Primary responsibility for providing support and funding to events, including sporting events such as the Milk Cup, transferred in 2010 to the Department of Enterprise, Trade and Investment (DETI).

However, in order to support the ongoing development of the Milk Cup, £10,000 was allocated from my Department through the June Monitoring Round.

In addition, my Department has approved a one year pilot Sports Events Funding Programme, which has just recently been launched by Sport NI, and to which the Milk Cup may be eligible to apply.

### Belfast Mela

**Miss M McIlveen** asked the Minister of Culture, Arts and Leisure to detail how much the Arts Council has awarded the Belfast Mela, in each of the last seven years.

**(AQW 24719/11-15)**

**Ms Ní Chuilín:** Arts Ekta received funding for the Belfast Mela from 2009/2010 through the Arts Council's lottery funded small grants programme. Funding details are listed in the table below:-

Finance Year	Grant Amount
2011-2012	£2,830.00
2010-2011	£7,200.00
2009-2010	£5,000.00

### Netting of Salmon off the Coast

**Mr Swann** asked the Minister of Culture, Arts and Leisure, pursuant to AQW 22086/11-15, whether the fishermen who did not receive licences for the 2013 season refused to provide written undertakings not to fish.

**(AQW 24854/11-15)**

**Ms Ní Chuilín:** The coastal salmon netsmen who have not received licences for the 2013 season did not apply for licences from the Department. Therefore the provision of an undertaking not to fish is not relevant.

### Salmon and Inland Fisheries Forum

**Mr Swann** asked the Minister of Culture, Arts and Leisure, pursuant to AQW 23598/11-15, when she will recruit for the two vacant positions; and if the positions are specifically representative of any group or body.

**(AQW 24856/11-15)**

**Ms Ní Chuilín:** The two vacant positions on the Salmon and Inland Fisheries Forum are for representatives of Lough Erne commercial fishermen and fish dealers.

Both of these groups are licensed by the Department and officials have written to licence holders seeking applications for the posts. To date there have been no applications received from these groups.

The Department will continue to seek applications from the two groups.

### Branded Apparel for Non-front Line Staff

**Mr Allister** asked the Minister of Culture, Arts and Leisure how much her Department has spent on branded apparel for non-frontline staff, in each of the last three years.

**(AQW 24879/11-15)**

**Ms Ní Chuilín:** The Department incurred no expenditure on branded apparel for non-frontline staff in this period.

## Pleasure Grounds: North Down

**Mrs Cochrane** asked the Minister of Culture, Arts and Leisure, pursuant to AQO 4337/11-15, when her Department received the new draft Pleasure Ground Bye-Law proposals for the North Down Borough Council area; and for her assessment of the proposals.

(AQW 24890/11-15)

**Ms Ní Chuilín:** My Department received the new draft Pleasure Ground Bye-Law proposals for the North Down Council area on 13 February 2013. Departmental officials subsequently sought legal advice on technical issues related to the bye-law proposals. Having given due consideration to the proposal and the legal advice received, my Department has now confirmed approval of the bye-laws to the Department of the Environment.

## Netting Licences

**Mr Kinahan** asked the Minister of Culture, Arts and Leisure to detail the number of netting licences that have been granted for Lough Neagh in the last twelve months.

(AQW 24917/11-15)

**Ms Ní Chuilín:** The open seasons for different species of fish vary throughout the calendar year, therefore the table below relates to 2012, the last year for which records are complete.

Licence type	Number of licenses issued
Eel Draft net	45
Draft net for the capture of salmon and fresh water fish	21
Single wall set net or trammel net (Trout)	63
Single wall set net or trammel net (Coarse)	125
Bait nets (only for use with eel long lines)	69

## Sport Northern Ireland: Vacancies at Board Level

**Mr Weir** asked the Minister of Culture, Arts and Leisure to list the members of the Board of Sport NI; and how many vacant places there are on the Board.

(AQW 25053/11-15)

**Ms Ní Chuilín:** The members of the Board of Sport NI are as follows:

- |                                    |                    |
|------------------------------------|--------------------|
| ■ Brian Henning (Chair)            | ■ Barry Macaulay   |
| ■ John D'Arcy (Interim Vice-Chair) | ■ Roisin Mallon    |
| ■ Gerard Campbell                  | ■ Shane McCullough |
| ■ Paul Cummings                    | ■ Danny O'Connor   |
| ■ Brian Delaney                    | ■ John O'Neill     |

There are currently five vacant places on the Board, including the position of Vice-Chair.

## Fisheries Staff: Suspension

**Mr Swann** asked the Minister of Culture, Arts and Leisure to detail (i) the number of fisheries employees that are (a) suspended; and (b) how long they have been suspended; and (ii) the terms and conditions that relate to their suspension.

(AQW 25089/11-15)

**Ms Ní Chuilín:** I am unable to supply the information requested as this could lead to the possible identification of individual(s) concerned and would be contrary to the Data Protection Act 1998.

## Angling: Alcohol

**Lord Morrow** asked the Minister of Culture, Arts and Leisure what action is being taken to make drinking alcohol an offence at fishing loughs that are maintained by her Department, in the interests of public safety and to ensure these areas remain family-orientated and free of anti-social behaviour.

(AQW 25155/11-15)

**Ms Ní Chuilín:** My Department has had very few reports or complaints involving the consumption of alcohol at DCAL Public Angling Estate waters.

DCAL does not have any powers to regulate the consumption of alcohol at these locations, but should evidence emerge of alcohol related issues at PAE waters my Department will consider appropriate action.

## Netting of Salmon off the Coast

**Mr Swann** asked the Minister of Culture, Arts and Leisure, pursuant to AQW 24526/11-15, in which she states “the other netsmen who held licences in 2012 have not received compensation to date” whether they have or will receive compensation from 28 August 2013.

**(AQW 25163/11-15)**

**Ms Ní Chuilín:** No compensation has been paid to date to the other netsmen.

The Department has written to each of the netsmen who did not apply for licences in 2013 on this issue, but to date no agreement has been reached.

## Fish Kill at Portavoe Reservoir

**Mr Easton** asked the Minister of Culture, Arts and Leisure to outline the reasons for the recent fish kill at Portavoe Reservoir. **(AQW 25167/11-15)**

**Ms Ní Chuilín:** The Northern Ireland Environment Agency (NIEA) has confirmed that water samples taken from Portavoe show no evidence of pollution. There are no health concerns about anglers taking fish at Portavoe.

It is likely that a combination of high temperatures and excessive weed growth have depleted dissolved oxygen levels. The Department is using a weed cutter at Portavoe to reduce the weed cover which will contribute to improving oxygen levels.

Fish are sensitive to Dissolved Oxygen levels in the water and the NIEA staff have taken a number of samples from the reservoir. Dissolved Oxygen levels recorded during the daytime were deemed adequate to sustain fish life, however it is at night that the dissolved oxygen levels will be at their lowest. The NIEA subsequently positioned a water monitoring buoy in the centre of the reservoir to record Dissolved Oxygen levels over a number of days and information received has indicated that the lake is prone to periods of low oxygen levels. As such DCAL is currently reviewing its stocking protocols for Portavoe.

Any fish stressed by the depleted dissolved oxygen level would be more vulnerable to lice and fungal infections and it is likely that the conditions were more suitable for the infections to take hold.

## Illegal Netting: Lough Neagh

**Mr Girvan** asked the Minister of Culture, Arts and Leisure how many illegal nets have been seized in Lough Neagh in the last three years, broken down by quarter; and how many prosecutions have resulted from these breaches.

**(AQW 25246/11-15)**

**Ms Ní Chuilín:** Number of nets seized on Lough Neagh:

Year	March/May	June/August	Sept/Nove	Dec/Feb
09/10	2	1	6	9
10/11	2	7	12	17
11/12	5	8	2	1
12/13	3	4		

**Prosecutions resulting from these seizures:**

Year	March/May	June/August	Sept/Nov	Dec/Feb
09/10	0	0	0	1
10/11	1	0	0	0
11/12	0	1	0	0
12/13	1			

## Staff: Recruitment Agencies

**Mr Swann** asked the Minister of Culture, Arts and Leisure to detail the number of people employed by recruitment agencies in (i) her Department; and (ii) arms-length bodies, as of 1 April (a) 2011; (b) 2012; and (c) 2013.

**(AQW 25309/11-15)**

**Ms Ní Chuilín:** Under the terms of the NICS Framework Agreement for the Provision of Temporary workers, DCAL has engaged with recruitment agencies to secure temporary workers to cover various posts over the last three years.

The table below details the number of people employed by recruitment agencies in both DCAL and its Arms Length Bodies (ALBs).



Source	1 April 2011	1 April 2012	1 April 2013
DCAL	2	3	12
ALBs	60	78	95
Total	62	81	107

### World Police and Fire Games 2013: Northern Ireland Flag

**Mr Copeland** asked the Minister of Culture, Arts and Leisure why Team Northern Ireland were not represented by a flag at the World Police and Fire Games 2013.

(AQW 25445/11-15)

**Ms Ní Chuilín:** Country flags were displayed at the Opening Ceremony of the 2013 World Police and Fire Games. During the athletes parade a team of volunteers entered the arena carrying country flags for all countries represented at the Games. The country flags were then displayed near the stage for the remainder of the Opening Ceremony.

### Sports Stadiums

**Mr P Ramsey** asked the Minister of Culture, Arts and Leisure if the funding allocated to Regional Sports stadia has been ring-fenced.

(AQW 25447/11-15)

**Ms Ní Chuilín:** A funding package totalling £110m (including Optimism Bias) for the Regional Stadium Development was endorsed by the Executive as a priority area of spend in this current CSR period.

### Sports Stadiums: Windsor Park

**Mr P Ramsey** asked the Minister of Culture, Arts and Leisure what impact the delay in progressing the Windsor Park development is having on the work programme and funding for the Regional Sports Stadia.

(AQW 25448/11-15)

**Ms Ní Chuilín:** The Windsor Park development is currently on programme for full commitment of the public sector spend within the current CSR period, provided that significant delays around any legal challenges are avoided and IFA provide assurance to DCAL that appropriate governance and accountability structures are in place.

### Deprivation and Participation in Physical Activity

**Mr Ross** asked the Minister of Culture, Arts and Leisure whether she plans to investigate the link between deprivation and low adult participation in physical activity; and if the targeting of legacy funding can be directed towards sporting facilities in deprived areas.

(AQW 25670/11-15)

**Ms Ní Chuilín:** Extensive research continues to be carried out by my Department to investigate the link between deprivation and low adult participation in physical activity. In addition to the annual analysis of the Continuous Household Survey – which assesses the experience of sport and physical activity by adults across the north of Ireland, including in deprived areas - my Department has just recently published research into “The Impact of Poverty on Engagement in Sport in NI”. These findings can be accessed via the DCAL website at [www.dcalni.gov.uk/index/quick-links/research\\_and\\_statistics-3.htm](http://www.dcalni.gov.uk/index/quick-links/research_and_statistics-3.htm).

All Departmental funding provision will be considered in line with DCAL's priorities of promoting equality and tackling poverty and social exclusion; and in the context of DCAL's strategy for sport, ‘Sport Matters’.

## Department of Education

### Classroom Assistants: Job Evaluation

**Mr Storey** asked the Minister of Education how many evaluations of classroom assistants posts have yet to be completed in each Education and Library Board area.

(AQW 25504/11-15)

**Mr O'Dowd (The Minister of Education):** The information requested has been provided by Education and Library Boards and is set out in the table below. The figures relate to only those classroom assistants who have signed up to have their post evaluated and for whom the process is not yet complete:

BELB	62
WELB	90

NEELB	29
SEELB	201
SELB	239
<b>Total</b>	<b>621</b>

### Classroom Assistants: Job Evaluation

**Mr Storey** asked the Minister of Education how many appeals have been lodged by classroom assistants over the outcome of the job evaluation process, broken down by Education and Library Board.

**(AQW 25505/11-15)**

**Mr O'Dowd:** There is no appeal process attached to job evaluation for Classroom Assistants as generic job descriptions were agreed by the Employers and Trade Unions in advance of evaluation. However, the following number of Classroom Assistants have signified their disagreement with their allocation of a job description and the associated grade.

BELB	47
WELB	19
NEELB	29
SEELB	16
SELB	69
<b>Total</b>	<b>180</b>

### Classroom Assistants: Job Evaluation

**Mr Storey** asked the Minister of Education what is the average length of time taken to complete the appeal process for a classroom assistant job evaluation.

**(AQW 25507/11-15)**

**Mr O'Dowd:** There is no appeal process attached to the job evaluation for Classroom Assistants as generic job descriptions were agreed by the Employers and Trade Unions in advance of evaluation. What is being considered at the moment is an Assessment and Review Process for those Classroom Assistants, who are dissatisfied with the job description and associated grade that they have been allocated. The Employers are still in discussions with the Trade Unions on this matter and have not agreed an appropriate review process to date.

### Admissions Criteria

**Mr Storey** asked the Minister of Education when he will publish the outcome of his Department's review of the current advice and guidance on admissions criteria.

**(AQW 25508/11-15)**

**Mr O'Dowd:** Working in close collaboration with the 5 Education and Library Boards, my Department has conducted a series of workshops during September 2013 for representatives of primary schools and their Boards of Governors to provide advice on best practice when formulating their admissions criteria for the 2014/15 school year.

This training was scheduled to assist schools in reviewing the criteria they wish to be included in booklets for parents, which will be published by the ELBs before the end of November. All primary schools were invited to attend. School feedback on the events was positive and attendance of oversubscribed primary schools was good.

The guidance given to primary schools at the workshops, and the training materials, will be published on the Department's website and a link sent to all primary schools by the end of September.

Based on attendee feedback and issues raised during the workshops, the Department is now considering what further advice and guidance needs to issue to schools in autumn 2013 to support them for the 2014/15 admissions process and beyond.

### Minor Works

**Mr Storey** asked the Minister of Education to detail the value of minor works contracts awarded by his Department over the last twelve months, broken down by (i) Education and Library Board; and (ii) educational sector.

**(AQW 25510/11-15)**

**Mr O'Dowd:** The value of minor works contracts awarded by the Department of Education over the last twelve months up to 31 August 2013, broken down by (i) Education and Library Board; and (ii) educational sector is as follows:-

<b>Sector (£000s) 1/9/12 – 31/8/13</b>	<b>BELB</b>	<b>WELB</b>	<b>NEELB</b>	<b>SEELB</b>	<b>SELB</b>	<b>TOTAL</b>
Controlled	2,729	2,503	6,048	2,880	4,663	18,823
Controlled Integrated	296	0	583	5	0	884
Irish Medium	164	0	0	0	10	174
Roman Catholic Maintained	5,701	1,361	1,467	1,557	2,805	12,891
Other Maintained	0	0	124	0	16	140
Voluntary Grammar School	2,183	307	666	26	557	3,739
Grant Maintained Integrated	159	103	48	613	42	965
Special	423	239	47	484	597	1,790
Other	80	7	430	609	0	1,126
<b>Overall Total</b>	<b>11,735</b>	<b>4,520</b>	<b>9,413</b>	<b>6,174</b>	<b>8,690</b>	<b>40,532</b>

## Preschool Admissions Criteria

**Mr Storey** asked the Minister of Education when he will issue revised guidance on pre-school admission criteria.  
(AQW 25551/11-15)

**Mr O'Dowd:** The Department issued a circular to all statutory pre-school providers in September 2012 advising Principals and Boards of Governors of the arrangements for the application of open enrolment procedures to admissions to nursery schools and classes in primary schools. Similar advice was also issued to voluntary/private pre-school settings participating in the Pre-School Education Programme.

My officials will be writing to all funded pre-school before the end of this month to clarify that advice and to confirm the timetable for September 2014 admissions.

## Conductive Education

**Mr D McIlveen** asked the Minister of Education whether he has considered commissioning research into Conductive Education as a form of teaching children with disabilities and special educational needs; and if not, to outline his reasons.  
(AQW 25576/11-15)

**Mr O'Dowd:** I have not, to date, considered commissioning research into Conductive Education as a method of teaching children with disabilities and special educational needs (SEN).

I am sure you will appreciate that due to the financial constraints under which my department, and indeed all government departments, currently operate that priority must be given to the provision of frontline services.

While Conductive Education is one option for supporting children with disabilities and SEN, the Education and Library Boards provide a wide range of educational services, based on the individual SEN of the child, and non-educational support may also be provided, including therapeutic support from medical professionals.

## Free School Meals

**Mr D McIlveen** asked the Minister of Education what research his Department has carried out into the impact of free school meals locally.  
(AQW 25578/11-15)

**Mr O'Dowd:** International research and evidence demonstrate the critical influence of nutrition on cognitive development and academic performance in children and adolescents and that poor diet is detrimental to children's learning, concentration and behaviour, in addition to its wider health impacts.

Similarly, evaluations of various school food initiatives, such as the Jamie Oliver led "Feed Me Better" campaign, the free school meal pilots in England, and Kingston-upon-Hull's "Eat Well, Do Well" initiative also highlight the positive correlation between nutrition, health and educational attainment.

Whilst research at a local level has not been undertaken the findings of these research studies are directly applicable to the north of Ireland and have informed the development of my Department's approach to the provision of free school meals.

Children from families on low incomes and those living in poverty, whether they live in the north of Ireland, in Scotland, England or Wales face significant and particular barriers in accessing and benefiting from a good education. I consider that the provision of healthy free school meals is necessary to address the particular challenges that these children face in accessing and participating fully in school life, in improving their learning outcomes and ultimately lifetime opportunities.

This also contributes to the statutory target to take action to eradicate child poverty here by 2020 and to the Programme for Government Commitment to tackle disadvantage.

Consequently, I announced in June that I will extend the Working Tax Credit free school meal eligibility criterion from September 2014. This will mean that an estimated additional 15,000 pupils from low income households to benefit from free school meals as a direct result.

## Children Living in Areas Affected by Conflict

**Mr D McIlveen** asked the Minister of Education what specific support his Department offers children living in areas most affected by conflict.  
(AQW 25579/11-15)

**Mr O'Dowd:** I recognise that children who live in areas affected by conflict can face particular barriers in accessing and benefitting from a sound education. Research indicates that many of the areas in the north of Ireland which are characterised by high levels of social deprivation are also areas which have been affected by conflict.

My Department is committed to ensuring that children and young people from socially deprived backgrounds, including those living in areas affected by conflict, are supported to achieve their full potential. A wide range of programmes and interventions, which are supported by substantial funding allocations, are being taken forward which directly and indirectly provide support to children who live in these areas. These include the provision of:

- an additional £9m over the period 2012-13 to 2014-15 to increase access to mainstream youth services in disadvantaged areas which gives priority to interface areas;
- a further £420k allocated by the Education and Library Boards (ELBs) in 2013/14 to youth groups to run youth intervention schemes particularly in interface areas; £750k to deliver projects to address educational underachievement in the West Belfast area;
- £376k for 2013/14 for each of the two Full Service pilot programmes at the Boys and Girls Model Schools in North Belfast and through the Full Service Community Network in Ballymurphy;
- over £15.6m funding over three years for the Delivering Social Change programme to employ additional teachers to support pupils at risk of underachievement;
- £2m funding per annum in 2013/14 and 2014/15 on a new community education initiatives programmes to address educational underachievement in socially and educationally disadvantaged communities;
- £360k funding per annum for the Achieving Belfast and Achieving Derry – Bright Futures programmes; and
- £12m in 2013/14 through the Extended Schools Programme and in each year to 31 March 2015 to enable schools serving pupils from areas of disadvantage to improve their life chances by providing additional learning opportunities.

My Department also provides financial support for the Community Relations, Equality and Diversity (CRED) policy through the ELBs and Youth Council Northern Ireland (YCNI). A minimum of 20% of this funding must be used to support meaningful interaction between young people with different social, cultural or religious backgrounds.

In addition, my Department works closely with the Department for Social Development in relation to education-related Neighbourhood Renewal Projects which target children in the most disadvantaged areas, providing additional support to address educational underachievement.

I consider that the range of Departmental interventions outlined, therefore, will continue to provide both targeted and indirect support to children at greatest risk of underachievement, including those living in areas most affected by conflict.

## Western Education and Library Board: Staff

**Mr Buchanan** asked the Minister of Education how many (i) teachers; and (ii) classroom assistants in the Western Education and Library Board (i) retired; (ii) were made redundant; and (iii) have been left unemployed, in each of the last five years.  
(AQW 25582/11-15)

**Mr O'Dowd:**

- (i) Since the removal of the compulsory retirement age in October 2006, employers have not recorded leavers as "retired". The table below provides the number of teachers who have opted to access their pension in the last five years. The same information is not available for classroom assistants as the employers are not the pension providers and therefore do not hold pension related details.

Academic Year	2008/09	2009/10	2010/11	2011/12	2012/13	Total
Retired	120	99	88	111	132	550

- (ii) The number of redundancies for teachers and classroom assistants are set out in the table below. In relation to teachers, it should be noted that there is the potential for double counting of staff included in both the redundancy figures below and retirement figures quoted at (i) above. Teaching figures include staff in all grant-maintained schools and the classroom assistant figures include staff in Controlled and Maintained schools only.

Academic Year	2008/09	2009/10	2010/11	2011/12	2012/13	Total
Redundancies:						
Teachers	42	33	61	111	80	327
Classroom Assistants	17	23	23	66	41	170

(iii) Regarding the number left unemployed, the department does not hold this information.

### Bangor Grammar School

**Mr Easton** asked the Minister of Education what plans his Department has for the Rugby pitches belonging to Bangor Grammar School at Ballymacormick, Bangor.

**(AQW 25643/11-15)**

**Mr O'Dowd:** The future of Bangor Grammar School's rugby pitches at Ballymacormick is a matter for the school itself. My Department does not own the property.

### Child Obesity

**Mr Weir** asked the Minister of Education what strategies are being pursued through the education system to tackle child obesity.

**(AQW 25688/11-15)**

**Mr O'Dowd:** My Department recognises the detrimental impacts which being overweight or obese can have on children and young people's physical, emotional and mental health. Consequently, a range of measures are in place which will support the delivery of the targets set in the obesity prevention strategy "A Fitter Future for All" to reduce the proportion of children who are obese or overweight and obese by 2022.

The Department recognises the particular importance of a healthy, balanced diet in this regard and has proactively worked to improve the quality of food in schools here. In 2007 my Department introduced mandatory Nutritional Standards for School Meals which ensures that children receive only healthy, nutritious school meals. Nutritional Standards for Other Food and Drink provided in schools have also been introduced. I have allocated annual funding - some £4.2 million in 2013/14 - to support the implementation of the standards with part funding also provided for a regional Food in Schools Coordinator to provide specialist support in all aspects of healthy eating.

The Personal Development and Mutual Understanding (primary) and Learning for Life and Work (post-primary) Areas of Learning within the curriculum provide opportunities for pupils to learn about the importance of healthy lifestyles, including diet and physical activity. In addition, the curriculum requires all pupils to undertake Home Economics at Key Stage 3 which provides opportunities for young people to develop their understanding of a healthy diet and the hygienic and healthy use of foods in the preparation of meals.

My Department also promotes physical activity through Physical Education (PE) which is a compulsory curriculum element for all pupils through all Key Stages. Schools are encouraged to provide opportunities for pupils to take part in at least 2 hours of PE per week. I have also made £1.5 million available this year to fund the Curriculum Sports Programme in primary schools. The programme aims to develop the physical literacy skills of our youngest pupils and encourage ongoing participation in physical activity.

I intend, along with the Minister for Health, to announce the Food in Schools policy in the near future. The policy advocates a whole school approach to all food and drinks provided in schools to ensure that all children develop the knowledge and skills necessary to make healthy food choices now and in later life.

I consider that through the measures outlined my Department and the wider education system will make an important contribution to tackling childhood obesity.

### Nursery School Provision: Cookstown

**Mr McGlone** asked the Minister of Education, pursuant to AQW 25018//11-15, whether a new provider has been engaged by the Southern Education and Library Board; and what progress has been made with the Development Proposals that are currently with his Department.

**(AQW 25706/11-15)**

**Mr O'Dowd:** The Southern Education and Library Board has advised that the that Pre-School Education Advisory Group for the area has approved the participation of Care Bears Day Nursery in the Pre-School Education Programme for the 2013/14 academic year.

As previously advised, I will consider all Development Proposals submitted to me in light of demand for additional nursery places. To date, however, no Development Proposals have been published seeking additional nursery places in the Cookstown District Council area.



## Special Educational Needs

**Mr Weir** asked the Minister of Education how many pupils with Special Educational Needs in the South Eastern Education and Library Board require transport to school, broken down by district.

**(AQW 25718/11-15)**

**Mr O'Dowd:** I have been advised by the South Eastern Education and Library Board that the number of children with special educational needs who require transport to school is as set out in the table below:

District by Council Area	Number of pupils
Ards Borough Council Area	631
Castlereagh Borough Council Area	332
Down District Council Area	733
Lisburn City Council Area	902
North Down Borough Council Area	314

## Schools: Starting Age

**Mr Weir** asked the Minister of Education what plans he has to allow flexibility in primary school starting age.

**(AQW 25720/11-15)**

**Mr O'Dowd:** I recognise that we have the youngest school starting age in Europe and following a meeting with representatives from the Association of Teachers & Lecturers and associates, I agreed to look at options for introducing a degree of flexibility around the school starting age here.

Work on identifying potential options within this area is currently ongoing and will be completed as quickly as possible.

## Schools: Organ Donation

**Mrs Dobson** asked the Minister of Education to detail the occasions, including the dates, that his Department has liaised with the Department of Health, Social Services and Public Safety on the incorporation of Organ Donation and Transplantation into schools criteria, as recommended in the Taking Organ Transplantation to 2020 report.

**(AQW 25742/11-15)**

**Mr O'Dowd:** A Department of Education official attended a meeting with a delegation of the Committee for Organ Donation and Transplantation (established by the Minister of Health, Social Services and Public Safety) on 15 April 2013.

Following the meeting, the Department provided details for the appropriate contact from the Council for the Curriculum, Examinations and Assessment (CCEA) to advise the Committee on the development of its educational resource for schools. The Department has also offered assistance with the dissemination of any resource developed by the Committee via the C2k service in schools. A further meeting is scheduled for 18 November 2013.

## Bush Primary School, Dungannon

**Lord Morrow** asked the Minister of Education for an update on the provision of a nursery school unit at Bush Primary School, Dungannon, including the progress made to date.

**(AQW 25749/11-15)**

**Mr O'Dowd:** Development Proposal 293 was published by the Southern Education and Library Board on 2 September 2013. This proposes the provision of a nursery unit at Bush Primary School, Dungannon catering for 26 pupils on a part time basis with effect from 1 September 2014 or as soon as possible thereafter.

Following publication of a Development Proposal (DP) there is a statutory two month consultation period during time which anyone who wishes can forward objections or comments to the Department. At the end of this consultation period I will make a decision on the DP, taking account of all relevant issues and the comments received.

The two month consultation period for DP 293 ends on 4 November 2013.

## Southern Education and Library Board: Redundancies

**Mrs Dobson** asked the Minister of Education, following the area plan consultation, for his assessment of the level of public funds required to meet the redundancy costs of (i) Principals; (ii) academic staff; and (iii) non-academic staff, following the decision of the Southern Education and Library Board to back Option A as the model for future provision.

**(AQW 25750/11-15)**

**Mr O'Dowd:** I am aware that, following the completion of a public consultation on its post-primary area plan, the Southern Education and Library Board supported the recommendation of its advisory subcommittee for controlled schools by backing Option A.

To date, however, the Board has not yet published any Development Proposals in regard to the future provision of post primary schools in the Craigavon area.

Until formal Development Proposals have been brought forward it is not possible for me to make an assessment of the level of public funds required to meet potential redundancy costs if they arise from the SELB decision to back Option A.

## Common Funding Scheme

**Mr Allister** asked the Minister of Education to publish the anticipated impact of the revised Common Funding Scheme, in terms of the increases and decreases in funding, for each individual school.

(AQW 25762/11-15)

**Mr O'Dowd:** Illustrative budgets have been prepared for all schools as part of the current consultation process on the proposed changes to the Common Funding Scheme and are available on the Department's website at <http://www.deni.gov.uk/june-2013-common-funding-scheme-consultation.htm>. Information on each school's current budget for 2013/14 can be found at <http://www.deni.gov.uk/common-funding-formula-budgets-for-schools-2013-15.htm>

School budgets for the new financial year will be published in due course. They will reflect increases in the Aggregated Schools Budget in 2014-15, factors at individual school level such as pupil enrolment numbers and Free School Meals entitlement and my final decisions on changes to the Scheme following consideration of consultation responses.

## Levels of Progression

**Mr Storey** asked the Minister of Education how much has been spent on the implementation of Levels of Progression to date.

(AQW 25768/11-15)

**Mr O'Dowd:** The following figures have been provided by the Council for the Curriculum, Examinations and Assessment (CCEA).

To date, £1,788,373 has been spent on implementation of the Levels of Progression. The breakdown by financial year is provided below.

2011/12	2012/13	2013/14	Total
£796,297	£674,951	£317,125	£1,788,373

These figures cover the period from 1 April 2011 (initiation of pilot assessment training programme in primary schools) to 31 August 2013 (latest available figures).

Project costs included relate to additional teacher release costs and the training, support and operational costs associated with implementation.

Costs for development and trialling phases up to 31 March 2011 (i.e. prior to system implementation in schools) are not included.

Salaries of CCEA officers are not included.

## Free School Meals

**Mr Storey** asked the Minister of Education to detail the current uptake of free school meals, broken down by (i) Education and Library Board; and (ii) sector.

(AQW 25769/11-15)

**Mr O'Dowd:** The uptake of free school meals by those entitled to them is measured through the annual School Meals Census which takes place in October. The table below provides information on the proportion of pupils entitled to free school meals who took a school meal on census day 2012.

Free school meals taken as a proportion of pupils entitled to free school meals by Education and Library Board and School Management Type: 2012/13

Management type	Education and Library Board					Total
	BELB	WELB	NEELB	SEELB	SELB	
Controlled	77.6	85.0	79.0	69.4	80.0	77.6
Voluntary	75.4	99.3	83.8	71.3	78.8	83.4
Catholic Maintained	83.8	87.3	83.6	78.3	84.0	84.2
Other Maintained	84.3	81.5	87.3	78.0	91.5	84.5
Controlled Integrated	70.8	91.7	82.1	62.4	113.6	75.4
Grant Maintained Integrated	79.5	84.9	81.1	80.2	80.4	81.4

Management type	Education and Library Board					Total
	BELB	WELB	NEELB	SEELB	SELB	
Total	80.9	87.2	80.8	73.0	82.9	81.4

**Entitlement Source:** NI School Census 2012/13

**Uptake Source:** NI School Meals Census 2012/13

**Notes:**

- Figures are based on nursery schools, primary (including nursery classes, reception and years 1-7) and post primary schools. Special schools are not included.
- Uptake percentages express the number of free school meals taken by pupils present in a particular category as a proportion of the number of pupils entitled to free school meals in the same category.
- The school census date was 5 October 2012 while the school meals census date was 19 October 2012. The later date of the school meals census could be responsible for a slighter higher level of uptake of free school meals compared to entitlement, than if the data was collected on the same date.

## Free School Meals

**Mr Storey** asked the Minister of Education to detail the current entitlement to free school meals, broken down by (i) Education and Library Board; and (ii) sector.

**(AQW 25770/11-15)**

**Mr O'Dowd:** The most up-to-date figures for entitlement to free school meals relate to the 2012/13 school year and are provided in the table below. Updated 2013/14 figures will be available following completion of the annual school census which will be carried out during October.

Percentage free school meal entitlement - Nursery schools, primary and post primary - 2012/13

Management type	ELB					Total
	BELB	WELB	NEELB	SEELB	SELB	
Controlled	38.8	26.3	21.2	20.4	18.6	23.3
Voluntary	7.1	11.7	5.5	3.5	10.2	7.6
Catholic Maintained	46.1	38.4	19.9	30.6	29.7	33.1
Other Maintained	49.8	49.8	26.3	59.9	30.5	43.8
Controlled Integrated	42.6	30.0	26.7	25.2	38.1	28.1
Grant Maintained Integrated	43.8	30.7	20.7	16.0	23.9	25.4
Total	33.1	30.8	19.1	21.1	23.3	25.0

**Source:** school census

**Note:**

- Figures include nursery schools, primary (including nursery classes, reception and years 1 – 7) and post primary schools. Special schools are not included.
- Figures for free school meals include all pupils entitled to free school meals including nursery (whether JSA or FSM)

## Levels of Progression

**Mr Storey** asked the Minister of Education what advice he has received from the Council for the Curriculum Examinations and Assessment following its consultation with teachers on the implementation of the Levels of Progression.

**(AQW 25771/11-15)**

**Mr O'Dowd:** I accepted advice from the Council for the Curriculum Examinations and Assessment (CCEA) on the operation of the new assessment arrangements on the basis that they would be reviewed after their first year of operation.

The Council's programme of research and evaluation took place between September 2012 and June 2013. As an important aspect of this, my Department together with CCEA conducted a review of the new arrangements consisting of 10 face-to-face workshops with school leaders.

While there were some positive aspects to take from the feedback from schools (the value of internal standardisation for example), it is clear that the feedback overall was very negative. While CCEA will publish its research findings shortly, in

summary the Council reported a number of common messages, particularly during the workshops held in June. These included that:

- the submission date for levels is too early;
- timescales are too tight / unrealistic; and
- the arrangements create a heavier / unmanageable workload.

After considering this feedback and the options to address them, I have decided to move to revised arrangements that I believe will reduce the pressure on teachers and schools whilst maintaining the primary purpose of the Levels of Progression – to assist teaching and learning. I plan to make a more detailed announcement shortly and I have asked my officials to arrange a detailed update for the members of the Education Committee.

### Primary Schools: Computer-based Assessments

**Mr Storey** asked the Minister of Education how much has been spent on computer based assessment in primary schools to date.

**(AQW 25772/11-15)**

**Mr O'Dowd:** The Council for the Curriculum, Examinations and Assessment (CCEA) has provided the following figures:

Contracts were let with the suppliers (Tribal and Rising Stars) in November 2011. From this date to the end of August 2013 a total of £2,378,385<sup>5</sup> was spent on implementing the new computer-based assessment arrangements.

The breakdown of NINA/NILA costs is as follows:

Total Cost to Aug 2013	£
Supplier Costs	1,496,660
Teacher Release Costs	836,152
Implementation Costs (Venues, Print Resources)	45,573
<b>Total</b>	<b>2,378,385</b>

The Interactive Computerised Assessment System (InCAS) was the CBA tool used by schools during the period 2007-08 to 2011-12 and cost £3,425,939<sup>6</sup> to implement.

The breakdown of InCAS costs is as follows:

Total Cost	£
Software Licence Agreement (via C2K)	1,050,441
Development and Implementation Costs (CCEA)	2,375,498
<b>Total</b>	<b>3,425,939</b>

### Parkhall Integrated College, Antrim

**Mr Kinahan** asked the Minister of Education for an update on the newbuild for Parkhall Integrated College, Antrim.

**(AQW 25775/11-15)**

**Mr O'Dowd:** Parkhall Integrated College is one of the 22 projects I announced to advance in planning in January 2013.

The Department is currently working with the North Eastern Education & Library Board (NEELB) to finalise the Economic Appraisal for the project. While the project is at an advanced stage in design, the NEELB has advised it will require a review to confirm compliance with current building regulations and the school building handbook. A fresh planning application will also be required for the project.

### Victoria Park Primary School

**Mr Storey** asked the Minister of Education when the capital build at Victoria Park primary school will begin.

**(AQW 25840/11-15)**

**Mr O'Dowd:** In my statement to the Assembly on 25 June 2012 I announced a programme of 18 new build schools as part of a £173 investment in the school's estate, Victoria Park Primary School was included in that announcement.

<sup>5</sup> This cost includes payments to suppliers and teacher release provided to schools to engage in training and excludes CCEA staffing costs.

<sup>6</sup> This cost includes payment to supplier, teacher release, venues, printing etc. and excludes staffing costs.

My officials are working with the school authorities to bring the project forward as swiftly as possible. The Belfast Education and Library Board (BELB) are currently in discussions with their strategic partner regarding the delivery of the Victoria Park project. A start date will not be available until these discussions have been completed.

## Free School Meals

**Mr Storey** asked the Minister of Education to list the 15 Independent schools whose pupils will benefit from his recent announcement to extend Free School Meals provision.

(AQW 25841/11-15)

**Mr O'Dowd:** In line with child poverty considerations I consider that it is important that eligible children from low income households should receive free school meals whether they attend a grant-aided school or an independent school. Therefore, I have extended Free School Meal provision to apply also to children and young people who attend independent schools and who meet my Department's free school meal eligibility criteria.

The fifteen independent schools whose pupils may benefit from my recent announcement to extend Free School Meals provision are as follows:

- |   |  |
|---|--|
| ■ Ballymoney Independent Christian School   | ■ Buddy Bear Trust Conductive Education School |
| ■ Focus School, Knockloughrim Campus        | ■ Clogher Valley Independent Christian School  |
| ■ Living Rivers Christian School            | ■ Focus School, Newry Campus                   |
| ■ Newtownabbey Independent Christian School | ■ Mourne Independent Christian School          |
| ■ Bangor Independent Christian School       | ■ Portadown Independent Christian School       |
| ■ Glenraig Curative School                  | ■ Gaelscoil na Deirge                          |
| ■ Hollywood Rudolf Steiner School           | ■ Kilskeery Independent Christian School       |
| ■ Rockport School                           |  |

The Education and Library Boards are working with the independent sector to put in place the necessary arrangements to ensure this support is provided as soon as possible. My officials are working closely with the Boards to identify the number of pupils who will be eligible.

## GCSE Passes: Upper Bann

**Mrs D Kelly** asked the Minister of Education how many young people in the Upper Bann constituency (i) achieved; and (ii) did not achieve pass grades in GCSE (a) English; and (b) Maths, in each of the last two years.

(AQW 25848/11-15)

**Mr O'Dowd:** The answer is contained in the table below.

**Number and percentage of school leavers resident in the Upper Bann constituency who (i) achieved and (ii) did not achieve pass grades in GCSE (a) English; and (b) Maths, in each of the last two years**

		2010/11		2011/12	
		Number	%	Number	%
(a) GCSE English	(i) Achieved	1352 (21078)	90.6 (91.0)	1382 (20790)	92.2 (92.1)
	(ii) Not Achieved	141 (2082)	9.4 (9.0)	117 (1778)	7.8 (7.9)
(b) GCSE Maths	(i) Achieved	1389 (21389)	93.0 (92.4)	1409 (20989)	94.0 (93.0)
	(ii) Not Achieved	104 (1771)	7.0 (7.6)	90 (1579)	6.0 (7.0)

**Notes:**

**Source:** School Leavers Survey

Figures in brackets refer to the NI Average

For GCSE, pass grades are grades A\*-G

## GCSE Passes: Upper Bann

**Mrs D Kelly** asked the Minister of Education how many young people in the Upper Bann constituency (i) achieved; and (ii) did not achieve 5 or more GCSE pass grades, in each of the last two years.

(AQW 25849/11-15)

**Mr O'Dowd:** The answer is contained in the table below.



**Number and percentage of school leavers resident in the Upper Bann constituency who (i) achieved and (ii) did not achieve 5 or more GCSE pass grades in the last two years**

	2010/11		2011/12	
	Number	%	Number	%
(i) Achieved	1390 (21655)	93.1 (93.5)	1445 (21363)	96.4 (94.7)
(ii) Not Achieved	103 (1505)	6.9 (6.5)	54 (1205)	3.6 (5.3)

**Notes:**

**Source:** School Leavers Survey

Figures in brackets refer to the NI average

For GCSE, pass grades are grades A\*-G

## Early Years Funding

**Mrs D Kelly** asked the Minister of Education why there is a delay in issuing the awards for the Early Years funding, given that the letters of award were made in April 2013.

**(AQW 25850/11-15)**

**Mr O'Dowd:** Following a thorough assessment of the financial position of the applicant groups by the strategic funding panels, letters of award were issued by Early Years – the Organisation for Young Children in August 2013. Groups awarded funding are subsequently required to submit a claim for funds to Early Years, which is verified before payment is made.

## Free School Meals

**Mr Ross** asked the Minister of Education how much additional funding per child is available to schools when a pupil avails of Free School Meals.

**(AQW 25857/11-15)**

**Mr O'Dowd:** Registered entitlement to Free School Meals is a key indicator used within the Common Funding Formula to distribute additional funding to schools' delegated budgets under the Targeting Social Need (TSN) factor. In the current financial year almost £66.7 million was distributed to schools under the TSN factor, of which £44.2m used free school meal entitlements as an indicator – in full or in part – of social deprivation and additional need.

The level of funding per child with a registered entitlement that is distributed to schools will vary, due to the progressive weighting applied under the main element of social deprivation funding within the funding formula, as well as the phase of education.

For a nursery-age pupil, funding per pupil ranges from approximately £670 to £1,340, averaging around £755 per pupil. For a primary-age pupil, funding per pupil ranges from approximately £340 to £680, averaging around £605 per pupil\*. For a post-primary age pupil funding per pupil ranges from approximately £380 to £760, averaging around £440 per pupil.

Note \* primary-age funding includes both weighted funding under the social deprivation element and a flat rate of £210 per pupil under the educational under-achievement element.

As I announced in June, I am making £30million of additional funding available, over the next two years, to target support for pupils and schools; to break the link between social deprivation and low educational outcomes. I have also announced an extension to the free school meals eligibility criteria that will see, by September 2014, an additional 15,000 children entitled to free school meals and support with uniform costs.

## School Uniform Costs

**Mr Ross** asked the Minister of Education to outline the cost to his Department of providing allowances for school uniforms, in each of the last three years.

**(AQW 25858/11-15)**

**Mr O'Dowd:** The cost to my Department of providing the school uniform grant in each of the last three years is as follows:

2010/11	£3.421 million
2011/12	£3.835 million
2012/13	£4.051 million

The increase in cost reflects the increase in the numbers entitled to receive the school uniform grant over this time. Around 77,800 pupils were entitled to receive the uniform grant in 2012/13 compared to almost 62,400 in 2010/11.

## School Uniform Costs

**Mr Ross** asked the Minister of Education whether he has held discussions with individual schools and schools' representative bodies in an effort to reduce the burden of uniform costs on parents and carers.

(AQW 25859/11-15)

**Mr O'Dowd:** I recognise that the cost of school uniforms can place a substantial financial burden on families particularly in the current economic climate when many families are struggling to make ends meet. I consider it wholly unacceptable that some schools charge excessive costs for school uniforms, particularly where such costs may act as a deterrent to parents who are considering whether to send their child to a particular school.

Whilst the day-to-day management of schools, including school uniform policy, is a matter for school Principals, subject to any directions that might be given by the Board of Governors (BoGs), my Department recognised the burden that uniform costs can place on families and issued guidance to schools in March 2011 on school uniform policy. The guidance makes it very clear that the Department expects Boards of Governors to give high priority to cost considerations when designing their uniforms and that schools "... should ensure that their school uniform policy is fair and reasonable, in practical and financial terms, and should have regard to their duties under relevant equality and other legislation."

Schools were also advised to ensure that their uniform is widely available in high street shops and other retail outlets, and internet suppliers rather than from an expensive sole supplier.

Whilst I have not held discussions with individual schools and have not been approached by their representative bodies on this matter I wrote to all schools in September 2012 reminding Boards of Governors of their responsibilities in relation to the Department's school uniform guidance and emphasising that Governors should ensure that regard is given to the guidance when drawing up their school uniform policy.

If schools or their representative bodies consider that it would be helpful to discuss this matter with me or with my officials I would be pleased to facilitate this.

I would urge Boards of Governors, however, to take action to reduce their school uniform costs and ease the financial burden this can place on parents and carers.

## School Transport

**Mr Rogers** asked the Minister of Education for his assessment of the safety concerns arising from his Departmental policy not offering transport facilities to children who live less than three miles from their school.

(AQW 25897/11-15)

**Mr O'Dowd:** Under the existing Home to School Transport policy, transport assistance is restricted to pupils who have been unable to gain a place in a suitable school within statutory walking distance of their home – two miles for primary age pupils and three miles for post-primary pupils. The distance criterion is used solely to determine who is responsible for a child's journey to school and is not an injunction that an ineligible pupil must walk to school.

In the case of post-primary pupils, responsibility lies with the Education and Library Board where it is determined that the pupil lives over three miles from their nearest suitable school using the shortest walking route. If the pupil lives under three miles from their nearest suitable school, then the parent is responsible for making whatever arrangements they consider appropriate to facilitate their child's attendance at school. Where this is the case, the safety of the child on any part of its journey to school is the parent's responsibility.

Due to the geographical distribution of schools, the majority of pupils in rural areas are eligible for transport assistance, particularly at post-primary level.

I have signalled my intention to bring forward a wide-ranging review of the Home to School Transport policy. My officials are currently taking forward work to establish the review and I hope to make an announcement in the near future.

## Free School Meals

**Mr Storey** asked the Minister of Education, pursuant to AQW 15960/11-15, what has convinced him since November 2012 to extend free school meals to post-primary children.

(AQW 25902/11-15)

**Mr O'Dowd:** Children from families on low incomes and those living in poverty face significant and particular barriers in accessing and benefiting from a good education. I consider that the provision of healthy free school meals is necessary to address the particular challenges that these children face in accessing and participating fully in school life, in improving their learning outcomes and ultimately lifetime opportunities. This also contributes to the statutory target to take action to eradicate child poverty here by 2020 and to the Programme for Government commitment to tackle disadvantage.

I constantly keep the free meal criteria under review to ensure that children and young people from low incomes receive the support they need, in doing this, I also need to take account of resource constraints and competing budgetary pressures.

On 11 June 2013 I announced how I intended to take forward the recommendations from the "Independent Review of the Common Funding Scheme." The Review included a specific recommendation to adjust the eligibility criteria for free school meals which I accepted and is why I announced my intention to apply the same eligibility criteria for free school meals for both

primary and postprimary pupils from September 2014. This will benefit an estimated additional 15,000 children from lower income households.

## Shared Education Campuses

**Mr Storey** asked the Minister of Education how he proposes to deal with issues of ownership in the context of shared education campuses.

**(AQW 25903/11-15)**

**Mr O'Dowd:** Work on the delivery of the 10 shared education campuses as announced recently by the FM and dFM is at an early stage and as such the issue of ownership of these campuses has not yet been addressed.

## Early Years Organisation

**Mr Storey** asked the Minister of Education, pursuant to AQW 25286/11-15, whether his Department has issued additional guidance to the Early Years organisation in advance of the allocation of funding for the current financial year.

**(AQW 25906/11-15)**

**Mr O'Dowd:** In order to ensure compliance with the criteria for the Fund, officials requested that Early Years – the Organisation for Young Children should conduct a comprehensive assessment of the financial needs of the applicants to the Early Years Fund in 2013/14 in accordance with good financial governance. Groups were required to demonstrate continued requirement for support from the DE

Early Years Fund and show that they:

- Provide direct early years care and education to children;
- Provide a service in areas of low provision, disadvantaged areas or where the service is considered critical for children;
- Ensure inclusion and diversity; and
- Ensure a standard of excellence in relation to quality.

## Relationships and Sexuality Education

**Ms Fearon** asked the Minister of Education (i) for his assessment of the current Relationships and Sexuality Education guidance; (ii) what plans his Department has to update these guidelines; and (iii) whether he will consider bringing Relationships and Sexuality Education into the statutory curriculum.

**(AQW 25909/11-15)**

**Mr O'Dowd:**

- (i) Relationships and Sexuality Education (RSE) guidance for schools is provided in the Department of Education Circular 2001/15 'Relationships and Sexuality Education' and the accompanying materials produced by the Council for the Curriculum, Examinations and Assessment (CCEA). Guidance and resources on RSE are also provided on the Northern Ireland Curriculum website.

There is a need to review and update the 2001 RSE guidance to set it within the context of the statutory Personal Development and Mutual Understanding (primary) and Learning for Life and Work (post-primary) areas of learning within the revised curriculum.

- (ii) The Department of Education has asked CCEA to commission a review of existing RSE guidance and develop resources to address any identified gaps in provision. Preliminary work is underway on this project.
- (iii) RSE is an integral part of the revised curriculum in both primary and post-primary schools and must be delivered in a sensitive manner which is appropriate to the age and understanding of pupils and to the ethos of the school. The Department requires each school to have in place its own policy on how it will address the delivery of RSE. A school's policy should be subject to consultation with parents, and should be endorsed by a school's Board of Governors.

A key strength of the revised curriculum is the flexibility it provides for teachers to introduce topics to meet the needs and interests of pupils, the statutory content has therefore been considerably reduced. I have no immediate plans at this stage to make any legislative changes to introduce any further compulsory elements to the curriculum. However I will keep the matter under review.

## School Crossing Patrols

**Mr Weir** asked the Minister of Education what policy his Department has on the provision of school crossing patrols.

**(AQW 25913/11-15)**

**Mr O'Dowd:** The Department of Education does not have a policy on the provision of school crossing patrols as overall responsibility for road safety in the North lies with the Department of the Environment. However, Education and Library Boards have a role to play and they can set out measures in a scheme, approved by my Department, to assist in the prevention of accidents involving school children. This enables Boards to provide school crossing patrols where particular traffic hazards have been identified. It also enables them to remove crossing patrols where conditions have changed over

time to the extent that a hazard has disappeared or declined in significance. The assessment of potential sites for school crossing patrols is carried out using guidelines developed by the Local Authority Road Safety Officers' Association in England and Wales which the Boards have adapted to reflect local circumstances.

### Woodlands Language Unit, Derry

**Mr P Ramsey** asked the Minister of Education whether any jobs will be lost as a result of the closure of the Woodlands Speech and Language Unit, Derry.

(AQW 25914/11-15)

**Mr O'Dowd:** In approving the relocation of the Woodlands Speech and Language Unit I modified the proposals to allow the unit to continue to operate, if required, until the end of the 2014/15 academic year to allow all pupils allocated a 2 year place from the 2013/2014 academic year to complete the placement should their parents so wish. I also modified the commencement date of the new Speech and Language Units opening at Ebrington, St Anne's and Ballykelly Primary Schools to open from 1 September 2014.

The Woodlands Unit currently has a staffing complement of four teaching staff and four classroom assistants. The relocation and expansion proposals will provide for six teaching posts and six classroom assistant posts.

The Western Education and Library Board (WELB) has confirmed that, with the agreement of staff, employees will transfer from the Woodlands Unit and follow the speech and language classes. The WELB's Human Resources Service will identify staff transfer preferences and where possible make arrangements for transfer to their preferred location.

### Free School Meals

**Mr B McCrea** asked the Minister of Education, for the current school year, (i) how many pupils are enrolled in Primary 1-3; (ii) how many of these pupils are entitled to free school meals; and (iii) how many take their free school meal entitlement.

(AQW 25932/11-15)

**Mr O'Dowd:** The most up-to-date figures for entitlement to free school meals relate to the 2012/13 school year. Updated 2013/14 figures will be available following the completion of the annual school census which will be carried out during October. Figures collated from the 2012/13 school census indicated that there were 71,048 pupils enrolled in years 1 – 3 in primary schools, of these 21,893 were entitled to free school meals. Figures for pupils entitled to free school meals who go on to take a meal are not available by year group.

### School Transport Facilities

**Mr Rogers** asked the Minister of Education for his assessment of, from a safety perspective, school transport facilities being denied to rural children living less than three miles from the school which they attend.

(AQW 25940/11-15)

**Mr O'Dowd:** Under the existing Home to School Transport policy, transport assistance is restricted to pupils who have been unable to gain a place in a suitable school within statutory walking distance of their home – two miles for primary age pupils and three miles for post-primary pupils. The distance criterion is used solely to determine who is responsible for a child's journey to school and is not an injunction that an ineligible pupil must walk to school.

In the case of post-primary pupils, responsibility lies with the Education and Library Board where it is determined that the pupil lives over three miles from their nearest suitable school using the shortest walking route. If the pupil lives under three miles from their nearest suitable school, then the parent is responsible for making whatever arrangements they consider appropriate to facilitate their child's attendance at school. Where this is the case, the safety of the child on any part of its journey to school is the parent's responsibility.

Due to the geographical distribution of schools, the majority of pupils in rural areas are eligible for transport assistance, particularly at post-primary level.

I have signalled my intention to bring forward a wide-ranging review of the Home to School Transport policy. My officials are currently taking forward work to establish the review and I hope to make an announcement in the near future.

### Schools: Hollywood

**Mr Weir** asked the Minister of Education for an update on the new school build programme in Hollywood.

(AQW 25943/11-15)

**Mr O'Dowd:** The South Eastern Education & Library Board identified a multi-schools project for Hollywood as one of its top three priorities for major capital investment. However the project was not included in my January 2013 announcement due to the need for clarity on enrolments at Priory Integrated College and the potential to increase these above sustainable schools thresholds, as well as the potential for alliances with other secondary schools in relation to 6th form provision.

On 16 April 2013, the South Eastern Education and Library Board published Development Proposal proposing that the approved enrolment at Priory College, Hollywood should increase from 450 to 600 with effect from 31 August 2014 or as soon

as possible thereafter. Officials are currently compiling the information available and I expect to take a decision on this in the near future.

While Holywood Primary / Holywood Nursery / Priory Integrated College will be disappointed that they were not included in the capital investment announcement in January 2013, this in no way implies that they will not be considered for funding at a later stage within the on-going area planning process.

### Teachers: Pay Remit and Staff Remit

**Mr Kinahan** asked the Minister of Education for an update on the (i) 2013 pay remit; and (ii) 2010/11 non-teaching staff remit. (AQW 25946/11-15)

**Mr O'Dowd:**

- (i) Under the Executive's Public Sector Pay Policy when a pay award agreement is outstanding, the pay remit for that group of staff cannot normally be approved until the pay award has been agreed.

The 2013/14 formal pay claim was received from Teacher Unions on 10 September and there was a risk that payment of increments could be indefinitely delayed. As a result, the Department of Education (DE) has secured, exceptionally, DFP agreement to separate the teachers' pay remit into two elements – one covering incremental progression and one covering the pay award once agreed.

DE is currently preparing the former for urgent submission to DFP for approval. It is hoped the necessary approvals will be in place to allow for the payment to be made in October. In due course, the second remit covering any pay award will be submitted to DFP for approval.

- (ii) 2010/11 non-teaching staff remit - Under the Executive's Public Sector Pay Policy, pay remits for all staff in public bodies, are required to be completed and submitted to DFP for approval. It has been agreed that pay remits will be prepared from the 2012/13 financial year onwards for non-teaching staff in the Voluntary Grammar and Grant Maintained Integrated Sectors and initially it was agreed with DFP that this was to be used as the mechanism to seek approval to make the £250 payment to eligible staff for both the 2010/11 and 2011/12 years.

DFP has subsequently agreed to accept a short submission, separate from the normal pay remit process, to enable payments to be made as quickly as possible. The timeline for completion of this work is dependent on DE receiving outstanding returns from a small number of schools. Once the necessary approvals are in place, funding will be made available to enable schools to make the payment to eligible staff.

### Delivering Social Change: Teachers

**Mr Kinahan** asked the Minister of Education how many recently qualified teachers have been employed on fixed-term contracts following the Delivering Social Change programme. (AQW 25951/11-15)

**Mr O'Dowd:** The recruitment process to employ 268.7 (233.3 funded by OFMdfM; 35.4 funded by DE) recent graduate teachers to fixed term contracts is still ongoing; to date 167.9 posts have been confirmed for appointment, including 7.5 appointments made under the DE funded expansion project.

### Delivering Social Change: Teachers

**Mr Kinahan** asked the Minister of Education to detail (i) when; and (ii) where he expects all fixed-term teaching posts contained in the Delivering Social Change programme to be filled. (AQW 25952/11-15)

**Mr O'Dowd:** The recruitment process to employ 268.7 (233.3 funded by OFMdfM; 35.4 funded by DE) recent graduate teachers to fixed term contracts is still ongoing; to date 167.9 posts have been confirmed for appointment, including 7.5 appointments made under the DE funded expansion project.

It is envisaged that all the school appointments will be completed by the end of September; the teachers appointed to the central pool will be placed in schools mid October with all appointments being made by the end of October.

The following Primary Schools will receive extra teaching support under the OFMdfM funded Delivering Social Change Programme.

School Name	Teacher Allocation
Abbots Cross Primary School	1
Aghadrumsee Primary School	0.2
Altayeskey Primary School	0.2
Ashlea Primary School	0.2



School Name	Teacher Allocation
Avoniel Primary School	1
Ballycraig Primary School	0.5
Ballykeel Primary School	1
Ballysally Primary School	1
Barrack Street Boys' Primary	1
Belleek (2) Primary School	0.2
Belvoir Park Primary School	1
Blackmountain Primary School	0.5
Bloomfield Road Primary School	1
Blythefield Primary School	0.2
Botanic Primary School	1
Bunscoil An Traonaigh	0.2
Bunscoil Bheann Mhadagain	0.2
Bunscoil Mhic Reachtain	0.2
Carhill Integrated Primary School	0.2
Chapel Road Primary School	1
Clandeboy Primary School	0.2
Cliftonville Integrated Primary School	1
Crumlin Controlled Integrated Primary	0.5
Currie Primary School	0.5
Donaghmore Primary School	0.2
Donegall Road Primary School	0.5
Donemana Primary School	0.2
Downpatrick Primary School	0.5
Drumachose Primary School	1
Drumlins Integrated Primary School	0.5
Earlview Primary School	0.5
Ebrington Controlled Primary School	1
Edenbrooke Primary School	1
Elmgrove Primary School	1
Euston Street Primary School	1
Fane Street Primary School	0.5
Fountain Primary School	0.5
Gaelscoil An Chaistil	0.2
Gaelscoil An Lonnain	0.2
Gaelscoil Eadain Mhoir	0.5
Gaelscoil Na Gcrann	0.5
Gaelscoil Na Mona	0.2
Glenwood Primary School	1
Groggan Primary School	0.2
Harmony Primary School	1

School Name	Teacher Allocation
Harpur's Hill Primary School	1
Harryville Primary School	0.5
Hollybank Primary School	1
Holy Child Primary School, Derry	1
Holy Family Primary School, Belfast	1
Holy Family Primary School, Omagh	1
Holy Trinity Primary School, Belfast	1
Killyleagh Primary School	0.2
Kirkinriola Primary School	0.2
Knockmore Primary School	0.5
Knocknagoney Primary School	0.2
Ligoniel Primary School	0.2
Lisburn Central Primary School	1
Lowwood School	0.5
Malvern Primary School	0.5
Mount St Catherine's Primary School	0.5
Nazareth House Primary School	1
Nettlefield Primary School	1
Newbuildings Primary School	0.5
Old Warren Primary School	0.5
Parkhall Primary School	1
Primate Dixon Primary School	1
Rathcoole Primary School	0.5
Rathenraw Integrated Primary	0.2
Roe Valley Integrated Primary School	0.5
Rosemount Primary School	1
Roundtower Intergrated Primary School	1
Sacred Heart Primary School, Belfast	1
Seymour Hill Primary School	1
Silverstream Primary School	0.5
Springfield Primary School	0.2
St Aidan's Christian Brothers' Primary School (Now John Paul II Ps - Amalgamated With St Bernadette's Ps, Belfast)	1
St Caireall's Primary School	0.5
St Clare's Primary School, Belfast	1
St Colman's Primary School, Kilkeel	1
St Colmcille's Primary School, Downpatrick	1
St Francis Of Assisi, Keady	0.5
St Joseph's Primary School, (Slate Street), Belfast	1
St Joseph's Primary School (Bessbrook)	1
St Joseph's Primary School (Glenmornan)	0.2

School Name	Teacher Allocation
St Kevin's Primary School, Belfast	1
St Kieran's Primary School, Poleglass	1
St Luke's Primary School, Twinbrook	0.5
St Malachy's Primary School, Belfast	1
St Malachy's Primary School, Carnagat	1
St Mark's Primary School, Twinbrook	1
St Mary's P.S. (Greenlough)	0.5
St Mary's Primary School, Belfast	0.5
St Mary's Primary School, Annalong	0.2
St Mary's Primary School (Pomeroy)	1
St Mary's Primary School, Strabane	1
St Matthew's Primary School, Belfast	1
St Michael's Primary School (Clady)	0.2
St Nicholas' Primary School, Ardglass	0.2
St Oliver Plunkett Primary School (Strathfoyle)	1
St Patrick's Primary School, Crossmaglen	1
St Patrick's Primary School (Newry)	1
St Paul's Primary School, Belfast	1
St Paul's Primary School, Slievemore	1
St Teresa's Primary School, Mountnorris	0.2
St Vincent De Paul Primary School, Belfast	1
Star Of The Sea Girls' Primary School, Belfast (Now St Patricks Ps-Amalgamated 1/9/2013)	1
Stewartstown Primary School	0.2
Sunnylands Primary School	0.5
Taughmonagh Primary School	1
The Diamond Primary School	0.2
The Good Shepherd Primary School	1
The Wm Pinkerton Memorial Primary School	0.2
Tonagh Primary School	0.5
Tullycarnet Primary School	0.2
Tullygally Primary School	0.5
Victoria Park Primary School	1
West Winds Primary School	1
Wheatfield Primary School	1
Woodlawn Primary School	1
Edmund Rice(Cb) Primary School (Now St Patricks Ps-Amalgamated 1/9/13)	1
Gaelscoil Eadain Mhoir	0.2
Gaelscoil Na Mona	0.2
St Columbkille's Primary School, Carrickmore	0.2
St Mary's Star Of The Sea Primary School, Belfast	0.5

School Name	Teacher Allocation
<b>Total Ofmdfm Funded Posts</b>	<b>82.3</b>

The following posts have been funded by a de expansion of the project.

School Name	Teacher Allocation
Anamar Primary School	0.2
Ballyoran Primary School	1
Ballysillan Primary School	0.2
Bunscoil Cholmcille	0.2
Christ The King Primary School	0.5
Dunclug Primary School	0.2
Gaelscoil Na Bhfal	0.5
Gaelscoil Ui Dhochartaigh	0.5
Gaelscoil Ui Neill	0.5
Greenhaw Primary School	1
Holy Cross Boys' Primary School, Belfast	1
Holy Cross Girls Primary School, Belfast	0.5
Holy Family Primary School, Derry	1
Kilcooley Primary School	0.2
Largymore Primary School	0.2
Longtower Primary School	1
Mercy Primary School, Belfast	0.5
Mullabuoy Primary School	0.2
Our Lady's Girls' Primary School, Belfast	1
Scoil An Droichid	0.2
Scoil Na Fuisgeoige Primary School	0.2
Seaview Primary School, Belfast	1
St Anne's Primary School, Strabane	1
St Bernadette's Primary School, Belfast (Now St John Paul II Ps - Amalgamated With St Aiden's Cb Ps)	0.2
St Brigid's Primary School, Derry	1
St John The Baptist Primary, Belfast	1
St John's Primary School, Derry	1
St Mary's Primary School, Stewartstown	0.2
St Michael's Primary School, Newtownhamilton	0.2
St Oliver Plunkett Primary School, Belfast	1
St Peter's Primary School, Belfast	1
St Therese's Lenamore P S, Derry	1
Steelstown Voluntary Maintained Primary	1
<b>Total De Funded</b>	<b>20.4</b>

The following Post Primary Schools will receive extra teaching support under the OFMdFM funded Delivering Social Change Programme.

School Name	No of Teachers
Malone Integrated College	1
Mercy College, Belfast	1
Orangefield High School	1
St Mary's Christian Brothers' Grammar School, Belfast	1
St Patrick's College, Belfast	1
Ballee Community High School	1
Ballymoney High School	1
Carrickfergus College	1
Coleraine College	1
Crumlin Integrated College	1
Larne High School	1
Monkstown Community School	1
Newtownabbey Community High School	1
Our Lady Of Lourdes High School	1
Parkhall Integrated College	1
St Colm's High School, Draperstown	1
Bangor Academy And 6Th Form College	2
Dundonald High School	1
Knockbreda High School	1
Lisnagarvey High School	1
Newtownbreda High School	1
Saintfield High School	1
St Colmcille's High School, Crossgar	1
St Patrick's Academy, Lisburn	1
The High School Ballynahinch	1
Banbridge High School	1
City Armagh High School	1
Cookstown High School	1
Craigavon Senior High School	1
Fivemiletown College	1
Lismore Comprehensive School	2
Newry High School	1
Rathfriland High School	1
St Brigid's High School, Armagh	1
St Mary's High School, Lurgan	1
St Patrick's College, Banbridge	1
St Paul's Junior High School, Lurgan	1
Devenish College	1
Immaculate Conception College	1



School Name	No of Teachers
St Fanchea's College	1
Kilkeel High School	1
Ashfield Boys' High School	1
Ashfield Girls' High School	1
Belfast Boys' Model School	2
Belfast Model School For Girls	2
Campbell College	1
Christian Brothers' School, Belfast	1
Colaiste Feirste	1
Corpus Christi College, Belfast	1
De La Salle College, Belfast	2
Little Flower Girls' School, Belfast	1
St Genevieve's High School, Belfast	2
St Joseph's College, Belfast	1
St Louise's Comprehensive College	2
St Rose's Dominican College	1
Ballycastle High School	1
Ballyclare Secondary School	2
Cross And Passion College, Ballycastle	1
Cullybackey High School	1
Downshire School	1
Dunclug College	1
Dunluce School	1
Edmund Rice College	1
Glengormley High School	2
Magherafelt High School	1
North Coast Integrated College	1
Slemish College	1
Sperrin Integrated College	1
St Benedict's College, Randalstown	1
St Joseph's College, Coleraine	1
St Killian's College, Carnlough	1
St Mary's College, Portglenone	1
St Patrick's College, Ballymena	1
St Paul's College, Kilrea	1
St Pius X College, Magherafelt	1
Ulidia Integrated College	1
Blackwater Integrated College	1
De La Salle High School, Downpatrick	1
Glastry College	1
Movilla High School	1

School Name	No of Teachers
Nendrum College	1
Priory College	1
Shimna Integrated College	1
St Colman's High School, Ballynahinch	1
St Colm's High School, Twinbrook	1
St Columbanus' College, Bangor	1
St Columba's College, Portaferry	1
St Malachy's High School, Castlewellan	2
St Mary's High School, Downpatrick	1
Strangford Integrated College	1
Brownlow Int College	1
Drumcree College	1
Drumglass High School	1
Integrated College Dungannon	1
Markethill High School	1
New-Bridge Integrated College	1
St Catherine's College, Armagh	1
St Columban's College, Kilkeel	1
St Joseph's Boys' High School, Newry	1
St Joseph's College, Coalisland	1
St Joseph's High School, Crossmaglen	1
St Mark's High School, Warrenpoint	1
St Mary's High School, Newry	1
St Patrick's College, Dungannon	1
St Patrick's High School, Keady	1
St Paul's High School, Bessbrook	1
Castlederg High School	1
Dean Maguirc College	1
Drumragh College	1
Erne Integrated College	1
Holy Cross College, Strabane	2
Limavady High School	1
Omagh High School	1
Sacred Heart College, Omagh	2
St Brigid's College, Derry	1
St Comhghall's College, Lisnaskea	1
St Joseph's College, Enniskillen	1
St Mary's Limavady	1
St Patricks & St Brigids High School, Claudy	1
St Patrick's College, Dungiven	1
Strabane Academy	1

School Name	No of Teachers
Lagan College	2
St Patrick's Co-Ed Comprehensive College	1
Laurelhill Community College	1
Aughnacloy High School	0.5
Newtownhamilton High School	0.5
St Ciaran's High School, Ballygawley	1
St Aidan's High School, Derrylin	0.5
St Eugene's College, Roslea	0.5
St Mary's High School (Brollagh)	0.5
Hazelwood College	1
Fort Hill College	1
Dromore High School	1
Holy Trinity College	1
Lisnaskea High School	0.5
Lisneal College	1
Oakgrove Integrated College	1
St Cecilia's College, Derry	1
St John's High School, Dromore	0.5
St Joseph's Boys' School, Derry	1
St Mary's College (Irvinestown)	0.5
St Mary's College (Derry)	1
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The following posts have been funded by a DE expansion of the project.

School Name	Teacher Allocation
Laurelhill Community College	1
Aughnacloy High School	0.5
Newtownhamilton High School	0.5
St Ciaran's High School, Ballygawley	1
St Aidan's High School, Derrylin	0.5
St Eugene's College, Roslea	0.5
St Mary's High School (Brollagh)	0.5
Hazelwood College	1
Fort Hill College	1
Dromore High School	1
Holy Trinity College	1
Lisnaskea High School	0.5
Lisneal College	1
Oakgrove Integrated College	1
St Cecilia's College, Derry	1
St John's High School, Dromore	0.5
St Joseph's Boys' School, Derry	1

School Name	Teacher Allocation
St Mary's College (Irvinestown)	0.5
St Mary's College (Derry)	1
<b>Total De Funded</b>	<b>15</b>

## Teaching Posts

**Lord Morrow** asked the Minister of Education to detail the number of teaching posts created by additional places being made available in local primary schools, broken down by the (i) Catholic Maintained; (ii) Controlled; (iii) Integrated; and (iv) Irish language sectors.

**(AQW 25974/11-15)**

**Mr O'Dowd:** Schools may apply to the Department for a temporary variation to increase their admissions or enrolment numbers. The vast majority of temporary variation requests are for between 1 and 5 pupils and only apply to the year in which they are granted.

Accordingly it is extremely difficult to understand where any situation would arise that an additional teacher would be required given the low number of spaces granted in respect of any individual request.

## Area Learning Communities

**Mr Storey** asked the Minister of Education, pursuant to AQW 25329/11-15, why the seven Area Learning Communities did not receive funding.

**(AQW 25981/11-15)**

**Mr O'Dowd:** Six of these seven Area Learning Communities did not make an application to the Strategic Development Fund in the 2013/13 year. The remaining ALC's application did not meet the criteria for funding set out in the application form and guidance.

## Capital and Recurrent Funding

**Mr Storey** asked the Minister of Education how much funding his Department has transferred from Capital to Recurrent, in each of the last three years.

**(AQW 25982/11-15)**

**Mr O'Dowd:** The Executive agreed to consider requests from Ministers to reclassify capital expenditure to resource if, following the draft Budget 2011-15 allocations, the pressures on the resource side of the budget were particularly severe and unmanageable. In view of the significant pressures on the resource budget in 2011-12 and the limitations on the Department's ability to release such savings within that financial year, my predecessor wrote to the then Finance Minister seeking to reclassify £41m of capital expenditure to resource funding in 2011-12. This request was to minimise, as far as possible, the impact on the level of funding directly available to schools. In agreeing final Budget 2011-15 allocations, the Executive agreed a reclassification of £25m from capital to resource in 2011-12.

I can confirm that no other transfers from capital to resource funding have taken place in the last 3 years.

## Free School Meals

**Mr Easton** asked the Minister of Education how many children receive free school meals.

**(AQW 26017/11-15)**

**Mr O'Dowd:** The most up-to-date figures for entitlement to free school meals relate to the 2012/13 school year, these are detailed in the table below. Updated 2013/14 figures will be available following the completion of the annual school census which will be carried out during October.

### All pupils entitled to free school meals – 2012/13

School type	Pupils entitled to free school meals	Total pupils
Voluntary and private preschool centres	851	8,410
Nursery schools	1,934	5,910
Nursery units	2,468	8,703
Reception	50	417
Primary (years 1 - 7)	47,657	158,914
Post primary	27,701	145,658

School type	Pupils entitled to free school meals	Total pupils
Total	80,661	328,012

Source: School census

Note:

- Figures include all pupils entitled to free school meals, including the nursery/preschool sector (whether free school meal or JSA). Special schools are not included.

### Young-for-year Children

**Ms P Bradley** asked the Minister of Education what provisions are in place to enable young-for-year children, who have already started primary school, to be held back if deemed appropriate; and whether he plans to review these arrangements. (AQW 26019/11-15)

**Mr O'Dowd:** It is a matter for the school in discussion with the parent of the child to consider but such a movement should only occur in exceptional circumstances where there are clear justifiable educational reasons to do so, and it is in the best interests of the child. The school should, where possible, make every effort to return the child educationally to the correct year group.

I have no plans to change this arrangement.

### Teachers: Incremental Pay Increases

**Mr Ross** asked the Minister of Education to detail whether (i) teachers; (ii) classroom assistants; (iii) ancillary staff; and (iv) Education and Board headquarters staff received incremental pay increases during 2012/13 or the current financial year. (AQW 26022/11-15)

**Mr O'Dowd:** The majority of eligible teachers, classroom assistants, ancillary staff and Education and Library Board headquarters staff received incremental pay increases during 2012/13. However, 2012/13 pay remits have yet to be completed for Education and Library Board Chief Executives and second tier officers and non-teaching staff in the Voluntary Grammar and Grant Maintained Integrated Sectors. These will be progressed as soon as possible.

For 2013/14, my Department is currently working on obtaining the relevant approvals to allow teachers to receive their incremental pay progression as soon as possible, hopefully in October. My Department will shortly commission 2013/14 pay remits for its arms length bodies and will work to obtain the relevant approvals to allow non-teaching staff to receive their incremental pay progression as soon as possible thereafter.

### St. Patrick's Academy, Dungannon

**Mr McGlone** asked the Minister of Education, pursuant to AQW 17179/11-15, and given that eligible staff at neighbouring schools in the Dungannon area have received payment, when eligible staff at St. Patrick's Academy will receive their payments. (AQW 26024/11-15)

**Mr O'Dowd:** The Department is currently processing the information which has been submitted from the Voluntary Grammar and Grant Maintained Integrated Sectors to enable the £250 payment to be made to eligible staff. However, returns are required from all 89 schools before the Department can seek DFP approval. There are currently 6 outstanding returns which are being pursued as a matter of urgency.

These payments will be made once the necessary approvals have been secured.

### Free School Meals: North Down

**Mr Weir** asked the Minister of Education to detail the number of pupils with Free School Meals entitlement in each school in North Down; and what this figure represents as a percentage of the number of pupils attending each school. (AQW 26066/11-15)

**Mr O'Dowd:** The most up-to-date figures for entitlement to free school meals relate to the 2012/13 school year, these are detailed in the tables overleaf. Updated 2013/14 figures will be available following the completion of the annual school census which will be carried out during October.



**Pupils entitled to free school meals in North Down, 2012/13****Voluntary and private preschool centres**

<b>School name</b>	<b>Total enrolment</b>	<b>Free school meal entitlement</b>	<b>% of pupils entitled to free school meals</b>
Ballycrochan Playgroup	38	*	*
Ballyholme Presbyterian Church Playgroup	25	0	0%
Bangor Abbey PreSchool Centre	26	0	0%
Bangor West Nursery Playgroup	26	0	0%
Big Red Balloon Day Nursery	3	0	0%
BoPeep Corner PreSchool Playgroup	26	*	*
Bright Sparks PreSchool	20	*	*
Country Kids Day Nursery	24	0	0%
Crawfordsburn Playgroup	19	0	0%
Early Days Playgroup	24	*	*
Glencraig Integrated Playgroup	26	0	0%
Groomsport Playgroup	23	0	0%
Little Acorns PreSchool Playgroup	33	*	*
Little Bear's Day Nursery	20	*	*
Redburn Community Playgroup	19	0	0%
St Comgall's PreSchool Education Centre	24	0	0%
Tiddliwinks Playgroup	24	0	0%
Tiggers Palace Day Nursery	13	0	0%

**Nursery schools**

<b>School name</b>	<b>Total enrolment</b>	<b>Free school meal entitlement</b>	<b>% of pupils entitled to free school meals</b>
Bangor Central Nursery School	78	25	32%
Hollywood Nursery School	52	10	19%
Trinity Nursery School	52	10	19%

**Primary schools**

<b>School name</b>	<b>Total enrolment</b>	<b>Free school meal entitlement</b>	<b>% of pupils entitled to free school meals</b>
Ballyholme Primary School	627	49	8%
Ballymagee Primary School	404	73	18%
Ballyvester Primary School	97	23	24%
Bangor Central Primary School	604	205	34%
Bloomfield Primary School	394	216	55%
Clandeboy Primary School	181	87	48%
Crawfordsburn Primary School	212	25	12%
Donaghadee Primary School	431	88	20%
Glencraig Integrated Primary School	221	15	7%

School name	Total enrolment	Free school meal entitlement	% of pupils entitled to free school meals
Glenlola Collegiate	62	*	*
Grange Park Primary School	394	70	18%
Hollywood Primary School	340	61	18%
Kilcooley Primary School	165	128	78%
Kilmaine Primary School	670	90	13%
Millisle Primary School	190	84	44%
Rathmore Primary School	598	84	14%
St Anne's Primary School, Donaghadee	46	12	26%
St Comgall's Primary School, Bangor	302	28	9%
St Malachy's Primary School, Bangor	351	98	28%
St Patrick's Primary School, Hollywood	249	25	10%
Sullivan Upper School	180	*	*
Towerview Primary School	391	58	15%

#### Post-primary schools

School name	Total enrolment	Free school meal entitlement	% of pupils entitled to free school meals
Bangor Academy and 6th Form College	1466	276	19%
Bangor Grammar School	864	49	6%
Glenlola Collegiate	1069	60	6%
Priory College	492	120	24%
St Columbanus' College	608	100	16%
Sullivan Upper School	1080	25	2%

**Source:** School census

**Note:**

- Figures include all pupils entitled to free school meals, including the nursery/preschool sector (whether free school meal or JSA). Special schools have not been included.
- \* denotes fewer than 5 pupils

#### Lesbian, Gay, Bisexual and Transgender Sector

**Mr McKay** asked the Minister of Education what meetings he has had with the lesbian, gay, bisexual and transgender sector since he came to office; and what further meetings are planned.  
(AQW 26104/11-15)

**Mr O'Dowd:** I have met with a number of groups representing the lesbian, gay, bisexual and transgender sector since my appointment.

These are detailed in the table below;

Date	Group
23 August 2011	Cara- Friend and The Rainbow Project
12 October 2011	Launch of the Education Equality Curriculum Guide
10 July 2013	Cara-Friend
10 July 2013	The Rainbow Project

There are no outstanding requests for meetings.

## Young-for-year Children

**Mr A Maginness** asked the Minister of Education what provisions are in place to enable young-for year-children, who have already started primary school, to be held back a year if necessary; and whether he has any plans to review these arrangements.

**(AQW 26122/11-15)**

**Mr O'Dowd:** It is a matter for the school in discussion with the parent of the child to consider but such a movement should only occur in exceptional circumstances where there are clear justifiable educational reasons to do so, and it is in the best interests of the child. The school should, where possible, make every effort to return the child educationally to the correct year group.

I have no plans to change this arrangement.

## GCSE Passes: South Antrim

**Mr Girvan** asked the Minister of Education how many young people in the South Antrim constituency (i) achieved; and (ii) did not achieve 5 or more GCSE pass grades, in each of the last two years.

**(AQW 26123/11-15)**

**Mr O'Dowd:** The answer is contained in the table below.

Number of school leavers resident in the South Antrim constituency who (i) achieved and (ii) did not achieve 5 or more GCSE pass grades in the last two years

	2010/11	2011/12
(i) Achieved	1220	1184
(ii) Not Achieved	53	67

### Notes:

For GCSE, pass grades are grades A\*-G

**Source:** School Leavers Survey

## GCSE Passes: South Antrim

**Mr Girvan** asked the Minister of Education how many young people in the South Antrim constituency (i) achieved; and (ii) did not achieve pass grades in GCSE (a) English; and (b) Maths, in each of the last two years.

**(AQW 26124/11-15)**

**Mr O'Dowd:** The answer is contained in the table below.

Number of school leavers resident in the South Antrim constituency who (i) achieved and (ii) did not achieve pass grades in GCSE (a) English; and (b) Maths, in each of the last two years

		2010/11	2011/12
(a) GCSE English	(i) Achieved	1182	1163
	(ii) Not Achieved	91	88
(b) GCSE Maths	(i) Achieved	1179	1167
	(ii) Not Achieved	94	84

### Notes:

For GCSE, pass grades are grades A\*-G

**Source:** School Leavers Survey

## Schools: Development of Land

**Mr Kinahan** asked the Minister of Education to detail the development proposals that exist, or are being considered, for each school in Londonderry, including the sale or lease of land belonging to, or being used, by schools.

**(AQW 26127/11-15)**

**Mr O'Dowd:** There are no development proposals currently published for schools in the area. However, CCMS recently sent a request to the WELB to publish a development proposal for phased closure of Immaculate Conception College. It is anticipated that this will be published in local papers during the week beginning 21 October.

The sale or lease of school land does not in itself require the publication of a development proposal but must be approved by the Department. No requests are currently awaiting Departmental approval.

## Cerebral Palsy

**Mr Storey** asked the Minister of Education what provision is made by his Department for primary and post-primary school pupils with cerebral palsy.

**(AQW 26134/11-15)**

**Mr O'Dowd:** The Education and Library Boards (ELBs) have advised that there is a wide range of special education provision available, for both primary and post-primary school pupils, in both special and mainstream schools to meet the individual needs of children with cerebral palsy. Each child will have an Individual Education Plan and an Individual Health Care Plan and the provision detailed therein will vary depending on the individual special educational needs of each child.

Provision in special schools may involve:-

- Adapted/specialist seating;
- Specialist lifting equipment and adapted technology;
- Allied Health Services such as speech and language therapy, physiotherapy, hydrotherapy and occupational therapy;
- Specialist outdoor play facilities.

Provision in mainstream schools may involve:-

- Support from a classroom/general assistant;
- Specialist advice and support for the child's teacher;
- Recommendations regarding curriculum access and technology support;
- Allied Health Services such as speech and language therapy, physiotherapy, hydrotherapy and occupational therapy;
- Lifting and handling training for staff;
- Specialist furniture/equipment.

ELBs may also have specialist educational centres for children with physical difficulties, including cerebral palsy.

## Department for Employment and Learning

### South West College: Special Educational Needs

**Lord Morrow** asked the Minister for Employment and Learning following the decision taken by South West College to cease part-time courses at the Dungannon campus in favour of amalgamation to full time courses in Cookstown, what discussions were held with Sperrinview Special School staff and the parents/carers of pupils approaching Post 19 transition, particularly but not exclusively in relation to travel between Dungannon and Cookstown on public transport.

**(AQW 25350/11-15)**

**Dr Farry (The Minister for Employment and Learning):** Part time provision

Firstly, I wish to clarify the level and type of provision on offer at the Dungannon campus of South West College (SWC) for students with a learning difficulty and/or disability. The College has informed me that the existing part-time provision on offer at the Dungannon Campus related to courses for participants from the Beacon Centre. SWC consider that this type of provision would not be appropriate for young adults leaving special schools.

Therefore, SWC have stated they chose to review provision of courses for young adults leaving special schools, in the greater Dungannon and Cookstown catchment area, as part of the collaborative work with Principals and staff in both Sperrinview and Kilonan schools and Day Opportunity Workers and Transitions Officers. Subsequently, the college put in place a full-time programme, in addition to the already established part time provision in the Cookstown campus.

### Consultation

The college has advised that, in terms of general consultation, as mentioned above, they maintain extremely good links with the Principals and staff in the Sperrinview and Kilonan schools. In addition, strong links have been established with Day Opportunity Workers and Transitions Officers.

As a result of these links, part-time provision has been expanded at the Cookstown campus over the last five years. During this period, the college used meetings, open days and celebration of achievement events to discuss opportunities with students, parents and school managers. The feedback obtained from these meetings and events led to the expansion of existing provision for students with a learning difficulty and/or disability at the Cookstown campus.

### Transport

The College has also advised that the issue of prospective students from Sperrinview Special School travelling between Dungannon and Cookstown on public transport was not raised during any discussions relating to location of provision; nor were any further substantive issues raised in relation to the location of this provision

Whilst the College state that there was no formal consultation regarding the location of provision at Cookstown, SWC have reassured me that open channels of communication were consistently maintained between the college and the schools concerned.

## Regional Colleges: Funding

**Mr Gardiner** asked the Minister for Employment and Learning what proportion of each Regional College's budget is provided by the taxpayer; and what proportion each college makes through full cost recovery and income generating activities.

(AQW 25521/11-15)

**Dr Farry:** The financial accounts for each of the further education colleges provide an audited breakdown of income sources. The table below shows each income source, for each college, as a percentage of that college's total income. This is based on the latest audited accounts, for the year ended 31 July 2012.

2011/12	BMC £'000	NRC £'000	NWRC £'000	SERC £'000	SRC £'000	SWC £'000	Sector £'000
<b>Income</b>							
DEL grants	77.50%	72.80%	73.17%	71.47%	65.18%	60.98%	70.67%
Education contracts	7.88%	15.93%	17.48%	21.32%	24.74%	31.37%	19.03%
Tuition fees and charges	11.31%	6.94%	6.12%	4.54%	5.52%	4.48%	6.82%
Other grant income	1.25%	1.41%	1.25%	0.87%	2.20%	1.83%	1.44%
Other operating income	1.61%	2.13%	1.19%	1.55%	1.27%	0.87%	1.43%
Investment income	0.45%	0.79%	0.79%	0.25%	1.09%	0.47%	0.61%

Colleges' accounts do not provide a precise breakdown between their income from the taxpayer and from full cost recovery and income generating activities. However, full cost recovery items are mainly within the other operating income line. The financial accounts for each college, which provide further analysis of the income within each of the lines above, are available in the Assembly Library.

## Regional Colleges: Skills

**Mr Gardiner** asked the Minister for Employment and Learning what steps his Department takes to ensure that Regional Colleges implement his Department's policies, particularly in respect of providing a skilled workforce for the economy.

(AQW 25522/11-15)

**Dr Farry:** My Department's skills agenda is articulated in the Skills Strategy "Success through Skills – Transforming Futures". The Further Education Strategy "FE Means Business" reflects the role which Regional Colleges play in relation to skills development.

Colleges have a vital role as key drivers in meeting skills needs to foster economic prosperity at local, sub regional and regional level.

My Department's further education policy has therefore been developed to ensure that colleges have a strong focus on provision that supports the economy while enhancing social cohesion and advancing individuals' skills and learning. Around 98% of the Department's funding to the further education sector is for provision that leads to qualifications that are on the regulated qualifications frameworks, and the content of professional and technical (vocational) qualifications on the Qualifications and Credit Framework has been informed by the needs of employers. College enrolments and rates of learner retention, achievement and success are scrutinised through College Development Planning meetings which take place annually between the Department and individual college's Chairs and Directors.

In addition to colleges providing a supply of qualified and skilled individuals, colleges also work directly with employers to support them in areas such as prototyping, product design and development, and innovation.

These measures are examples of the close liaison that exists between my Department, employers and Regional Colleges, and demonstrate the importance that I attach to ensuring that skills provision and workforce development remain in tune with the specific needs of the Northern Ireland economy in both the short and longer term.

## Essential Skills

**Mr Gardiner** asked the Minister for Employment and Learning how many students are currently studying Essential Skills courses; and whether he plans to implement similar action to that being undertaken in England, where students will continue to study functional skills until aged 18 years or a satisfactory grade is achieved.

(AQW 25523/11-15)



**Dr Farry:** In the academic year 2012/13, there were 50,480 enrolments (26,902 individuals) on Essential Skills courses. These figures are provisional up to 7 June 2013, and full year data will not be available until December. Since the start of the Essential Skills Strategy, there have been just over 352,000 enrolments in respect of 146,701 individuals.

Young people leaving school who have not achieved a Grade C or above in English, mathematics and ICT who wish to enter DEL funded programmes, such as Training for Success and ApprenticeshipNI, are required to undertake Essential Skills in literacy, numeracy and ICT as part of their programme. Further education colleges also require those participating in full time courses to complete Essential Skills qualifications if they do not have GCSEs at grade C or above in relevant subjects. In addition, all those participating in the Steps to Work Programme have the opportunity to gain Essential Skills qualifications.

### **South West College: Special Educational Needs**

**Lord Morrow** asked the Minister for Employment and Learning, in relation to the decision taken by the South West College to cease part-time courses in the Dungannon campus in favour of amalgamation to full-time courses in Cookstown, (i) what consultation was carried out; (ii) with whom did the college consult; and (iii) to provide the general responses to the consultation.

**(AQW 25524/11-15)**

**Dr Farry:** Part time provision

Firstly, I wish to clarify the level and type of provision on offer at the Dungannon campus of South West College (SWC) for students with a learning difficulty and/or disability. The College has informed me that the existing part-time provision on offer at the Dungannon Campus related to courses for participants from the Beacon Centre. SWC consider that this type of provision would not be appropriate for young adults leaving special schools.

Therefore, SWC have stated they chose to review provision of courses for young adults leaving special schools, in the greater Dungannon and Cookstown catchment area, as part of the collaborative work with Principals and staff in both Sperrinview and Kilronan schools and Day Opportunity Workers and Transitions Officers. Subsequently, the college put in place a full-time programme, in addition to the already established part time provision in the Cookstown campus.

### **Consultation**

The college has advised that, in terms of general consultation, as mentioned above, they maintain extremely good links with the Principals and staff in the Sperrinview and Kilronan schools. In addition, strong links have been established with Day Opportunity Workers and Transitions Officers.

As a result of these links, part-time provision has been expanded at the Cookstown campus over the last five years. During this period, the college used meetings, open days and celebration of achievement events to discuss opportunities with students, parents and school managers. The feedback obtained from these meetings and events led to the expansion of existing provision for students with a learning difficulty and/or disability at the Cookstown campus.

### **Transport**

The College has also advised that the issue of prospective students from Sperrinview Special School travelling between Dungannon and Cookstown on public transport was not raised during any discussions relating to location of provision; nor were any further substantive issues raised in relation to the location of this provision

Whilst the College state that there was no formal consultation regarding the location of provision at Cookstown, SWC have reassured me that open channels of communication were consistently maintained between the college and the schools concerned.

### **Youth Employment Scheme**

**Mr Swann** asked the Minister for Employment and Learning to detail (i) the number of opportunities advertised under the Youth Employment Scheme; (ii) the number of these posts that were filled; (iii) the number of young people in full time employment as a result; and (iv) cost of scheme per full time job created.

**(AQW 25618/11-15)**

**Dr Farry:**

- (i) The Youth Employment Scheme was formally launched to employers at the Titanic Building on 26 September 2012. From that date until 13 September 2013 a total of 3951 opportunities have been made available for young people. These comprise of 2082 short work experience opportunities lasting 2- 8 weeks, 1150, 6 – 9 month skills development placements and 719 jobs for which the Department will provide an enhanced employer subsidy.
- (ii) To date 1943 young people have availed of opportunities as follows; 823 have gone into work experience opportunities, 611 into skills development placements and 509 have availed of jobs offered under the enhanced employer subsidy.
- (iii) In this period 626 young people have moved directly into employment (including subsidised permanent employment) immediately after participating on the scheme. More will have found work as a direct result of the experience and skills obtained while participating on the scheme.

- (iv) However, the Youth Employment Scheme's employer subsidy provides an important incentive to stimulate demand among employers. This increases opportunities for YES participants. The cost of the employer subsidy element of the scheme per full time job filled is £5,750.

The Department therefore does not retain figures in relation to the cost of the scheme per full time job created.

### South West College: Underspend

**Lord Morrow** asked the Minister for Employment and Learning to detail (i) how a £30,000 underspend of Departmental money for courses aimed at adults with learning disabilities is alleged to have accumulated at South West College; (ii) which specific campus or campuses this underspend relates to; and (iii) whether this funding will remain within the South West College current budget or if it will be returned to his Department.

**(AQW 25619/11-15)**

**Dr Farry:**

- (i) This amount can be attributed to a full-time course, 'On Board PLP' (Personal Learning Programme), on offer in the Cookstown campus, for the 2013/14 academic year.

My Department allocates funding to colleges through the annual College Development Plan (CDP) process. This process requires each of the six further education colleges to bid for resources based on the volume of planned provision for the incoming year.

The South West College's bid for resources for the 2013/14 Academic Year will have included provision for the 'On Board PLP' course for 8 full time students, which would have equated to around £30,000 in funding for the College, should it have been able to fill all available places. However, to date, there have been no enrolments on this course and as such it is unlikely that this course will be viable, resulting in a potential underspend of £30,000.

- (ii) This relates to full time provision at the Cookstown campus; however it is part of the South West College overall budget.
- (iii) Colleges are responsible for determining the distribution of their funding, in line with their curriculum provision. The Department does not, therefore, prescribe how funding is distributed at a course level and the South West College would have the authority to re-allocate this funding to provision in other areas if additional pressures arise.

### Zero-hour Contracts

**Mr McCartney** asked the Minister for Employment and Learning to (i) outline how the rights of workers are affected by zero hour contracts; and (ii) what safeguards are in place to ensure that all workers' rights and entitlements are honoured and protected.

**(AQW 25667/11-15)**

**Dr Farry:**

- (i) Most people on a zero-hours contract are 'workers' who operate under a contract, but this can include a number of different employment relationships such as agency workers, short-term casual workers, freelancers, and contractors. Irrespective of the precise nature of a zero-hours contract, certain core rights apply such as:
- the National Minimum Wage;
  - rest breaks, paid holiday and night work limits;
  - protection against unauthorised deductions from pay;
  - statutory maternity, paternity and adoption pay (but not leave);
  - protection under Public Interest Disclosure law;
  - protection from unlawful discrimination;
  - Health and Safety protection; and
  - additional rights under the Agency Workers Regulations (NI) 2011.
- (ii) Workers' rights are protected by a range of safeguards enshrined in employment legislation. In most cases, workers have recourse to an industrial tribunal if they believe their statutory rights have been breached.

I have asked my officials to commission new research to establish a more reliable estimate of the number of workers on zero-hours contracts in Northern Ireland. The research will also seek to identify the merits and demerits of using this type of contract, and will provide the Department with a more informed understanding of whether there is a need to introduce additional protections for workers on zero-hours contracts.

### University of Ulster: Magee Campus

**Mr P Ramsey** asked the Minister for Employment and Learning, pursuant to AQW 20714/11-15 to outline the amount of funding awarded to construct the daycare facility at Magee.

**(AQW 25697/11-15)**

**Dr Farry:** The amount awarded, under the Northern Ireland Single Document – European Regional Development Fund Training Infrastructure Measure, for the project was £193,500.

### South West College: Underspend

**Lord Morrow** asked the Minister for Employment and Learning, in relation to South West College and the decision to offer the “On Board PLP” course for the 2013/14 academic year, (i) when was the decision taken to offer this course; (ii) what College department will take the lead on delivery; and (iii) with whom did the College consult when compiling this course and its deciding on content.

**(AQW 25702/11-15)**

**Dr Farry:**

- (i) South West College (SWC) has advised that the College reviewed provision during 2012/13, following a range of discussions and enquiries, and has decided to offer an Entry Level Certificate, entitled ‘On Board PLP’ (Personal Learning Programme), for the 2013/14 academic year, at the Dungannon Campus.
- (ii) The College hope to commence this course in September 2013. However, this programme has only received one enrolment application to date, and the remaining places have not been taken up. At present, SWC may not have sufficient numbers to successfully run the course, due to this lack of demand.
- (iii) The decision was reached following a number of enquiries through the College’s normal channels of communication, which includes Principals and staff in both Sperrinview and Kilronan schools; Day Opportunity Workers; Transitions Officers; and also at open days and celebration of achievement events, which provided opportunities to discuss the issue with students, parents and school managers.

### Youth Employment Scheme

**Mr D McIlveen** asked the Minister for Employment and Learning in relation to business and organisations in North Antrim, to detail (i) how many have signed up to the Youth Employment Scheme; and (ii) what work his Department is doing to encourage more business and organisations to sign up to the scheme.

**(AQW 25743/11-15)**

**Dr Farry:** In the North Antrim area, serviced by Ballymena and Ballymoney Jobs & Benefits office, a total of 148 employer agreements have been signed since the Youth Employment Scheme was launched in September 2012. Employers have made 197 opportunities available and to date 96 young people have availed of a placement, 33 of these having secured subsidised employment.

My Department is actively working with employers in the North Antrim area to source as many opportunities as possible for young people. Since the launch of the scheme there has been a series of promotional events and press releases in local newspapers across the North Antrim area and I am pleased at the level of support given by local employers for the scheme. The next event is in the Braid Centre, Ballymena on 10 October 2013 where we will be encouraging employers to offer short work experiences, 6 -9 month skills development and subsidised employment. The event will enable employers to match young people to the range of opportunities they can provide.

In addition a number of large Northern Ireland organisations in the priority sectors have offered placements and jobs and some of these have been made available to young people in the North Antrim area. We will continue working actively with these employers to secure as many quality placements as possible that will help and support unemployed young people find and keep employment.

### Collaboration and Innovation Fund

**Mr Douglas** asked the Minister for Employment and Learning in relation to the Collaboration and Innovation Fund, to detail (i) the funding allocated to the programme; (ii) the number of programmes approved; (iii) the number of youth at risk engaged to date; and (iv) the number envisaged to participate over the life of the programme.

**(AQW 25778/11-15)**

**Dr Farry:** Over £9.2 million was allocated to the Collaboration and Innovation Fund in December 2012. Eighteen organisations from the community, voluntary and educational sectors will deliver project activity from December 2012 to March 2015. To date projects have engaged with 1,187 young people aged 16-24 who were not in education, employment or training. Projects funded under the Collaboration and Innovation Fund will help a total of 5,500.

My Department is in the process of allocating funding to a further five projects; this will increase the total number of Collaboration and Innovation Fund projects to 23 from October 2013. These new projects will help an additional 900 young people who are not in education, employment or training.

### Apprenticeship Posts

**Mrs D Kelly** asked the Minister for Employment and Learning for an update on securing additional apprenticeship posts, including (i) when the posts will be available; (ii) in which industries; and (iii) in which constituencies.

**(AQW 25852/11-15)**

**Dr Farry:** The ApprenticeshipsNI programme is an employer-led provision, with employers creating apprenticeship positions in line with their future business needs.

My Department funds the 'off-the-job' training element of an apprenticeship through the ApprenticeshipsNI programme. ApprenticeshipsNI aims to provide participants with the opportunity to take part in a Level 2/Level 3 Apprenticeship where the apprentice, in paid employment from day one, works towards achieving an industry-approved Level 2/Level 3 Apprenticeship Framework.

The latest statistical bulletin shows that the ApprenticeshipsNI programme occupancy at 30th April 2013 was 8,998. The full statistical bulletin, containing an occupancy breakdown by apprenticeship framework and parliamentary constituency, can be viewed on the Department's website <http://www.delni.gov.uk/appsni-bulletin-aug-13.pdf>.

To further raise awareness of ApprenticeshipsNI, my Department conducted an extensive 'employer-focussed' advertising campaign earlier in the year and again in July - ahead of the main recruitment period. The campaign, including; television, radio, internet and outdoor advertising, promoted the benefits to be gained from employing apprentices.

I have also commissioned a review of youth training and apprenticeships, which commenced in February 2013. Key aspects of the review of apprenticeships terms of reference include: how to encourage SMEs to engage with apprenticeships; how to expand apprenticeships into other sectors, such as the professions; and, the role of higher level apprenticeships. The review's full terms of reference can be accessed on the Department's website.

The outworking of the review will report later in the autumn of this year.

### Further and Higher Education: Oversight

**Ms Maeve McLaughlin** asked the Minister for Employment and Learning whether he would consider the introduction of an ombudsman style oversight body for Further and Higher Education bodies.

**(AQW 25866/11-15)**

**Dr Farry:** It is my view that all learners should have access to a standardised, clear and independent grievance procedure.

Further Education Colleges currently lie outside the remit of the Assembly Ombudsman/Commissioner for Complaints and complainants currently have nowhere to bring complaints except through the tribunal route. I am supportive therefore of the colleges being included within the proposed Northern Ireland Public Service Ombudsman Bill in relation to the investigation of maladministration. The Northern Ireland Public Service Ombudsman's remit will not, however, encompass the exercise of professional judgement and this is accepted by the OFMDFM Committee. My Department will continue to engage with the OFMDFM committee on the passage of this Bill.

In relation to higher education, my Department's Higher Education Strategy, "Graduating to success" includes a Project which is considering whether the remit of the Ombudsman should be extended to include higher education learner grievances. A Project Team has been established to take this work forward by 2015.

### Zero-hour Contracts

**Mr Weir** asked the Minister for Employment and Learning what contact his Department has had with H.M Government regarding zero hours contract regulations.

**(AQW 25944/11-15)**

**Dr Farry:** My officials have been in contact with their counterparts in the GB Department for Business, Innovation and Skills (BIS), about the internal review of zero-hours contracts that was undertaken during the Summer.

One outcome of the BIS review was the announcement by the Secretary of State for Business, Innovation and Skills, on 16 September, that he planned to launch a consultation in GB on how to tackle abuses of zero-hours contract workers.

As employment law is a devolved matter, my Department is currently exploring the potential to commission bespoke research that would provide an accurate understanding of the role and use of zero-hours contracts in Northern Ireland. Any consideration of zero-hours contracts in Northern Ireland will of course be informed by any GB developments following the BIS consultation.

### North West Regional College: Priority Skills

**Mr P Ramsey** asked the Minister for Employment and Learning to (i) outline the North West Regional College's target for priority skills; and (ii) their current outcome figures.

**(AQW 26193/11-15)**

**Dr Farry:** Through the annual College Development Planning process, the Department for Employment and Learning (DEL) sets a variety of key high level targets for curriculum provision through the further education colleges. One of these high level targets relates to the proportion of provision which is in the priority skills areas.

In the most recent academic year for which full validated data is available, the target for year 2011-2012 for North West Regional College in the priority skills areas was 2808 enrolments, the outcome was 2917 enrolments, which represents achievement over target of 3.9%.

The Department's further education curriculum policy has been developed to ensure that colleges have a strong focus on provision that supports the economy and strengthens economic and workforce development, while also enhancing social cohesion and advancing the individual's skills and learning.

Through the Annual College Development Planning and budget setting processes, colleges are expected to:

- increase the proportion of enrolments at Level 2 and above;
- increase the proportion of enrolments that are on the regulated qualification frameworks;
- increase the proportion of enrolments that are on professional and technical courses, particularly in the priority skills areas; and,
- increase the number of learners who complete a recognised qualification in Essential Skills.

While the Department sets the strategic direction for the Further Education Sector in Northern Ireland, each College is responsible for its own curriculum offer tailored to meet the needs of learners and employers in their areas in a cost effective way that ensures best use of public money.

DEL and further education colleges have developed, and continue to refine, the annual College Development Planning (CDP) process, where each college discusses and agrees with DEL how it will meet curriculum targets. The ongoing monitoring of the impact of curriculum changes on learners is important in shaping the curriculum delivered by colleges to its local community. This strong focus on economically relevant provision is particularly relevant to the provision that further education colleges can make available to learners.

### University of Ulster: Crèche Facilities

**Mr Buchanan** asked the Minister for Employment and Learning to detail (i) the annual running costs of the crèche facilities at (a) Magee College; and (b) University of Ulster, Jordanstown in each of the last five years; and (ii) the income derived from these facilities over the same period.

**(AQW 26252/11-15)**

**Dr Farry:** My Department does not hold the information requested. The University of Ulster, like all other universities, is an autonomous body and as such responsibility for the management of services to students including the provision of childcare is a matter for the senior management of the University.

I have, however, asked my officials to pass on your request for income and expenditure information in respect of the creche facilities at the Magee and Jordanstown campuses for the period in question to the University of Ulster. The University will be asked to provide a response direct to you.

## Department of Enterprise, Trade and Investment

### Banks: Branch Closures

**Mr Frew** asked the Minister of Enterprise, Trade and Investment what further plans she has to reverse the trend by local banks who have closed local branches and reduced services in those that remain open.

**(AQW 25491/11-15)**

**Mrs Foster (The Minister of Enterprise, Trade and Investment):** I have been concerned at the branch closures announced in recent times, and in particular the impact of this in rural communities. The DFP Minister and I raised the issue of rural access with the main banks in Northern Ireland as part of our ongoing series of meetings with banks.

In addition, the Consumer Council for Northern Ireland (CCNI) have requested the Northern Ireland Select Affairs Committee enquiry into the Northern Ireland Banking Structure consider the overall impact of bank branch closures on local communities. They also suggested to the Committee that Banks should offer face to face support to customers on the alternative services available from the bank and other alternative options such as Post Offices and that all banks should offer basic current account facilities in Post Offices.

The Consumer Council has also published a Personal Current Account Manifesto. This sets out the key priorities consumers have with daily banking services and they are working with the banks to address these consumer concerns. The Consumer Council is also a member of the recently formed British Bankers Association Consumer Panel and have raised the issue of bank branch closures at this level and have been successful in ensuring the issue is included as an action in the work plan going forward.

### Cruise Ships at Ballycastle

**Mr McKay** asked the Minister of Enterprise, Trade and Investment how she plans to increase the number of cruise ships that dock at Ballycastle.

**(AQW 25541/11-15)**

**Mrs Foster:** During 2013 Moyle District Council expects to welcome and service 8 cruise ships with 3 ships docking in Ballycastle and a further 5 at Rathlin Island.



It is my understanding that, to date, no formal strategy has been established by Moyle District Council for the servicing of cruise ships to the area.

Both my Department (DETI) and the Northern Ireland Tourist Board (NITB) would strongly encourage the council to consider the potential for this market and to provide an appropriate strategy for the future growth of the market.

## Patents

**Mr Swann** asked the Minister of Enterprise, Trade and Investment how many patents have been registered per capita compared to the rest of the UK, for every year since 2007.

**(AQW 25547/11-15)**

**Mrs Foster:** Patents are a reserved matter and not within the remit of the NI Executive to grant.

The Intellectual Property Office (IPO) grants patents for the UK; however, companies can also apply for patents from external offices such as the European Patent Office (EPO) and the United States Patent and Trademark Office (USPTO). There is therefore no one single source of patent information for Northern Ireland.

The Intellectual Property Office provides a regional breakdown of UK patent applications that are filed and granted on an annual basis. This information is publically available at <http://www.ipo.gov.uk/about/whatwedo/ourpublications/ourpublications-review.htm>.

**Table 1: Patent applications filed with the UK Intellectual Property Office**

	Northern Ireland		United Kingdom	
	Applications Filed	Filed per million persons	Applications Filed	Filed per million persons
2012	252	138	15,370	241
2011	249	137	15,343	242
2010	240	133	15,490	247
2009	213	119	15,985	257
2008	253	142	16,523	267
2007	215	122	17,375	283

**Source:** Intellectual Property Office

**Table 2: Patents granted by the UK Intellectual Property Office**

	Northern Ireland		United Kingdom	
	Patents Granted	Granted per million persons	Patents Granted	Granted per million persons
2012	23	13	2,974	47
2011	16	9	2,992	47
2010	7	4	2,323	37
2009	11	6	2,118	34
2008	10	6	2,070	34
2007	11	6	2,058	34

**Source:** Intellectual Property Office

Eurostat also provide statistics regarding the number of patent applications made to the European Patent Office by region. The latest publically available annual data is for 2009.

**Table 3: Patent applications to the European Patent Office (per million persons)**

	Northern Ireland	United Kingdom
2009	32	68
2008	33	84
2007	35	89

**Source:** Eurostat

No information is available on patent applications filed or granted from Northern Ireland to other patent offices.

## Climate Change Levy

**Mrs Overend** asked the Minister of Enterprise, Trade and Investment to outline the discussions she has had in relation to an extension to the lower rate of the Climate Change Levy.

(AQW 25566/11-15)

**Mrs Foster:** In advance of the ending of Northern Ireland's 10 year exemption from the Climate Change Levy (CCL) on natural gas supplies to business and public sector customers in Northern Ireland at 31 March 2011, I held discussions with the Economic Secretary to the Treasury in January 2011 which resulted in the agreement that gas supplies in Northern Ireland should be subject to a reduced rate of CCL (35% of the full rate) for a strictly time-limited period, between 1 April 2011 and 31 October 2013. This was confirmed in a Written Ministerial Statement by HM Treasury on 31 January 2011 which noted that, after 31 October 2013, the main CCL rate for natural gas would apply in Northern Ireland.

In April 2013, my Department engaged again with Her Majesty's Revenue and Customs (HMRC) to press the case and ascertain the scope for continuing with the reduced CCL rate. However, in response, HMRC confirmed that, due to European tax law and State aid rules, it is not possible to extend the reduced rate of CCL past October 2013.

## Lighthouses

**Mr Weir** asked the Minister of Enterprise, Trade and Investment if there are plans to open all lighthouses as tourist attractions, in addition to those initially announced in the joint scheme with the Republic of Ireland.

(AQW 25587/11-15)

**Mrs Foster:** Many lighthouses already successfully offer visitor accommodation and are tourist attractions.

The Lighthouse Trail Project lead partner is the Commissioner's of Irish Lights (CIL) who would develop the tourism potential of lighthouses. CIL operate over 70 lighthouses around the coast of Ireland, many of which are suitable for tourism development.

The announcement of Phase 1 of the All Ireland Lighthouse tourism trail was made in September 2013 and this new initiative is set to develop the creation of a new lighthouse tourism sector.

Phase 1 of the project involves 5 sites, 3 in Northern Ireland and 2 in Donegal. These will be added to the 6 sites already operating in the Republic of Ireland, with the eventual plan being to have between 15 to 20 lighthouses operating as part of a tourist trail all around the Irish coast.

Phase 2 will deliver a coastal lighthouse trail and the installation of interpretation materials within the lighthouse towers. This phase is aimed primarily at the out-of-state visitor market.

## Lighthouses

**Mr Weir** asked the Minister of Enterprise, Trade and Investment when lighthouses will be able to avail of opportunities provided by tourism.

(AQW 25588/11-15)

**Mrs Foster:** It was my pleasure to launch a Lighthouse Tourism Trail during a recent visit to Blackhead Lighthouse, Co Antrim on 4 September 2013.

The Lighthouse Trail is being supported with £2.2m million of financial assistance from the European Union's INTERREG IVA Programme, managed by the Special EU Programmes Body (SEUPB).

The first phase of the project involves three lighthouse properties in Northern Ireland – Rathlin West Lighthouse, Rathlin Island; Blackhead Lighthouse, Co. Antrim and St. John's Point Lighthouse, Co. Down, as well as two in the Republic of Ireland.

The target date for project completion is spring 2015 with a view to availing of the Summer 2015 tourist season. The estimated target completion dates currently envisaged for individual properties are as follows:

- Rathlin West Lighthouse, Rathlin Island – November 2014
- Blackhead Lighthouse, Co. Antrim – March 2015
- St. John's Point Lighthouse, Co. Down – April 2015.

## Onshore Petroleum Licence Area

**Mr Agnew** asked the Minister of Enterprise, Trade and Investment, in relation to each onshore petroleum licence area, to detail (i) the size of each in sq km; (ii) the annual rental paid; and (iii) the size of each in imperial measurements for fiscal and licensing terms.

(AQW 25614/11-15)

**Mrs Foster:**

- |     |        |                            |             |
|-----|--------|----------------------------|-------------|
| (i) | PL1/10 | InfraStrata plc            | 661.7 sq km |
|     | PL2/10 | Tamboran Resources Pty Ltd | 746.5 sq km |
|     | PL3/10 | Rathlin Energy Limited     | 870.5 sq km |
|     | PL5/10 | Providence Resources plc   | 14.4 sq km  |
- (ii) No annual rent is payable by Petroleum Licence holders in Northern Ireland.
- |       |        |                            |                    |
|-------|--------|----------------------------|--------------------|
| (iii) | PL1/10 | Infrastrata plc            | 255.5 square miles |
|       | PL2/10 | Tamboran Resources Pty Ltd | 288.2 square miles |
|       | PL3/10 | Rathlin Energy Limited     | 336.1 square miles |
|       | PL5/10 | Providence Resources plc   | 5.6 square miles   |

**Broadband: North Antrim**

**Mr D McIlveen** asked the Minister of Enterprise, Trade and Investment how many customers from North Antrim have reported problems with broadband access whilst using the Northern Ireland Broadband Improvement Project.

**(AQW 25734/11-15)**

**Mrs Foster:** The Northern Ireland Broadband Improvement Project (NIBIP) is still in its 'pre-procurement' stage, and not in an operational phase, hence it does not have any customers.

**Broadband: North Antrim**

**Mr D McIlveen** asked the Minister of Enterprise, Trade and Investment how many people from North Antrim have checked their broadband services using [www.nibroadband.com](http://www.nibroadband.com).

**(AQW 25735/11-15)**

**Mrs Foster:** My Department does not hold this information. The website [www.nibroadband.com](http://www.nibroadband.com) is owned by and operated by BT.

**Broadband: North Antrim**

**Mr Frew** asked the Minister of Enterprise, Trade and Investment what plans her Department has to improve broadband services in rural North Antrim.

**(AQW 25806/11-15)**

**Mrs Foster:** My Department has initiated the Northern Ireland Broadband Improvement Project which aims to provide a 2Mbps broadband service to virtually all premises in Northern Ireland and 24Mbps superfast broadband to 90% of premises by 2015.

A consultation exercise, to identify areas where intervention may be required was undertaken in September 2012 and the outcome published on 5 July 2013, coupled with a refined intervention area.

The process is subject to continuous refinement and a second consultation exercise was recently carried out and completed on 16 August 2013. The results are currently being analysed to ensure that any intervention complies with strict State Aid rules.

It is intended that this project will move to the procurement stage shortly, with a contract expected to be signed by the end of the year and implementation completed by the end of 2015. This project will benefit a number of areas including rural North Antrim

**Broadband: North Antrim**

**Mr Frew** asked the Minister of Enterprise, Trade and Investment what plans her Department has to improve broadband services in (i) Broughshane; (ii) Cullybackey; (iii) Kells; and (iv) Ahoghill.

**(AQW 25807/11-15)**

**Mrs Foster:** I refer to my previous answer to AQW No.25806/11-15.

**Manufacturing: Island-wide Networks**

**Mr Milne** asked the Minister of Enterprise, Trade and Investment for an update on the steps taken to enhance the engagement of local manufacturers with island-wide networks.

**(AQO 4624/11-15)**

**Mrs Foster:** Invest NI and InterTradeIreland both work to promote the links between our firms and business networks in Northern Ireland and the Republic of Ireland.

## Air Connectivity

**Ms Brown** asked the Minister of Enterprise, Trade and Investment for an update on her Department's work on improving air connectivity to Belfast International Airport.

(AQO 4621/11-15)

**Mrs Foster:** My Department is in regular dialogue with all of Northern Ireland's airports to help bring new air services to Northern Ireland and to promote demand for existing services. As these discussions are of a commercially sensitive nature they must be treated with confidentiality.

I am keen to see improved access to all markets which offer important business and inbound tourism links and have met with a number of airlines in recent months.

I particularly believe there is real potential to reinstate a direct air service between Northern Ireland and Canada and raised this with potential carriers during my recent visit to Toronto.

## Tourism: Devolution of Funding

**Mr Elliott** asked the Minister of Enterprise, Trade and Investment whether she would consider devolving tourism marketing finance from the Northern Ireland Tourist Board to Regional Tourism Partnerships or local councils.

(AQO 4622/11-15)

**Mrs Foster:** I will use a pending review of the Northern Ireland Tourist Board to examine if there is any further scope to transfer tourism functions to councils beyond what has already been agreed under the reform of local government.

Councils are already responsible for local tourism marketing and when looking at the marketing of Northern Ireland I must consider the need to create stand out for Northern Ireland as a destination against key competitors such as Scotland, Wales and the Republic of Ireland and how this can be best achieved.

## Energy Prices

**Mr Lunn** asked the Minister of Enterprise, Trade and Investment what assessment she has made of the impact of the rise of energy prices on households.

(AQO 4623/11-15)

**Mrs Foster:** Increases in energy tariffs are never to be welcomed. The Utility Regulator in verifying and approving the 17.8% Power NI tariff increase reported that it will increase a typical, domestic customer bill by £90 per year.

In relation to the recent firmus energy gas tariff increase in the '10 towns', I am informed that depending on usage, the increase is in the region of £70 per year.

## Skills: Growth Sectors

**Ms Ruane** asked the Minister of Enterprise, Trade and Investment for an update on discussions she has had with the Minister for Employment and Learning to ensure that there are adequate skill levels for growth sectors.

(AQO 4625/11-15)

**Mrs Foster:** I have regular discussions with the Minister for Employment and Learning, including engagements at the Executive Sub-Committee on the Economy. In addition, my Department and Invest NI work closely with DEL in regard to the provision of future skills needs for priority sectors and markets.

In order to meet the changing skills needs of these sectors, DEL, in collaboration with Invest NI and employers, has set up working groups to consider the specific skills required by key sectors. The aim is to put in place suitable interventions such as the Assured Skills programme and the ICT Skills

## Tourism: All-island Cooperation

**Mr McKay** asked the Minister of Enterprise, Trade and Investment for an update on the steps taken to enhance local tourism through all-island cooperation.

(AQO 4626/11-15)

**Mrs Foster:** The Northern Ireland Tourist Board has been working with local area tourism groups to assist them in developing, clustering and promoting their local tourism offer. This work has been informed by a number of collaborative initiatives between NITB, Fáilte Ireland and Tourism Ireland, the most recent example being the Tourism Recovery Taskforce which was aimed at restoring growth from the important GB market.

A number of joint INTERREG tourism projects are also underway such as the Lighthouse Trail, the Malin Waters Initiative, the Appalachian Trail, which now links the stunning Antrim Coast with Donegal and Scotland, and the recent investment relating to the Gobbins Path experience, which is linked to a similar project in Donegal.

In addition, Tourism Ireland continues its work across 30 markets to promote Northern Ireland and the Republic of Ireland as an all-island tourism destination.

## Housing Executive: Glazing

**Mr Eastwood** asked the Minister of Enterprise, Trade and Investment what discussions she has had with the Minister for Social Development regarding the delays in the procurement process for Northern Ireland Housing Executive glazing contracts including the negative impact that this is having on the local economy.

(AQO 4627/11-15)

**Mrs Foster:** None

## Private Sector: Productivity and Employment

**Mr Ó hOisín** asked the Minister of Enterprise, Trade and Investment for an update on attempts to increase private sector productivity and employment.

(AQO 4628/11-15)

**Mrs Foster:** All of the commitments identified within the Northern Ireland Economic Strategy will contribute to the Executive's collective goal of increasing economic growth.

The key productivity drivers are innovation, R&D, business growth, infrastructure and skills and the Executive's Economic Strategy outlines the actions we are taking in these and other areas.

The Executive Sub-Committee on the Economy will shortly be publishing its first annual report setting out the significant progress being made against the Executive's Economic Strategy commitments.

## Broadband: Satellite Service

**Mr Wells** asked the Minister of Enterprise, Trade and Investment for her assessment of the uptake of the satellite broadband service funded by her Department.

(AQO 4629/11-15)

**Mrs Foster:** I am disappointed with the uptake of satellite broadband services under my Department's Remote Broadband Services contract. Despite significant enhancement of the packages on offer from Onwave, uptake by both residential and business users remains low. Regrettably, there is a poor public perception of satellite broadband. I would encourage consumers to consider satellite solutions where other services are not available for either technical or commercial reasons.

# Department of the Environment

## Judicial Reviews and Planning Appeals

**Mr Agnew** asked the Minister of the Environment to detail the (i) judicial reviews; and (ii) planning appeals that his Department has lost in each financial year since 2006/07.

(AQW 25242/11-15)

**Mr Durkan (The Minister of the Environment):** Robust and readily accessible information relating to judicial reviews is only available for the last 3 years. In this period twenty six judicial reviews were received by the Department in respect of planning decisions. Of these twenty six cases, ten are ongoing, eight were withdrawn or settled, three were upheld and five decisions were quashed. The decisions quashed are set out in table 1.

**Table 1**

JR	Litigation Reference	Date Commenced	Status
Mr Raymond Martin RE: Permission granted for a farm dwelling at Drumbo Road, Lisburn	LIT 34331/2012	April 2012	Decision Quashed
William Donnelly, RE: Variation of condition to remove rock from site, K/2008/0995/F & K/2011/0476/F	LIT 33530/2012	17/05/2012	Both Decisions Quashed
Miss Gillian Stewart RE: Permission granted for a residential development at 25 Hospital Road, Magherafelt	LIT 27195/2010/KJB	18/02/2011	Decision Quashed
Sandale Developments Ltd (3) Re: permission granted for housing under K/2008/0452/O	LIT 30815/2011 & LIT30453	07/11/2011	Decision Quashed

In relation to appeals to the Planning Appeal Commission, Table 2 below details the number of appeals received, decided, upheld and dismissed in each financial year since 2006/07.



**Table 2**

	2006/07	2007/08	2008/09	2009/10	2010/11	2011/12	2012/13
Appeals Received	2765	1493	515	515	435	451	406
Appeals Decided	973	1065	1411	1304	681	332	477
Appeals Upheld	362	334	487	516	226	91	170
Appeals Dismissed	611	731	924	788	455	241	307
% Appeals Upheld	37%	31%	35%	40%	33%	27%	36%
% Appeals Dismissed	63%	69%	65%	60%	67%	73%	64%

## Mobile Vehicle Licence Enforcement Cameras

**Mr Allister** asked the Minister of the Environment to detail the areas that mobile vehicle license enforcement camera visited, in each of the last three years.

**(AQW 25346/11-15)**

**Mr Durkan:** The Agency manages two ANPR mobile camera units in Northern Ireland, on behalf of the Driver and Vehicle Licensing Agency, ensuring they are deployed on a rolling basis across the whole of Northern Ireland to make maximum use of this resource.

The cameras are routinely deployed in or in the vicinity of all main postal towns or associated arterial routes, taking cognisance of local circumstances and road safety conditions.

The Agency is able to provide a breakdown of the overall total number of ANPR camera detections in each of the last three years. The details of which are set out in the table below:

Period	Volume
01 April 2012 – 31 March 2013	16,229
01 April 2011 – 31 March 2012	16,073
01 April 2010 – 31 March 2011	15,634
<b>Total</b>	<b>47,936</b>

**Note:** Figures were sourced from DVA information systems and are not validated DOE/DVA Official Statistics.

The records of ANPR detections are stored against individual registration marks and places of detection are not stored in a way that would facilitate the breakdown of the relevant figures by individual area.

## Marine Bill

**Mr Weir** asked the Minister of the Environment to detail the steps to be taken, and the timescale, for the implementation of the Marine Bill.

**(AQW 25400/11-15)**

**Mr Durkan:** The Marine Bill principally provides my Department with powers to prepare a marine plan for Northern Ireland's inshore region (out to 12 nautical miles); and to designate any area of sea falling within that region as a marine conservation zone (MCZ).

The Bill's final stage was taken in the Assembly on 21 May 2013 – it will come into operation in its entirety following Royal Assent, which is expected shortly.

## Marine Plan

Preparatory work on the Marine Plan for Northern Ireland commenced in 2012 with publication of a Statement of Public Participation. This sets out how my Department proposes to engage with people with an interest in the marine area and the timeline for delivering a Marine Plan.

As a next step, the plan vision, objectives and alternatives, as well as the scope of a Sustainability Appraisal, will be discussed at a stakeholder event in November 2013.

I expect to receive the draft Marine Plan for my approval by November 2014, after which it will be subject to a 12-week public consultation. A report on the Sustainability Appraisal will also be published at this stage.

My Department will then consider whether any amendment to the draft plan's proposals is required and whether an Independent Investigation is needed. Should an investigation be necessary, the Marine Bill provides for the investigator to report within 6 months or such longer period as approved by my Department.

The Marine Plan would subsequently be adopted and published.

### **Marine Conservation Zones (MCZs)**

The Marine Bill gives my Department powers to better protect and manage Northern Ireland's marine environment. These include a new mechanism for the conservation of marine biodiversity through the designation of MCZs, which are a new type of marine protected area.

A 12-week public consultation on draft MCZ guidance should start in October, followed by a series of stakeholder workshops related to the identification and designation process in November 2013, March 2014 and November 2014.

The final MCZ proposals and documents will be subject to a 12-week public consultation process by December 2015, with all MCZs being formally designated by December 2016.

In accordance with the Marine Bill's provisions, Strangford Lough will become Northern Ireland's first MCZ on enactment of the Bill.

### **Quarries**

**Mrs Dobson** asked Minister of the Environment, pursuant to AQW 25055/11-15, to detail the processes that need to be completed by a landowner who voluntarily undertakes to drain or infill quarries, including the timescale for each process. (AQW 25454/11-15)

**Mr Durkan:** The processes that are required are detailed as follows:-

#### **Planning Permission**

If the quarry is to be infilled with waste, then it will need appropriate planning permission. This will need to cover issues such as final levels, restoration details, permitted waste codes, permission for ancillary facilities such as site office, weighbridge, wheel wash etc. as required. The Department will determine the need for an Environmental Statement under the Planning (EIA) Regulations (NI) 1999, as amended. Full consultation with relevant expert bodies will take place during the planning process. A planning application for infilling of a quarry can be processed within 6 months provided all the required information is submitted by the applicant at the outset. Where a minerals or waste application was originally involved, I would add that where the drainage or infill represents a departure from an approved restoration required by condition; this variation would be required to form part of an application for infilling.

#### **Consent for drainage**

In addition any work that affects the drainage function of a watercourse must receive consent under Schedule 6 of the Drainage (NI) Order 1973. This process is managed by Rivers Agency and provided all relevant information is submitted by the applicant, a decision on Schedule 6 approval will take no more than 3 months.

#### **PPC Permit**

Once planning permission has been granted, the operator can apply for a pollution prevention and control permit (PPC) permit. This will need to be supported by appropriate site specific management plans, risk assessments (hydrogeological, gas, stability, etc) and environmental monitoring plans.

The level of management plans and risk assessments required will depend on the environmental risk the PPC application will also have to address issues such as technical competence, financial provision, etc to meet the requirements of the relevant PPC and waste regulations. A PPC application can be determined in 6 months provided all the required information is submitted by the applicant.

#### **Consent to Discharge**

Under the Water (Northern Ireland) Order 1999, the consent of the Department of Environment is required to discharge any trade or sewage effluent into our waterways or underground strata. This includes any potentially polluting matter (including site drainage liable to contamination) from commercial, industrial or domestic premises including the dewatering of quarries to waterways or underground strata. Further details on the application process can found on the NIEA website at [http://www.doeni.gov.uk/niea/water-home/regulation\\_of\\_discharges\\_industrial/industrial\\_and\\_private\\_sewage\\_2.htm](http://www.doeni.gov.uk/niea/water-home/regulation_of_discharges_industrial/industrial_and_private_sewage_2.htm). Applications for Consent to Discharge can be processed in parallel with the PPC Permit and/or Planning Permission.

### **Waste Management: Coleraine Borough Council**

**Mr Agnew** asked the Minister of the Environment to detail any instances of serious fraud that have occurred in the waste management contracts in Coleraine Borough Council. (AQW 25464/11-15)

**Mr Durkan:** These contracts are a matter for Coleraine Borough Council. It would not be appropriate for me to comment on waste management contracts between Coleraine Borough Council and its contractors.

## Waste Management: Derry City Council and Coleraine Borough Council

**Mr Agnew** asked the Minister of the Environment whether he will inquire with Derry City Council and Coleraine Borough Council if there has been any fraudulent or illegal activity related to waste management contracts in their areas ;and then to publish their response.

(AQW 25466/11-15)

**Mr Durkan:** Waste management contracts entered into by Derry City Council and Coleraine Borough Council are a matter for them and it would not be appropriate for me to comment on them. The Department's investigation into whether there has been any illegal activity on the part of specific private sector waste operators is a separate and ongoing matter and not one upon which it is appropriate to comment at this juncture.

## Wind Turbines

**Mr McKay** asked the Minister of the Environment to list the current planning applications for wind turbines; and the estimated time before a decision will be made in each case.

(AQW 25478/11-15)

**Mr Durkan:** The Department welcomes the contribution that renewable energy projects make to the reduction of carbon emissions and acknowledges the importance of processing these applications in a consistent and timely manner.

As of 31 July 2013 the Department had 750 applications for wind turbines under consideration, of which 44 relate to wind farms and 706 relate to single wind turbines. A list of these applications is available in the Assembly library.

To establish an estimated time before a decision will be made in each of these cases would require detailed consideration of each of the relevant planning application files and this would result in a diversion of staff from normal duties for an unreasonable period of time. This would have an impact on the Department's ability to provide the statutory public service for which it is obligated.

Decision times for wind farms and single wind turbines vary depending on a number of factors. The vast majority of applications for single wind turbines still under consideration are awaiting further information from the applicant or agent in relation to amendments; bat surveys; noise reports; road details; or are awaiting consultee responses.

In most instances, applications for wind farms are accompanied by an Environmental Statement. They are complex applications that require input from a wide range of consultees. The quality of the information submitted and the sensitivity of a particular site will also influence the time frames for determination. In many instances the Department may have to request Further Environmental Information before a final decision is taken and this can lead to delays. The volume of objections to an application may also affect determination times.

## Cycling: Road Safety

**Mr Weir** asked the Minister of the Environment what steps he has taken to increase the opportunities for children to learn cycling safety at school.

(AQW 25585/11-15)

**Mr Durkan:** My Department has a statutory duty to promote road safety and, within the context of the Northern Ireland Road Safety Strategy, does this through a wide range of road safety education activities, including road safety education programmes within schools.

The DOE Road Safety Education Officer Service has a programme of work which is designed to strengthen road safety education within the school environment, including cycling safely. Best practice guidelines advise that teaching professionals are best placed to embed the road safety message. Therefore it is within that context that DOE provides road safety teaching resources to enable teachers to teach road safety as part of the curriculum. Advice and guidance is also provided where required by the teaching professionals. In addition DOE also supports several road safety schemes, such as, the Practical Child Pedestrian Safety Training, Theatre in Education, and the Cycling Proficiency Scheme.

The Cycling Proficiency Scheme targets child cycling safety. The scheme focuses on the road safety elements of cycling, providing formal training in how to ride a bicycle safely, learn some of the rules of the road and how to negotiate junctions. In February each year the Road Safety Education Officers write to every primary and special school in Northern Ireland to promote the scheme. The teaching of road safety within the school environment is optional and down to the individual school, falling into 'Life Long Learning' agenda. Approximately 62% (539) Primary Schools with an average of 8,365 children train children through the Cycling Proficiency Scheme each year. It is delivered mostly to children in Primary 7, although some schools do offer the scheme to Primary 6 and occasionally Primary 5 children.

My Department has no powers to insist that a school takes up the option to deliver the Cycling Proficiency Scheme; this decision lies solely with individual schools.

## Landfill Site at Mobouy Road, Derry

**Mr Agnew** asked the Minister of the Environment to detail the number of times the Planning Service did not enact, follow or adhere to the recommendation by the Northern Ireland Environment Agency at Mobouy Road; and to outline the reasons for each instance.

**(AQW 25616/11-15)**

**Mr Durkan:** NIEA and its various business units are consultees to the Department on applications and enforcement cases such as Mobouy Road. NIEA provide Strategic Planning Division with their input and comments and it is for SPD to interpret that advice and make a decision or determination. SPD are not bound or required to accept the advice from any consultee and will provide valid justification for any disagreement.

In relation to concerns raised by NIEA on an application at Mobouy Road, the case officer challenged the concerns raised by the consultee to ensure they were relevant and substantiated.

The application was subsequently deemed refused before a response from the consultee was received.

## Drumglass House

**Lord Morrow** asked the Minister of the Environment, pursuant to AQW 22801/11-15 and relating to the ongoing situation with the formerly known Drumglass Hospital building, to provide an update on the status of the matter and the proposed outcome.

**(AQW 25623/11-15)**

**Mr Durkan:** I understand that you received an update in regard to urgent repair works at Drumglass House, dated 24 May 2013, in response to AQW 22801/11-15.

NIEA:HBU (Historic Buildings Unit) issued an Urgent Works 'final warning' letter on 13 May 2013 to Havenport Properties Ltd, c/o MKB Russell's Solicitors, advising that the Department would issue an Urgent Works Notice, if works had not commenced by 17 June 2013.

No response was received to this final warning letter. On 28 June 2013, MKB solicitors confirmed that they were no longer acting for Havenport Properties Limited.

NIEA's Environmental Crime Unit (ECU) was then asked to help identify the buildings' owners. On 1 July 2013 the ECU reported that a meeting of creditors was scheduled for 4 July 2013 at James B. Kennedy & Co., Chartered Accountants and Licensed Insolvency Practitioners. On 29 July 2013, a letter was received from James B. Kennedy & Co., enclosing a copy of the Disclaimer in relation to Drumglass House, as lodged with the High Court (stamped 5 July 2013). The letter also advised that it is the understanding of the Liquidator '*...that the property reverts to the Crown*'.

Article 80(4) of the Planning (NI) Order states '*...(4) The owner of the building shall be given not less than seven days' notice in writing of the intention to carry out the works and the notice shall describe the works proposed to be carried out.*'

Until an owner has been identified, NIEA:HBU cannot proceed to issue a written notice. The matter has now been referred to the DoE Departmental Solicitors Office. I have asked officials to provide me with a further update on this case following receipt of further legal advice.

## Stonebridge Development

**Mr Agnew** asked the Minister of the Environment, pursuant to AQW 24945/11-15, whether departmental officers have visited the Stonebridge village development site; and if so, what was the outcome of the visit.

**(AQW 25628/11-15)**

**Mr Durkan:** In AQW 24945/11-15 my predecessor Alex Attwood MLA confirmed that, in the past and actually back in 1973 the bridge in this development had been considered for listing. At that stage it was not considered to be listworthy. He informed you that he had asked departmental officers to revisit the structure and to reconsider its architectural and historic interest.

This re-visit and re-evaluation of the bridge has now been carried out and I can now confirm that, although the bridge is of some architectural and historic interest, it is not considered to be of sufficient interest to meet the statutory test as a listed building.

## Mineral Extraction

**Mr Agnew** asked the Minister of the Environment to detail the number of discharge consents which have been granted to mineral extraction sites which did not have planning permission, at the time the consent to discharge was granted, in each year since 2000.

**(AQW 25630/11-15)**

**Mr Durkan:** There are currently 85 discharge consents which have been granted to mineral extraction sites since 2000. I have been advised by my Department's Strategic Planning Division that the exercise to determine the existence of planning permission, bearing in mind the manual search of minerals files, would be disproportionate in terms of costs and staff time and divert staff from operational duties. If the Member seeks the planning history on a particular site this can be provided.

## Marine Bill

**Mr Weir** asked the Minister of the Environment what consultation there will be on the guidance to be issued under the Marine Bill. (AQW 25686/11-15)

**Mr Durkan:** The Department plans to issue draft guidance on the selection and designation of Marine Conservation Zones (MCZs) in the Northern Ireland inshore region for a 12 week public consultation process in October 2013.

This guidance sets out the Department's approach to the selection and designation of MCZs in the Northern Ireland inshore region.

The Department also intends to develop guidance on the enforcement of byelaws in relation to MCZs and use of fixed monetary penalties. This guidance will be consulted on in due course.

## Cycling: Road Safety

**Mr McKay** asked the Minister of the Environment how many adverts his Department has commissioned, and plans to commission, to raise awareness of cyclist safety among motorists. (AQW 25692/11-15)

**Mr Durkan:** My Department has a statutory duty to promote road safety and, within the context of the Northern Ireland Road Safety Strategy, does this through a wide range of road safety education activities, including road safety public information campaigns and education programmes.

Drivers are responsible for the majority of collisions, with the main causes being speeding, drink driving and inattention on our roads. Changing the attitudes and behaviours of drivers is therefore the most effective way of protecting all road users and our campaigns concentrate on changing such behaviours.

In October 2011, the Department launched the 'Be Cycle Aware' campaign, comprising of three advertisements; two of which are radio advertisements and the third a bus rear advertisement. This three-fold campaign reminds drivers and cyclists alike to pay attention when sharing the road. The first radio ad targets drivers as they travel in their vehicle during daytime hours when they would be expected to share the road with cyclists. The second targets cyclists, reminding them of their vulnerability and the need to pay attention. Likewise, the bus rear advertising reinforces this message as it alerts cyclists to be aware of their vulnerability as they share the road with many different vehicles. The radio campaign is on air at regular intervals as part of the Department's road safety radio activity and the bus rear campaign is also currently running.

In May 2012, a campaign was launched to encourage road users to 'respect everyone's journey'. The important safety messages to drivers will benefit all vulnerable road user groups, including cyclists.

In September 2012, a campaign was launched, focusing on wider road user responsibility, urging all road users to take responsibility for their actions on the road. The television, press and online campaign includes an injured cyclist saying "I was cycling in the bike lane. The driver said the sun was in his eyes."

A further campaign, launched on 24 April 2013, invites everyone to 'Share the Road to Zero'. This is aimed at all road user groups – cyclists, pedestrians, motorcyclists, drivers and passengers and, indeed, focuses heavily on cyclists in the opening scenes. The aim is to get every road user to take personal responsibility for helping to prevent deaths on Northern Ireland's roads. The social media aspect of this campaign provides appropriately targeted road safety messages to subscribers, including cyclists. This can be found at [www.sharetheroadtozero.com](http://www.sharetheroadtozero.com)

Between 2008 and 2012, six cyclists died on our roads. So far this year three cyclists have died. In 2012, 55 cyclists were seriously injured, an increase from 36 in 2003. The rate of Pedal Cyclist deaths and serious injuries per 100 million kilometers cycled in 2011, the latest figures available, was 77, an increase of 28% on the 2004-2008 baseline of 60.

Given a rise in cyclist casualties, the Department is currently analysing available data and has commissioned qualitative research to help inform consideration of potential new educational activity around cyclist safety.

I recognise the continuing challenges of reducing casualties on our roads, and will take forward further actions as appropriate from this analysis and research.

## European Heritage Open Days

**Mr D McIlveen** asked the Minister of the Environment, in relation to European Heritage Open Days (i) how much has been spent on advertising in 2013; and (ii) how many properties have been opened to the public, in each of the last five years. (AQW 25704/11-15)

**Mr Durkan:**

- (i) £10,016 was used for advertising in the two weeks before the EHOD weekend.

Other communications activities included media relations, digital and social media marketing, brochures and posters. All of these other communications activities were delivered by staff within the Department, or by the events many volunteers, to highlight buildings or events they were involved with. Social media activities reached over 800 thousand people during this year's campaign; and also the print and broadcast media coverage was very extensive.



- (ii) In regard to the second part of your question, the table below gives numbers of properties and events together with information on properties alone for each of the last five years.

Year	No. of properties and events	No. of properties
2009	250	189
2010	265	185
2011	304	292
2012	320	303
2013	432	315

### Belfast Metropolitan Area Plan

**Mr Easton** asked the Minister of the Environment, given its impact on local businesses, when the report on the Belfast Metropolitan Area Plan will be published.

(AQW 25710/11-15)

**Mr Durkan:** The Department plans to publish BMAP on completion of the relevant statutory processes and following the issue by DRD of a certificate of general conformity with the Regional Development Strategy 2035.

### Quarries: Safety

**Mr Weir** asked the Minister of the Environment for an update on his Department's work to increase safety in quarries.

(AQW 25719/11-15)

**Mr Durkan:** On 3 July Minister Attwood convened a meeting with the Quarry Products Association, Health and Safety Executive NI, district councils, Department of Health, Social Services and Public Safety, and the Department of Justice to discuss options for taking further action to reduce the risks posed by disused quarries.

Following this meeting, the Minister:

- wrote to councils requesting as a matter of urgency, that the quarry review work is focussed on those disused quarries which present the highest risk sites before the main July holiday period, so that additional signage could be erected at these sites, and the PSNI advised accordingly;
- wrote to PSNI district commanders on 4th July, drawing their attention to the issue of potential risks at disused quarry sites, setting out the relevant legislation and listing the highest priority sites by district council area;
- launched a quarry safety campaign, 'Stay out! Stay safe!' on 8th July, with a news release which had wide uptake in regional and local press;
- engaged with the Department of Justice to raise awareness of the issue by distributing information and resources through Policing and Community Safety Partnerships;
- commissioned the Government Advertising Unit to arrange for a detailed schedule of display advertisements to be designed and placed in the daily and Sunday newspapers (11th July and 14th July), as well as all the regional weekly newspapers, (week beginning 15th July);
- commissioned the production of 1,000 'DANGER - NO SWIMMING' warning signs, which were made available to councils on 10th July, for immediate erection at highest risk sites (a further 1,000 warning signs were subsequently produced, for use by councils);
- commissioned the production of 1,500 campaign posters for display in public buildings, supported by media relations activities, social media activities, information on NIDirect and other relevant websites (councils, Northern Ireland Local Government Association, NI4Kids etc) and internal communications in Department of the Environment and the wider Northern Ireland Civil Service;
- established a new web-page on both the Department of the Environment and NIDirect websites warning of the dangers of swimming in disused quarries; and
- wrote to councils, asking them to give consideration to the potential for dyeing quarry water to dissuade swimming.

The District Council review of disused quarries across Northern Ireland is expected to be completed in the autumn. Following this I will assess the scale and precise nature of the problem. Only then will I be in a position to identify all the longer term options available and fully explore their implications with a view to minimising the risk of future loss of life.

### Mineral Extraction

**Mr Agnew** asked the Minister of the Environment whether his Department has permitted any applicants to withdraw any planning applications for mineral extraction following refusal on Environmental Impact Assessment grounds since 2000; and to provide further details.

(AQW 25727/11-15)

**Mr Durkan:** I am aware of one application which is procedurally listed on the Planning Portal as having been withdrawn, following refusal in accordance with the EIA Regulations.

I can confirm that this application relating to minerals extraction at Mobouy Road, Derry (planning reference A/2009/0400/F) is deemed refused as opposed to withdrawn.

## Wind Turbines

**Mr Wells** asked the Minister of the Environment whether planning staff have the authority to ensure that wind turbines erected in the countryside are painted in appropriate colours in order to reduce their visual impact.

(AQW 25741/11-15)

**Mr Durkan:** Planning Policy Statement (PPS) 18 Policy RE1 Renewable Energy Development sets out the main considerations that the Department will take into account in assessing planning applications for renewable energy developments, including wind turbines.

The policy is accompanied by a Best Practice Guidance document which is also a material consideration to be taken into account when assessing wind turbine proposals.

Policy RE1 states that visual amenity and landscape character are among the material considerations which will form part of the assessment of a wind turbine planning application. The outcome of this assessment will however differ depending on the nature and scale of each application and, in particular, the location of each proposal and the ability of the landscape to absorb the turbine.

Paragraph 1.2.13 of the Best Practice Guidance advises that wind turbines are usually semi-matt white, off white or grey in colour, often as a condition of planning permission. In the event that it is considered that a different coloured turbine would assist with the integration of the proposal, the Department's planning officers can use their professional judgement to request that the colour is changed. It is important to note, however, that changing the colour of a turbine will not allow an unacceptable proposal to become acceptable; it may merely assist with the integration of an already acceptable proposal.

Planning decisions are made on the individual merits of each application on a case by case basis and after all planning policies and other material considerations have been taken into account.

## Waste Management: Leisure Services

**Mr Agnew** asked the Minister of the Environment how much was spent by leisure services in each local council on (i) the disposal of waste by recycling; and (ii) conventional waste disposal, in each of the last five years.

(AQW 25830/11-15)

**Mr Durkan:** The Department does not hold these figures. I have asked my officials to request councils to provide this information.

It will take several weeks to compile the information and I will forward it to you as soon as it has been received from the councils.

## Single-use Plastic Bag Levy

**Mr Easton** asked the Minister of the Environment how much revenue has been raised from the Carrier Bag Levy to date.

(AQW 25844/11-15)

**Mr Durkan:** The 5 pence single use carrier bag levy has raised £902,000 to date. These proceeds relate to single use bags distributed by retailers during the first three months of the levy (8 April to 30 June 2013 inclusive).

I intend to allocate the net proceeds of the levy to help fund community groups, charities, schools and businesses in delivering local projects to improve the environment for everyone. I will identify some of these projects in the coming weeks.

## Waste Management

**Mr Mitchel McLaughlin** asked the Minister of the Environment why Becon/ARC21 is seeking planning permission for a 300,000 ton per annum facility when it is estimated that it will receive a maximum of 250,000 tons of municipal waste per year from the participating councils.

(AQW 25934/11-15)

**Mr Durkan:** No formal planning application for a Waste Treatment Facility at Hightown Quarry has been received by DOE Planning from Becon/arc21

There however have been ongoing pre application discussions between the Department, arc 21 and key statutory consultees.

If an application is received, it will be advertised and robustly assessed against relevant planning policy and all other relevant planning considerations including public representatives and the views of elected representatives.

The onus will be on the applicant to demonstrate and justify the scale of the proposal in the Environmental Statement.

## Environmental Impact Assessment

**Mr Agnew** asked the Minister of the Environment at what stage in the processing of a planning application would his Department normally be expected to carry out an Environmental Impact Assessment Determination.

**(AQW 26000/11-15)**

**Mr Durkan:** Under Regulation 10 of the Planning (Environmental Impact Assessment) Regulations (Northern Ireland) 2012, the Department must make a determination on the need for an Environmental Impact Statement within 4 weeks from the date of receipt of the application or such longer period as may be agreed in writing with the applicant.

The requirement under Regulation 10 relates to the categories of development set out in Schedule 1 and 2 of the 2012 Regulations.

## Maze/Long Kesh Site: Listed Buildings

**Mr Allister** asked the Minister of the Environment whether, at the time of listing of the retained buildings at the Maze/Long Kesh site, there was any architectural quality or interest in the physical fabric of the buildings, that was anticipated would exist by the then prevailing Planning Policy Statement 6, before a listing on the grounds of historical associations would be justified.

**(AQO 4614/11-15)**

**Mr Durkan:** Listing decisions are based upon Article 42 of the Planning (NI) Order (1991) which states that the Department shall draw up lists of buildings of '*special architectural or historic interest*' i.e. there is no presumption that architectural interest is required to list a building.

Quoting from the version of PPS6 prevailing at the time that the Maze was listed - '*In the case of historical associations, there will generally need to be some additional quality or interest in the physical fabric of the building to justify listing*'. It also went on to explain '*Either the building will have architectural merit in itself or it should be preserved in a form which directly reveals its historical associations.*'

In this case, the buildings are preserved in a form which directly reveals their historical associations. However, the listing reports, which are published on the Northern Ireland Buildings Database also make clear that the structures are considered to possess architectural interest. For example, the evaluation of H Block 6, reads as follows '*A structure which represents a significant development in the construction history of British Penal architecture and a form which is synonymous with The Maze Cellular.*' It also records that '*Its structural system and internal details are of interest*' as well as noting that '*It's setting and surroundings add to its penal character.*'

## Planning: Three Rivers Project, Strabane

**Ms Boyle** asked the Minister of the Environment what actions he has taken to progress consideration of the application for the Three Rivers Project in Strabane.

**(AQO 4615/11-15)**

**Mr Durkan:** The Three Rivers project is a proposed mixed-use development in Strabane which raises a number of fundamental planning concerns. These require careful consideration before a determination can be made. I have previously stated that I intend to make the right decisions as quickly as possible to ensure that planning delivers a better environment and stronger economy.

I met the developer and his agents last month to discuss the project and when I have fully considered all the aspects of the proposed development I will make a final decision on the way forward with this particular planning application.

## Department of Finance and Personnel

### Surveying of Properties Prior to Purchase

**Mr Weir** asked the Minister of Finance and Personnel whether he has any plans to change legislation in relation to the surveying of properties prior to purchase.

**(AQW 25397/11-15)**

**Mr Hamilton (The Minister of Finance and Personnel):** I am assuming that this question relates to the commissioning of a survey, rather than the professional standards which may be expected of a surveyor.

There is no legislative requirement in Northern Ireland to have a property surveyed prior to purchase. However, because of the principle known as caveat emptor (buyer beware), and the general conditions of sale contained within the standard form property contract issued by the Law Society of Northern Ireland, a purchaser in Northern Ireland will generally be advised to obtain a survey prior to entering into contract. My Department is currently working on provisions which will give effect to the Northern Ireland Law Commission's recommendations in respect of the general land law. However, I have no plans to review conveyancing law in Northern Ireland.

## Central Procurement Directorate

**Mr P Ramsey** asked the Minister of Finance and Personnel to outline what efforts have been made within the Central Procurement Directorate, to take into consideration the aim of building community capacity, when addressing tenders for self-harm and suicide support services.

(AQW 25437/11-15)

**Mr Hamilton:** Central Procurement Directorate (CPD) is the lead professional procurement body for Northern Ireland with responsibility for formulating policy proposals, reviewing procurement policy and disseminating policies and monitoring their implementation.

CPD also supports the NI Public Sector by helping NI Departments and their funded bodies obtain best value for money in the procurement of the supplies, services and construction works needed to deliver their Programme for Government and business objectives.

When a department requires CPD to undertake a tendering competition, the procurement process is carried out in line with NI Public Procurement Policy and the relevant legislation.

CPD would not be involved in building capacity within any sector likely to submit a tender for the contract.

The department commissioning the work may review several delivery options before deciding to go out to tender. These options could include whether the services could be funded by way of a grant. It would be at this point that building community capacity would be considered by the relevant department.

## General Register Office

**Mr Allister** asked the Minister of Finance and Personnel to detail (i) when the historic indexes of the General Register Office will become available online; and (ii) any costs associated when accessing the indexes.

(AQW 25449/11-15)

**Mr Hamilton:** The General Register Office online genealogical facility is currently due to be launched in March 2014.

Charges for all services associated with access to and receipt of historic GRO records will be governed by Managing Public Money NI (MPMNI) guidelines. A Fees Order will be brought before the Assembly in due course which will include the detail of these.

## Land and Property Services

**Mr Swann** asked the Minister of Finance and Personnel what mechanisms exist for Departments to challenge the advice received from Land and property Services.

(AQW 25511/11-15)

**Mr Hamilton:** LPS provides such advice and guidance where options to acquire, lease, sell, transfer or refurbish property are being considered and in connection with applications for grant aid and social security benefits, claims for compensation following schemes of public works, the assessment of capital taxes, and many other statutory and extra-statutory schemes.

Where the advice is provided in connection with compulsory purchase or capital taxation, a third party may challenge it by referring the matter to the Lands Tribunal for Northern Ireland. Other valuation schemes either make no provision for formal challenge or provide for resolution of disputes by an arbitrator or other tribunal e.g. the Social Security Appeals Tribunal may determine the value of property owned by a claimant.

Where LPS advice is in relation to a discretionary transaction there will not normally be a formal challenge mechanism. Frequently however, preliminary valuation advice on a proposed discretionary sale or acquisition is sought from LPS for budgetary purposes. If the transaction is to proceed then LPS will be further instructed to negotiate the price. If the initial offer by LPS is not acceptable, then the third party may appoint their own valuer in order to seek a negotiated settlement.

A Department or Minister may also of course commission an independent review of any LPS valuation. All LPS valuers preparing market valuations are professionally qualified members of the Royal Institution of Chartered Surveyors and are registered under the RICS Valuer Registration Scheme. The RICS Valuation Standards, 'the Red Book' provides guidance for members appointed to review another surveyor's valuation.

## Productivity

**Mrs Overend** asked the Minister of Finance and Personnel to detail the overall productivity of (i) the financial services sector; (ii) the retail sector; (iii) the manufacturing sector; and (iv) the agri-food sector compared to the rest of the United Kingdom, since 2007.

(AQW 25530/11-15)

**Mr Hamilton:** Official Productivity data for the UK is produced by the Office for National Statistics (ONS) but is not available for countries or regions of the UK disaggregated by industry sector. However, the Department for Business Innovation and Skills (BIS) publish regional information on Gross Value Added (GVA) per workforce job by broad industry sector<sup>2</sup> and figures

are currently available up to 2009. Table 1 overleaf presents NI data expressed as a percentage of the UK estimate for 2007-2009.

**Table 1: NI GVA per workforce job by broad industry sector as a percentage of the UK**

Sector / Year	2007	2008	2009
All industries	84.1%	80.9%	81.6%
Manufacturing	99.6%	98.5%	100.2%
Services	86.6%	82.8%	83.1%
Other industries	57.0%	52.9%	54.3%

**Source:** BIS Regional Economic Performance Indicators 2012 Report

## Gross Value Added

**Mrs Overend** asked the Minister of Finance and Personnel to outline the geographical spread of Gross Value Added generated by local businesses.

**(AQW 25531/11-15)**

**Mr Hamilton:** Information on the geographical spread of Gross Value Added (GVA) is produced by the Office for National Statistics but is not available for countries or regions of the UK disaggregated by local and non local businesses.

However, information on approximate<sup>1</sup> GVA from locally owned businesses in the private sector by geographical spread in Northern Ireland is available from the Northern Ireland Annual Business Inquiry for 2011, the most recent information available. The statistics are presented in Table 1.

**Table 1: Approximate<sup>1</sup> Gross Value Added for locally owned business sites in Northern Ireland by NUTS3 sub regions**

NUTS3	Approximate Gross Value Added (£million)	Coefficient of Variation <sup>2</sup>
Belfast	1,489	9.5
East	1,714	4.9
North	967	6.2
Outer Belfast	1,349	8.0
West and South	2,068	5.4

**Source:** NI Annual Business Inquiry 2011 Local Unit Results

1. The Annual Business Inquiry measure of GVA is referred to as approximate because it does not fully allow for some National Accounts concepts such as taxes, subsidies or income earned in kind. In addition, the National Accounts estimate of GVA covers the whole UK economy, whereas ABI does not include some parts of the agriculture and financial activities sector, or public administration and defence.
2. The coefficient of variation measures the variability of the values by expressing the standard error as a percentage of the parameter estimate. A larger coefficient of variation implies a larger variability.

## Business Start-ups

**Mr Swann** asked the Minister of Finance and Personnel to detail the number of local business start-ups compared to the rest of the UK, for each year since 2007.

**(AQW 25545/11-15)**

**Mr Hamilton:** The Inter-Departmental Business Register (IDBR) contains information on all businesses in the United Kingdom which are either VAT registered or operating a PAYE scheme. A business start-up is defined as a business that is active on the IDBR in the current year, but was not present (as an active business) in either of the previous two years. The location of the business is determined by the registered UK address for the business which is usually the main operating site or head office within the UK. Businesses operating in Northern Ireland will only be included (under Northern Ireland) if their registered UK address is in Northern Ireland

The number of business start-ups for Northern Ireland compared to the rest of the UK, for 2007 to 2011, is provided in Table 1 overleaf.



**Table 1: Numbers of businesses start-ups<sup>1</sup> 2007-2011**

Country	Number of Business Start-ups				
	2007	2008	2009	2010	2011
United Kingdom	280,730	267,445	236,025	235,145	261,370
Northern Ireland	5,960	5,655	3,945	4,590	3,745
England	246,700	236,345	209,030	207,520	232,460
Scotland	18,165	16,225	14,725	15,530	16,940
Wales	9,905	9,220	8,325	7,505	8,225

<sup>1</sup> A business start-up is identified as a business that was present in year t, but did not exist in year t-1 or t-2.

## Productivity

**Mr Swann** asked the Minister of Finance and Personnel to outline local productivity (output worked per hour) compared to the rest of the UK, for each year since 2007.

**(AQW 25546/11-15)**

**Mr Hamilton:** Official regional productivity figures are published by the Office for National Statistics. Information on nominal Gross Value Added per hour worked for Northern Ireland, expressed as a percentage of the UK estimate for each year since 2007, is provided in Table 1 below.

**Table 1: NI productivity relative to the UK – nominal GVA per hour worked**

Year	2007	2008	2009	2010	2011
NI/UK	80.7%	80.5%	79.7%	80.9%	84.0%

**Source:** Office for National Statistics: Labour Productivity Q1 2013

## Innovation Active Firms

**Mr Swann** asked the Minister of Finance and Personnel to detail the percentage of innovation active firms compared with the rest of the UK, for every year since 2007.

**(AQW 25548/11-15)**

**Mr Hamilton:** The UK Innovation Survey (UKIS) runs on a biennial basis, with figures produced for a three year period in each survey cycle. Statistics are therefore not available on an annual basis. Table 1 presents findings from the Northern Ireland analysis.

**Table 1: Percentage of Innovation Active<sup>1</sup> Companies in NI and UK**

Survey period	Percentage Innovation Active: NI	Percentage Innovation Active: UK
2008-2010	27%	31%
2006-2008	31%	38%

The definition of 'innovation active' for the period 2008-2010 (UKIS 2011) included businesses that had engaged in any of the following activities:

- Introduction of a new or significantly improved product or process;
- Engagement in innovation projects not yet complete or abandoned;
- New and significantly improved forms of organisation, business structures or practices and marketing concepts or strategies;
- Activities in areas such as internal research and development, training, acquisition of external knowledge or machinery and equipment linked to innovation activities.

The definition used for the period 2006-2008 (UKIS 2009) referred to businesses that had engaged in any of the activities 'a', 'b' and 'd'.

## Stormont Estate: Parking

**Mr Wells** asked the Minister of Finance and Personnel on why parking is no longer permitted along the driveway leading from Massey Avenue to Carson's Statue, Stormont Estate.

**(AQW 25669/11-15)**

**Mr Hamilton:** The Massey Avenue entrance is the busiest entry point to the Stormont Estate with over 2000 vehicles and 30 tour and sightseeing buses entering and exiting the Estate via this route on Assembly sitting days.

Prior to the current parking restrictions being introduced Massey Avenue had become extremely congested with parked vehicles on both sides of the road making passing difficult.

The Stormont Estate Management Unit monitors car parking on the Estate in order to ensure that effective usage is made of all spaces and if overspill parking for visitors to the Assembly is required this will be accommodated on the Prince of Wales Avenue.

The situation with Massey Avenue being designated as a no parking zone will be kept under ongoing review.

## Bank Lending to Businesses

**Mr Ross** asked the Minister of Finance and Personnel whether he has made any progress in obtaining the regional data on bank lending to small and medium-sized enterprises.

(AQW 25773/11-15)

**Mr Hamilton:** As you may be aware, my Department currently receives a quarterly 'bank support for businesses in Northern Ireland' report on a confidential basis which provides high level data on deposits and lending to Small and Medium Sized Enterprises locally.

This data relates to the activities of the four main banks operating locally and my Department has been pressing for some time now for this to be widened to include other banks with a presence in Northern Ireland. We have also been calling for the scope of the data provided to be extended, and in particular for a sectoral breakdown to be provided.

And in this regard I met with the Chief Executive of the British Bankers Association (BBA) earlier this month to stress the importance of this data and to seek an update from him on when and how the banks could deliver on this. Mr Browne indicated to me that he hoped that an improved dataset would be available before the end of the year and that he would update me on the precise detail of this in due course.

## Stormont Estate: Cycling

**Mr McKay** asked the Minister of Finance and Personnel what plans he has to make the Stormont Estate more facilitative for cyclists.

(AQW 25780/11-15)

**Mr Hamilton:** My Department is currently working with the Department for Regional Development through its Travelwise NI initiative, and in conjunction with the Stormont Estate Travel Plan, to actively encourage staff who work on the Estate to consider all sustainable travel methods as alternatives to using cars to travel to work.

A survey will shortly be issued to all staff who work on the Estate to help identify their current travel means and to ask them that if relevant support services were available, whether they would cycle to work. If the results of this survey identify sufficient need my Department will act on providing support services.

## Gross Domestic Product

**Ms Fearon** asked the Minister of Finance and Personnel to outline the rationale behind his conclusion that the public sector accounts for two thirds of Gross Domestic Product.

(AQW 25823/11-15)

**Mr Hamilton:** Total Identifiable Expenditure in Northern Ireland as detailed in Treasury's Public Expenditure Statistical Analysis (PESA) stood at £19.2bn in 2010/11. This represented approximately 66 per cent of Northern Ireland's total Gross Value Added (GVA) - which is the standard measure of output at a regional level - in that year.

## Barnett Consequentials

**Mr Weir** asked the Minister of Finance and Personnel what are the Barnett Consequentials of the Government announcement of £600 million for free schools meals in England.

(AQW 25941/11-15)

**Mr Hamilton:** The Deputy Prime Minister, Nick Clegg, announced on 17 September 2013 that all children in England in reception and year 1 & 2 will receive free school meals from September 2014. He also announced that the UK Government will extend free school meals to English disadvantaged students in further education and sixth form colleges. Together these two initiatives are estimated to cost approximately £600 million.

Discussions with HM Treasury indicate that the funding arrangements for these initiatives will not be determined until the Chancellor's Autumn Statement. It is therefore currently unclear how much, if any, of this is additional funding or indeed to be covered from within the English Department of Education's existing baseline. This will, of course, determine the extent of any Barnett Consequentials for Northern Ireland.

## Department of Health, Social Services and Public Safety

### Tobacco

**Mr Beggs** asked the Minister of Health, Social Services and Public Safety to detail the number of convictions there have been for the (i) illegal sale of tobacco; and (ii) sale of illicit tobacco, in the last three years.

(AQW 25590/11-15)

**Mr Poots (The Minister of Health, Social Services and Public Safety):** The enforcement of tobacco control legislation is the responsibility of district councils. Information provided by the councils in relation to part (i) of the question has indicated that between 2009/10 and 2012/13, there were a total of 70 convictions in Northern Ireland for the sale of tobacco products to children and young people under the age of 18.

In relation to part (ii), the issue of illicit tobacco is primarily a matter for HM Revenue and Customs. Information received from HMRC, through the Department of Justice, has confirmed that in Northern Ireland there have been 12 convictions for excise evasion in relation to tobacco in the last three years.

### Cancellation of Clinics

**Mrs Dobson** asked the Minister of Health, Social Services and Public Safety to list the clinics which have been cancelled due to the annual leave of Health and Social Care Trust staff in each of the last twelve months, broken down by Trust.

(AQW 25593/11-15)

**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 Health and Social Care Trusts in Northern Ireland, is collected and published broken down by regionally agreed reasons for cancellation. Cancellations due to the annual leave of HSC staff are sub-regional codes under the regional reasons 'Consultant unavailable' and 'Medical Staff/Nurse Unavailable'.

It should be noted that 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 varied across Trusts.

Information on the number of consultant-led appointments cancelled by hospitals due to the annual leave of Health and Social Care staff, in each of the twelve months of the financial year 2012/13, is shown in the table overleaf. This is the latest position for which official statistics are available.

**Table 1: Number of consultant-led appointments cancelled by hospitals due to the annual leave of Health and Social Care staff, April 2012 – March 2013**

HSC Trust	2012/13											
	Apr-12	May-12	Jun-12	Jul-12	Aug-12	Sep-12	Oct-12	Nov-12	Dec-12	Jan-13	Feb-13	Mar-13
Belfast	1,150	716	977	1,982	1,383	794	766	942	910	959	973	1,196
Northern	477	170	167	370	232	177	201	241	207	127	451	366
South Eastern	540	257	281	411	542	361	308	262	405	448	401	441
Southern	148	109	183	169	85	145	140	61	169	130	127	147
Western	441	302	357	334	497	297	280	287	291	298	412	310

Source: HSC Trusts

### Dentistry Graduates

**Mr Beggs** asked the Minister of Health, Social Services and Public Safety how many dental graduates were awarded a Bachelor of Dental Surgery in 2013 from Queen's University, Belfast.

(AQW 25595/11-15)

**Mr Poots:** 52 dental graduates were awarded a Bachelor of Dental Surgery in 2013 from Queen's University Belfast.

## Foundation Dentists

**Mr Beggs** asked the Minister of Health, Social Services and Public Safety what is the maximum number of funded practice-based training places available for Foundation Dentists.

**(AQW 25597/11-15)**

**Mr Poots:** The maximum number of practice based training places available in 2013 for Foundation Dentists was 34. NIMDTA aim to increase the number of training places from 34 in 2013 to 36 in future years.

## Central Investigation Service

**Mr Swann** asked the Minister of Health, Social Services and Public Safety pursuant to AQW 23778/11-15, was there a Service Level Agreement or Memorandum of Understanding between his Department and the Central Investigation Service.

**(AQW 25636/11-15)**

**Mr Poots:** DARD's Central Investigation Service provides an investigation and counter fraud service which can be accessed by other Government Departments, providing specialist expertise and advice on fraud related investigations. There was no Service Level Agreement or Memorandum of Understanding between my Department and the Central Investigation Service.

## Medicines Manufacturing

**Mr McClarty** asked the Minister of Health, Social Services and Public Safety, in relation to Health and Social Care Trusts that are listed on the Medicines Care Products Regulatory Agency's Register of Licensed Manufacturing Sites, (i) to list the Site Identification numbers and addresses of all Licensed Manufacturing Sites; and (ii) to list the (a) IV Fluids; and (b) other Pharmaceutical Products manufactured at, or imported to, each Licensed Manufacturing Site.

**(AQW 25660/11-15)**

**Mr Poots:** The Medicines and Healthcare Products Regulatory Agency (MHRA) has confirmed that there are two types of licensed manufacturers. Companies who manufacture or import medicines which are the subject of a Marketing Authorisation do so under a Manufacturing and Import Authorisation (MIA) licence. Companies who manufacture or import medicines which are not the subject of a Marketing Authorisation and produce unlicensed medicines for a special clinical need, do so under a Manufacturing Specials (MS) licence.

- (i) The site Identification numbers and addresses of all Manufacturing Sites in relation to Health and Social Care Trusts that are listed on the Medicines Healthcare Regulatory Agency's Register of Licensed Manufacturing sites are set out at Tab 1.
- (ii) A list of (a) IV Fluids; and (b) other Pharmaceutical Products manufactured at or imported to, each Licensed Manufacturing site is set out at Tab 2.

### TAB 1

Site Identification numbers and addresses of all Manufacturing Sites in Health and Social Care Trusts that are listed on the Medicines Healthcare Regulatory Agency's Register of Licensed Manufacturing sites

#### Licence Holder MS 32485

##### Belfast Health and Social Care Trust

**First Floor, King Edward Building, The Royal Hospitals,  
Grosvenor Road, Belfast, United Kingdom, BT12 6BA**

##### \*Site ID: 29397

Victoria Pharmaceuticals Specials Manufacturing Unit  
77, Boucher Crescent, Belfast, United Kingdom, BT12 6HU.

##### \*Site ID: 91260

Victoria Pharmaceuticals Specials Manufacturing Unit  
Grosvenor Road, Royal Hospitals,  
Belfast, United Kingdom, BT12 6BA.

##### Site ID: 333727

Cyclotron Production Facility  
Level 1, Imaging centre,  
Royal Victoria Hospital  
Grosvenor Road, Belfast, United Kingdom, BT12 6BA

##### Site ID: 1226848

Regional RadioPharmacy  
Royal Victoria Hospital  
Ferguson Building  
Royal Victoria Hospital  
Grosvenor Road, Belfast, United Kingdom, BT12 6BA

**Site ID: 1683129**

The Plenum Building, Victoria Pharmaceuticals and Regional Quality Assurance,  
Royal Group of Hospitals Site,  
Grosvenor Road, Belfast, United Kingdom, BT12 6BA

- \* Site IDS – 29397 (Victoria, 77 Boucher) and 91260 (Victoria, Grosvenor Road) are no longer in use. Plenum is a new building and the other two licenses were retained until MHRA were satisfied Plenum was functioning in accordance with the legal requirements and best practice. Decommissioning has taken place.

**Licence Holder MS 33876****Western Health and Social Care Trust**

**Pharmacy Department, Altnagelvin Area Hospital, Glenshane Road, Londonderry, Co Londonderry, United Kingdom, BT47 6SB**

**Site ID: 817524**

Western Health and Social Care Trust  
Pharmacy Department  
Altnagelvin Area Hospital  
Glenshane Road  
Londonderry, Co Londonderry, United Kingdom, BT47 6SB

**TAB 2****Belfast Health and Social Care Trust**

The Belfast Trust has five sites on its manufacturing specials licence (MS 32485).

Two of these departments are operated by the Regional Medical Physics Service. They are:

- (1) Regional Radiopharmacy Department, Ferguson Building, RVH (site ID: 1226848)
- (2) Cyclotron Production Facility, Level 1 Imaging Centre, RVH (site ID: 333727).

Both departments prepare small volume liquid diagnostic radiopharmaceuticals, administered mainly by injection.

The third site is a regional pharmacy service and is managed within Pharmacy Services BHSCT;

- (3) Victoria Pharmaceuticals and Regional Quality Assurance, Plenum Building, RVH, (site ID: 1683129)

**Manufactured Products Over The Last Three Years Sterile**

<b>Sterile Medicine (still manufactured)</b>	<b>Sterile Medicine (ceased manufacture)</b>
Baclofen Injection 1000mcg/ml 12ml	Chlorhexidine Sterile Solution 2% 20ml
Baclofen Injection 2000mcg/ml 12ml	Chlorhexidine Sterile Solution 0.1% 10ml
Baclofen Injection 3000mcg/ml 12ml	Digoxin Injection 10microg/ml 5x1ml
Diamorphine Injection 500microg/ml 3x1ml	Dipotassium Hydrogen Phosphate Infusion 1mmol/ml 500ml
Levobupivacaine 0.1% Fentanyl 5mcg/ml Infusion 250ml	Phentolamine–Papaverine Injection 2ml 1x5
Levobupivacaine 0.1% Fentanyl 2mcg/ml Infusion 100ml	Rotring Marking ink 0.5ml
Levobupivacaine 0.1% Fentanyl 2mcg/ml Infusion 250ml	Sodium Chloride for nebulisation 3% 4ml
Morphine Sulphate Infusion 1mg/ml 100ml	Sodium Chloride for nebulisation 4.5% 4ml
Morphine Sulphate Infusion 1mg/ml 250ml	Sodium Chloride for nebulisation 7% 4ml
	Sodium Dihydrogen Phosphate Injection 1mmol/ml 5x10ml
	Vancomycin Injection 10mg/ml 2ml

**Non Sterile Manufactured Products---\*\* (Ceased Manufacture)**

Alcohol Solution 70% 500ml
Chlorhexidine Solution 1:200 ,0.5% 100ML
Chlorhexidine Solution 2% 500ml
Chlorhexidine Solution 2% 100ml



Coal Tar Solution 5% in White Soft Paraffin 200g
Coal Tar Solution 10% in White Soft Paraffin 200g
Coal Tar Solution 5% and Betamethasone 0.02375% in White Soft Paraffin 200g **
Coal Tar Solution 10% and Betamethasone 0.02375% in White Soft Paraffin 200g **
Keltrol suspending agent 0.4% 500ml
Lidocaine and Adrenaline solution 2%, 1:2000 2ml
Lidocaine and Adrenaline solution 2%, 1:2000 60ml
Liquid Paraffin in White Soft Paraffin 1:3 200G
Metoprolol Suspension 25mg/5ml 50ml
BT-PABA Tests **
Propylene Glycol in Aqueous Cream 40% 500g
Salicylic Acid in Emulsifying Ointment 5% 200g
Tar Pomade 200g
Tar Pomade Forte 200g
Tar Pomade Special 200g
Ung 108 ointment 100G
WHO Powders
WHO Powders Potassium Free

Site IDS – 29397 (Victoria, 77 Boucher) and 91260 (Victoria, Grosvenor Road) are no longer in use. Plenum is a new building and the other two licenses were retained until MHRA were satisfied Plenum was functioning in accordance with the legal requirements and best practice. Decommissioning has taken place.

#### Unlicensed Medicines Notified for Import by Belfast Health and Social Care Trust

32485

Total Valid Notifications 43

01-Aug-2010 to 31-Aug-2013

#### Aug/10

Non-Proprietary Product Name	Proprietary Name	Exporting Country	Number of Notifications	Number of Packs Imported
Fludeoxyglucose [18F] Injection	F-FDG	Republic of Ireland	1	1
Fludeoxyglucose [18F] Injection	F-FDG	Republic of Ireland	3	2

#### Oct/10

Non-Proprietary Product Name	Proprietary Name	Exporting Country	Number of Notifications	Number of Packs Imported
Fludeoxyglucose [18F] Injection	F-FDG	Republic of Ireland	1	1
Fludeoxyglucose [18F] Injection	F-FDG	Republic of Ireland	1	2
Fludeoxyglucose [18F] Injection	F-FDG	Republic of Ireland	1	2

#### Nov/10

Non-Proprietary Product Name	Proprietary Name	Exporting Country	Number of Notifications	Number of Packs Imported
Fludeoxyglucose [18F] Injection	F-FDG	Republic of Ireland	2	1

**Dec/10**

Non-Proprietary Product Name	Proprietary Name	Exporting Country	Number of Notifications	Number of Packs Imported
Fludeoxyglucose [18F] Injection	Fludeoxyglucose [18F] Injection	Republic of Ireland	1	1
Fludeoxyglucose [18F] Injection	Fludeoxyglucose [18F] Injection	Republic of Ireland	1	3
Fludeoxyglucose [18F] Injection	Fludeoxyglucose [18F] Injection	Republic of Ireland	2	8

**Feb/11**

Non-Proprietary Product Name	Proprietary Name	Exporting Country	Number of Notifications	Number of Packs Imported
Fludeoxyglucose [18F] Injection	F-FDG	Republic of Ireland	2	2

**May/11**

Non-Proprietary Product Name	Proprietary Name	Exporting Country	Number of Notifications	Number of Packs Imported
Fludeoxyglucose [18F] Injection	F-FDG 370 MBQ 1 X 5	Republic of Ireland	1	2
Fludeoxyglucose [18F] Injection	F-FDG 370 MBQ 1 X 5	Republic of Ireland	1	2

**Jun/11**

Non-Proprietary Product Name	Proprietary Name	Exporting Country	Number of Notifications	Number of Packs Imported
Fludeoxyglucose [18F] Injection	F-FDG	Republic of Ireland	1	1
Fludeoxyglucose [18F] Injection	F-FDG	Republic of Ireland	1	2

**Oct/11**

Non-Proprietary Product Name	Proprietary Name	Exporting Country	Number of Notifications	Number of Packs Imported
Fludeoxyglucose [18F] Injection	F-FDG 370 MBQ 1 X 5	Republic of Ireland	1	2
Fludeoxyglucose [18F] Injection	F-FDG 370 MBQ 1 X 5	Republic of Ireland	1	4

**Feb/12**

Non-Proprietary Product Name	Proprietary Name	Exporting Country	Number of Notifications	Number of Packs Imported
Fludeoxyglucose [18F]	18F-FDG 4MBQ/KG Injection BP 1X1	Republic of Ireland	1	4
Fludeoxyglucose [18F] Injection	18F-FDG 4MBQ/KG Injection Bp 1 X 1	Republic of Ireland	1	6

**Mar/12**

Non-Proprietary Product Name	Proprietary Name	Exporting Country	Number of Notifications	Number of Packs Imported
Fludeoxyglucose [18F]	18F-FDG 4MBQ/KG Injection BP 1X1	Republic of Ireland	1	4
Fludeoxyglucose [18F] Injection	18F-FDG 4MBQ/KG Injection BP 1 X 1	Republic of Ireland	1	5
Fludeoxyglucose [18F] Injection	F-FDG 370 MBQ 1 X 5	Republic of Ireland	1	2

**Apr/12**

Non-Proprietary Product Name	Proprietary Name	Exporting Country	Number of Notifications	Number of Packs Imported
Fludeoxyglucose [18F] Injection	18F-FDG 4MBQ/KG	Republic of Ireland	4	4

**Jun/12**

Non-Proprietary Product Name	Proprietary Name	Exporting Country	Number of Notifications	Number of Packs Imported
Fludeoxyglucose [18F] Injection	18F-FDG 4MBQ/KG	Republic of Ireland	1	5

**Jul/12**

Non-Proprietary Product Name	Proprietary Name	Exporting Country	Number of Notifications	Number of Packs Imported
Fludeoxyglucose [18F]	18F-FDG 4MBQ/KG Injection BP 1X1	Republic of Ireland	1	5
Fludeoxyglucose [18F] Injection	18F-FDG 4MBQ/KG	Republic of Ireland	1	5

**Aug/12**

Non-Proprietary Product Name	Proprietary Name	Exporting Country	Number of Notifications	Number of Packs Imported
Fludeoxyglucose [18F] Injection	18F-FDG 4MBQ/KG	Republic of Ireland	2	5

**Oct/12**

Non-Proprietary Product Name	Proprietary Name	Exporting Country	Number of Notifications	Number of Packs Imported
Fludeoxyglucose [18F] Injection	18F-FDG 4MBQ/KG	Republic of Ireland	2	5

**Nov/12**

Non-Proprietary Product Name	Proprietary Name	Exporting Country	Number of Notifications	Number of Packs Imported
Fludeoxyglucose [18F] Injection	18F-FDG 4MBQ/KG	Republic of Ireland	1	5

**Jan/13**

Non-Proprietary Product Name	Proprietary Name	Exporting Country	Number of Notifications	Number of Packs Imported
Fludeoxyglucose [18F]	18F-FDG 4MBQ/KG Injection BP 1X1	Republic of Ireland	1	5

**Feb/13**

Non-Proprietary Product Name	Proprietary Name	Exporting Country	Number of Notifications	Number of Packs Imported
Fludeoxyglucose [18F]	18F-FDG 4MBQ/KG Injection BP 1X1	Republic of Ireland	1	5

**Mar/13**

Non-Proprietary Product Name	Proprietary Name	Exporting Country	Number of Notifications	Number of Packs Imported
Fludeoxyglucose [18F] Injection	18F-Fdg 4Mbq/Kg	Republic of Ireland	1	4
Fludeoxyglucose [18F] Injection	18F-Fdg 4Mbq/Kg Injection BP 1 X 1	Republic of Ireland	1	5

**May/13**

Non-Proprietary Product Name	Proprietary Name	Exporting Country	Number of Notifications	Number of Packs Imported
Fludeoxyglucose [18F] Injection	18F-FDG 4MBQ/KG	Republic of Ireland	1	4

**Western Health and Social Care Trust**

The Western Health and Social Care Trust has one site for its manufacturing specials licence (MS 33876).

1. Altnagelvin hospital, Glenshane Road, Londonderry, BT47 6SB has a licensed specials manufacturing unit (Site ID: 1817524)
2. List of products manufactured or repackaged in Altnagelvin Hospital under Specials Manufacturing License MS33876.

**Fluids - Sterile Injections / Infusions**

- 5- Fluorouracil Eye Injections
- 5 -Fluorouracil Infusors
- Cefuroxime Intracameral Injection
- Desferrioxamine Infusor
- Diamorphine 500 micrograms in 1ml Sodium Chloride 0.9%
- Glucose 3% in 500ml Hartmanns Solution
- Insulin Syringes
- Intralipid Infusions
- Piperacillin and Tazobactam 4.5mg in 73ml Injection (Syringe)
- Potassium 10mmol, Phosphate 10mmol in 500ml Sodium Chloride
- Other Pharmaceutical items - Non Sterile Pre-packaged Tablets
- ASPIRIN 75mg Enteric coated Tablets 28 Tablet Overlabelled Pack
- AZITHROMYCIN 250mg Capsules 4 Capsule Overlabelled Pack
- BREVINOR 35 micrograms/500microgram Tablets 63 Tablet Overlabelled Pack
- CANESTEN COMBI 500mg / 2% Pessary/Cream 1 unit Overlabelled Pack
- CEFIXIME 200mg Tablets 4 Tablet Pre-Pack

- CHLORPHENAMINE MALEATE 4mg Tablets 8 Tablet Pre-Pack
- CLARITHROMYCIN 500mg Infusion 1 Vial Pre-Pack
- DOMPERIDONE 10mg Tablets 30 Tablet Overlabelled Pack (HIV)
- ERYTHROMYCIN 250mg Enteric coated Tablets 56 Tablet Pre-Pack
- FEMODENE 75 micrograms/30 micrograms Tablets 63 Tablet Overlabelled Pack
- KALETRA TABLETS 200mg/50mg Tablets 28 Tablet Pre-Pack (HIV)
- LEVONORGESTREL 30micrograms Tablets 105 Tablet Pre-Pack
- LOGYNON ED Tablets 3 x 28 Tablet Overlabelled Pack
- LOPERAMIDE HYDROCHLORIDE 2mg Capsule 30 capsule Overlabelled Pack (HIV)
- METRONIDAZOLE 400mg Tablets 10 Tablet Pre-Pack
- NORETHISTERONE 350 MICROGRAMS Tablets 84 Tablet Overlabelled Pack
- OFLOXACIN 400mg Tablets 28 Tablet Pre-Pack
- OXYTETRACYCLINE 250mg Tablets 56 Pre-Pack
- PARACETAMOL 120mg in 5ml Sugar-free Oral Suspension 200ml Overlabelled Pack
- PARACETAMOL 250mg in 5ml Sugar-free Oral Suspension 200ml Overlabelled Pack
- PARACETAMOL 500mg Soluble Tablet 6 Tablet Pre-Pack
- The Trust does not import pharmaceuticals

### Southern Health and Social Care Trust

The Southern Health and Social Care Trust, 68, Lurgan Road, Portadown, BT63 5QQ has one site for manufacturing specials. (MS33400).

The Southern Health and Social Care Trust do not manufacture on site. The Licence is for repackaging and assembly only.

The Trust does not import pharmaceuticals directly.

### Medicines Manufacturing

**Mr McClarty** asked the Minister of Health, Social Services and Public Safety to list (i) the name; and (ii) Licence Holder Number of any Health and Social Care Trust currently listed on the Medicines Care Products Regulatory Agency's Register of Licensed Manufacturing Sites.

(AQW 25661/11-15)

**Mr Poots:** The name and Licence holder number of the Health and Social Care Trusts currently listed on the Medicines Care Products Regulatory Agency's Register of Licensed Manufacturing Sites are set out in the table below.

Name of Health and Social Care Trust	Licence Holder Number
Belfast Health and Social Care Trust	MS 32485
Western Health and Social Care Trust	MS 33876
Southern Health and Social Care Trust	MS 33400

### Health and Social Care: Compulsory Redundancies

**Mr McGlone** asked the Minister of Health, Social Services and Public Safety to detail the amount spent on (i) Other Departures Agreed; and (ii) Compulsory Redundancies by each Health and Social Care Trust, in each year since 2009.

(AQW 25663/11-15)

**Mr Poots:** There have been no compulsory redundancies in Health and Social Care Trusts since 2009. Information on 'Other Departures Agreed' is not held centrally and could only be obtained at a disproportionate cost.

### Directorate of Legal Services

**Mr Allister** asked the Minister of Health, Social Services and Public Safety for his assessment of the Directorate of Legal Services; and whether he has any plans to contract out legal services through procurement.

(AQW 25683/11-15)

**Mr Poots:** The main function of the Business Services Organisation is to provide a range of support services, including legal services, to health and social care bodies, in line with the Health and Social Care (Reform) Act (NI) 2009. I have no plans to change this arrangement.



## Rathmoyle Care Home, Ballymoney

**Mr Swann** asked the Minister of Health, Social Services and Public Safety on what date was the last patient admitted to Rathmoyle Care Home, Ballymoney.

(AQW 25703/11-15)

**Mr Poots:** The Northern Trust has advised that the last permanent resident was admitted on 17th December 2011 and the last respite resident was admitted on 8th September 2013.

## Prisons: Prisoner Medication Policy

**Lord Morrow** asked the Minister of Health, Social Services and Public Safety whether consideration has been given to prisoners being given medication in liquid form with supervised swallowing, particularly those who are vulnerable and/or at risk of being bullied for medication.

(AQW 25728/11-15)

**Mr Poots:** The South Eastern Health & Social Care Trust is currently running a trial of the administration of liquid medications for abusable/tradable supervised swallow medications in HMP Magilligan.

This trial has been in place from the beginning of September 2013 and has so far proven successful in reducing the potential diversion of these supervised swallow medications. Once this trial is complete, the Trust intends to roll this trial out to HMP Hydebank Wood and HMP Maghaberry.

## Chronic Pain

**Mr D McIlveen** asked the Minister of Health, Social Services and Public Safety what his Department is doing to assist people living with chronic pain.

(AQW 25746/11-15)

**Mr Poots:** GPs provide appropriate treatment and support for patients presenting with chronic pain. If appropriate, patients may be referred to specialist pain management clinics, various support groups or practice counsellors. Pain management services are delivered in each Health and Social Care Trust area, with the Belfast Trust delivering specialist pain management services and procedures.

In April 2012, I launched *"Living with Long Term Conditions"*, my Department's Policy Framework to provide strategic direction for the reform and modernisation of services for adults with long term conditions. The Framework is designed to be relevant across a wide range of long term conditions, including chronic pain. The Framework focuses on six key areas of care including supporting self management, medicines management and improving care and services.

A Regional Implementation Steering Group has been established and is in the process of developing an action plan identifying how the good practice outlined in the policy framework can be implemented and extended regionally and at a local level, working in partnership with the voluntary, community and independent sectors.

## Child Obesity

**Mr Weir** asked the Minister of Health, Social Services and Public Safety what new or additional strategies are being employed to combat the issue of child obesity.

(AQW 25782/11-15)

**Mr Poots:** My Department launched the current obesity prevention strategy, known as "A Fitter Future for All" in March 2012. This framework encompasses the actions set out in the original Fit Futures Implementation Plan (which dealt specifically with childhood obesity) and includes outcomes designed to tackle obesity throughout the entire life course of the population of Northern Ireland.

This framework also makes links to existing and forthcoming strategies and policies that can have a beneficial impact on the issue of obesity including:

- Start Active, Stay Active – A report on physical activity for health from the four home countries' Chief Medical Officers – Department of Health Social Services and Public Safety (2011).
- Breastfeeding: A Great Start – A Strategy for Northern Ireland 2013-2033 DHSSPS.
- The new Public Health Strategic Framework (anticipated to be launched in 2013) DHSSPS.
- A new Food in Schools Policy – Department of Education (anticipated to be launched in September 2013)
- Sport Matters – The Northern Ireland Strategy for Sport and Physical Recreation 2009-2019 – Department of Culture, Arts and Leisure.
- An Action Plan for Active Travel in Northern Ireland 2012-2015 – Department for Regional Development.
- Play and Leisure Policy – Office of the First Minister and the deputy First Minister.

The Public Health Agency also fund a range of initiatives, programmes, and schemes delivered in local communities that seek to prevent and address obesity, these include: allotment schemes, programmes to support the development of cooking skills, and initiatives that promote walking, cycling and active play.

## Child Protection

**Mr D McIlveen** asked the Minister of Health, Social Services and Public Safety what communication takes place between schools and social services in child protection cases or the suspicion of child protection issues.

(AQW 25786/11-15)

**Mr Poots:** Responsibility for schools in communicating child protection matters is outlined in the Department of Education Circular 9/99 Pastoral Care in Schools – Child Protection. My Department's expectations on how agencies should share information with social services, where there are child protection concerns, are set out in the extant Departmental guidance Cooperating to Safeguard Children (2003), (which is currently being revised) and the Area Child Protection Committee's Regional Policy and Procedures (2005).

One of the statutory functions of the Safeguarding Board is to develop policies and procedures for safeguarding and promoting the welfare of children. Once developed, these will replace the extant Regional Area Child Protection Committee's Policy and Procedures.

## Western Health and Social Care Trust: Mental Health

**Mr McElduff** asked the Minister of Health, Social Services and Public Safety to detail the process, and the timeline, to determine the location of the second acute mental health unit in the Western Health and Social Care Trust, including any remaining consultations with key stakeholders.

(AQW 25792/11-15)

**Mr Poots:** In my statement to the Assembly on 19 March 2013, I confirmed that the business case for the second acute mental health unit will examine fully the options for the location of the unit.

In line with this, the Health and Social Care Board (HSCB) is currently undertaking an appraisal of the two suggested locations for the second Mental Health in-patient unit. Consultation has taken place with local clinicians, and further consultation is planned with the Western Local Commissioning Group which includes representation from local council, health professionals and the community and voluntary sector.

The HSCB are due to report to me with their advice before the end of December 2013.

## Adoption: Legal Costs

**Mr Agnew** asked the Minister of Health, Social Services and Public Safety how much his Department has spent on legal costs associated with the Northern Ireland Human Rights Commission's challenge to adoption law since the papers were filed, and including the original High Court case.

(AQW 25824/11-15)

**Mr Poots:** The Department has spent circa £40K to date. This figure includes the costs associated with the High Court proceedings.

## Hospital Food

**Mr Beggs** asked the Minister of Health, Social Services and Public Safety whether there is a central departmental policy guiding Health and Social Care Trusts in how they produce hospital food and outsource catering services.

(AQW 25856/11-15)

**Mr Poots:** In April 2012 my Department published "A Strategic Framework for the Delivery of Health and Social Care Catering Services". This strategy sets out the Department's policy on the future development and delivery of catering services. Whilst this framework focuses on catering services to patients, staff and visitors on hospital sites, many of the principles are also applicable in community and day-care provision. The Strategy is fully accessible on my Department's website.

## Child Protection

**Ms Maeve McLaughlin** asked the Minister of Health, Social Services and Public Safety what action his Department has taken since the publication of the Barnardo's report, which was commissioned by his Department in 2011, to protect children; and what measures his Department has taken to address the concerns contained in the report.

(AQW 25864/11-15)

**Mr Poots:** Since the publication of the Barnardo's report *Not a World Away: The Sexual Exploitation of Children and Young People in Northern Ireland*, which was published in 2011, a number of actions have been taken, the aim of which is to strengthen the protection arrangements for children in Northern Ireland and to address the concerns contained in the report. These include:

- the establishment of a statutory Safeguarding Board for Northern Ireland (SBNi) which has agreed that a multi-agency plan on Child Sexual Exploitation should be developed;
- ongoing implementation of new statutory vetting and barring arrangements to prevent unsuitable individuals obtaining work and volunteering opportunities with children and vulnerable adults;

- ongoing revision of government's key children's safeguarding policy guidance, Co-operating to Safeguard Children, which is a Programme for Government commitment;
- through the Commissioning Plan Direction, directing the Health and Social Care Board to ensure that the most vulnerable in society are looked after effectively across all services. The Direction makes specific reference to looked after children and includes targets and performance indicators relating to looked after children;
- the introduction of a range of therapeutic support approaches across children's homes in Northern Ireland to assist social workers to develop a better appreciation and understanding of the complex needs of the young people in their care;
- the establishment of a new Sexual Assault Referral Centre, which accepts referrals relating to both children and adults from a range of sources, including self-referrals;
- the development of an untoward events reporting mechanism which requires each episode of a young person missing for over 24 hours to be reported to a single point in the Health and Social Care Board for review;
- a revision of the Delegated Statutory Functions reporting system, which now reports not only on young people missing for more than 24 hours but also on the number of contacts between a children's home and the police and the reasons for contact;
- increased funding of the Barnardo's Safe Choices project, which provides information, training and support to staff working in residential care and the direct provision of services to children who may be at risk of child sexual exploitation;
- investment by the Public Health Agency (PHA) to provide information support and signposting on drugs and alcohol, mental and sexual health and other matters as well as youth treatment, specialist drug and alcohol posts with Child and Adolescent Mental Health services, targeted education programmes for at risk young people and services for families;
- a revision of guidance (originally published in 2009) issued jointly by PSNI and the Health and Social Care Board in 2012 which sets out what action should be taken by the PSNI and the relevant Health and Social Care Trust when a child goes missing and what action should be taken when the child is located;
- new children's homes standards, which are in the process of being finalised;
- a major review by the Health and Social Care Board of residential care provision in Northern Ireland, which is in its final stages;
- the establishment of an Early Intervention Fund by April 2014 focusing on embedding early intervention into professional training and development, in our mainstream children's services and delivering an early intervention service portfolio, accessed through the Family Support Hubs, which are being put in place across Northern Ireland; and more recently
- the publication of a number of child sexual exploitation awareness-raising leaflets for children, parents/carers and professionals in contact with children and young people; and the establishment of a Helpline dedicated to responding to concerns about child sexual exploitation from children, parents and carers.

## Direct Payments

**Mr B McCrea** asked the Minister of Health, Social Services and Public Safety how many people in each Health and Social Care Trust area are in receipt of Direct Payments.

(AQW 25910/11-15)

**Mr Poots:** This information is not centrally available.

Information on the number of direct payments paid during each quarter and the amount paid can be found on the DHSSPS website at the following address: [http://www.dhsspsni.gov.uk/index/stats\\_research/stats-cib/statistics\\_and\\_research-cib-guide/statistics\\_and\\_research-cib-direct-payment.htm](http://www.dhsspsni.gov.uk/index/stats_research/stats-cib/statistics_and_research-cib-guide/statistics_and_research-cib-direct-payment.htm)

## Rathmoyle Nursing Home

**Mr McMullan** asked the Minister of Health, Social Services and Public Safety, in light of the closure of Rathmoyle Nursing Home, whether the Northern Health and Social Care Trust has secured new premises for its day care centre.

(AQW 25971/11-15)

**Mr Poots:** The Rathmoyle site has been earmarked for several years for a Supported Living facility and was subject to a previous consultation in 2009.

However, it is recognised that the development of this supported living facility may have implications for the attached day centre which also occupies the site. Before any final decisions are made my Department will seek the assurance of the HSC Board that suitable alternatives are in place for day care to meet the current and future needs of the local population.

## Missed Appointments

**Mr Easton** asked the Minister of Health, Social Services and Public Safety how many missed appointments there have been at GP practices, in the North Down, area in the last twelve months.

(AQW 26014/11-15)

**Mr Poots:** General Practitioners (GPs) are independent contractors who contract with the Health and Social Care Board to provide Primary Medical Services to their patients. As independent contractors, GPs are responsible for the day to day management of their practice, including patient appointment arrangements, therefore information on missed appointments is not collated centrally and therefore could only be available at disproportionate cost.

The issue of missed appointments is dealt with by practices on an individual basis.

## Sexual Exploitation of Children and Young People

**Mr Allister** asked the Minister of Health, Social Services and Public Safety, in relation to the Barnardo's report on 'The sexual exploitation of children and young people in Northern Ireland', to detail (i) when he received the report, either in draft or final form; (ii) the action he took as a result, including dates.

**(AQW 26050/11-15)**

**Mr Poots:** I received an invitation from the Director of Barnardo's Northern Ireland to speak at the launch of the Barnardo's research report 'Not a World away', the sexual exploitation of children and young people in Northern Ireland. The launch of the report took place on Monday 7 November 2011 in Parliament Buildings.

A draft of the report was received on 4 August and the final report received in the Department on 27 October 2011.

I attach a table which details both the actions taken to date and ongoing work by my Department, the Health and Social Care Board, Health and Social Care Trusts and the Safeguarding Board for Northern Ireland. All actions relate directly to the recommendations of the Barnardo's report.

### Annex A

Barnardo's Report "Not a World Away" the sexual exploitation of children and young people in Northern Ireland – Recommendations, action taken to date and ongoing work by DHSSPS, HSCB, HSCTs and SBNI

Rec.	Recommendation	Action taken	Current Status
1	When established, the Safeguarding Board for Northern Ireland [SBNI] should, as part of its work plan, consider the issue of child sexual exploitation and the effectiveness of current responses to it.	<p>The SBNI was established on 17 September 2012 and within 3 weeks (on 04 October 2012) wrote to Directors of Children's Services within all five HSC Trusts to seek information on prevalence of CSE, how Trusts identify it and respond to it in risk management terms and to ask Trusts to identify any particular problems experienced in connection with CSE. This information was used to inform the action plan now being taken by the SBNI.</p> <p>The SBNI draft Strategic Plan was issued for consultation in April 2013 with an end date in July 2013. This draft plan indicated that the SBNI would work with member agencies to develop a coordinated strategy and working model to protect and safeguard children who go missing from home and care and/or at risk of sexual exploitation.</p> <ul style="list-style-type: none"> <li>■ A range of actions is now planned by the SBNI. They include:</li> <li>■ The Establishment of a sexual exploitation Strategic Partnership Group;</li> <li>■ The identification of the scale and nature of the problem in NI;</li> <li>■ The development of an awareness raising campaign for children, families and professionals (the launch of the leaflets is the start of the campaign);</li> <li>■ A review of the risk assessment tools currently being used;</li> <li>■ The development of an information sharing agreement for CSE;</li> <li>■ A review existing procedures / guidance to establish any gaps;</li> </ul>	Ongoing

Rec.	Recommendation	Action taken	Current Status
		<p>Working with the Knowledge Transfer Hub to identify education requirements for children, parents and professionals</p> <p>Working with the Knowledge Transfer Hub to scope and research good models of practice and how this can be translated to Northern Ireland;</p> <p>Evaluating and/or piloting a co-located multi-disciplinary/ multi-agency team focusing on children who go missing.</p>	
2	<p>DHSSPS should revise existing Safeguarding and Child Protection Guidance to explicitly reference the complex nature and impact of sexual exploitation. This should be supported by the development of detailed inter-agency procedural guidance for practitioners to assist them to respond appropriately to instances where the sexual exploitation of children or young people is confirmed or suspected. The latter will be a matter for the SBNI to consider when established.</p>	<p>There are a number of child protection guidance documents which the department is in the process of developing. They include:</p> <ul style="list-style-type: none"> <li>■ A revision of extant Departmental guidance Co-operating to Safeguard Children, first produced in 2003. The revision is a Programme for Government commitment. This is due to be published by March 2015, after a period of public consultation. While this is a DHSSPS-led exercise, child safeguarding is a cross-government activity as effective safeguarding requires interdepartmental, multi-agency and multi-disciplinary support.</li> <li>■ This guidance will be supplemented by operational child protection policies and procedures, which will also deal with child sexual exploitation. This is a statutory responsibility of the SBNI.</li> <li>■ Departmental guidance on safeguarding children and young people who are sexually active is currently being developed by a multi-agency working group. The guidance will be issued for consultation by March 2014.</li> </ul> <p>In addition:</p> <ul style="list-style-type: none"> <li>■ In April 2012, the HSCB published <b>Regional Residential Child Care Policies</b> issued By Health &amp; Social Care Board, which includes chapters on safeguarding, with a specific section on <b>Child Sexual Exploitation</b>, a section on <b>misuse of substances</b> which also assists in that it specifically addresses the relevant issues of <b>Alcohol and Drugs counselling</b>, and there is also a guidance chapter on <b>Physical Restraint</b>.</li> <li>■ In May 2012, the guidance document “<b>Police Involvement in Residential Care Safeguarding of Children Missing from Home and Foster Care</b>” was further revised by the HSCB, directly as a result of the Barnardo's report.</li> </ul>	Ongoing



Rec.	Recommendation	Action taken	Current Status
3	<p>The HSC Board should progress the development of a targeted and fully resourced action plan on sexual exploitation that includes, but is not limited to, consideration of the following issues:</p> <ul style="list-style-type: none"> <li>■ data collection and monitoring</li> <li>■ professional competency and capacity</li> <li>■ best-practice models for responding to sexual exploitation, including the merits of a co-located inter-agency model of response</li> <li>■ regional implementation of the sexual exploitation risk assessment tool</li> <li>■ resourcing of a regional specialist support service.</li> </ul>	<p>A number of fully resourced actions were taken by the HSC Board and HSC Trusts which respond to the elements of the action plan identified in this recommendation in the Barnardo's report.</p> <p><b>1 Data collection and monitoring</b></p> <p>The Barnardo's report identifies a strong (although not absolute) link between children going missing and the risk of child sexual exploitation. In recognition of that fact, the Board collects data on missing children through the Delegated Statutory Functions reporting mechanism. The system of data collection was revised in April 2011 and again in April 2013. Information is now collected on the numbers of children who go missing and the number of times a child goes missing. Initially information related to periods of absence of more than 24 hours. Information is now recorded on contact between children's homes and the police relating to children who go missing for less than 24 hours, including absences of a relatively short duration.</p> <p>The Board has also introduced a Regional Untoward Events reporting mechanism which includes the provision of a report for each event where a young person is missing for more than 24 hours. These reports are collected centrally to allow for professional oversight and follow up on individual incidents and for data collation and analysis.</p> <p>Within Trusts, a range of data collection and monitoring systems have been established. By way of example, in the <b>South Eastern Trust</b>, a Safety, Quality and Experience project regarding missing children has been ongoing since October 2012. In the Western Trust, a Senior Management Risk Monitoring meeting takes place on a monthly basis to consider trends and patterns that come from the Team Health Checks; as a result of those meetings, corrective action is taken if necessary.</p> <p>Finally, data collection relating to identification of the scale and nature of the problem of child sexual exploitation will be taken forward under the auspices of the Safeguarding Board for Northern Ireland.</p>	Ongoing
		<p><b>2 Professional competency and capacity</b></p> <p>The HSCB and Trusts plan, commission and provide a wide range of training initiatives for staff working Children's Services based on identified priorities and service needs on an annual basis. The following are examples of the broad range of training which has particular relevance to child sexual exploitation (CSE) and the professional competence issues raised in the Barnardo's report. This is not an exhaustive list.</p> <p><b>Competence</b></p> <p><b>Child Sexual Exploitation</b></p> <p>Specific training by Safe Choices, commissioned by the HSCB, has been provided across all Trust on signs, symptoms and preventative strategies in respect of CSE. Such training has been commissioned since 2008. In 2012/13 356 staff and carers received this training. Safe Choices also provide detailed consultations on specific cases. Since 2007, over 4000 people in the statutory and voluntary sectors have received training on CSE by Safe Choices.</p>	

Rec.	Recommendation	Action taken	Current Status
		<p>Individual Trusts have commissioned additional training in CSE including 'Keeping Safe Training' and 'CSE and Missing from Home'.</p> <p><b>Child Protection</b></p> <p>A wide range of child protection training is provided within Trusts. This includes recognition of signs and symptoms of all forms of abuse, responses to abuse and neglect and specialist training in joint protocol investigations with the PSNI.</p> <p><b>Missing From Home and Foster Care</b></p> <p>Training on implementation of HSC/PSNI regional guidance on Safeguarding Children Missing from Home and Foster Care. The link between children's increased vulnerability to CSE when missing is covered by the guidance.</p>	
		<p><b>Therapeutic Crisis Intervention (TCI)</b></p> <p>Residential care staff are trained in TCI to develop professional competence in engaging with young people, managing the environment and de-escalation of crises as well as use of physical restraint (holds). All children in care will have an Individual Crisis Management Plan which indicates if the use of TCI physical restraint should not be used (eg. Medical conditions, re-traumatising the young person). TCI should not be used as a preventative measure, for example, to stop a child leaving a children's home without permission. However, if an angry outburst were to occur as a result of such a refusal, then TCI may be a legitimate response. Staff will use their professional judgement in response to each individual and the circumstances.</p> <p><b>Risk assessment, management and care planning</b></p> <p>All Trusts provide training for staff on assessing and managing risk and professional judgement/decision-making.</p> <p><b>Therapeutic approaches to working with children and young people</b></p> <p>Residential care staff have been trained in specific therapeutic approaches in working with children in care to develop professional competence in working with children who have experienced trauma and disadvantage and to develop understanding, skills and techniques in working with young people who present with challenging behaviour. This training was evaluated by the Social Care Institute for Excellence and QUB and findings indicated a positive impact on practice including more sensitive/appropriate use of language and improvements in managing challenging situations.</p> <p>A range of other training in specific therapeutic approaches and techniques including Motivational Interviewing, Model of Attachment Practice and Restorative Practice have also been provided to improve professional competence in working directly with young people.</p> <p><b>CSE Related Risk Factors</b></p> <p>A range of training on factors which can increase young people's vulnerability and risk generally but to CSE in particular is also provided by all Trusts – Substance Misuse; Internet/Social Media; Mental Health; Resilience.</p>	

Rec.	Recommendation	Action taken	Current Status
		<p><b>Human Trafficking</b></p> <p>There have been a number of regional and local training initiatives to raise staff awareness about human trafficking.</p> <p><b>Postgraduate Qualifications in Child Care</b></p> <p>Each year, Trusts also fund a number of staff to undertake specific accredited post-graduate training leading to post graduate Certificates, Diplomas and Masters in Child Care Practice.</p> <p><b>Capacity</b></p> <p>Working in Children's Services, in particular in child protection and residential child care, is challenging and a number of actions have been taken to strengthen supports for all staff and improve retention of experienced staff in these areas. Such initiatives include:</p> <p>All newly qualified social workers (NQSW) must undertake an assessed year in practice to consolidate their professional competence. There are specific requirements including induction, training, supervision, managed workloads. Similar models for support of NQSW are now being rolled out elsewhere in the UK.</p> <p>Appointment of senior social work practitioners to undertake more complex work and to provide mentorship/consultation to less experienced staff. There are 222 senior practitioners in Children's Services;</p> <p>Appointment of 15 Principal Social Work Practitioners since 2009 in each Trust to ensure availability of expertise in specific practice areas, including with looked after children. NI is the first country in the UK to introduce a Principal Practitioner social work grade.</p> <p>Referrals to social services have been increasing over the past number of years. Workforce data indicates a 5.8% increase in numbers of social workers employed by Trusts over the past 3 years.</p> <p>The Department launched a Social Work Strategy in 2012 which identifies workforce capacity and employer supports as key issues for frontline social workers and team leaders. Work has commenced to review the use and deployment of senior and principal practitioners to inform future workforce planning.</p>	
		<p>Similar to the findings from the Munro Review of Child Protection Services in England, the compliance culture and focus on procedures and targets at the expense of child-centred service provision have been identified in the Social Work Strategy as issues in NI. There is a similar commitment in NI for the Department and associated agencies to review reporting and regulatory requirements, reduce bureaucracy and re-establish the child at the centre of the social work process and relationships at the heart of practice. Work has begun on a number of small scale initiatives to reduce bureaucracy which will increase staff capacity to engage in direct work with children, young people and families.</p>	

Rec.	Recommendation	Action taken	Current Status
		<p>Professional supervision is an important element of support for social workers in carrying out their work. Compliance in the provision of supervision with a regional policy and standards is monitored by each Trust. There are Departmental targets for training supervisors and funding to support such training across all Trusts.</p> <p>A regional caseload management model was developed and endorsed by the Department and was issued in February 2012. This model is designed to assist social workers and their managers in Children's Services in the HSC Trusts to allocate and prioritise cases and associated tasks within manageable workloads.</p> <p>The North/South Child Protection Hub is available to social workers in all Trusts – this provides a single portal to access information, up-to-date research and developments in child protection practice to support evidence-based practice and professional decision-making.</p> <p>There has been an increase in the funding of Barnardo's Safe Choices reflecting the rise in young people identified at risk of CSE by Trust staff.</p> <p>Looked after Children (LAC) Therapeutic Services provide services in each Trust delivered by a range of professionals including psychologists and SPs. Their role is provide specialist wrap-a-round therapeutic services for individual young people in the care system as well as expert advice to staff.</p> <p>A review of residential child care provision has been undertaken by the HSCB and Trusts and among its recommendations is one for smaller residential homes to accommodate no more than 4 young people. This will increase the staff/child ratio.</p>	
		<p>Development of Family Support Hubs and increased investment in early intervention is intended to provide non-stigmatising help to families at an earlier stage and is part of an overall strategy to improve outcomes for all children by preventing the development and/or escalation of difficulties at an earlier stage in children's lives.</p> <p>The Children and Young Person's Strategic Partnership (established in 2011) brings together a range of statutory and voluntary sector agencies and aims to maximise the investment in services to children's and their families through more effective joined up working and collaboration. This contributes to increasing capacity in the system for early intervention and services for children in need.</p>	

Rec.	Recommendation	Action taken	Current Status
		<p><b>3 Best-practice models for responding to sexual exploitation, including the merits of a co-located inter-agency model of response</b></p> <p>There are now a number of best practice models in place.</p> <ul style="list-style-type: none"> <li>■ Co-location of police officers and social workers is one practice model for responding to cases of child abuse, including child sexual exploitation. The model has been used in the past and indeed in the present – the ongoing police investigation into child sexual exploitation is using a co-location model of practice. Social workers and police officers do not necessarily have to be co-located to work effectively together. We have a joint protocol in place which sets out how the police and social services work will together to investigate cases of child abuse and we have guidance in place which governs how the police and social services will respond to children who go missing from home and foster care.</li> <li>■ There are also a number of excellent Trust-specific models of practice which are reflective of the quality of the relationship between police and social services at a locality level. For example, in the South Eastern Health and Social Care Trust area, each residential unit has a dedicated community police officer who regularly visits the unit and completes (in conjunction with residential staff) education programmes for children and young people, for example, keeping safe, drugs awareness and respect/citizenship programmes. Also, 'a Children Missing from Care' Special Interest Group has been established on which the South Eastern HSC Trust, the Belfast HSC Trust, PSNI, the Safe Choices Project and VOYPIC are represented. The Group meets on a bi-monthly basis and shares trends analysis, good practice and initiatives relating to child sexual exploitation.</li> </ul>	
		<ul style="list-style-type: none"> <li>■ In the Northern Trust, residential units hold quarterly meetings with PSNI to discuss the high-risk young people and the management of their cases. This is an acknowledgement of the importance of working relationships to try and protect as best we can these vulnerable young people. Also in the Northern Trust, an intensive support outreach team provides support to young people on the edge of care. This year, two of the team worked specifically on child sexual exploitation, producing leaflets and drama production (Break the cycle) which was ran in the Waterfront Hall.</li> </ul>	



Rec.	Recommendation	Action taken	Current Status
		<p><b>4 Regional implementation of the sexual exploitation risk assessment tool</b></p> <p>A child sexual exploitation assessment tool, the same tool which was used in the course of the 'Not a World Away' research, has been implemented across all five HSC Trust areas.</p> <p><b>5 Resourcing of a regional specialist support service</b></p> <ul style="list-style-type: none"> <li>Between 2008 and 2011, the Department provided funding of around £222k to Missing Children's Project of the Barnardo's-run Safe Choices Service. [This is in addition to circa £142k provided to Barnardo's to undertake the 'Not a World Away' research.] The aim of the Missing Children Project is to reduce the risk of sexual exploitation of children and young people in care by reducing the number of missing episodes of children; to increase the skills and knowledge of staff in children's homes and foster carers in relation to the issue of sexual exploitation; and to develop and disseminate a risk assessment model to children's homes on the issue of young people missing from care.</li> <li>Funding for the Safe Choices Service was picked up by the Health and Social Care Board from April 2011. The Board has committed additional resources to the project to enable it to meet additional demand, including that generated by the ongoing PSNI investigation into child sexual exploitation. The contract with the Project includes the direct provision of services to children who may be at risk of child sexual exploitation.</li> </ul>	
		<ul style="list-style-type: none"> <li>In addition, the Department invests in a Regional Child and Adolescent Mental Health Service, a Regional Secure Care Service and an Intensive Support Service, which operates across the region. A range of self harm services funded under the Protect Life Strategy are regionally available. They include Lifeline (a 24/7 regional crisis response helpline established in January 2008); Card Before You Leave bereavement support and self-harm counselling and support. This is in addition to a range of specialist supports to address alcohol and substance misuse, self-esteem issues and transitions out of care and into adulthood.</li> <li>In the Regional Secure Care Centre a therapeutic support service with a dedicated clinical psychologist and systemic social work practitioner is in place. The HSCB had provided additional funding for the development of a therapeutic support service for all looked after children, in addition to that provided in children and young people in secure care.</li> </ul>	

Rec.	Recommendation	Action taken	Current Status
4	<p><b>The HSC Board should consider how best to co-ordinate and prioritise the provision of specialist drug and alcohol counselling services to young people who display signs of drug and alcohol abuse, which may make them vulnerable to sexual exploitation, in particular to children living in residential care;</b></p>	<p>Drug and alcohol misuse adds to the vulnerability of looked after children and further heightens their exposure to risk of sexual exploitation. There has been investment in a range of services aimed at tackling the drug and alcohol problems. For example:</p> <ul style="list-style-type: none"> <li>■ Around <b>£1m</b> has been invested by the HSC in One Stop Shop services providing information, support and signposting on drugs and alcohol, mental and sexual health, relationship issues, resilience, coping with school/employment. The One Stop Shop model of drop-in services was set up by PHA to provide young people with accurate, up-to-date and objective information about personal and lifestyle issues, choices, where to find help and advice, and how to access it. The model was developed by the PHA following the establishment of four pilot projects in different areas across Northern Ireland (North Down and Ards, Enniskillen, Banbridge and East Antrim) to test a range of potential models. The pilots were positively evaluated, and the PHA subsequently tendered for a range of new one-stop-shops across Northern Ireland, primarily focused on areas that have a need and / or a lack of services. A network has also been put in place to spread learning between the services.</li> </ul> <p>£2.5m has been invested in Services for Young People, Children and their Families. This includes youth treatment, specialist drug and alcohol posts with Child and Adolescent Mental Health services, targeted education programmes for at risk young people and services for families.</p> <p>Work is underway, led by the HSCB, to extend existing service provision to ensure ease of access to drug and alcohol services, including counselling services, by children in care (including children in residential care) who are in need of those services.</p>	Ongoing

Rec.	Recommendation	Action taken	Current Status
5	The Public Health Agency should develop a campaign to raise public awareness of the sexual exploitation of children and young people.	<p>Barnardo's will engage in discussions with the PHA in the near future, however. In advance of those discussions, the PHA has been involved in a number of initiatives relating to improving children's sexual health. They include:</p> <ul style="list-style-type: none"> <li>■ The development of a Sexual Health Promotion Strategy and Action Plan covering the period 2008-2013. The aim of the Strategy/Plan is to improve, protect and promote the sexual health and well-being of the population of Northern Ireland. The Strategy recognises that some groups are particularly vulnerable and require particular action. They include young people under 25 years and children and young people who are looked after or leaving care.</li> <li>■ The establishment of a Regional Sexual Health Improvement Network in 2010. The Network has reviewed the evidence base related to reducing teenage pregnancy and the rates of STIs and HIV.</li> <li>■ PHA is a key funder of the HSC Knowledge Transfer Scheme, Improving the Impact of Research, which is based on the findings of the Barnardo's Research on Child Sexual Exploitation in Northern Ireland. The proposed impact of the project is: increased awareness and understanding of CSE amongst HSC professionals; increased consistency in identification and risk assessment; increased access to practice-based CSE resources; greater awareness of risk amongst young people; increased user services engagement; and greater inter-disciplinary working.</li> <li>■ With the establishment of the SBNI, on which the PHA is represented, leaflets to raise awareness of child sexual exploitation among parents, professionals and young people have been produced. Also, an NSPCC helpline is in place which will provide advice and support to parents, carers, and children and young people who have concerns relating to child sexual exploitation.</li> <li>■ Awareness-raising of child sexual exploitation is a core activity of the Barnardo's Safe Choices Project, which continues to be funded by the Health and Social Care Board. Prior to funding by the HSCB, the Safe Choices Project was funded directly by the Department. The PHA also provided £5k to Barnardo's in 2012/2013 to fund a Sexual Health Group Work project.</li> </ul>	Ongoing
6	The NI Policing Board should incorporate child protection (including sexual exploitation) as a priority in forthcoming Policing Plans, in reflection of the critical importance of this area of work.	This is a matter for the Policing Board.	

## Department of Justice

### Legal Highs

**Mr Nesbitt** asked the Minister of Justice to outline that action that he has taken, and the further action he is planning to take, to tackle the issue of legal highs.

(AQW 25384/11-15)

**Mr Ford (The Minister of Justice):** The issue of legal highs, more appropriately known as New Psychoactive Substances (NPS), falls within the Misuse of Drugs Act 1971, which is a reserved matter for the UK Government.

The Northern Ireland Executive's New Strategic Direction for Alcohol and Drugs 2011-16 (NSD), led by the Department of Health, Social Services and Public Safety, aims to reduce alcohol and drug related harm in Northern Ireland and identifies this issue as one of emerging concern. My Department has a number of drug related outcomes within the NSD and, to ensure consistency and continuity of activity in tackling drug related harm, those outcomes are also reflected in the Community Safety Strategy for Northern Ireland which I published earlier this year.

My Department works closely with DHSSPS, the Public Health Agency and the PSNI in the operation of an early warning system, the Drug and Alcohol Monitoring and Information System. It has been established to identify NPS and provides an opportunity for organisations to share information about new and emerging drugs of concern. This system also assists in identifying substances that may be made subject to a UK wide Temporary Control Banning Order, under the Misuse of Drugs Act 1971.

This matter can only be tackled by working in partnership and I remain committed to continuing to work alongside key stakeholders.

## Cyberbullying

**Lord Morrow** asked the Minister of Justice, in relation to companies or persons owning websites that permit cyber-bullying or internet trolling, what legislation does he intend to introduce to allow prosecution for (i) corporately causing and /or permitting the death of persons by suicide following online abuse; or aiding and abetting corporate manslaughter and/or unlawful killing; and (ii) corporately causing and/or permitting grievous bodily harm or aiding and abetting causing grievous bodily harm, as well as harassment, in cases of attempted suicide.

**(AQW 25479/11-15)**

**Mr Ford:** Legislation on internet services is a reserved matter under the Northern Ireland Act 1998. As indicated in my answer to AQW/25158/11-15, current legislation in Northern Ireland already allows for prosecutions in relation to protecting people from harassment or bullying whether directly or in the form of "cyber-bullying". Courts also have the authority to direct the removal of inappropriate or offensive material from websites.

## Forensic Service

**Lord Morrow** asked the Minister of Justice, following criticism by judges in several jurisdictions as to the long delay in some cases currently awaiting analysis results and/or reports from NI Forensic Service, to outline the cause of the delay and whether a backlog has accumulated.

**(AQW 25483/11-15)**

**Mr Ford:** FSNI is currently issuing 98% of all criminal casework reports within the agreed overall target times with customers. This figure has remained fairly constant and therefore backlogs are not, in general, accumulating across the Agency.

However, PSNI and FSNI are working together on several fronts to best manage available capacity and to prioritise cases as necessary.

## Compromise Agreements

**Lord Morrow** asked the Minister of Justice, pursuant to AQW 24920/11-15, to detail (i) why existing baselines can afford to fund the budget for effecting Compromise Agreements and if monies are (a) slippage; (b) transfers from within the Northern Ireland Prison Service (NIPS); or (c) transfers from other Departments; and (ii) the Headings and the Accounting Notes that these monies are accounted for in NIPS annual audit sheets.

**(AQW 25484/11-15)**

**Mr Ford:** There was provision within NIPS Accounts for a number of payments, and the remaining monies were funded as a result of easements elsewhere within the HR Directorate as a result of under-spends.

The payments are included in the Annual Report and Accounts under the note 'Staff Numbers and Related Costs'.

## Legal Services Commission: Pay

**Mr Allister** asked the Minister of Justice, in relation to the outstanding pay remits that are due to Northern Ireland Legal Services Commission staff, will these staff be treated differently by his Department to those agreed for the Probation Board Northern Ireland, and if so, to outline the reasons for any difference in approach.

**(AQW 25501/11-15)**

**Mr Ford:** The Northern Ireland Legal Services Commission (NILSC) and Probation Board are separate employers and each is responsible for developing appropriate pay strategies and pay remits. It is NILSC's intention to advance a pay strategy similar to that in place for the Probation Board. The NILSC pay strategy will require Departmental and DFP approval.

## Firearms Dealers

**Mr Allister** asked the Minister of Justice to outline why it was necessary to abolish the category of Repair Firearms Dealer and increase the security storage specification on all firearms dealers in light of the current social climate and lack of threat posed by the previous arrangements.

(AQW 25506/11-15)

**Mr Ford:** Firearms Dealers' stocks of firearms are regulated by the Ministerial Directive of July 2009. There is a maximum number of handguns and rifles set down in the Directive that each category of firearms dealer may keep for any reason (including repair). The previous Directives did not have a repair dealer category as the Member suggests but rather a wholesale dealer category. At that time the number of handguns and rifles which could be held was significantly lower.

The Directive stated that there was no limit on the number of firearms that could be held for repair as long as the total holding (i.e. repair plus stock) did not exceed overall limits. As the 2009 Directive significantly increased the permitted holdings of handguns and rifles for category 1 and 2 dealers, the "wholesale" dealer category was removed (as now the smaller category 1 dealers could hold more than wholesale dealers could under the previous Directive).

It is the responsibility of the Chief Constable to determine the appropriate security measures required for each category of dealer.

## Firearms Dealers

**Mr Allister** asked the Minister of Justice whether an impact audit was conducted on the viability of the trade of firearms dealers before proposals to change the firearms storage arrangements were introduced.

(AQW 25509/11-15)

**Mr Ford:** It is a matter for the Chief Constable of the PSNI to determine the appropriate firearms security arrangements for Registered Firearms Dealers. It would be for the PSNI to consider if any impact audit were required.

## Drug-related Offences: Fintona

**Mr McElduff** asked the Minister of Justice to detail the number of convictions for drugs related offences in the Fintona area, in each of the last three years.

(AQW 25518/11-15)

**Mr Ford:** The information requested is not available at levels below the Court Division in question (in this case, Fermanagh and Tyrone Court Division).

## Drug-related Offences: Fintona

**Mr McElduff** asked the Minister of Justice for his assessment of (i) he recent comments by District Judge Bernadette Kelly, referring to Fintona as "our drugs capital"; and (ii) the hurt and offence caused by these remarks to the residents of Fintona.

(AQW 25519/11-15)

**Mr Ford:** It is an accepted principle that the courts are completely independent and therefore it would be inappropriate for me to comment on any aspect of court proceedings including any comments made by the judiciary in court.

## Community Safety College, Desertcreat

**Mrs Overend** asked the Minister of Justice to outline the outstanding approvals needed before work commences on the new Community Safety College at Desertcreat.

(AQW 25529/11-15)

**Mr Ford:** As I stated in the Assembly on 24 September 2013 in my answer to your question, formal Executive approval is required if the project is to proceed.

## Community Safety College, Desertcreat

**Mr Elliott** asked the Minister of Justice whether the construction contract has been awarded for the new Northern Ireland Community Safety College at Desertcreat.

(AQW 25567/11-15)

**Mr Ford:** As I stated in the Assembly on 24 September, the Project is now at the point at which it requires formal Executive approval, having been given approval by my Department. It will then be a matter of the final details being sorted out in order for the construction contract to be awarded.

## Community Safety College, Desertcreat

**Mr Elliott** asked the Minister of Justice to detail the latest date that construction contractors can be appointed within the current contract quotation for the new Northern Ireland Community Safety College at Desertcreat.

(AQW 25568/11-15)



**Mr Ford:** The procurement process began on 21 December 2012. The formal period whereby the Preferred Bidder is committed to hold their tender prices lasts until 21 December 2013. Material costs have begun to rise and the forecast is for this trend to continue. The tenders are competitively priced, meaning that the contractor is under pressure to hold the original tender price against a backdrop of increasing material costs.

Legal advice is that it is not possible to insist on the preferred tenderer keeping his tender open beyond 21 December 2013. Nor would it be permissible to agree an increase in the preferred tenderer's price after that date. However if the preferred tenderer is happy to keep his price open for a reasonable period after that date, then, in the absence of any statement in the tender documentation to the contrary, there seems no reason why the authority is prohibited from entering into a contract with him at that price at a later date, provided there is no unfairness to other bidders.

### **Community Safety College, Desertcreat**

**Mr Elliott** asked the Minister of Justice when he expects the on-site work to commence on the new Northern Ireland Community Safety College at Desertcreat.

**(AQW 25569/11-15)**

**Mr Ford:** As I stated in the Assembly on 24 September I have already approved the business case and sought Executive approval for the Desertcreat project by way of an Urgent Procedure. Assuming that it is approved in the immediate future, on-site works could begin in February 2014.

### **Prisons: Self-harm**

**Lord Morrow** asked the Minister of Justice, pursuant to AQW 24598/11-15, to outline (i) why the Northern Ireland Prison Service (NIPS) were not tracking and trending patterns of all self harm incidents in prisons prior to 2010; and (ii) why it was not considered as a useful learning tool in an effort to reduce self-harm, given the continual increase of such incidents, the number of high profile cases and the copious number of external reports criticising NIPS on a regular basis.

**(AQW 25571/11-15)**

**Mr Ford:** Prior to 2010 the Prison Record Information System (PRISM) did not support the electronic recording of self-harm incidents.

Following the introduction of the Supporting Prisoners At Risk process in December 2009, PRISM was developed to initiate the recording of all incidents of self-harm with effect from January 2010. Managing self-harming behaviour within prisons is a very difficult and challenging issue. The implementation of a better recording system to capture important data on self-harm underpins NIPS commitment to reducing self-harm and keeping prisoners safe. NIPS continues to record all incidents of self-harm to allow for trends to be analysed and to support local operational decision-making.

### **Prisons: Safety of Female Prison Officers**

**Lord Morrow** asked the Minister of Justice (i) to outline the steps that are being taken to ensure the safety of female prison officers working alone at night in the Sex Offenders wing at Magilligan Prison, with prisoners who have a key to their own room, commensurate with Health and Safety at Work Legislation, in which particular attention is drawn to the safety of employees working alone at night, and given the statements made by the Director General to the Committee for Justice on 16 May 2013 in relation to female colleagues; and (ii) whether the highest possible degree of protection for staff is paramount to best practice and that best practice is the aim of the Northern Ireland Prison Service; and (iii) for his assessment as to the removal of keys from prisoners.

**(AQW 25573/11-15)**

**Mr Ford:** The Northern Ireland Prison Service ensures that equality of opportunity exists for all staff regardless of gender. (i) There are no circumstances whereby any prison officer would have to work alone at night in a residential landing when prisoners are unlocked. Procedures are in place to allow emergencies to be managed safely. (ii) The safety of NIPS staff is paramount. Procedures for the operation of all areas are risk assessed; these assessments take full account of the safety of staff and the security of the establishment. (iii) Prisoners who hold keys for their own cells are selected on the basis of risk. Staff are not required to enter alone any area where prisoners hold keys. In all cases staff may override the locking mechanism.

### **National Crime Agency**

**Lord Morrow** asked the Minister of Justice, as the Serious Organised Crime Agency (SOCA) is being replaced by National Crime Agency (NCA) which is continuing the strategy established by SOCA on human trafficking, how this can be implemented effectively given Northern Ireland does not, and as matters currently stand will not, have the NCA; and for his assessment of whether this will create legal loopholes which could actively be exploited by human traffickers to operate locally and operate a portal to other jurisdictions.

**(AQW 25574/11-15)**

**Mr Ford:** The lack of agreement reached here on the National Crime Agency means that the NCA will be significantly restricted in Northern Ireland. I believe that we need a fully functioning NCA in Northern Ireland, which sits within policing structures here, and I have not given up on securing a wider role.

Northern Ireland is likely to lose out in terms of the international reach and specialist capabilities of NCA. However officials from my Department are currently working with law enforcement agencies and others to try and mitigate the effects of this.

The Organised Crime Task Force Immigration and Human Trafficking subgroup will continue to bring together statutory partners, whether devolved or non-devolved, to ensure a joined up response to tackling this crime. I will ensure that arrangements continue to be effective in protecting victims, disrupting the activities of traffickers and bringing them to justice.

## Criminal Injuries Compensation Scheme

**Lord Morrow** asked the Minister of Justice to detail (i) how many claims have been lodged by victims of human trafficking to the Criminal Injuries Compensation Scheme, broken down by year and type of exploitation since 2009; (ii) how many claims have been successful since 2009; and (iii) the average amount of compensation awarded in each year.

**(AQW 25620/11-15)**

**Mr Ford:**

- i This information is only available from 2013 as prior to this Compensation Services' IT system did not identify this type of claim separately from other claims. From the beginning of 2013 a total of six claims has been lodged by alleged victims of human trafficking, four of which are recorded as labour exploitation and two for sexual exploitation.
- ii. These claims are still under consideration.
- iii. No compensation has been awarded to date.

## Illegal Possession of Drugs

**Lord Morrow** asked the Minister of Justice to detail (i) any plans he has to ensure defendants caught and charged with suspected illegal possession of drugs, who await full forensic results to be provided before pleading guilty are made financially liable for the testing costs of their forensic results; and (ii) can he clarify that these costs are not currently met by Legal Aid if the defendant has been granted Legal Aid for their defence.

**(AQW 25622/11-15)**

**Mr Ford:** There are currently no plans to make defendants who await full forensic results financially liable for forensic testing costs.

I can confirm that forensic tests commissioned as part of a police investigation are not paid for from Legal Aid.

## Noel Parker

**Lord Morrow** asked the Minister of Justice, following the temporary release of Mr Noel Parker to attend a wedding, were any concerns raised, reported or recorded by staff to any Northern Ireland Prison Service Department, including the Life Management Unit, into any aspect of his release.

**(AQW 25624/11-15)**

**Mr Ford:** There is no record of any concerns being raised following the Accompanied Temporary Release of Mr Parker.

## Central Investigation Service

**Mr Swann** asked the Minister of Justice if the Central Investigation Service in the Department of Agriculture and Rural Development has ever been used to conduct an investigation in (i) the Public prosecution Service; or (ii) the Northern Ireland Prison Service.

**(AQW 25629/11-15)**

**Mr Ford:** The Northern Ireland Prison Service has used the services of the Central Investigation Service (CIS) in the Department of Agriculture and Rural Development to carry out investigations on two occasions. The Public Prosecution Service (PPS) is independent from me as Minister of Justice but I am advised that PPS has not used the CIS to conduct an investigation.

## Prison Population

**Mr Easton** asked the Minister of Justice what is the prison population.

**(AQW 25647/11-15)**

**Mr Ford:** On 17 September 2013 the prison population was as follows:

Maghaberry	1089
Magilligan	541
Hydebank Wood (Female)	61
Hydebank Wood (Male Young Offenders)	171
<b>Total</b>	<b>1862</b>

A weekly population report is provided on the NIPS website at [www.dojni.gov.uk/index/ni-prison-service/situation-reports](http://www.dojni.gov.uk/index/ni-prison-service/situation-reports).

### Legal Services Commission: Pay

**Mr Allister** asked the Minister of Justice, given the effect on staff morale within NI Legal Services Commission from the ongoing outstanding pay remits, as acknowledged in the latest annual report, when he will intervene directly to ensure that these outstanding pay remits are sent to the Department of Finance and Personnel.

(AQW 25649/11-15)

**Mr Ford:** I have made clear throughout this process that I want the pay strategy business case finalised and submitted to DFP for approval as quickly as possible. We are at the stage where final checks are being made to the business case with NILSC. Once those checks are complete and the business case finalised, the case can be submitted to DFP for their consideration.

### Legal Services Commission: Pay

**Mr Allister** asked the Minister of Justice for an estimate of the time spent by departmental officials and those in the NI Legal Services Commission (NILSC), at Deputy Principal grade or above, on the outstanding NILSC pay strategy to date, broken down by grade.

(AQW 25678/11-15)

**Mr Ford:** The Department does not record time spent by officials on specific projects in a way that would allow this question to be answered in the format requested. However, officials from the Department's Public Legal Services Division, Personnel and Office Services Division and Financial Services Division have been involved in supporting the NI Legal Services Commission in preparing a pay strategy business case.

### Driving Without Insurance

**Lord Morrow** asked the Minister of Justice to detail the number of convictions for driving without insurance in Fermanagh and South Tyrone Court Division, in each of the last two years.

(AQW 25698/11-15)

**Mr Ford:** Uninsured driving is an offence under Article 90(4) of the Road Traffic (Northern Ireland) Order 1981. The information requested is not available for the last two years. The most recent two years for which the information requested is available are 2008 and 2009.

In 2008, there were 599 convictions for this offence, in courts in the Fermanagh and South Tyrone Division. In 2009, there were 823 convictions for this offence, in courts in the Fermanagh and South Tyrone Division.

**Note:**

- 1 Data are collated on the principal offence rule; only the most serious offence for which an offender is convicted is included.
- 2 The figures provided relate to convictions for all classifications of the offence specified.

### Magilligan Prison: Rebuilding

**Mr Easton** asked the Minister of Justice to detail the timetable for the rebuild of Magilligan Prison.

(AQW 25713/11-15)

**Mr Ford:** Following my update to the Assembly on March 19th, NIPS Officials continue their work in developing the plans for all the projects included in the Estate Strategy including that of the rebuilding of Magilligan.

In the intervening period, a Strategic Outline Business Case for Magilligan's redevelopment has been prepared in-house and approved by colleagues in the Department of Finance and Personnel. NIPS Officials are in the process of developing the Outline Business Case (OBC) for the project with a deadline for completion by the end of this year. The future programme is dependent on the OBC being approved and capital funding being made available. Until the Business Case is approved and capital funding made available, I am unable to provide any further details of the timetable.

### Access NI

**Mr Nesbitt** asked the Minister of Justice what consideration he has given to the expense incurred by individuals as a result of multiple Access NI criminal records checks when applying for jobs.

(AQW 25733/11-15)

**Mr Ford:** 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. The change requires legislation provision and the introduction of changes to the current computer system. I am planning to introduce the former in the next Justice Bill. The work on the changes to the computer system has begun.

Once the change is implemented, citizens may not need to re-apply for an AccessNI check as they move between employers, thereby reducing cost for those that are currently required to pay for checks. It should be noted that those requesting a portable disclosure will pay an additional annual fee, except those who are volunteers.

### Prison Service: Environmental Allowance

**Mr Allister** asked the Minister of Justice to detail (i) why there is a disparity in some prison staff receive the Environmental Allowance whilst others do not; and (ii) the percentage of prison staff that are in receipt of the allowance.  
(AQW 25761/11-15)

**Mr Ford:** There are no prison grade staff (uniform grades or governor grades) in receipt of an Environmental Allowance.

There are 552 staff (35.5% of prison grades) who formerly received a Northern Ireland Prison Service Payment to reflect the special circumstances in which they worked. This was consolidated into salaries in 1994 (officers) and 2006 (governors) as part of a wider pay deal.

### Prison Service: Emergency Allowance

**Mr McQuillan** asked the Minister of Justice, in relation to Emergency Allowance payments to prison officers, to detail (i) the circumstances when payments are provided; and (ii) the number of officers in receipt of the allowance.  
(AQW 25820/11-15)

**Mr Ford:** There are no prison grade staff (uniform grades or governor grades) in receipt of an Emergency Allowance.

There are 552 staff (35.5% of prison grades) who formerly received a Northern Ireland Prison Service Payment to reflect the special circumstances in which they worked. This was consolidated into salaries in 1994 (officers) and 2006 (governors) as part of a wider pay deal.

### Prison Service: Alleged Misconduct

**Lord Morrow** asked the Minister of Justice, pursuant to AQW 25020/11-15, whether the cost of the Northern Ireland Prison Service and Northern Ireland Civil Service supplying staff to investigate alleged and suspected misconduct for operational prison staff commensurates with annual averages against the employment of a small pool of retired police officers to draw from, required on a case by case basis.  
(AQW 25865/11-15)

**Mr Ford:** Such a costing has not been made. The Northern Ireland Civil Service already has a large pool of staff to draw from so it would not be appropriate for the Department of Justice to employ retired police officers to investigate internal employment related matters.

### Pritchard Test

**Lord Morrow** asked the Minister of Justice to outline the criteria contained within the Pritchard test as applied for fitness to plead trial cases.  
(AQW 25877/11-15)

**Mr Ford:** The Pritchard Test is a common law approach to determining a defendant's fitness to plead. In accordance with the test, fitness to plead is determined on the basis of the defendant's capability to comply with the following six criteria:

- |  |  |
|--|--|
| ■ Understanding the charges;                       | ■ Instructing solicitors and counsel;        |
| ■ Deciding whether to plead guilty or not;         | ■ Following the course of proceedings; and   |
| ■ Exercising his or her right to challenge jurors; | ■ Giving evidence in his or her own defence. |

If it is determined, on the balance of probabilities, that any one of the six criteria is beyond the capability of the accused, then he or she must be found to be unfit to plead.

### Magilligan Prison: Rebuilding

**Mr Campbell** asked the Minister of Justice, pursuant to AQW 25404/11-15, if he intends to bring the timetable for the rebuilding of Magilligan Prison on its existing site, as contained in the Outline Business Case, before the Assembly in January 2014.  
(AQW 25999/11-15)

**Mr Ford:** Further to my response to AQW/25404/11-15, the timetable for the redevelopment of Magilligan Prison will be dependent on the Department of Finance and Personnel's approval of the Outline Business Case and subject to the availability of funding. Until the Business Case is approved and capital funding made available I am unable to provide any further details of the timetable.

## Strategic Efficiency and Effectiveness Programme

**Mr P Ramsey** asked the Minister of Justice for an update on the progress of the Strategic Efficiency and Effectiveness programme.

(AQO 4631/11-15)

**Mr Ford:** The wider prison reform programme encompasses the 40 PRT recommendations and the work of the Strategic Efficiency and Effectiveness Programme (SEE). The Northern Ireland Prison Service is currently half way through this three year programme, which will run until April 2015. A clear pathway for delivery has been developed to ensure all recommendations are implemented, with the remaining recommendations due to be completed at various stages over the next 18 months.

To date, nine recommendations have been approved as complete by the Prison Review Oversight Group, which I Chair. The Group provides oversight and scrutiny of the reform programme and includes a robust and challenging independent element.

## Prison Reform Oversight Group

**Mr Milne** asked the Minister of Justice for an update on the Prison Reform Oversight Group.

(AQO 4637/11-15)

**Mr Ford:** The Prison Review Oversight Group, which I chair, provides oversight and scrutiny of the prison reform programme and includes a robust and challenging independent element. The Oversight Group meets on a quarterly basis and provides an update to the Justice Committee after each meeting. These updates are also published on the Prison Service website.

Good progress is being made against the extensive programme of end to end transformational reform, guided by the 40 recommendations made by the Prison Review Team (PRT).

To date, nine recommendations have been approved as complete by the Prison Review Oversight Group.

## Prisoners: Supervision

**Mr Allister** asked the Minister of Justice where, as part of the sentence imposed on someone convicted of a terrorist offence, the prisoner is subject to licence in the community, who actually provides supervision of the prisoner while on licence.

(AQO 4641/11-15)

**Mr Ford:** Where licence conditions are imposed on persons released from prison they are monitored by the Probation Board with support, where appropriate from the PSNI, Prison Service and my Department.

Individuals released on licence are subject to a combination of standard conditions set out in legislation, and where relevant, additional conditions. The aim of these conditions is to reduce the risk of harm to the public, reduce reoffending and support the resettlement of the offender.

A licence may be revoked and the offender recalled to custody where it is considered the risk of harm posed by an individual can no longer be safely managed within the community.

## Parades Commission

**Mr Humphrey** asked the Minister of Justice how many meetings he has held with Parades Commission officials in the past six months.

(AQO 4630/11-15)

**Mr Ford:** At the outset I want to welcome the efforts of all those who are working to secure a peaceful outcome to the parading disputes. Resolution of contentious parades is possible. I hope that those who have influence will continue to show leadership and work with their communities and the police to ease tensions where they exist. We do not want to see violence, with the cost it brings to communities, to policing and to our image.

The talks, led by Dr Richard Haass, will provide an important focus as we attempt to resolve this and other contentious issues.

Within the past six months I have attended three meetings, chaired by the Secretary of State for Northern Ireland, at which the Chair and the Secretary of the Parades Commission were present.

## Historical Enquiries Team

**Mr Ó hOisín** asked the Minister of Justice what discussions he has had with the Chief Constable on the impact of the HM Inspectorate of Constabulary report on the Historical Enquiries Team.

(AQO 4638/11-15)

**Mr Ford:** I met with the Chief Constable following publication of the HM Inspectorate of Constabulary report on the Historical Enquiries Team to discuss the report and its findings and to be updated on the work he is taking forward in conjunction with the Northern Ireland Policing Board Working Group



## Department for Regional Development

### East Bridge Street Junction, Belfast

**Mr McKay** asked the Minister for Regional Development whether Roads Service have consulted with cycle groups regarding proposed changes to the East Bridge Street junction, Belfast.

**(AQW 25259/11-15)**

**Mr Kennedy (The Minister for Regional Development):** My Department proposes to amend road markings and traffic lane designations at the junction of Oxford Street with East Bridge Street, Belfast.

This is a routine minor local amendment which is considered will benefit all road users and does not require legislative changes. In these circumstances, no specific consultation was carried out.

I would also advise the Member that I have recently instructed my officials to give increased and focused priority to the needs of cyclists, to encourage greater participation in this healthy and sustainable form of transport. To that end, I am establishing a new cycling unit to ensure cycling issues and initiatives are progressed in a more coherent and coordinated manner across my Department, in partnership with local government, voluntary bodies, public transport operators and the health and education sectors.

### Cycling: Trains

**Mr McKay** asked the Minister for Regional Development if he has any plans to allow cyclists to bring their bicycle on to trains at all times.

**(AQW 25264/11-15)**

**Mr Kennedy:** Translink's current cycling policy has been in place since 2005 and was developed following consultation with rail customers and key stakeholders. Translink has agreed to discuss these matters going forward with relevant stakeholders and did so recently when the Class 4000 trains were introduced.

Given the significant increase in rail passenger journeys since the policy was introduced, and the peak loadings carried before 09:30 each day, Northern Ireland Railways do not envisage a relaxation of the existing policy, as to do so would be at a significant detriment to current passengers. Furthermore in comparing its policy to that of National Rail, Translink is in line with other GB operators with regard to restrictions to cycle carriage before 09:30/10:00.

A comparison of the National Rail Cycle policy with that of Translink highlights the following:

- Like NIR, GB operators either apply restrictions to cycle carriage before 09:30/10:00 hours and during pm peak or alternatively make reservations compulsory.
- Like NIR, GB operators generally carry cycles free of charge.
- Most GB operators have a maximum cycle capacity of 2-4 compared to NIR's 4-8 cycles per train.

On very early trains and on contra-commute trains, i.e. trains operating out of Belfast in the mornings, Translink do already regularly carry passengers with bicycles. This is done at the Conductor's discretion and Conductors have been briefed to accept cycles where capacity permits, i.e. no expectation of standing passengers in the cycle area. However the majority of trains to Belfast operating before 08:00 are already carrying significant numbers of passengers. For information there are no travel restrictions placed on the number of folding bicycles which may be carried on trains. These may be carried at any time, including prior to the normal 09.30 restriction. In addition there are currently 208 bicycle storage spaces across the rail network. Currently this is more than adequate to meet demand.

In general, evening service loadings are more spread out than morning services. This means that NIR will generally seek to accept bikes without restriction in the evening commute. It is Translink's intention that they will seek to maintain this position where possible.

I am fully supportive of measures to facilitate cyclists but believe that the Translink policy has merit when we consider the overall needs of rail passengers.

### Parking: Coalisland

**Lord Morrow** asked the Minister for Regional Development, pursuant to AQW 24921/11-15, given that five years have lapsed since proposals were last provided and in view of recent concerns as to parking violations in Coalisland, if his officials will re-engage with the relevant Regeneration Partnership to review the current parking provision.

**(AQW 25313/11-15)**

**Mr Kennedy:** I should advise that the Coalisland Regeneration Group has not met for over two years. Dungannon and South Tyrone Borough Council and the Department for Social Development consider this group to have been discontinued.

However, Roads Service has requested a meeting with the Dungannon and South Tyrone Borough Council's town centre manager and Coalisland area councillors to discuss parking issues in Coalisland.

## Translink: Student Discounts

**Mr McClarty** asked the Minister for Regional Development whether he plans to encourage Translink to address the disparity between student discounts offered to mature students, aged 23 years or older, and younger students on all Translink bus services.

(AQW 25343/11-15)

**Mr Kennedy:** Translink has attempted, as far as possible to harmonise the approach to discounts available to students through the yLink card. This provides all 16-23-year olds, student or otherwise, with one-third off on all bus and rail services (but not in addition to all other discounted fares types).

A range of Smartlink value/multi-journey/period and promotional fares are available to all passengers across the various modes of public transport including the Uni-Link bus service which offer mature students the same level of discount as those students who avail of the yLink card. There is therefore no disparity on bus services.

## Public Transport Budget

**Mr McKay** asked the Minister for Regional Development what percentage of the total roads budget was spent on public transport, in each of the last ten years.

(AQW 25354/11-15)

**Mr Kennedy:** The Public Transport budget is not drawn from the Roads budget, they are two separate elements of the total Departmental budget.

However, the tables below show the percentage breakdown of the total of roads and transport. expenditure in terms of the total Departmental budget, excluding water, for each of the last nine years (2004/05 to 2012/13) together with the June Monitoring budget position for 2013/14.

### Resource:

	04/05 %	05/06 %	06/07 %	07/08 %	08/09 %	09/10 %	10/11 %	11/12 %	12/13 %	13/14 %
Roads	73.2	71.6	69.4	69.3	70.1	67.3	66.7	68.5	68.0	71.9
Transport	26.8	28.4	30.6	30.7	29.9	32.7	33.3	31.5	32.0	28.1

### Investment:

	04/05 %	05/06 %	06/07 %	07/08 %	08/09 %	09/10 %	10/11 %	11/12 %	12/13 %	13/14 %
Roads	66.6	63.9	71.4	62.0	75.1	83.3	82.0	60.5	73.2	87.8
Transport	33.4	36.1	28.6	38.0	24.9	16.7	18.0	39.5	26.8	12.2

It should be noted that the road network is an essential conduit for Public Transport in Northern Ireland; over 85% of Translink's total passenger journeys are made on roads. It is therefore essential that the road network is improved to ensure user safety and the reliability of journey times.

## Rail Fares

**Mr McKay** asked the Minister for Regional Development to detail how the price of a train fare from (i) Derry; (ii) Coleraine; (iii) Ballymena; and (iv) Ballymoney to Great Victoria Street, Belfast, compares to the cost of a car journey from the same starting point.

(AQW 25355/11-15)

**Mr Kennedy:** For each of the four rail stations Translink have provided a comparison against petrol and diesel cars for (a) weekly; and (b) monthly fares. The cost of a car journey is estimated based upon standard Automobile Association methodology for car running costs and excludes standing costs such as insurance and road tax. Even with these additional costs excluded, travelling by train is cheaper for each of the four stations.

The detailed analysis and the assumptions underpinning the calculations are shown below:

Journey	Great Victoria Street to Londonderry Train Station		Great Victoria Street to Coleraine Train Station		Great Victoria Street to Ballymena Train Station		Great Victoria Street to Ballymoney Train Station	
	Petrol £	Diesel £	Petrol £	Diesel £	Petrol £	Diesel £	Petrol £	Diesel £
Weekly Cost by Private Car (Travelling 5 Days per Week )	149.81	129.86	107.61	93.28	59.08	51.21	101.28	87.80
Weekly Ticket on NI Railways	58.00	58.00	55.00	55.00	50.00	50.00	53.00	53.00
Total Savings per Week	91.81	71.86	52.61	38.28	9.08	1.21	48.28	34.80
Monthly Cost by Private Car (Travelling 20 Days per Month )	599.24	519.44	472.64	409.70	236.32	204.85	405.12	351.17
Monthly Ticket on NI Railways	195	195.00	187.50	187.50	175.00	175.00	182.50	182.50
Total Savings per Month	404.25	324.44	285.14	222.20	61.32	29.85	222.62	168.67

\*A 33% reduction is available on all standard NI Railways Day Return tickets (adult or child).

Assumptions on which the figures in above table are based:-

Figures are based on AA basic running costs of a new car priced up to the value of up to £13,000 and current petrol prices of 135.7 pence per litre and diesel of 139.7 (NI cheapest price – Source CCNI as at 12 Sept 2013). Based on these details, the AA calculates a Petrol Car running cost of 21.10 pence per mile Diesel Car running cost of 18.29 pence per mile (including fuel, tyres, servicing & parts).

**Source:** [http://www.theaa.com/allaboutcars/advice/advice\\_rcosts\\_petrol\\_table.jsp](http://www.theaa.com/allaboutcars/advice/advice_rcosts_petrol_table.jsp)

<http://www.consumerCouncil.org.uk/cost-of-living-consumer-tips/fuel-price-watch>

#### **Great Victoria Street to Londonderry Train Station**

- Single - 71 Miles
- Return - 142 Miles
- Weekly based on 5 Return Journeys - 710 Miles
- Monthly based on 20 Return Journeys - 2,840 Miles

#### **Great Victoria Street to Coleraine Train Station**

- Single - 56 Miles
- Return - 112 Miles
- Weekly based on 5 Return Journeys - 560 Miles
- Monthly based on 20 Return Journeys - 2240 Miles

#### **Great Victoria Street to Ballymena Train Station**

- Single - 28 Miles
- Return - 56 Miles
- Weekly based on 5 Return Journeys - 280 Miles
- Monthly based on 20 Return Journeys - 1120 Miles

#### **Great Victoria Street to Ballymoney Train Station**

- Single - 48 Miles
- Return - 96 Miles
- Weekly based on 5 Return Journeys - 480 Miles
- Monthly based on 20 Return Journeys - 1920 Miles

## Speed Limits

**Mr Weir** asked the Minister for Regional Development to detail the number of roads that have a designated speed limit of less than 30mph.

**(AQW 25359/11-15)**

**Mr Kennedy:** I can advise the Member that a 20mph speed limit applies to 567 roads in Northern Ireland. In addition, three roads have a part time 20mph speed limit in the vicinity of schools. There are no other speed limits of less than 30mph which have been legislated for.

## Speed Limits

**Mr Weir** asked the Minister for Regional Development to outline the criteria that is used when designating a speed limit of less than 30mph.

**(AQW 25361/11-15)**

**Mr Kennedy:** All speed limits, other than those on Restricted Roads, are made by order under Article 38 of the Road Traffic Regulation (Northern Ireland) Order 1997.

When designating any speed limit for a road, including those under 30 mph, Roads Service traffic engineers should comply with the Department's policy guideline document, RSPPG E051 Setting Local Speed Limits in Northern Ireland. This document is available to download from the Department's web site as part of its Publication Scheme.

## Craigantlet Hills

**Mr Easton** asked the Minister for Regional Development for an update on proposed road works for the Craigantlet Hills area.

**(AQW 25363/11-15)**

**Mr Kennedy:** The Member will be aware I instructed Roads Service to consider all of the alternative proposals for a road improvement scheme in Craigantlet which were put forward by local residents.

Roads Service has received a draft of the Consultant's report, which is currently being considered after which it will be finalised.

No further decisions will be taken before the findings of this report have been given careful consideration.

## Cycling on Public Highways

**Mr Storey** asked Minister for Regional Development to outline the legislation that is applicable to cyclists on public highways.

**(AQW 25394/11-15)**

**Mr Kennedy:** The Highway Code for Northern Ireland contains a specific section entitled 'Rules for Cyclists' and these rules are in addition to subsequent sections in the Code, which apply to all vehicles. It also contains a section entitled 'You and your bicycle'. The Highway Code can be accessed from the NI Direct internet site at the following web address: <http://www.nidirect.gov.uk/highway-code.pdf>.

Many of these rules are legal requirements and such rules are identified by the use of the words 'MUST/MUST NOT'. Where these words appear in a rule, an abbreviated reference to the legislation which creates the offence is provided at the end of the rule. An explanation of the abbreviations is provided on page 125 of the Code.

## Cycling Infrastructure: Belfast

**Mr Lyttle** asked the Minister for Regional Development how much his Department has invested in cycling infrastructure in Belfast, in each of the last five years.

**(AQW 25413/11-15)**

**Mr Kennedy:** The information requested by the Member is not available in the form requested, as my Department does not maintain details of investment in cycling infrastructure by individual Council area.

## Public Transport Budget

**Mr McKay** asked the Minister for Regional Development whether he will increase the proportion spent on public transport in comparison to roads in future budgetary periods.

**(AQW 25419/11-15)**

**Mr Kennedy:** In supporting the Executive's Programme for Government priority of 'Growing a sustainable economy and investing in the future'. DRD plays a lead role through improving the transport infrastructure within the available funding.

As part of the New Approach to Regional Transportation my Department is currently developing a Transport Spending Plan which will feed into the next Executive Budget process.

This will identify those transport schemes relating to roads or public transport which will best achieve the strategic objectives of the Executive.

## Cycling Infrastructure: North Down

**Mr Weir** asked the Minister for Regional Development whether any cycling infrastructure schemes are planned for North Down in the next three years.

(AQW 25420/11-15)

**Mr Kennedy:** I would remind the Member that information on completed and proposed roads schemes for the current financial year can be found in Roads Service's Spring and Autumn Reports to Councils. These reports can be accessed from my Department's internet site at the following web address:

[http://www.drdni.gov.uk/index/freedom\\_of\\_information/customer\\_information/cinformationtype-results.htm?signpost=Customer+information&informationType=Roads+Service+reports+to+councils](http://www.drdni.gov.uk/index/freedom_of_information/customer_information/cinformationtype-results.htm?signpost=Customer+information&informationType=Roads+Service+reports+to+councils)

I can advise that the detailed budget for subsequent years has not yet been finalised and so it is not possible to provide details of future works programmes at this time.

## Park and Ride: Dungiven

**Mr Ó hOisín** asked the Minister for Regional Development whether he, or any departmental officials, have had discussions regarding the acquisition of a site for a Park and Ride facility in the Dungiven area.

(AQW 25451/11-15)

**Mr Kennedy:** In 2010, my Department explored the possibility of acquiring part of the former controlled secondary school site on Main Street to provide a dedicated Park and Ride site. However, it became clear during 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 of the dualling of the A6 between Londonderry and Dungiven, opportunities to provide a number of Park and Ride sites have been considered. One of these is located on the eastern side of Dungiven, in the Magherabuoy townland, and would provide approximately 100 Park and Ride spaces. This facility would be developed along with the construction of the Dungiven Bypass element of the A6 scheme.

## Bus Network: Ballycastle and Ballymena

**Mr McKay** asked the Minister for Regional Development whether there are plans to improve the Ballycastle to Ballymena bus service.

(AQW 25469/11-15)

**Mr Kennedy:** Translink has advised that the local bus operations management team meets with Moyle District Council on a quarterly basis to discuss services in the area.

One of the key services which is discussed is the Ballycastle to Ballymena corridor which, between services 131 and 217, provides 7 return journeys Monday to Friday, rising to 8 in July and August.

The possibility of increasing the service level on this corridor has been discussed at length at previous meetings and Translink has advised Council representatives that current patronage on this corridor would not justify additional journeys at present.

Translink has however agreed to keep this matter under review.

## Railway Network: Derry and Great Victoria Street, Belfast

**Mr McKay** asked the Minister for Regional Development to detail the number of miles between each train halt between Derry and Great Victoria Street, Belfast.

(AQW 25470/11-15)

**Mr Kennedy:** The table below provides the detail on the number of miles between each train halt between Londonderry and Great Victoria Street, Belfast as requested.

Station	Station	Distance between Stations (miles)
Londonderry	Bellarena	20.25
Bellarena	Castlerock	7.50
Castlerock	Coleraine	5.75
Coleraine	Ballymoney	8.25
Ballymoney	Cullybackey	17.00
Cullybackey	Ballymena	3.00
Ballymena	Antrim	11.75



Station	Station	Distance between Stations (miles)
Antrim	Mossley West	11.75
Mossley West	Whiteabbey	3.25
Whiteabbey	Yorkgate	4.50
Yorkgate	Belfast Central	1.25
Belfast Central	Botanic	1.00
Botanic	City Hospital	0.25
City Hospital	Great Victoria Street	0.50

### Park and Ride: North Antrim

**Mr McKay** asked the Minister for Regional Development whether there are plans for a Park and Ride facility for commuters from North Antrim, including those travelling from the A44 Drones Road.

**(AQW 25471/11-15)**

**Mr Kennedy:** I understand, based on the number of cars parking at various points along the road, there is evidence of the need for a Park and Share/Ride car park along the Glarryford to Drones Road corridor.

The proposed A26 Glarryford to A44 Drones Road dualling scheme will include the provision of a 50-100 space Park and Ride/Share facility. This will be located adjacent to the Drumadoon Road junction.

Although funding for construction of the dualling scheme is not currently provided for in the current budget period, my Department will continue to develop the A26 scheme to a procurement-ready position.

As you may be aware, following a Strategic Review of Park & Ride in 2011, my Department established a Park and Ride Programme Board which is responsible for co-ordinating and prioritising the implementation of 'Park and Ride' and 'Park and Share' projects, in line with the Department's strategy.

The Programme Board has produced a 'Park and Ride Strategic Delivery Programme 2013-15', which is a prioritised schedule of new Park and Ride projects with clearly defined responsibilities for funding, implementation, maintenance and operation. This Programme plans to create at least an additional 1,000 'Park and Ride' and 'Park and Share' spaces across Northern Ireland in the next two years. Details of the Programme are available on my Department's website at:

[www.drdni.gov.uk/index/publications/publications-details.htm?docid=8996](http://www.drdni.gov.uk/index/publications/publications-details.htm?docid=8996)

Funding has been secured for 'Park and Ride' projects in my Department's budget. However, the implementation of Park and Ride schemes will take place in a constrained budgetary context and this may impact on the ability to deliver all the priority projects identified in the Programme.

In relation to North Antrim, the Programme has recently delivered an additional 45 spaces at Coleraine Bus and Train Centre. Proposals for the delivery of additional spaces at Ballymena railway station and at Cullybackey halt are also being moved forward.

### Parking Tickets

**Lord Morrow** asked the Minister for Regional Development whether traffic wardens can cancel a parking ticket once it has been issued.

**(AQW 25476/11-15)**

**Mr Kennedy:** A Traffic Attendant cannot cancel a Penalty Charge Notice (PCN) which has been issued. A PCN can only be cancelled by the Parking Enforcement Processing Unit.

### Cycling Infrastructure

**Mr Weir** asked the Minister for Regional Development how much his Department has invested in cycling infrastructure in (i) North Down; and (ii) Ards in each of the last five years.

**(AQW 25487/11-15)**

**Mr Kennedy:** The information requested by the Member is not available in the form requested, as my Department does not maintain details of investment in cycling infrastructure by individual Council area.

## Ballymenoch Park, Holywood

**Mr Agnew** asked the Minister for Regional Development whether consideration has been given to implementing parking restrictions on one side of Ballymenoch Park, Holywood.

(AQW 25513/11-15)

**Mr Kennedy:** I refer to the answers I provided to AQW25512/11-15 and AQW 25514/11-15.

Officials regard the parking situation in Ballymenoch Park as similar to Seapark Road and do not intend to provide waiting restrictions at this location.

## Seapark, Holywood

**Mr Agnew** asked the Minister for Regional Development whether he plans to commission a survey of residents in the Seapark area of Holywood to gauge if they would like (i) speed bumps on the Seapark Road; (ii) parking restrictions on one side of the Seapark Road; and (iii) parking restrictions on one side of Ballymenoch Park.

(AQW 25514/11-15)

**Mr Kennedy:** I would refer the Member to my replies to his related questions, AQW25512/11-15 and AQW 25513/11-15. Given that officials have already considered these matters, I do not believe that a survey of residents is needed.

## Street Lighting in Residential Areas

**Mr Clarke** asked the Minister for Regional Development (i) when the current policy regarding the removal of street lighting in residential areas came into effect; (ii) what consultation procedure took place; and (iii) what savings will be made as a result.

(AQW 25528/11-15)

**Mr Kennedy:** I can advise the Member the policy for not renewing lighting on existing paths, which would no longer be eligible for lighting under the current policy, has been in place since at least 1994.

In 1994, there was no requirement for consultation on policy.

The estimated capital and operating savings per annum, based on an annual renewal of 200 lights that have reached, or are nearing, the end of their safe working life, is £313,000.

## Railway Network: Damage to Track near Knockmore Junction

**Mr Craig** asked the Minister for Regional Development, following the incident where 150 tonnes of embankment beneath a railway line near Lisburn, County Antrim, were washed away by rain in June 2012, why this line was used to provide a train service from Belfast to Portrush since it had not been in use for several years; and to detail the measures taken to ensure that (i) the inspection of earthworks and structures are carried out before journeys; (ii) adequate safety procedures are in place to deal with adverse weather conditions; (iii) a sufficiently formal communication system is in place with the Rivers Agency; (v) Rail Accident Investigation Branch is informed rather than the current two-step approach; and (vi) adequate weed control is put in place.

(AQW 25532/11-15)

**Mr Kennedy:** This incident occurred on the 27th August 2012 when a train carrying spectators to the Irish Golf Open at Portrush came upon a washed out section of line close to the Knockmore junction. As a result of the prompt action of the train crew on the day no injury arose to any passengers or crew and no damage was caused to the train. This railway line was used regularly over the past number of years for a combination of non-scheduled and scheduled services. It was, and is, frequently used by Northern Ireland Railways in driver training, for the movement of rolling stock for operational and maintenance purposes and as a relief line to be used for diversionary purposes. On this occasion, the railway line was being used to provide additional capacity and operational flexibility in response to high demand in passenger numbers for those attending the Irish Open. This incident was subject to an investigation and a report by the Rail Accident Investigation Branch (RAIB), the independent accident/incident investigator for the United Kingdom. In relation to the remaining points raised I would advise as follows:-

- (i) Earthworks, structures and track are inspected in accordance with National and Local Railway Standards.
- (ii) The RAIB report makes clear that the weather that gave rise to the incident was at least a 1 in 200-year event and that actual rainfall far exceeded weather predictions. Northern Ireland Railways has in place procedures and processes to manage a wide range of weather conditions to cope with weather-related risk. However as a consequence of the report Northern Ireland Railways has reviewed and where reasonably practicable has further strengthened its weather management procedures.
- (iii) With regard to drainage in and around the Brokestown area, Northern Ireland Railways had not been made aware of a previous incident of flooding or of the Rivers Agency's Risk Assessment. Arising from the investigation and report Northern Ireland Railways have enhanced communication channels with the Rivers Agency and will keep these under review.
- (iv) Northern Ireland Railways in conjunction with other rail operators in UK conforms to reporting regulations and reports directly to RAIB. On this occasion, as the RAIB report shows, the matter was not initially correctly reported. My

Department, as Safety Authority, the Health & Safety Executive and the RAIB jointly conducted Seminars with NIR to ensure a better understanding of reporting protocols.

- (v) Northern Ireland Railways has adequate weed control processes for mainline track and branch lines. When weather conditions are particularly wet such as occurred during the 2012 weed spraying programme, spraying is not effective. In those circumstances Northern Ireland Railways puts in place a risk-based priority spraying programme which ensures that weed on mainline track will be adequately managed by maximising any dry spells.

My Department, acting as the Safety Authority, will work closely with NIR on the implementation of the recommendations arising from the Report.

## A5 Road Scheme

**Mr Lyttle** asked the Minister for Regional Development whether any funding allocated to the A5 road scheme has been reinvested in cycling.

**(AQW 25535/11-15)**

**Mr Kennedy:** Following the Court ruling on the A5 scheme, and in accordance with financial procedures, I declared a reduced requirement of £108m in relation to the A5 allocation to the Department of Finance and Personnel.

The A5 funding was reallocated in the June 2013 monitoring round for the 2013-14 financial year. I secured over £33m in funding for roads maintenance and for the purchase of around 80 new buses. In addition, around £40m has been agreed to enable work to start on the Magherafelt Bypass next year.

A proportion of the overall maintenance funding will be used to improve cycling provision. Road repairs and resurfacing generally will enhance safety and provide other improvements for all road users, including cyclists.

I made an unsuccessful bid in the June Monitoring Round for £4m for Local Transport and Safety Measures (LTSM), which includes cycling infrastructure measures, and a further bid of £3m has been included for LTSM in the October Monitoring Round. I have also promoted a bid of £1m in the 2014/15 Capital Budget Exercise, which relates solely to cycling infrastructure.

A decision on this funding will only be realised once the outcome of the budget reviews are announced by the Department of Finance and Personnel.

As the Member will be aware, I have recently instructed officials in my Department to give increased and focussed priority to the needs of cyclists, to encourage greater participation in this healthy and sustainable form of transport. I have also asked for a new cycling unit to be established, to ensure the effective progress of a range of cycling initiatives.

## Giro d'Italia 2014

**Mr Lyttle** asked the Minister for Regional Development how his Department will ensure that the Giro D'Italia 2014 leaves a lasting legacy for everyday cycling.

**(AQW 25537/11-15)**

**Mr Kennedy:** My Department is represented on the Northern Ireland Local Steering Group, which is the overseeing committee organising the event. Officials from my Roads Service are involved in the operational aspects of the event through the Race Committee.

The delivery structure of the event has targeted 'legacy' as one of the primary objectives of the event. Whilst the Northern Ireland Tourist Board is leading this aspect of the event organisation, my Department will assist wherever possible.

Travelwise officials have contributed to a draft Legacy Plan which among other things seeks to encourage school's participation in the event and on-going promotion of Active Travel for the journey to school as well as to encourage the wider local population to engage with cycling as a means of transport and a fun activity to get fit.

## Programme for Government 2011-15

**Mr Lyttle** asked the Minister for Regional Development what progress has he made towards meeting the targets of children walking and cycling to school, as set out in the Programme for Government 2011-2015.

**(AQW 25538/11-15)**

**Mr Kennedy:** My Department in partnership with the Public Health Agency has put in place an Active School Travel Initiative to engage with a range of schools across N Ireland to deliver a walking and cycling skills training programme.

The contract to deliver this initiative was awarded to Sustrans in July 2013 and involves the delivery of a programme of cycle and walking skills training to pupils in 180 schools across Northern Ireland over a three year period. The objective of this programme is to encourage school children to adopt cycling and walking as their main mode of transport to school which will help to increase numbers identified in the Programme for Government (PfG) target.

A robust programme of monitoring and evaluation is being developed to ensure compliance with the PfG targets and improved information.

Prior to award of this contract my Department commissioned a one year interim sustainable school travel proposal delivered to 40 schools which began the process of delivering increases in sustainable transport choices made by school children in advance of the introduction of the full Active School Travel Programme.

I aim to bid for £2m in October monitoring to support this programme with investment in infrastructure (often safety measures at schools) and I am keen to develop a long term marketing campaign to develop behavioural change to further promote the benefits of sustainable alternatives to the car.

My Department is also working with other Stakeholders in the forthcoming Giro d'Italia Big Start to ensure that it provides a lasting legacy for cycling among our school children.

### **Cycle Routes: Victoria Park to Holywood**

**Mr Lyttle** asked the Minister for Regional Development whether he has plans to develop a cycle route from Victoria Park to Holywood.

**(AQW 25539/11-15)**

**Mr Kennedy:** I can advise the Member that cycling facilities already exist along the A2 between Victoria Park and Holywood.

In the longer term, my Department's preferred option for improving the A2 Sydenham Bypass between the M3 Lagan Bridge Junction and the Tillysburn Junction proposes widening the existing carriageway from two lanes to three lanes in each direction. Pedestrian and cycle facilities will also be enhanced through a high quality shared-use facility on one side of the A2 Sydenham Bypass, adjacent to both the Belfast City Airport and Victoria Park. This shared-use footway and cycle track will be segregated from the carriageway by the provision of a barrier. However, the progression of this scheme is dependent upon the successful completion of the statutory procedures, a satisfactory economic appraisal and the availability of finance beyond the current budget period.

### **Cycling and Pedestrian Infrastructure**

**Mr McKay** asked the Minister for Regional Development to detail the capital work schemes aimed at increasing (i) pedestrian; and (ii) cyclist travel in each of the (a) last; and (b) next five years.

**(AQW 25542/11-15)**

**Mr Kennedy:** My Department is committed to providing safer roads for the growing number of vulnerable road users, including cyclists and pedestrians, by utilising a range of measures. Such measures include: road safety engineering, education, traffic calming, and enhancement of the pedestrian and cycling network.

It would be impractical to list all the capital works schemes completed over the past five years, however, details of all the transportation and minor works schemes, aimed at improving safety for these vulnerable users, which have been carried out in each of the Council areas can be found in the 'Roads Service reports to Councils' page on the DRD website, [www.drdni.gov.uk/index/freedom\\_of\\_information/customer\\_information.htm](http://www.drdni.gov.uk/index/freedom_of_information/customer_information.htm)

In respect of investment over the next five years, detailed budgets have yet to be determined for future years and as such, details of the specific programmes of works have not been finalised. I can confirm, however, that cycling and pedestrian schemes will continue to be identified and it is my intention to continue to invest in and improve the infrastructure as far as available resources permit.

As the Member will be aware, I have recently instructed officials in my Department to give increased and focussed priority to the needs of cyclists, to encourage greater participation in this healthy and sustainable form of transport. I have also asked for a new cycling unit to be established, to ensure the effective progress of a range of cycling initiatives.

### **Cycling Infrastructure: Ballymena**

**Mr McKay** asked the Minister for Regional Development how he plans to improve cycling safety and infrastructure in Ballymena.

**(AQW 25543/11-15)**

**Mr Kennedy:** The Sub Regional Transport Plan, published by the Department in 2007, contained blueprints to guide the future development of cycling infrastructure in a number of key towns including Ballymena.

Work completed in the Ballymena area to date includes the development of National Cycle Network (NCN) Route 97 from Ballymena to Glenarm, NCN Route 96 from Toome towards Ballymoney, and links along parts of the A26 Larne Road Link, Crebilly Road and Galgorm Road from County Hall to Gracehill.

Officials from my Department have been working with counterparts from Ballymena Borough Council over the past year to consider future cycle routes within the town and have agreed on three main routes to be developed as finance becomes available over the coming years. These routes will combine sections adjacent to existing roads with sections through council owned parkland and include:

- providing links to NCN Route 97 (Ballymena to Glenarm) via Fry's Road, Grove Road, Doury Road, Sentry Hill and The People's Park to Ballymoney Road;
- completing links to NCN 97 along parts of the A26 Larne Road Link; and

- linking route NCN 97 towards Route 94 Loughshore Trail via Moat Road, Pennybridge Footpath, Ballee Way and Ballee Road West as well as along the Antrim Road.

I am aware that cyclists are particularly vulnerable road users and their safety needs to be treated as a high priority. I am also aware that the perception of danger is a key factor that discourages greater use of cycling, as a mode of transport. I have therefore asked my officials to ensure the new cycling unit, which is being established in my Department, ensures greater priority and increased focus is given to safety issues, relating to cycling.

## Electric Car Charging Points

**Lord Morrow** asked the Minister for Regional Development, in relation to e-car charging points, to detail (i) the location of each charging point in Fermanagh-South Tyrone; and (ii) the number of times each has been used since their installation. (AQW 25572/11-15)

**Mr Kennedy:** The data provided below represents charge point usage from the date of commissioning up until the 22nd of August in Fermanagh-South Tyrone.

Charge Point Location	Charge Point ID	Charger Ref	Approx. Date of Installation	Total Charging Events to 22nd August 2013
Belleek	Main Street	SC12	March 2012	3
Enniskillen	Down/Market/Cross Street	SC18	March 2012	10
Enniskillen	Eden Street Car Park	SC13	March 2012	16
Enniskillen	Quay Lane North Car park	SC11	March 2012	4
Enniskillen	Wellington Street	SC16	March 2012	22
Enniskillen	Queen Street Car Park	SC17	March 2012	6
Enniskillen	Spar Car Park, Main Street BT92 8JW	SC140	June 2013	(MPRN Terminated) No Information Available
Lisnaskea	Newbridge Road/Cross Street	SC31	June 2013	8
Irvinestown	Main Street	SC29	June 2013	2
Irvinestown	Not on CPMS yet. - Topaz Service Station, 236 Irvinestown Road, BT74 6DN	RC09	June 2013	3  *Total Charging Events For 2013 (as at 30th June)
Maguiresbridge	DRD Carpark, Maguiresbridge	SC66	June 2013	1
Coalisland	DRD Carpark (Free), Cornmill	SC72	June 2013	0
Dungannon	Oak Shopping Centre	SC122	June 2013	0
Dungannon	M1, Junction 15 Rapid Charger at Donnelly Group Garage BT71 7DT	RC01	March 2012	88  *Total Charging Events For 2013 (as at 30th June)
Dungannon	DRD Carpark (Free), Scotch Street South	SC76	June 2013	1
FiveMileTown	Car Park, Edfield Way, BT75 0QN	SC134	June 2013	(MPRN Terminated) No Information Available
Ballygawley	Ballygawley Park and Ride, BT70 2	SC124	June 2013	(MPRN Terminated) No Information Available

## yLink Applications

**Mrs D Kelly** asked the Minister for Regional Development to detail the average length of time taken to process yLink applications; and how many have been issued since the introduction of the scheme.

(AQW 25608/11-15)



**Mr Kennedy:** Translink has advised that it sub-contracts with a Bureau Service to produce all photo-personalised Translink Smartpasses including: yLink cards; Senior Smartpasses; 60+ Smartpasses; Blind Smartpasses, War Pensioner Smartpasses, Half-fare Smartpasses and TaxSmart cards.

Translink have a Service Level Agreement in place with the Bureau service that it will process 95% of all applications (regardless of card type) within less than 5 days from the date of receipt of the customer application form to the date it posts the card to the customer.

For the year 01 September 2012 to 31 August 2013 statistics for the processing of all cards, including ylink, were as follows:-

- Processes in less than 5 days = 97%
- Processed in 5-10 days = 1%
- Processed in more than 10 days = 2%

Since the y-link scheme started on 1 July 2012 a total of 11,290 yLink cards have been processed.

## Velo-city Cycling Conference

**Mr Lyttle** asked the Minister for Regional Development whether he has any plans to apply to bring the international cycling conference, Velo City, to Northern Ireland.

(AQW 25633/11-15)

**Mr Kennedy:** I have asked officials to consider the benefits and costs associated with this conference and looking at the possibility that it may be held in Northern Ireland in future years.

## Main Street, Millisle

**Mr Easton** asked the Minister for Regional Development when the footpath at the shops in Main Street, Millisle will be replaced.

(AQW 25645/11-15)

**Mr Kennedy:** I would remind the Member that information on proposed and completed roads schemes for the current financial year can be found in Roads Service's Spring and Autumn Reports to Councils. These reports can be accessed from my Department's internet site at the following web address:

[http://www.drdni.gov.uk/index/freedom\\_of\\_information/customer\\_information/cinformationtype-results.htm?signpost=Customer+information&informationType=Roads+Service+reports+to+councils](http://www.drdni.gov.uk/index/freedom_of_information/customer_information/cinformationtype-results.htm?signpost=Customer+information&informationType=Roads+Service+reports+to+councils)

As detailed budgets for subsequent years have not yet been finalised, I am unable to provide details of future works programmes at this time.

## Masonic Avenue, Millisle

**Mr Easton** asked the Minister for Regional Development when Masonic Avenue, Millisle will be resurfaced.

(AQW 25646/11-15)

**Mr Kennedy:** Information on completed and proposed roads schemes for the current financial year can be found in Roads Service's Spring and Autumn Reports to Councils. These reports can be accessed from my Department's internet site at the following web address:

[http://www.drdni.gov.uk/index/freedom\\_of\\_information/customer\\_information/cinformationtype-results.htm?signpost=Customer+information&informationType=Roads+Service+reports+to+councils](http://www.drdni.gov.uk/index/freedom_of_information/customer_information/cinformationtype-results.htm?signpost=Customer+information&informationType=Roads+Service+reports+to+councils)

I can advise that the detailed budget for subsequent years has not yet been finalised and so it is not possible to provide details of future works programmes at this time.

## Building an Active Travel Future for Northern Ireland

**Mr Weir** asked the Minister for Regional Development why there are no measurable targets on the percentage of cycling journeys in its publication, Building an Active Travel Future for Northern Ireland.

(AQW 25652/11-15)

**Mr Kennedy:** The Active Travel Strategy 'Building an Active Travel Future for Northern Ireland' is the result of the work undertaken by the inter-departmental Active Travel Forum informed by the results of the public consultation exercise and agreed by the Executive in 2012. It aims to provide a high level framework for a more integrated approach across government and in partnership with key stakeholders to deliver our vision for walking and cycling.

The Strategy should provide the foundations, over the longer term, to build a travel culture in which walking and cycling are seen as the natural choice for most of the journeys most of us make. Currently the proportion of trips made by bicycle in Great Britain is at least twice the level recorded in Northern Ireland. The proportion of trips by bicycle in Great Britain is set to increase to an as yet unspecified level. I wanted the Strategy to capture the aspiration for NI to rise faster to a comparable

level over the next ten years, rather than limiting our ambition to achieving parity with current levels of cycling in Great Britain. For that reason, the Strategy sets a number of relative targets as follows:

- Increase the average distance cycled to be in line with our UK counterparts by 2020, and
- Increase the percentage of trips taken by cycling to be in line with our UK counterparts by 2020.

Our targets are not static and therefore will increase further over the lifetime of the Strategy, taking account of any future growth in cycling rates in Great Britain. While challenging, I believe this is the correct approach if cycling is to become the natural choice for most of the short journeys we make and if we are to avoid constraining our ambitions.

In addition, the Strategy also sets specific targets to increase the rates of cycling among school pupils as follows:

- by 2015, 36% of primary school pupils and 22% of secondary school pupils should be walking or cycling to school as their main mode of travel;
- by 2019, 40% of primary school pupils and 25% of secondary school pupils should be walking or cycling to school as their main mode of travel.

A great deal has already been achieved under the Active Travel Strategy. In support of the Strategy, the Active Travel Action Plan sets out measures that will be taken forward by government departments, local authorities and voluntary bodies over the next few years to encourage more cycling and walking and less dependency on private cars.

I remain determined to build on this and ensure a renewed focus on cycling within my Department. For that reason I recently announced the establishment of a new cycling unit in my Department. The unit will answer to me directly and will co-ordinate the wide range of initiatives within my department and engage cycling bodies and groups to ensure a clear focus on delivering my ambitions for cycling.

## Cycling

**Mr Weir** asked the Minister for Regional Development to outline the initiatives in place to increase the percentage of journeys taken by bicycle.

(AQW 25653/11-15)

**Mr Kennedy:** When I launched the Active Travel Strategy in January of this year I undertook to publish an Action Plan which sets out actions that will be taken by government departments, local authorities and voluntary bodies to encourage more cycling and walking.

The Action Plan which was published at the beginning of August lists many of the initiatives planned up to 2015 and includes those delivered to-date such as:

- Opening of the Comber Greenway to Titanic Quarter Cycle Route;
- The Northern Ireland Civil Service "Cycle to Work Scheme" which has helped 700 staff to obtain bicycles;
- £2.4 million spent by my Department in providing 8km of new footway, 3.7km of cycle lanes, 22 new pelican crossings and 19 safe routes to school schemes.

My Department is also providing £4.3m to fund active travel Demonstration projects in Belfast, Londonderry, Craigavon and Strabane. I have also more recently committed £50k for my Department to undertake a Feasibility Study into a cycle / pedestrian footbridge over the River Lagan close to the gasworks site. Furthermore, my Department's Roads Service plans to implement around 4.5km of new cycle lanes.

Another very recent initiative is The Active School Travel Programme which will provide a programme of cycle and walking skills training to pupils up to 180 schools across Northern Ireland over a three year period. The objective of this programme is to encourage school pupils to adopt cycling and walking as their main mode of transport to and from school. We need to support this programme with investment in infrastructure (often safety measures at schools) to encourage participation. I aim to bid for £2m in October Monitoring to kick start this programme and I am keen to develop a long term marketing campaign to develop behavioural change.

I believe we need an increased focus on cycling if we are to keep pace. For that reason I recently announced the establishment of a new cycling unit within my Department that will answer to me directly and will co-ordinate the wide range of initiatives within my department and engage cycling bodies and groups to ensure a clear focus on delivering my ambitions for cycling

I look forward to the continuing co-operation of all interested stakeholders over the coming years to deliver our vision for walking and cycling, which is to put walking and cycling at the heart of local transport, public health and well-being.

## Cycling Infrastructure

**Mr Weir** asked the Minister for Regional Development whether there are plans for strategic long term infrastructure for cycling.

(AQW 25654/11-15)

**Mr Kennedy:** My Department's three Transport Plans, the Regional Strategic Transport Network Transport Plan (RSTNTP), the Belfast Metropolitan Transport Plan (BMTP) and Sub-Regional Transport Plan, set out the proposals for strategic long term infrastructure for cycling. These proposals, where they involve the roads infrastructure, are delivered primarily through the Local Transport and Safety Measures programme, as available resources permit.

My Department is committed to promoting cycling as a healthy and environmentally friendly mode of transport and will continue to work, in partnership with local government, voluntary bodies, public transport operators and the health and education sectors, to promote this pursuit across Northern Ireland and develop cycling initiatives further.

Recently, I have published an Action Plan for Active Travel, which will, in the period 2012-2015, promote walking and cycling across all Executive Departments and by local authorities and other interested bodies to take forward the Active Travel Strategy. This Action Plan includes a range of proposals to improve the infrastructure for cycling up to the end of the current budget period.

Beyond 2015, as part of the New Approach to Regional Transportation, my Department is developing transport spending proposals which will feed into the next Programme for Government budget process. This is being undertaken through a policy fit process which will identify those transport schemes which will best achieve the strategic objectives of the Northern Ireland Executive. The assessment process includes consideration of sustainable modes of travel, including cycling.

Also, I am establishing a new cycling unit within my Department, which will be tasked to identify and invest in new cycling schemes to complement the existing National Cycle Network in accordance with the Northern Ireland Cycling Strategy.

## Waste Water Treatment Works

**Mr Buchanan** asked the Minister for Regional Development, in relation to Waste Water Treatment Works, to detail the number that (i) require upgrading due to overloading; (ii) will be upgraded; and (iii) have had additional connections refused due to the current system being overloaded, broken down by constituency.

**(AQW 25668/11-15)**

**Mr Kennedy:** I have been advised by Northern Ireland Water (NI Water) that it operates and maintains a wide range of Wastewater Treatment Works (WwTWs), from septic tanks serving 2 or more houses to the large Belfast WwTW at Duncrue Street. NI Water collects and treats domestic wastewater, stormwater and trade effluent discharges which are measured in terms of the equivalent population (PE).

Out of the total of 1028 WwTWs, 250 WwTWs serve population equivalents (PE) greater than 250 people, 164 WwTWs serve populations between 250 and 50 and 614 WwTWs serve populations less than 50. The 778 WwTWs serving less than 250 PE serve less than 2% of the total population, generally in rural areas.

NI Water continues to invest in improving and maintaining wastewater treatment and is currently achieving its highest ever wastewater discharge compliance. In 2012 over 98% of the population was served by compliant works and this compares with 84.5% in 2007.

- (i) Of the 1028 WwTWs that NI Water operates, 130 currently require to be upgraded due to overloading. It is important to note that these works may be currently complying with their discharge consent but need to be upgraded due to increased risk to compliance or to provide additional capacity. These 1028 Works can be split into two distinct groups, those above 250 Population Equivalent (PE) (82no.) and those between 250PE and 50PE (48no.). With reference to the 614 WwTWs below 50PE it would be anticipated that headroom would be limited at many of these sites. However, given the rural nature of these very small works any significant new development is likely to require an increase in treatment capacity.
- (ii) The funding for the upgrades of the WwTWs is determined by the Utility Regulator during the Price Control (PC) process based on the public sector capital funding available. The funding available and the priority for investment is set out in the Social & Environmental Guidance prepared by the Department for Regional Development. For the PC13 period, 2013-2015, funding is available for the upgrade of 15 sites above 250PE that are currently overloaded and for 11 sites between 250PE & 50PE. For the PC15 period (2015-2021) NI Water plan to upgrade a further 34 sites above 250PE threshold that are currently overloaded and an additional 25 sites in the band between 250PE & 50PE. It should be noted that the final list of WwTWs to be upgraded during PC15 will be confirmed following further stakeholder engagement and a final determination by the Utility Regulator in December 2014.
- (iii) Additional connections have been refused at 70 of the 82 WwTWs above 250PE and 22 of the 48 of the WwTWs between 250PE and 50PE.
- (iv) The decision to permit or refuse development rests with Planning Service. NI Water's responsibility as a Consultee within the planning process is to consider the impact of additional loading on the WwTWs and the sewerage system and the impact on the ability of the WwTW to meet the discharge standards. Where NI Water does not recommend a connection to the system it is generally accompanied with a statement on alternatives such as the provision of a private treatment works by the developer, subject to NIEA approvals. Alternatively, if NI Water is confident of completing an upgrade at a WwTW where headroom constraints apply, and is within two years of substantial completion it will recommend connection to the system either in an unconstrained recommendation or with a negative condition approval whereby properties can be built but not occupied until completion of the WwTW upgrade.

The detail of WWTWs by constituency can be seen within the two tables attached:

**Waste Water Treatment Works above 250Pe that are currently Overloaded**

<b>Name of Works</b>	<b>Site Car ID</b>	<b>WWTWs Identified for Upgrade during PC13 Period 2013-15</b>	<b>WWTWs Identified for Upgrade during PC15 Period 2015-21</b>	<b>Refused Connection to Catchment</b>	<b>Parliamentary Constituency</b>
Aghanloo (1)	S02989		Y	Y	East Londonderry
Annacloy (WWTW)	S00292		Y	Y	South Down
Ardstraw (WWTW)	S02997				West Tyrone
Armoy (WWTW)	S01172		Y	Y	North Antrim
Artigarvan (WWTW)	S03002	Y		Y	West Tyrone
Augher (WWTW)	S03005			Y	Fermanagh and South Tyrone
Aughnacloy	S03007			Y	Fermanagh and South Tyrone
Ballintoy (Retention Tank)	S01174		Y	Y	North Antrim
Ballybogy	S01087		Y	Y	North Antrim
Ballycastle (WWTW)	S01071		Y	Y	North Antrim
Ballycranbeg	S00218	Y		Y	Strangford
Ballygawley (WWTW)	S03013			Y	Fermanagh and South Tyrone
Ballygowan	S00247		Y	Y	Strangford
Ballymagorry (WWTW)	S03018	Y		Y	West Tyrone
Ballyronan (WWTW)	S01558		Y	Y	Mid Ulster
Ballyvoy	S01177		Y	Y	North Antrim
Ballywalter (Retention Tank)	S05189		Y		Strangford
Belleek (Fermanagh)	S03024				Fermanagh and South Tyrone
Blackwatertown (WWTW)	S02552			Y	Newry And Armagh
Cabragh (WWTW)	S02834			Y	Fermanagh and South Tyrone
Carrowdore	S00236		Y	Y	Strangford
Clabby (WWTW)	S03051	Y		Y	Fermanagh and South Tyrone
Clarehill	S01039			Y	East Londonderry
Clogher (WWTW)	S03056			Y	Fermanagh and South Tyrone
Cranfield (Down)	S02721		Y	Y	South Down
Dernaflaw	S03072		Y	Y	East Londonderry
Derrycrin	S01567		Y	Y	Mid Ulster
Dervock (WWTW)	S01102		Y	Y	North Antrim
Desertmartin	S01614		Y	Y	Mid Ulster
Donaghmore (WWTW)	S02840	Y		Y	Mid Ulster
Donemana	S03103		Y	Y	West Tyrone
Dromore (Tyrone)	S03083	Y		Y	West Tyrone
Drumaness (WWTW)	S00293			Y	South Down
Drumquin (WWTW)	S03098			Y	West Tyrone
Drumturn	S03100	Y		Y	East Londonderry

<b>Name of Works</b>	<b>Site Car ID</b>	<b>WWTWs Identified for Upgrade during PC13 Period 2013-15</b>	<b>WWTWs Identified for Upgrade during PC15 Period 2015-21</b>	<b>Refused Connection to Catchment</b>	<b>Parliamentary Constituency</b>
Dundrum (Down)	S00297		Y	Y	South Down
Dunloy	S01108				North Antrim
Ederney (WWTW)	S03106		Y	Y	Fermanagh and South Tyrone
Eglish (Tyrone)	S02843		Y	Y	Fermanagh and South Tyrone
Fivemiletown (WWTW)	S03113		Y	Y	Fermanagh and South Tyrone
Garrison (WWTW)	S03115		Y	Y	Fermanagh and South Tyrone
Gortin (Tyrone)	S03124			Y	West Tyrone
Grange (Taylorstown)	S01442		Y		North Antrim
Greyabbey (WWTW)	S00214		Y		Strangford
Killinchy (WWTW)	S00252		Y	Y	Strangford
Killough (Retention Tank)	S00275			Y	South Down
Kilmore (Down)	S00285	Y			South Down
Kilrea	S01156		Y	Y	East Londonderry
Kircubbin (WWTW)	S04881		Y	Y	Strangford
Knockloughrim	S01623		Y	Y	Mid Ulster
Lawrencetown	S02142			Y	Upper Bann
Liscolman	S01191				North Antrim
Lisnarrick	S03170	Y		Y	Fermanagh and South Tyrone
Lough Macrory (WWTW)	S03174			Y	West Tyrone
Loughguile	S01115				North Antrim
Maghaberry	S02412		Y	Y	Lagan Valley
Magheramason	S03177	Y		Y	West Tyrone
Markethill	S02591			Y	Newry and Armagh
Martinstown	S01445	Y		Y	North Antrim
Moneyreagh (WWTW)	S00337		Y		Strangford
Moneyslane (WWTW)	S02151			Y	South Down
Moorfields	S01446			Y	North Antrim
Moss-side (WWTW)	S01194		Y	Y	North Antrim
Mountfield (WWTW)	S03192		Y	Y	West Tyrone
Mountnorris	S02248			Y	Newry And Armagh
Moy (WWTW)	S02859			Y	Fermanagh and South Tyrone
Mullanahoe (WWTW)	S02043			Y	Mid Ulster
Mullans (Antrim)	S01118		Y	Y	North Antrim
Newmills (WWTW)	S02852			Y	Mid Ulster
Newtownbutler (WWTW)	S03200			Y	Fermanagh and South Tyrone
Nixons Corner (WWTW)	S03203	Y		Y	Foyle



<b>Name of Works</b>	<b>Site Car ID</b>	<b>WWTWs Identified for Upgrade during PC13 Period 2013-15</b>	<b>WWTWs Identified for Upgrade during PC15 Period 2015-21</b>	<b>Refused Connection to Catchment</b>	<b>Parliamentary Constituency</b>
Poyntzspass (WWTW)	S02156			Y	Newry And Armagh
Redford	S02853				Fermanagh and South Tyrone
Robinsonstown	S02419	Y		Y	Upper Bann
Rosslea (WWTW)	S03213			Y	Fermanagh and South Tyrone
Seskinore	S03217			Y	West Tyrone
Spamount	S03221			Y	West Tyrone
Stoneyford (WWTW)	S00328	Y		Y	Lagan Valley
Stranocum	S01123			Y	North Antrim
Tamlaght (WWTW)	S03224				Fermanagh and South Tyrone
Tempo (WWTW)	S03229	Y		Y	Fermanagh and South Tyrone
Victoria Bridge (WWTW)	S03236		Y	Y	West Tyrone

**Waste Water Treatment Works between 250Pe & 50Pe that are currently Overloaded**

<b>Name of Works</b>	<b>Site Car ID</b>	<b>WWTWs Identified for Upgrade during PC13 Period</b>	<b>WWTWs Identified for Upgrade during PC15 Period</b>	<b>Refused Connection to Catchment</b>	<b>Parliamentary Constituency</b>
Aghinlig (WWTW)	S02554			Y	Newry and Armagh
Aghory	S02547			Y	Newry and Armagh
Ardgarvan (WWTW)	S02987				East Londonderry
Ballymaderphy	S02728			Y	South Down
Ballynadolly	S00327				Lagan Valley
Ballynafie	S01431				North Antrim
Bankside Shinn	S02692	Y			South Down
Cappagh (WWTW)	S02857		Y	Y	Mid Ulster
Carmean	S01608				Mid Ulster
Carnduff (Retention Tank)	S01180		Y	Y	North Antrim
Church Hill	S03050			Y	Fermanagh and South Tyrone
Cladymore	S02566			Y	Newry and Armagh
Cranfield(Antrim)	S01418			Y	South Antrim
Culcrow	S01146		Y		East Londonderry
Donaghey (2)	S01569		Y		Mid Ulster
Dromore Highlands	S03085	Y			East Londonderry
Drumilly	S02268	Y			Newry and Armagh
Drumlegagh Church Road	S03987			Y	West Tyrone
Dundrod	S00326		Y		Lagan Valley

Name of Works	Site Car ID	WWTWs Identified for Upgrade during PC13 Period	WWTWs Identified for Upgrade during PC15 Period	Refused Connection to Catchment	Parliamentary Constituency
Dunserverick (Retention Tank)	S01185		Y	Y	North Antrim
Edencrannon (WWTW)	S02858		Y	Y	Fermanagh and South Tyrone
Edenderry (Tyrone)	S03104	Y			West Tyrone
Glassdrumman (Armagh)	S02271				Newry And Armagh
Glen Villas	S02723				South Down
Glenoe	S01462		Y	Y	East Antrim
Kearney(Retention Tank)	S00225				Strangford
Killeen (Armagh)	S02294		Y	Y	Newry and Armagh
Killybaskey	S01581		Y		Mid Ulster
Kilskeery	S03148	Y		Y	West Tyrone
Legacurry (Down)	S00321		Y		Lagan Valley
Locard Park	S02144			Y	Upper Bann
Longs Glebe	S01160		Y		East Londonderry
Mayboy	S01163		Y	Y	East Londonderry
Milltown (Aghory)	S02593	Y		Y	Newry and Armagh
Moneydig	S01167	Y		Y	East Londonderry
Moneyglass	S01423		Y		South Antrim
Mountain View (Drumintee)	S02278	Y			Newry and Armagh
Mounthill	S01465	Y		Y	East Antrim
Mulderg (WWTW)	S03194				Foyle
Mullaghglass (Antrim)	S00325		Y		Lagan Valley
Newtown-Crommelin	S01447		Y		North Antrim
Noones Vale	S01632		Y		Mid Ulster
Oliver Plunkett Park	S02284				Newry and Armagh
St James	S00322				Lagan Valley
Tartaraghan	S02421				Upper Bann
The Loup (WWTW)	S01588		Y	Y	Mid Ulster
Tullyroan	S02600			Y	Newry And Armagh
Waterfoot Road (WWTW)	S01643		Y	Y	Mid Ulster

## A26 Dualling Scheme: Effect on Farming

**Mr Storey** asked the Minister for Regional Development how farmers will be accommodated adjacent to the new A26. (AQW 25672/11-15)

**Mr Kennedy:** The A26 Dualling scheme will provide an all-purpose dual carriageway with landowners and farmers accessing it from either left in - left out junctions, or one of the adjacent full movement side road junctions.

Appropriate accommodation works will also be provided and will include the provision of fencing, hedging, gates and laneways.

Where land is required for the scheme, landowners will be compensated in accordance with the Land Compensation (Northern Ireland) Order 1982. The purpose of this monetary compensation is to ensure the landowner is put in a similar

position to what he would have been had the land or property not been taken for the scheme. Compensation matters are dealt with directly by the Department of Finance and Personnel's Land and Property Services (LPS), on behalf of my Department.

### A26 Dualling Scheme: Effect on Farming

**Mr Storey** asked the Minister for Regional Development whether underpasses will be made available to local farmers along the proposed A26.

**(AQW 25675/11-15)**

**Mr Kennedy:** The provision of cattle creeps, which may take the form of either an underpass or an overbridge, have been considered as part of landowner accommodation works on the proposed A26 dual carriageway. The needs of individual farms, for example, their layout and management, as well as details of the frequency and type of movement of cattle, size of the herd, the degree of severance, the opportunity to share facilities and road user safety, have all been assessed.

I should explain my Department has no legal obligation to carry out accommodation works, as liability is limited to monetary consideration only. If, and when, accommodation works are carried out, the effect is to mitigate the compensation payable in respect of land taken and injurious affection to land retained by the landowner. In this respect, the cost of accommodation works, in terms of value to the property, is taken into account by DFP's Land & Property Services (LPS) in assessing the overall compensation payable in respect of land and/or rights acquired.

When taking all of this information into account, my Department concluded that the provision of any agricultural crossing for landowners along the proposed A26 road scheme would not be economically viable.

I am aware that requests by local farmers for agricultural underpasses were discussed at the A26 Public Inquiries in November 2012. My Department is currently giving consideration to the Inspector's recommendations and I hope to be in a position to publish the Departmental Statement soon.

### Rail and Bus Network: Secure Bicycle Parking Spaces

**Mr McKay** asked the Minister for Regional Development to detail the number of secure bicycle parking spaces at each (i) train halt; (ii) train station; and (iii) bus station.

**(AQW 25681/11-15)**

**Mr Kennedy:** The number of bicycle parking spaces at each train station and bus station is set out in the tables below. Translink's intention is to expand cycle storage capacity over the next year.

#### Bicycle Spaces At NI Railway Stations

Location	No. of Spaces
Antrim	10
Bangor Rail	40
Ballymena	6
Ballymoney	10
Belfast Central	12
Carrickfergus	6
Coleraine	12
Greenisland	4
GVS	6
Hollywood	12
Jordanstown	6
Larne Town	2
Lisburn	16
Londonderry	4
Lurgan	12
Moir	6
Newry	4
Portadown	28
Whiteabbey	6

Location	No. of Spaces
Whitehead	6
<b>Total</b>	<b>208</b>

**Bicycle Spaces At Bus Stations**

Location	No. of Spaces
Antrim	6
Ballymena	6
Bangor	Nil
Coleraine	12
Larne	Nil
Newtownards	1 + (2 planned for)
	25
Armagh	Nil
Banbridge	4
Craigavon	4
Downpatrick	20
Laganside	5
Lisburn	16
Newcastle	20
Newry	10
	79
Dungannon	6
Enniskillen	Nil
Limavady	8
Londonderry	6
Magherafelt	Nil
Omagh	4
Strabane	Nil
	24
<b>Total</b>	<b>128</b>

**Cycle Proofing**

**Mr Weir** asked the Minister for Regional Development to outline the plans she has to cycle-proof new transport policies.  
(AQW 25690/11-15)

**Mr Kennedy:** My Department's new Approach to Regional Transportation includes a policy fit assessment on future transport interventions which will identify those transport schemes which will best achieve the strategic objectives of the Northern Ireland Executive. The assessment process includes consideration of sustainable modes of travel, including cycling.

In addition I have recently decided to create a dedicated cycling unit within my Department. This unit will work closely with other government departments and key stakeholders to ensure cycling policies are effective and co-ordinated.

My Department will also continue to encourage the promotion of cycling and active travel solutions through the Active Travel Strategy and its subsequent Action Plan.

## Roadworks

**Mr D McIlveen** asked the Minister for Regional Development what consideration is given to the time of year when assessing the impact of roadworks.

(AQW 25707/11-15)

**Mr Kennedy:** When considering the impact of road works, my Department considers a wide range of factors including:

- the urgency/nature of the works, for example, emergency works, may have to be carried out at short notice;
- variations in expected traffic volumes and impact to road users, such as the impact of school holidays and the Christmas period;
- availability of finance, including additional in-year allocations;
- likely conflict with large public or security events, for example, the North West 200 or the G8 Summit;
- resources available to contractors, potentially meaning large programmes of work need to be spread throughout the year;
- co-ordination of works by utilities, such as BT, NIE etc., or other nearby road works; and
- the proximity of residential properties and/or places of worship when, considering night time or weekend working.

## Reservoirs: Conlig

**Mr Easton** asked the Minister for Regional Development when NI Water plan to sell its reservoirs in Conlig.

(AQW 25712/11-15)

**Mr Kennedy:** I have been advised by Northern Ireland Water (NIW) that while the reservoirs at Conlig have been declared surplus to requirements and are listed in its Annual Land Disposal Register, a timeframe for offering them to the market has not yet been identified.

In disposing of surplus assets, NIW must ensure that it obtains the best price, achieves value for money and maintains high standards of propriety. Any sale is dependent on a number of factors, not least the market conditions at the time of the sale and the level of expressions of interest. NIW is conscious of the amenity enjoyed by the local community at Conlig and other users of the facility, and will encourage any prospective purchaser to maintain this amenity. However, it is not NIW policy to include conditions of this nature within the contract for sale of any property.

## Cycle to Work Scheme

**Mr McKay** asked the Minister for Regional Development what steps he is taking to promote the Cycle to Work scheme.

(AQW 25717/11-15)

**Mr Kennedy:** The Cycle to Work Scheme is a HMRC scheme.

My Department through its Travelwise initiative promotes cycling as a sustainable mode of travel to work and school. Travelwise regularly promotes the Cycle to Work Scheme in its campaigns: including reference to the scheme in press and media releases highlighting cycling matters; in Workplace travel plans prepared on behalf of Travelwise for employers in all sectors; and at promotional events held in workplaces. We have also provided advice on the Cycle to Work Scheme to a range of employers in all sectors.

## Sewerage: North Down

**Mr Easton** asked the Minister for Regional Development to detail the cost of upgrading the sewerage system in the North Down area, in the last three financial years.

(AQW 25759/11-15)

**Mr Kennedy:** I have been advised by Northern Ireland Water that the cost of upgrading the sewerage system in the North Down area in the last three financial years, is as detailed in the table below.

Period	Expenditure (£000s)
April 2010 – March 2011	£1,036
April 2011 – March 2012	£734
April 2012 – March 2013	£877
<b>Total</b>	<b>£2,647</b>

## Cycling

**Mr McKay** asked the Minister for Regional Development to detail the number of miles cycled in 2012 compared with 2011, broken down by constituency.

(AQW 25776/11-15)



**Mr Kennedy:** The Travel Survey for Northern Ireland (TSNI) contains information on the average distance travelled per person per year by bicycle, however, information is not broken down to constituency level.

For all TSNI analysis, as the sample size is relatively small, 3 years of data need to be combined to ensure that the analysis carried out is robust.

Currently available information is provided in Table 1 of the Headline Report (2010-2012) and Table 3.5 of the In-depth Report (2009-2011) both of which can be found at:

[www.drdni.gov.uk/index/statistics/stats-categories/northern\\_ireland\\_travel\\_survey.htm](http://www.drdni.gov.uk/index/statistics/stats-categories/northern_ireland_travel_survey.htm).

## Annsmouth Waste Water Treatment Works

**Mr Rogers** asked the Minister for Regional Development to outline the cost of repairing the damage caused by vandalism at Annsmouth Waste Water Treatment Works since 2010.

**(AQW 25880/11-15)**

**Mr Kennedy:** I have been advised by Northern Ireland Water (NIW) that since 2011 there have been a number of incidents relating to trespass and vandalism at Annsmouth Wastewater Treatment Works. The total cost of repairs and remedial works arising from these incidents is approximately £32,000. There were no recorded incidents before 2011.

NIW has been working closely with the Police Service of Northern Ireland and has increased staffing levels at the Works to deter further incidents.

## Trains

**Mr Easton** asked the Minister for Regional Development to detail the cost of purchasing new trains, in each of the last three financial years.

**(AQW 25928/11-15)**

**Mr Kennedy:** The table below details the cost of purchasing new trains in each of the last three financial years.

2010/11	2011/12	2012/13
£31,059,916	£50,721,337	£422,846

The overall cost of the 20 new trains is estimated as £112m.

## Buses

**Mr Easton** asked the Minister for Regional Development to detail the cost of purchasing new buses, in each of the last three financial years.

**(AQW 25929/11-15)**

**Mr Kennedy:** The table below details the cost of purchasing new buses in each of the last three financial years.

	2010/11	2011/12	2012/13
New Buses	£6,432,876	£12,744,018	£19,870,989 *
New Tour Buses	£730,098 (Self Funded by Ulsterbus)		

\* includes £5.8m received through the European Sustainable Competitiveness Programme Northern Ireland 2007-2013

## Cycling

**Mr McKay** asked the Minister for Regional Development how his Department measures the number and percentage of people cycling; and to detail the latest figures.

**(AQW 25967/11-15)**

**Mr Kennedy:** The Travel Survey for Northern Ireland (TSNI) contains information on the percentage of people who have cycled in the last 12 months, broken down by age and gender.

Currently available information is provided in Table 5.4 of the TSNI In-depth Report (2009-2011) which can be found at:

[www.drdni.gov.uk/index/statistics/stats-categories/northern\\_ireland\\_travel\\_survey.htm](http://www.drdni.gov.uk/index/statistics/stats-categories/northern_ireland_travel_survey.htm).

Detailed information on survey methodology, data quality and guidance on using the data can be found in the User Information section of the In-depth Report while definitions and survey notes are included in Appendix A.

A separate Technical Report is published annually which provides greater detail on the survey methodology and this can also be found at the link above.

## Bicycle Racks on Buses

**Mr McKay** asked the Minister for Regional Development, pursuant to AQW 25213/11-15, what assessment was made of the extent to which bicycle racks obscure driver vision and affect driving performance; and whether his Department considered the experiences of other countries that introduced bicycle racks when making this decision.

**(AQW 26029/11-15)**

**Mr Kennedy:** Translink has advised my officials that an assessment was carried out using a fixture provided by the cycle rack supplier which simulated the position of the rack on the front of a bus.

Translink also looked at similar cycle racks as fitted to buses in North America, U.S.A. and Canada, as at the time of the tests there were no equivalent applications in the UK or Ireland.

The main difference in North America was the design of the buses which had smaller windscreens and higher floor levels which meant that the racks did not interfere with the view of the driver when fitted.

Most buses in the Translink fleet have large windscreens which take up typically about two thirds of the frontal area of the bus. Approximately 1/3 of this area would have been obscured by the rack, which was deemed unacceptable for safety reasons.

## Department for Social Development

### Social Housing Developments

**Mr Elliott** asked the Minister for Social Development to detail the new build social housing developments completed in (i) 2012; and (ii) 2013 by (a) Clanmil; (b) Fold; (c) Apex; (d) Oaklee; and (e) Alpha Housing Associations, including the name of the development, the name of main contractor and the date of practical completion.

**(AQW 25222/11-15)**

**Mr McCausland (The Minister for Social Development):** The Housing Executive has provided the tables below setting out details of the new build only social housing projects developed by the Housing Associations in 2012 and 2013. They have also advised that Alpha Housing Association did not have any developments over this period.

The Housing Executive advises that the table may not include all schemes completed by these Housing Associations during 2012 and 2013. This is because Housing Associations manage on site construction contracts and they only notify the Housing Executive at the point of submitting a claim for final payment of Housing Association Grant.

**Table 1- Practical Completions 2012**

Housing Association	Scheme Name	Units	Practical Completion Date	Main Contractor
Apex Housing	Garvaghy Crescent, Phase 1, Portglenone (T)	16	05-Jan-12	Brendan Loughran & Sons
Clanmil	North Rugby Club, Phase 3, Belfast	42	18-Jan-12	T & A Kernaghan Ltd
Clanmil	Templepatrick Library Site	2	19-Jan-12	M J McBride Ltd
Apex Housing	Martin's Lane, Newry	6	1-Feb-12	O'Hanlon & Farrell Ltd
Clanmil	155 Glen Road, Belfast	15	13-Feb-12	Dixons Contractors Ltd
Apex Housing	PSNI Site, Cullion Road, Tempo	4	07-Mar-12	Dixon's Contractors Ltd
Fold	Alliance Avenue, Belfast (T)	4	16-Mar-12	O'Hanlon & Farrell Ltd
Oaklee	PSNI Station Melmount Road, Sion Mills	6	28-Mar-12	Lowry Bros. Ltd
Fold	Lands at Oldpark Avenue (T)	4	19-Apr-12	Andrew Bradley Ltd
Oaklee	Lisnahull Road, Dungannon (T)	5	24-Apr-12	T&A Kernaghan Ltd
Apex Housing	Rosapenna Parade, Belfast	2	26-Apr-12	Kelly Bros
Oaklee	Blackmountain Bungalows, Ph2A, Belfast (Transfer)	2	08-May-12	Eden Contractors
Apex Housing	Moss Road, Millisle	10	11-May-12	T A Kernaghan & Son
Fold	Tesco Site, Broadway, Donegall Road, Belfast, Phase 2	31	22-May-12	O'Hanlon & Farrell Ltd

Housing Association	Scheme Name	Units	Practical Completion Date	Main Contractor
Oaklee	Stanhope Site Phase 2 (T)	11	30-May-12	M J McBride
Apex Housing	PSNI Site, 48 Main Street, Lisbellaw	12	05-Jun-12	T&A Kernaghan Ltd
Clanmil	North Infill Hatfield Street, Belfast (T)	4	06-Jun-12	T&A Kernaghan Ltd
Apex Housing	Brookfield Gardens, Ahoghill (T)	9	21-Jun-12	Dixons Ltd
Clanmil	32 Whiterock Road/Whiterock Grove, Belfast	7	21-Jun-12	O'Hanlon & Farrell Ltd
Apex Housing	Orchard Park, Aughnacloy (Transfer)	15	25-Jun-12	McGurran Construction
Fold	Mullacreevie Phase 1 (T)	21	25-Jun-12	Kelly Bors
Oaklee	466 Shore Road, Rathcoole	10	27-Jun-12	M J McBride
Fold	Upper North Street, Newtownards	31	05-Jul-12	O'Hanlon & Farrell Ltd
Fold	Rashee Drive/Ballycorr Road, Ballyclare (T)	15	5-Jul-12	O'Hanlon & Farrell Ltd
Oaklee	Ballyduff Primary School, Ballyduff	20	05-Jul-12	Moss Construction
Apex Housing	Bligh's Lane, United Technologies Site, Londonderry	61	24-Aug-12	O'Hare & McGovern
Clanmil	Neilsbrook, Randalstown (T)	25	19-Sep-12	Brendan Loughran
Clanmil	Derrymacash, Craigavon (T)	14	24-Sep-12	M J McBride
Clanmil	Summerhill Road, Twinbrook (T)	14	25-Sep-12	Dixon's Contractors Ltd
Apex Housing	Rathcoole Gardens, Newtownabbey (T)	28	4-Oct-12	TAL Ltd
Apex Housing	Blenheim Drive, Newtownards (T)	15	11-Oct-12	Dixon Contractors
Oaklee	Crossbill Place, Pond Park Infill	10	23-Oct-12	Glasgiven Contracts
Fold	Lawnbrook URA, Belfast (T)	26	01-Nov-12	M J McBride
Oaklee	Glen View, Rathfriland (T)	2	15-Nov-12	Cunningham Contracts
Apex Housing	Desmond's Factory Site, Aughrim Road, Magherafelt	30	06-Dec-12	Brendan Loughran
Apex Housing	Buncrana Road, Londonderry	67	12-Dec-12	Kevin Watson Contractors

Table 2 – Practical Completions 2013

Housing Association	Scheme Name	Units	Practical Completion Date	Main Contractor
Oaklee	Factory Site, Alliance Avenue, Belfast	29	09-Jan-13	Geda Construction
Oaklee	Longstone Road, Annalong	6	22-Jan-13	Kelly Bros
Fold	Rathkellan Park, Crossmaglen (T)	1	31-Jan-13	O'Hare & McGovern
Clanmil	St Patrick's Road, Raholp, Downpatrick	8	7-Mar-13	Moss Construction
Clanmil	North Rugby Club, Phase 4, Belfast	8	26-Mar-13	Hugh J O'Boyle
Apex Housing	Mountpottinger PSNI Site, Belfast (ALP)	10	27-Mar-13	Brendan Loughran & Son
Apex Housing	Tamlough Park, Ballykelly (T)	13	18-Apr-13	McGirr/Naylor & Devlin
Apex Housing	Ballymacarrett Library Site, Templemore Avenue, Belfast	4	25-Apr-13	Hugh J O'Boyle

Housing Association	Scheme Name	Units	Practical Completion Date	Main Contractor
Apex Housing	Brook Street Library Site, Ahoghill (ALP)	6	09-May-13	M.J McBride Constrution
Apex Housing	Hass Road, Dungiven (T)	10	15-May-13	T A Kernaghan & Son
Fold	Eden Phase 3B, Carrickfergus (T)	22	16-May-13	Dixon's Contractors Ltd
Apex Housing	Ashleywood House, Phase 2, Ardmore Road, Londonderry	3	23-May-13	Lowry Bro's
Clanmil	27-33 Queen Street, Ballymena	14	20-Jun-13	Connolly & Fee Ltd
Fold	School Road (MOD/PSNI Site), Forkhill	10	20-Jun-13	O'Hare & McGovern
Apex Housing	Castlewellan Road, Newcastle Phase 1	130	05-Jul-13	O'Hare & McGovern

**Notes:**

- 1 Practical Completion dates are provided to the Housing Executive by Housing Associations at the point they submit their final claim for Housing Association Grant.
- 2 The information provided in these tables relate to New Build projects only.

**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.**

### Properties Excluded from Schemes in Ballymena, Ballymoney and Moyle Council Areas

**Mr Storey** asked the Minister for Social Development, pursuant to AQW 22275/11-15, whether the Housing Executive has any plans to establish a scheme to deal with a number of houses in each of these council areas.

**(AQW 25365/11-15)**

**Mr McCausland:** The Housing Executive has advised that the vast majority of tenants refusing to have work carried out relates to heating. In view of that, they operate a one off heating scheme each year to pick up on such properties at Change of Tenancy, or where appliances subsequently break down after the previous refusal of work.

Smoke alarm replacement refusals are rolled on each year until the replacement is completed.

External Cyclical Maintenance scheme work and kitchen refusals are kept under review by the Housing Executive's Area/ Local office and put forward for programming when appropriate.

### Neighbourhood Renewal

**Mr Easton** asked the Minister for Social Development how much has been spent on Neighbourhood Renewal in each year since its inception.

**(AQW 25408/11-15)**

**Mr McCausland:** The table below details my Departments expenditure in relation to Neighbourhood Renewal in each year since its inception. The budget for Neighbourhood Renewal in 2013/14 is £28m.

	Amount £000's
2003/04	727
2004/05	2,918
2005/06	7,880
2006/07	16,737
2007/08	22,084
2008/09	25,449
2009/10	27,355
2010/11	21,278
2011/12	25,467
2012/13	27,875

**Notes:**

- 1 A range of factors will influence expenditure including, the history of investment in the Neighbourhood Renewal areas from other initiatives or mainstream sources and the 'lead-in' period required to establish structures and produce Neighbourhood Renewal Action Plans will also impact on ability to utilise funds.

**Areas at Risk**

**Mr Easton** asked the Minister for Social Development how much has been spent on Areas at Risk in each year since its inception.

**(AQW 25414/11-15)**

**Mr McCausland:** The table below details my Departments expenditure in relation to Areas at Risk in each year since its inception. The budget for Areas at Risk in 2013/14 is £1m.

	Amount £000's
2006/07	379
2007/08	962
2008/09	1,000
2009/10	2.925
2010/11	729
2011/12	719
2012/13	343

**Notes:**

- 1 The 'lead-in' period required to establish structures and produce Action Plans will impact on ability to utilise funds and will influence expenditure.

**Neighbourhood Renewal**

**Mr Easton** asked the Minister for Social Development to list the areas currently receiving Neighbourhood Renewal funding.

**(AQW 25415/11-15)**

**Mr McCausland:** The table below lists the 36 Areas currently receiving Neighbourhood Renewal Funding.

Andersonstown	Tullycarnet	Bangor
Colin	Upper Ardoyne / Ballysillan	Brownlow
Crumlin / Ardoyne	Upper Springfield / Whiterock	Coalisland
Falls / Clonard	Limavady	Coleraine Churchlands
Greater Shankill	Outer North Derry	Coleraine East
Inner East Belfast	Outer West Derry	Downpatrick
Inner North Belfast	Strabane	Dungannon
Inner South Belfast	Triax - Cityside	Enniskillen
Ligoniel	Waterside	Lurgan
Outer West Belfast	Armagh	Newry
Rathcoole	Ballyclare	Omagh
South West Belfast	Ballymena	Portadown North West

**Housing Associations: Mergers**

**Mr Allister** asked the Minister for Social Development, given that the Northern Ireland Housing Executive (NIHE) has undertaken to ballot its tenants about transferring from the NIHE to housing association landlords, why Housing Association tenants are not balloted when mergers of associations are proposed.

**(AQW 25440/11-15)**

**Mr McCausland:** Housing Association tenants are not balloted prior to mergers between Housing Associations because they are remaining within the same regulatory framework with all its associated protection.



## Empty Homes: Upper Bann

**Mr Gardiner** asked the Minister for Social Development how many of the 32,000 empty homes that his Department has identified are in the Upper Bann constituency; and how many of these homes are in (i) Lurgan; (ii) Portadown; and (iii) Banbridge.

(AQW 25456/11-15)

**Mr McCausland:** The Department of Finance and Personnel's Land and Property Services provided my Department with details of the number of empty homes across Northern Ireland. Of the 32,000 empty homes identified, 1,742 are in the Upper Bann constituency. My Department is seeking to obtain actual addresses of empty homes from Land and Property Services.

The table below shows a breakdown of the total number of empty homes in the Upper Bann constituency.

Council	Electoral Area	Number Empty
Craigavon	Central	342
	Loughside	267
	Lurgan	409
	Portadown	396
Banbridge	Town	186
	Knockiveagh	142
<b>Total</b>		<b>1742</b>

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.

## Empty Homes

**Mr Gardiner** asked the Minister for Social Development whether he intends to involve housing associations in developing his Empty Homes strategy.

(AQW 25457/11-15)

**Mr McCausland:** As stated in the recently published Empty Homes Strategy and Action Plan, I am determined to maximise all opportunities to bring empty homes back into use. It is highly likely that Housing Associations will be involved in this effort.

In addition, as noted in the Action Plan, consideration will be given to bring forward legislation to enable Housing Associations to lease empty properties and then let them.

## Empty Homes

**Mr Gardiner** asked the Minister for Social Development what plans he has to involve local communities in regenerating empty homes in their area.

(AQW 25458/11-15)

**Mr McCausland:** My Department and the Housing Executive will work together to implement the Empty Homes Strategy and Action Plan. It is envisaged that local communities will be involved in this action. A Housing Executive website will be available shortly to allow citizens in Northern Ireland to report empty homes in their community.

## Empty Homes: Crime

**Mr Gardiner** asked the Minister for Social Development what links his Department has established between empty homes and the incidence of crime.

(AQW 25459/11-15)

**Mr McCausland:** While I believe that bringing an empty property back into use can reduce anti-social behaviour my Department has not established any empirical links between empty homes and the incidence of crime.

You may wish to contact the Department of Justice to ascertain if it holds any data on incidence of crime around empty homes.

## Red Sky

**Mr McKay** asked the Minister for Social Development whether any departmental officials raised concerns about attending a meeting with Red Sky in June 2011.

(AQW 25480/11-15)

**Mr McCausland:** My Officials provided full briefing in advance of the meeting. In full knowledge of that briefing, I decided to attend the meeting. Officials also attended the meeting along with me.

## Housing Executive: Contractors

**Mr Copeland** asked the Minister for Social Development how many contractors have been released from their contracts with the Northern Ireland Housing Executive since 1 January 2011.

(AQW 25495/11-15)

**Mr McCausland:** The Housing Executive has advised that since 1 January 2011 six contractors have been released from Housing Executive contracts.

## Community Workers

**Mr Easton** asked the Minister for Social Development how many community workers posts are currently funded by his Department.

(AQW 25496/11-15)

**Mr McCausland:** My Department supports a broad range of services within the community through various programmes such as Neighbourhood Renewal, Areas at Risk, Small Pockets of Deprivation, Community Support, Community Investment and Housing Community officers. The Departments funding arrangements are to provide support for the delivery of services within the community and not to fund community posts therefore we are not the employer. However, as a result of this funding, 984 individuals are employed as community workers.

You may wish to note for the purpose of this response my Department has defined 'community worker' as a worker who works within the community and for the benefit of the community.

## Village Regeneration Scheme, South Belfast

**Mr Allister** asked the Minister for Social Development to detail (i) how much has been spent to date on the Village Regeneration Scheme in South Belfast; (ii) how much is still scheduled to be spent; (iii) when and how the remaining finance will be spent; and (iv) should the full original budget not be spent in The Village, then, where this will be spent.

(AQW 25599/11-15)

**Mr McCausland:** Expenditure on the Village Regeneration Scheme comprises of two elements:

- (i) vesting of existing properties, and a new build programme. The expenditure to date on both is:

### Stage 1 Vesting

The estimated full cost of the Village vesting scheme is £50,859,000 with £42.248 million expenditure since 2008/09 as detailed below. Some of this will be an accrual but reflects the NIHE resources allocated to the project.

	£'000 expenditure per accounts including accruals
2008/09	3,898
2009/10	13,246
2010/11	20,071
2011/12	4,427
2012/13	562
2013/14 to date	44
<b>Total</b>	<b>42,248</b>

### Stage 2 SHDP

The Village Regeneration Scheme is currently being delivered on the basis of five programmed new build/rehabilitation schemes by Fold Housing. These schemes will be delivered based on Housing Association Grant (HAG) supplemented by private borrowings by Fold Housing.

Housing Association Grant (HAG) across the 5 schemes is estimated at £8.1m (including public subsidy through transfer of Housing Executive lands).

£3.9m HAG has been paid to Fold Housing to date, in respect of the 3 schemes already started on site (see below for details).

Approximately £2.35m HAG remains to be paid to Fold Housing pending completion of the three phases on site. A further £1.8m HAG is estimated in respect of the two schemes programmed to start during this programme year 2013/14.

Three phases are currently on site and nearing completion. These are detailed below:

- Village Rehabs (9 units) onsite March 2013 and due to complete in January 2014 – Estimated total HAG £417,359 payable.
- Village Urban Renewal Area Phase 1 (37 units) onsite March 2012 and due to complete in December 2013. 21 units have been handed over already – Estimated total HAG £2,530,754 payable.
- Village Urban Renewal Area Phase 2 (50 units) onsite March 2012 and due to complete in February 2014. 11 units have been handed over already – Estimated total HAG £3,379,374 payable.

- (ii) The amount that is still scheduled to be spent on the Village Regeneration Scheme is as follows:

#### Stage 1 Vesting

A balance of £8,611,000 relates to projected spend for compensation claims and will be spent over the next 2-3 years.

#### Stage 2 SHDP

A further two phases are programmed to start onsite before March 2014. These are:

- Village Urban Renewal Area Phase 3 (27 units) – Estimated total HAG £1,305,474 payable.
- Village Rehabs (11 units) – Estimated total HAG £529,579 payable.

- (iii) The remaining finance will be spent up to March 2014 as outlined in points (i) and (ii) above. Finance for the construction of the 134 social housing units currently programmed for delivery as described above is drawn from the Housing Association Grant (HAG) budget.
- (iv) Should the full original budget not be spent in The Village, any unused HAG funding will be allocated to progress other social housing schemes.

## Work Capability Assessment Appeals

**Mr Agnew** asked the Minister for Social Development to detail the number of work capability assessment appeals; and the number of successful work capability assessment appeals, in each year since the assessments were introduced.

**(AQW 25627/11-15)**

**Mr McCausland:** The Department is unable to provide the information requested, as it does not distinguish between appeals made against medical decisions (i.e. those based on the outcome of the Work Capability Assessment) and appeals made against non-medical decisions (e.g. failure to return medical questionnaires, excess income/capital etc). Employment Support Allowance was introduced in October 2008 and up to March 2013 41,360 appeals had been received. Appeals lodged with the Social Security Agency are subject to withdrawal or reconsideration and therefore not all appeals received will progress to The Appeals Service. Some appeals may be under consideration, awaiting further medical evidence or other supporting information. No Employment and Support Allowance appeals had been completed by the end of 2008/09, following introduction of the benefit on 27 October 2008. Of those that have proceeded to hearing in the last 4 years 6,601 were upheld in the claimant's favour and 11,670 in the Department's favour. The table below provides a breakdown of the total Employment and Support Allowance appeals received, along with outcomes:

Year	Appeals received	Appeals upheld in claimant favour	Appeals upheld in Department's favour
2008-09	133	0	0
2009-10	5,201	354	860
2010-11	6,498	1,410	3,374
2011-12	10,460	2,067	3,778
2012-13	19,068	2,770	3,658

## Housing: Duke Street, East Belfast

**Mr Copeland** asked the Minister for Social Development to detail the total number of houses in Duke Street in east Belfast, broken down by those under the remit of (i) the Housing Executive; and (ii) a housing association; and the number of these houses that require roof maintenance.

**(AQW 25662/11-15)**

**Mr McCausland:** There are a total of 16 properties at Duke Street in East Belfast. There are no houses under the remit of the Housing Executive, 3 properties are owner-occupied and 13 are under the remit of Habinteg Housing Association.

The Housing Executive is currently engaged in a procurement process to fit protective roofing to owner-occupied properties at numbers 8, 11 and 12 Duke Street. These properties were previously owned by Habinteg Housing Association. Some Habinteg Housing Association properties have had their roofs replaced with metal cladding. No other properties under the remit of Habinteg Housing Association require roof maintenance.

## Polyframe Ltd

**Mr Allister** asked the Minister for Social Development whether he has met with representatives of Polyframe Ltd; when any such meetings took place; and for what reason.

(AQW 25677/11-15)

**Mr McCausland:** I have had no meetings with Polyframe Ltd.

## Fuel Poverty

**Mr Easton** asked the Minister for Social Development how many households are in fuel poverty.

(AQW 25711/11-15)

**Mr McCausland:** The Northern Ireland House Condition Survey 2011 reports that 42% of households in Northern Ireland are in fuel poverty.

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## Neighbourhood Renewal

**Ms Maeve McLaughlin** asked the Minister for Social Development to outline the rationale for the exclusion of project running costs as part of Neighbourhood Renewal through the North West Development Office.

(AQW 25724/11-15)

**Mr McCausland:** My Department's North West Development Office does not exclude project running costs as part of Neighbourhood Renewal funding.

Since the introduction of Neighbourhood Renewal in 2003, the North West Development Office has funded project running costs.

## Accommodation: Elderly Tenants

**Mr Copeland** asked the Minister for Social Development for his assessment of the Department for Social Development's current capability to meet the accommodation needs of elderly tenants.

(AQO 4574/11-15)

**Mr McCausland:** The NIHE as the Strategic Housing Authority for Northern Ireland carries out research on an ongoing basis into all aspects of the housing market. It has specifically carried out research into the future need and demand for appropriate models of accommodation and associated services for older people. This was published February 2011 and is available on the NIHE website - [www.nihe.gov.uk](http://www.nihe.gov.uk). Current policy is to build to Lifetime Homes standard to ensure a home is flexible, adaptable and accessible which allows older people to continue living as independently as possible in the community.

The NIHE consider trends in both social housing supply and demand and project what is considered to be the housing need requirement. NIHE Regional Planners also consider the available waiting list data, trends in supply and the wider demographic trends. These assessments include information on the various household groups, including older persons.

NIHE seek to ensure that a suitable housing mix for general social housing is provided by Housing Associations. This would normally reflect the proportion of household groups including elderly households that are in housing stress, subject to any constraints of the site or proposed development. Generally any "level access" accommodation (ground floor or with Lift Access) can be considered suitable for elderly applicants and does not always include bungalows.

On occasion, Housing Associations propose specific accommodation designed and managed for the "active elderly". These types of scheme are proposed by Housing Associations in line with the Department for Social Development's Housing Association Guidance and are referred to as "active elderly" (Cat1) accommodation.

Accommodation suitable for "frail elderly" (Cat2), or those with conditions such as dementia requiring additional support or care provision (Cat3) is assessed by the various Health Service Boards and Trusts and planned for within the Supporting People commissioning regime. Supporting People Commissioning involves a collaborative approach to identifying local need for supported living accommodation for those with a variety of more complex needs.

The Supporting People "Housing Related Support Strategy 2012-2015" identifies a total current provision of 10,300 supported elderly housing units (425 schemes) across Northern Ireland.

New Supply – General Need & Supported Elderly:

The NIHE's current 3 year Social Housing Development Programme (SHDP) for Northern Ireland contains the following planned schemes / units exclusively classified for elderly applicants:

Client Group	Schemes	Unit Numbers
General Need Active elderly	5	81
Supported Frail Elderly etc	7	175

In addition to these exclusively elderly schemes, there is also a significant number of 1 & 2 bedroomed general need units programmed within the SHDP. Many of these may also provide suitable accommodation for elderly households. This is in keeping with current policy on providing independent living for as long as possible with care provided in the community. There are a total of just over 3,400 general need one and two bedroomed units either on site or contained on the current 3 year SHDP. (It is not possible to present a specific breakdown on the number of potentially "elderly suitable/level access" general need units on the SHDP).

In addition to the schemes contained on the SHDP, elderly households can be housed by a range of transfers or allocations to suitable existing properties.

## Double Glazing Window Replacement Scheme

**Mr McKay** asked the Minister for Social Development when the outstanding work on the double glazing window replacement scheme will be allocated.

(AQW 25783/11-15)

**Mr McCausland:** The Housing Executive has advised that the low rise double glazing procurement is currently subject to a court injunction which has prevented them from proceeding. Work is underway to have the injunction lifted and the Housing Executive is hopeful that this will occur in the next week or so. If the Housing Executive is successful in having the injunction lifted they will proceed with the appointment to the Framework and in turn commence secondary competitions to award contracts as soon as possible. This should allow the programme to recommence during 2013/14.

It is still my intention to make sure that the commitment given in the Programme for Government to have double glazing installed in all Housing Executive properties by 2015 is achieved.

## Boiler Replacement Scheme

**Mr Lunn** asked the Minister for Social Development what was the budget allocation for the Boiler Replacement Scheme in the 2012/13 financial year.

(AQW 25802/11-15)

**Mr McCausland:** The budget allocation for the Boiler Replacement Scheme for the 2012/13 year was £4 million with the overall budget allocation of £12 million over the three years of scheme.

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## Boiler Replacement Scheme

**Mr Lunn** asked the Minister for Social Development to detail the actual spend on the Boiler Replacement Scheme in the 2012/13 financial year.

(AQW 25804/11-15)

**Mr McCausland:** The actual spend on the Boiler Replacement Scheme for the 2012/13 financial year was £2.65m. The Department of Finance and Personnel agreed that the remaining £1.35m of the budget for the 2012/13 year could be carried forward to the 2013/14 year as the scheme only commenced mid way through 2012.

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.

## Boiler Replacement Scheme

**Mr Lunn** asked the Minister for Social Development for his assessment of the uptake of the Boiler Replacement Scheme among people earning under £20,000 per annum (i) in the 2012/13 financial year; and (ii) from the beginning of the financial year 2013/14 to the end of August 2013.

(AQW 25809/11-15)

**Mr McCausland:** In the 2012/13 financial year 70% of those applicants who received a boiler replacement grant had an annual household income under £20,000. From the beginning of the 2013/14 to the end of August 2013, 68% of applicants who received a boiler replacement grant had an annual household income of £20,000. This indicates that those most vulnerable to fuel poverty are being helped with the cost of installing a new efficient boiler.

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

## Medical Assessments

**Mr Agnew** asked the Minister for Social Development how many medical assessments have been made for each disability benefit in each financial year since 2006/07; and to list the organisations which carried out the assessments.

(AQW 25831/11-15)



**Mr McCausland:** The information requested is provided in the following table:

Year	Employment and Support Allowance*	Industrial Injuries**	Disability Living Allowance***	Attendance Allowance***
2006/07	N/A	N/A	10,150	N/A
2007/08	N/A	N/A	9,713	N/A
2008/09	1,476	N/A	10,404	N/A
2009/10	12,924	1,424	10,619	N/A
2010/11	16,540	1,241	8,054	N/A
2011/12	42,789	1,504	5,808	N/A
2012/13	73,818	1,281	7,530	500

\* Employment and Support Allowance replaced Incapacity Benefit on 27 October 2008.

\*\* The Department is unable to provide the information requested in relation to Industrial Injuries Disablement Benefit prior to 2009/10 due to system limitations.

\*\*\* Figures from 2006/07 to 2011/12 include examinations carried out for Disability Living Allowance and Attendance Allowance. Information gathered for the majority of this period did not distinguish between Disability Living Allowance and Attendance Allowance examinations. From 2012/13, it is possible to give a complete breakdown of medical examinations carried out for Disability Living Allowance and Attendance Allowance.

Since June 2011, medical assessments conducted on behalf of the Department by have been delivered by Atos Healthcare. Prior to this, medical assessments were conducted by the Department's Medical Support Services.

## Shankill Lurgan Foyer

**Mrs Dobson** asked the Minister for Social Development whether any schemes similar to the Shankill Lurgan Foyer have been subject to a tendering process.

(AQW 25889/11-15)

**Mr McCausland:** The Supporting People grant is not subject to procurement procedure at present and there have been no schemes including Shankill Lurgan Foyer that have been subject to a tendering process.

## Capita Business Services

**Mr Agnew** asked the Minister for Social Development on what date did he agree with the Department for Work and Pensions to initiate the tender process for the contract with Capita Business Services; and on what date did he inform the Committee for Social Development of his Department's decision to outsource Personal Independence Payment assessments.

(AQW 25915/11-15)

**Mr McCausland:** My Department started to consider the specific procurement options for securing the Personal Independence Payment Assessment Provider in January 2012. On 30 April 2012, I agreed with the recommendation of my officials that my Department would run a joint procurement competition with the Department for Work and Pensions. This procurement competition for a Personal Independence Payment Assessment Service was formally launched on 2 May 2012.

At the 14th May 2012 meeting of the Executive Sub Committee on Welfare Reform, I presented a paper to Executive colleagues which provided an update on the work carried out on the introduction of the Personal Independence Payment. At that meeting I advised Ministerial colleagues that it was important to plan to have a Personal Independence Payment Assessment Provider contract in place for June 2013. I followed this up by writing to each member of the Executive Sub Committee on 6th June 2012 confirming that my Department had joined the procurement competition with the Department for Work and Pensions and setting out the reasons for the decision. I did not separately advise the Social Development Committee of these emerging developments at that time although at evidence sessions of the Social Development Committee, as early as late 2011, officials had made it clear that Personal Independence Payment assessments would be conducted by independent assessors and that my Department was engaged in a procurement exercise with the Department for Work and Pensions to procure an Assessment Provider. On 2 November 2012 my Department issued a press release announcing the award of the contract to Capita Business Services Ltd.

## Capita Business Services

**Mr Agnew** asked the Minister for Social Development why his Department has signed a contract with Capita Business Services to provide PIP Assessments before the enacting of the Welfare Reform Bill; and whether his Department is now contractually obliged to pay Capita regardless of whether Personal Independence Payment are introduced as part of the Welfare Reform Bill.

(AQW 25916/11-15)

**Mr McCausland:** The contract to provide Personal Independence Payment assessments was awarded to Capita Business Services Ltd on 20 November 2012, at which point the Welfare Reform Bill had moved to Committee Stage. The Department's planning assumption at that time was that Personal Independence Payment would be introduced in Northern Ireland on 10 June 2013, the same date as in Great Britain. The award of the contract was necessary to allow Capita Business Services to begin essential preparation and planning to deliver an assessment service for the expected go-live date of 10 June 2013. The key elements of this work were recruiting and training qualified assessors, securing premises and putting in place the necessary ICT and administrative arrangements. The go-live date for the introduction of Personal Independence Payment in Northern Ireland has subsequently slipped as a consequence of delays in the passage of the Welfare Reform Bill. I can however, confirm, that contractual payments for services provided by Capita Business Services Ltd are informed by an exclusively output based financial model which means that Capita will only be paid for assessment reports that are provided when Personal Independence Payment is introduced in Northern Ireland.

## Housing Associations: Valuations

**Mr Eastwood** asked the Minister for Social Development to detail the valuation process for Housing Associations that wish to purchase private properties.

(AQW 25933/11-15)

**Mr McCausland:** Housing Associations who wish to acquire private properties for social housing and apply for Housing Association Grant (HAG) to fund such purchases must obtain a valuation of the property prepared by an independent valuer. The association may employ either the District Valuer, Land & Property Services or an independent qualified valuer.

Any valuation should be based on the valuation and reporting requirements laid down in the Royal Institution of Chartered Surveyors (RICS) 'Red Book'.

Housing Associations are required to brief the valuer on known conditions or constraints and provide a location plan. A valuation must be no more than 12 months old at the date of execution of the contract and at the date of Project Approval. The purchase price is negotiated between the purchasing Housing Association and the vendor and must not exceed the value of the property as assessed by the Valuer.

Properties acquired by Housing Associations for social housing are purchased either as:

- Existing Satisfactory Purchases (pre-occupied vacant properties); or
- Off-the-shelf (newly constructed dwellings purchased for first time occupation)

In order to secure Housing Association Grant, Housing Associations are required to submit an Application for Project Approval to the Housing Executive's Development Programme Group. Applications are assessed to ensure compliance with the requirements of the Housing Association Guide in terms of design, cost, value for money, and location (social housing need).

## Brian Rowntree

**Mr Allister** asked the Minister for Social Development whether there has been a response to the complaint by the Permanent Secretary to the Northern Ireland Office regarding Mr Brian Rowntree's role as Chairman of the Northern Ireland Civil Service Commissioners.

(AQW 25959/11-15)

**Mr McCausland:** My Permanent Secretary did not make a complaint to the Northern Ireland Office (NIO), however he did draw to their attention a written report by the Internal Audit in the Northern Ireland Housing Executive and has been advised that the NIO will consider the report to determine whether or not it has any implications for Mr Rowntree's role as Chairman of the Civil Service Commissioners for Northern Ireland.

## Tenancy Deposit Scheme

**Mr P Ramsey** asked the Minister for Social Development whether administrators for the Tenancy Deposit Scheme have been appointed for the Holylands area of Belfast.

(AQW 25996/11-15)

**Mr McCausland:** The Tenancy Deposit Scheme administrators were appointed to operate across Northern Ireland.

All deposits taken in respect of a private tenancy on or after 1 April 2013 must be protected in an approved scheme. Contact details for scheme operators are available on the Departmental website.

## Public Realms Work: Bangor

**Mr Easton** asked the Minister for Social Development to outline the timetable for the start of the public realms works in Bangor.

(AQW 26016/11-15)

**Mr McCausland:** Over the past 18 months my Department has been working with representatives from North Down Borough Council, town centre management and the local community to develop a major public realm scheme for Bangor. The works

will address all aspects of street design including paving, kerbstones, street furniture, lighting and planting. The total value of the works is estimated to be £8 million, with my Department investing £3 million and Council investing £5 million. A contractor is due to be appointed in December 2013, onsite construction work will start in late March early April 2014 and the scheme will take two years to complete.

### Capita Business Services

**Mr Agnew** asked the Minister for Social Development to detail (i) whether the contract with Capita Business Services has commenced; (ii) when the contracts ends; (iii) when payments to Capita Business Services will be made during the contract; and (iv) whether any of the cost of the service provided by Capita Business Services will be met by the Department for Work and Pensions.

**(AQW 26036/11-15)**

**Mr McCausland:**

- (i) The contract with Capita Business Services Ltd commenced on 20 November 2012;
- (ii) The initial contract period ends on 19 November 2017;
- (iii) Contractual payments will be made only when the service commences. Capita will be paid for completed assessment reports monthly in arrears; and
- (iv) There may be opportunities where development costs associated with a change that jointly affects the service in Great Britain and Northern Ireland will be met by the Department for Work and Pensions.

### The Venue, Derry: Running Costs

**Mr P Ramsey** asked the Minister for Social Development, in light of the decision to seek a private owner for the Venue in Derry, to outline the current running costs for the Venue, and the projections his Department has made on the future running costs.

**(AQW 26272/11-15)**

**Mr McCausland:** My Department will have invested an estimated £4.8m in the Venue over the lifetime of the project. This figure comprises all initial construction and set up costs, recurrent costs throughout 2013 and the cost of taking the structure down in January 2014.

The recurrent costs covered by the Department include rental of the structure, rates, day-to-day management of the Venue and the basic costs of running the Venue – for example, power and heating and line rental for telephones – when it is not being used for an event. Running costs for the days when the venue is not in use fluctuate depending on the time of year, but they have so far averaged at £5,800 per month. The costs incurred when the Venue is in use are covered by the event promoter. These costs vary quite significantly depending on the nature of the event.

Future running costs of the Venue would depend on whether the Venue is purchased or rented. Subject to planning permission and the agreement of ILEX/OFMDFM who own the site, the cost of renting the Venue at its current location on Ebrington would be £1.45 million per year. In addition to that figure, rates are estimated at £100,000 per year and around £70,000 would be needed to run the structure when no events are being held and a Venue manager would be required. In total, the Department estimates that £1.6 million would be required to retain the Venue on its current site for an additional year. Event related costs would be additional to that.

## Northern Ireland Assembly Commission

### Restaurant Facilities in Parliament Buildings

**Mr McKay** asked the Assembly Commission for an estimate of the amount of money that would be saved if the restaurant facilities in Parliament Buildings were not obliged to remain open for late plenary sittings.

**(AQW 25304/11-15)**

**Mr P Ramsey (The Representative of the Assembly Commission):** I refer to the Assembly question which you tabled for written answer, namely:

To ask the Assembly Commission for an estimate of the amount of money that would be saved if the restaurant facilities in Parliament Buildings were not obliged to remain open for late plenary sittings.

**AQW (25304/11-15)**

Within the most recent parliamentary session (2012/13), 22 plenary sittings exceeded the standard closing time (7pm) of the one restaurant facility that remains open for late plenary sittings, the Blue Flax restaurant.

The following table provides a breakdown of net income, Gross Profit return to the Northern Ireland Assembly and labour costs beyond 7pm for these occasions:

(a) Net Income	£2,018.13
(b) Gross Profit Return @ 58% of (a)	£1,170.51
(c) Total Labour costs (22 sittings)	£2,708.13
<b>(d) Net Cost (c)-(b)</b>	<b>£1,537.62</b>

Therefore, if this restaurant facility in Parliament Buildings was not required to remain open for late plenary sittings in the 2012/13 session, savings would have amounted to **£1537.62** for the Northern Ireland Assembly.

In December 2010, a briefing paper to the Northern Ireland Assembly Commission on the structure of the "Support Services Contract and Pricing Mechanism" introduced potential opportunities that could result in cost savings. These included the review and reduction of opening hours and subsequent overtime labour costs in several catering outlets that remained open for late plenary sittings. These included the Members' Dining Room, Brasserie (now defunct), Members' Bar, Members' Coffee Lounge and Café Recess.

Following approval by the Commission, from March 2011, only the Blue Flax restaurant remains open for late plenary sittings (30 minutes after the House rises). It is estimated that this has generated savings of approximately £11,000 per annum based on 2010 figures.

### Assembly Proceedings: Live Feed Application

**Mr McKay** asked the Assembly Commission whether it will consider providing a live feed application to enable members of the public to watch a live feed of the Assembly business, via tablets or smart phones, as is available in the Dáil.  
(AQW 25429/11-15)

**Mr Weir (The Representative of the Assembly Commission):** A business case has been developed to procure a new internet video streaming service that will address the issue of smartphone and tablet compatibility so that the Assembly's video and/or audio streams can be made accessible on a wider range of devices and platforms. The new service will also increase the number of available feeds from two to three simultaneous live streams capable of carrying video and/or audio.

It is planned that the new service will be in place for the 2014/2015 session. Members will be advised via All Party Notice once the new service is available.

### Parking

**Mr Wells** asked the Assembly Commission if it has given any consideration to permitting the temporary hardstanding area to the rear of Parliament Buildings to be used for parking until building work commences.  
(AQW 25655/11-15)

**Mr P Ramsey:** The temporary contractor's area to the rear of Parliament Buildings has been created to facilitate the major construction works associated with the roof project without impacting on the existing car parking provision.

Following the completion of the roof project it is planned to use the space created to rationalise and improve our recycling facilities, improve the delivery and access arrangements to the building and to provide some limited additional car parking space.

In the interim period, before the roof project begins, the Commission will give consideration to putting in place temporary arrangements for some of the benefits noted above, including temporary car parking, providing that it can be facilitated in a safe manner.

### Cycling

**Mr McKay** asked the Assembly Commission what plans it has to promote cycling to people based in Parliament Buildings.  
(AQW 25779/11-15)

**Mr P Ramsey:** The Assembly Commission introduced a 'Cycle to Work Scheme' for Assembly Secretariat staff in February 2013 to encourage staff to cycle to work. The uptake on was encouraging with 15 people joining the scheme and it will run annually with new applications accepted during February and March.

In addition to this, Building Services Branch has actively promoted the annual '10 Minute Cycle Challenge' and 'Active Belfast Workplace Cycle Challenge' to all building users.

Further information on cycling is available to all staff via the Sustainable Development Office page on the Assembly intranet, AsslSt.

### Cycling: Parking

**Mr McKay** asked the Assembly Commission if there are any plans to increase the cycling parking provision within Parliament Buildings car parks.  
(AQW 25781/11-15)

**Mr P Ramsey:** Currently there is cycle parking provision located in the Lower East car park and recently a bicycle rack was installed along the back wall of Parliament Buildings in the upper car park.

In addition to this there are numerous cycle parks throughout the Stormont estate to encourage all estate users to cycle to work as part of the sustainable travel plan.

Consideration will be given to increasing the cycle parking provision in the upper car parks, following completion of the roof project.





# Revised Written Answers

This section contains the revised written answers to questions tabled by Members.

The content of the responses is as received at the time from the relevant Minister or representative of the Assembly Commission, and it has not been subject to the official reporting (Hansard) process or changed.



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# Northern Ireland Assembly

## Revised Written Answers

### Department of Education

*In this Bound Volume, page WA 329, please replace AQW 25857/11-15 with:*

#### Free School Meals

**Mr Ross** asked the Minister of Education how much additional funding per child is available to schools when a pupil avails of Free School Meals.

**(AQW 25857/11-15)**

**Mr O'Dowd (The Minister of Education):** Registered entitlement to Free School Meals is a key indicator used within the Common Funding Formula to distribute additional funding to schools' delegated budgets under the Targeting Social Need (TSN) factor. In the current financial year almost £60.7 million was distributed to schools under the TSN factor, of which £44.2m used free school meal entitlements as an indicator – in full or in part – of social deprivation and additional need.

The level of funding per child with a registered entitlement that is distributed to schools will vary, due to the progressive weighting applied under the main element of social deprivation funding within the funding formula, as well as the phase of education.

For a nursery-age pupil, funding per pupil ranges from approximately £670 to £1,340, averaging around £755 per pupil. For a primary-age pupil, funding per pupil ranges from approximately £340 to £680, averaging around £605 per pupil\*. For a post-primary age pupil funding per pupil ranges from approximately £380 to £760, averaging around £440 per pupil.

Note \* primary-age funding includes both weighted funding under the social deprivation element and a flat rate of £210 per pupil under the educational under-achievement element.

As I announced in June, I am making £30million of additional funding available, over the next two years, to target support for pupils and schools; to break the link between social deprivation and low educational outcomes. I have also announced an extension to the free school meals eligibility criteria that will see, by September 2014, an additional 15,000 children entitled to free school meals and support with uniform costs.

*In this Bound Volume, page WA 7, please replace AQW 24841/11-15 with:*

#### Schools: Invitations to Visit

**Mrs Dobson** asked the Minister of Education to list the schools to which he has been invited since May 2011, broken down by sector.

**(AQW 24841/11-15)**

**Mr O'Dowd (The Minister of Education):** The information requested is detailed below:-

#### 2011

##### Catholic Maintained Primary Schools

- |  |  |
|--|--|
| ■ St Mary's Primary, Newtownbutler           | ■ St Patrick's Primary, Gortin                                   |
| ■ St Colmcille's Primary, Downpatrick        | ■ Carrick Primary, Warrenpoint                                   |
| ■ Primate Dixon Primary, Coalisland          | ■ St Nicholas Primary, Ardglass                                  |
| ■ St Mary's Gortnaghey Primary, Dungiven     | ■ St Mary's Girls' Primary, Strabane                             |
| ■ St Mary's Primary, Altinure, Derry         | ■ Barrack Street Boys' Primary School and Nursery Unit, Strabane |
| ■ Holy Trinity Primary, Enniskillen          | ■ St Mary's Primary, Armagh                                      |
| ■ St Clare's Convent Primary, Newry          | ■ St Bernard's Primary, Newtownabbey                             |
| ■ St Teresa's Primary, Lurgan                | ■ Holy Trinity Primary, Belfast                                  |
| ■ Derrylatinee St Francis Primary, Dungannon | ■ Clea Primary, Keady  |
| ■ St Mary's Primary, Stewartstown            | ■ St Joseph's Primary, Newcastle                                 |
| ■ St Brigid's Primary, Magherafelt           | ■ St Joseph's Primary, Armagh                                    |
| ■ St Luke's Primary, Dunmurry                |  |

- St Bronagh's Primary, Rostrevor
- St Anne's Primary, Derry
- St Francis' Primary, Lurgan
- Tannaghmore Primary, Craigavon
- Roan St Patrick's Primary, Eglish, Dungannon
- St Patrick's Primary, Castlewellan

#### **Catholic Maintained Secondary Schools**

- Lismore Comprehensive, Craigavon
- St Mark's High, Warrenpoint
- St Patricks' College, Dungannon
- St Paul's JHS, Lurgan
- St Louise's Comprehensive, Belfast
- St Genevieve's High, Belfast
- Sacred Heart College, Omagh
- St Mary's High, Belleek
- St Columbanus' College, Bangor
- St Joseph's College, Belfast
- St Colm's High, Draperstown
- De La Salle, Belfast

#### **Catholic Maintained Nursery Schools**

- Matt Talbot, Belfast

#### **Catholic Maintained Special School**

- St Gerard's Education Resource Centre, Belfast

#### **Controlled Grammar Schools**

- Wellington College, Belfast
- Down High School, Downpatrick

#### **Controlled Integrated Primary Schools**

- Forge Integrated Primary, Belfast
- All Children's Integrated Primary, Newcastle

#### **Controlled Integrated Secondary Schools**

- Brownlow Integrated College, Craigavon

#### **Controlled Nursery School**

- Magherafelt Nursery, Magherafelt

#### **Controlled Primary Schools**

- Model Primary, Derry
- Ballyoran Primary, Portadown
- Millburn Primary, Coleraine
- Hollywood Primary, Hollywood

#### **Controlled Secondary Schools**

- Devenish College, Enniskillen
- Carrickfergus College, Carrickfergus

#### **Controlled Special Schools**

- Ceara School, Lurgan
- Castle Tower, Ballymena
- Mitchell House, Belfast

#### **Grant-Maintained Integrated Primary Schools**

- Omagh Integrated Primary, Omagh

#### **Grant-Maintained Integrated Secondary School**

- Lagan College, Belfast

#### **Other Maintained Primary Schools**

- Gaelscoil na gCrann, Omagh
- Bunscoil Bheann Mhadagain, Belfast
- Gaelscoil Ui Dhochartaigh, Strabane

- Holy Rosary Primary, Belfast
- St Patrick's Primary, Crossmaglen
- St Patrick's Primary, Ballygalget, Portaferry
- St John's Primary, Moy, Dungannon
- St Teresa's Primary, Belfast
- St Malachy's Primary, Armagh

- St Rose's Dominican College, Belfast
- St Mary's High, Newry
- St Killian's College, Ballymena
- St Patrick's College, Banbridge
- Corpus Christi College, Belfast
- St Colm's High, Dunmurry
- Drumcree College, Portadown
- St Brigid's High, Armagh
- St Joseph's College, Coalisland, Dungannon
- St Eugene's College, Roslea
- St Patrick's College, Belfast
- St Mary's, Limavady

- College Farm, Armagh

- Grosvenor Grammar, Belfast
- Regent House, Newtownards

- Bangor Central Integrated Primary, Bangor

- Priory Integrated College, Holywood

- Redburn Primary, Holywood
- Dromore Central Primary, Dromore
- Ballyclare Primary, Ballyclare
- Bocombra Primary, Portadown

- Dromore High School, Dromore

- Sperrinview Special, Dungannon
- Oakwood School and Assessment Centre, Belfast
- Roddensvale Special, Larne

- Drumlins Integrated Primary, Ballynahinch

- Bunscoil Bheanna Biorche, Castlewellan
- Gaelscoil Éadain Mhóir, Derry



**Voluntary Grammar Schools**

- St Dominic's Grammar School for Girls, Belfast
- St Michael's Grammar, Lurgan
- Foyle College, Derry
- Belfast High, Newtownabbey

**2012****Alternative Education Provision**

- Loughshore Resource Centre, Belfast

**Catholic Maintained Nursery Schools**

- College Farm Nursery, Armagh
- Holy Trinity Nursery, Lisburn

**Catholic Maintained Primary Schools**

- St Mary's Primary, Killyleagh
- St Clare's Convent Primary, Newry
- St Mary's Primary, Brookeborough
- Holy Child Primary, Belfast
- St Oliver Plunkett Primary, Forkhill
- St Brigid's Primary, Newry
- St Mary's Primary, Tassagh
- Our Lady of Lourdes, Greencastle, Omagh
- St Therese Primary, Derry
- St Joseph's Convent Primary, Newry
- St John's Primary, Middletown
- Holy Trinity Primary, Cookstown
- St Paul's Primary, Belfast
- St Mary's Primary, Strabane
- Ballyhackett Primary, Coleraine
- Christ the Redeemer, Belfast
- Good Shepherd Primary, Belfast
- Good Shepherd Primary, Derry
- St Patrick's Primary, Castlewellan
- St Patrick's Primary, Ballygalget
- Mercy Primary, Belfast
- Dromintee Primary, Newry
- Holy Family Primary, Omagh
- St Malachy's Primary, Armagh
- St Patrick's and St Brigid's Primary, Ballycastle
- Mount St Catherine's Primary, Armagh
- Carrick Primary, Warrenpoint
- St Oliver Plunkett Primary, Belfast
- Ballymacward Primary, Lisburn
- Primate Dixon Primary, Coalisland
- Edendork Primary, Dungannon
- St John's Primary, Moy
- St Mary's Primary, Rathlin Island
- St Joseph's Primary, Madden, Armagh
- St Patrick's Primary, Lurgan
- St Bernadette's Primary, Belfast
- St Joseph's Primary, Crumlin
- Our Lady of Lourdes Primary, Belfast
- St Mary's Primary, Dunsford, Ardglass
- Millquarter Primary, Toomebridge

**Catholic Maintained Secondary Schools**

- Edmund Rice College, Glengormley
- St Rose's Dominican College, Belfast
- St Pius X, Magherafelt
- Drumcree College, Portadown
- St Genevieve's High, Belfast
- St Patrick's College, Dungannon
- Holy Trinity College, Cookstown
- St Killian's College, Carnlough
- St Mary's High, Lurgan
- Corpus Christi College, Belfast
- Colaiste Chaitriona, Armagh
- St Louise's Comprehensive College, Belfast
- St Columba's College, Portaferry
- St Joseph's College, Coleraine
- St Mary's High, Belleek
- St Patrick's High, Keady
- St Cecilia's College, Derry
- St Paul's Junior High School, Lurgan

**Controlled Grammar Schools**

- Banbridge Academy, Banbridge

**Controlled Integrated Primary School**

- Bangor Central Integrated Primary, Bangor

**Controlled Integrated Secondary School**

- Priory Integrated College, Holywood

**Controlled Nursery Schools**

- Hope Nursery, Belfast
- Academy Nursery and Primary School, Derry
- Pond Park Nursery, Lisburn
- Holywood Nursery, Holywood
- Bangor Central Nursery, Bangor
- Edenderry Nursery, Portadown

**Controlled Primary Schools**

- Ballyoran Primary, Portadown
- Knockmore Primary, Lisburn
- Ballyholme Primary, Bangor
- Lurgan Model Primary, Lurgan
- Malvern Primary, Belfast
- Holywood Primary, Holywood
- Taughmonagh Primary, Belfast
- Brookeborough Primary, Enniskillen
- Botanic Primary, Belfast
- Strandtown Primary, Belfast

- Cookstown Primary School, Cookstown
- King's Park Primary and Nursery School, Lurgan

#### **Controlled Secondary Schools**

- Saintfield High, Saintfield
- Orangefield High, Belfast
- Markethill High, Markethill, Armagh

#### **Controlled Special Schools**

- Fleming Fulton, Belfast
- Sandelford School, Coleraine
- Rossmar Special, Limavady
- Castle Tower Special, Ballymena
- Ceara Special, Lurgan

#### **Grant Maintained Integrated Primary Schools**

- Bridge Integrated Primary, Banbridge
- Millennium Integrated Primary, Saintfield
- Maine Integrated Primary, Randalstown

#### **Grant Maintained Secondary Schools**

- Oakgrove Integrated College, Derry

#### **Grant Maintained Integrated Secondary Schools**

- Drumragh Integrated, Omagh
- Hazelwood Integrated College, Belfast

#### **Other Maintained Primary Schools**

- Bunscoil an Traonaigh, Lisnaskea
- Gaelscoil Ui Dhochartaigh, Strabane
- Gaelscoil na mBeann, Kilkeel

#### **Other Maintained Secondary School**

- Coláiste Feirste, Belfast

#### **Other Maintained Special School**

- Jordanstown Special, Newtownabbey

#### **Voluntary Grammar Schools**

- Methodist College, Belfast
- St Patrick's Grammar, Downpatrick
- St Joseph's Grammar, Donaghmore
- Our Lady and St Patrick's College, Belfast
- Belfast High, Newtownabbey

- Andrews Memorial Primary, Comber
- Cumber Claudy Primary, Derry

- Belfast Model School for Girls, Belfast
- Ashfield Boy's High, Belfast

- Mitchell House, Belfast
- Glenveagh Special, Belfast
- Knockavoe School & Resource Centre, Strabane
- Knockevin Special, Downpatrick
- Woodlands Speech & Language Unit, Derry

- Roe Valley Integrated Primary, Limavady
- Corran Integrated Primary, Larne

- Newbridge Integrated College, Banbridge

- Kilcoan Primary School, Larne
- Gaelscoil Eanna, Newtownabbey
- Bunscoil an tSléibhe Dhuibh, Belfast

- St Louis Grammar, Kilkeel
- Ballymena Academy, Ballymena
- St Dominic's Grammar School for Girls, Belfast
- Assumption Grammar, Ballynahinch
- St Mary's Christian Brothers' Grammar, Belfast

### **2013**

#### **Catholic Maintained Primary Schools**

- St Mary's Primary, Draperstown
- St Peter's Primary, Collegelands, Moy, Dungannon
- St Caireall's Primary, Castlederg
- St Mary's Primary, Newcastle
- Clea Primary, Keady
- St Ita's Primary, Carryduff
- Holy Family Primary, Derry
- Moneynick Primary, Dungannon
- St Columba's Primary, Straw, Magherafelt
- Hollybush Primary, Derry
- Envagh Primary, Omagh
- St Columbkille's Primary, Carrickmore
- Tannaghmore Primary, Lurgan

- Grange Primary, Kilkeel
- Drumduff Primary, Beragh
- Christian Brothers Primary, Armagh
- Holy Family, Omagh
- St Patrick's Primary, Ballygalget, Portaferry
- Bunscoil Naomh Colmcille, Carrickmore
- St Mark's Primary, Belfast
- St Mary's Primary, Newtownbutler
- Holy Cross Boys' Primary, Belfast
- St Macartan's Primary, Enniskillen
- St Joseph's Primary, Carryduff
- St Mary's Star of the Sea Primary, Belfast

**Catholic Maintained Secondary Schools**

- St Joseph's High, Crossmaglen
- St Killian's College, Ballymena
- Mercy College, Belfast
- St Eugene's High, Castlederg
- St Patrick's High, Keady
- St Patrick's Co-Ed College, Maghera
- St Patrick's College, Dungannon
- St Patrick's Academy, Lisburn
- St Colm's High, Draperstown
- St Joseph's College, Coleraine
- St Paul's High, Bessbrook
- Holy Trinity College, Cookstown
- Saint Catherine's College, Armagh
- Immaculate Conception College, Derry
- St Malachy's High, Castlewellan
- St Brigid's College, Derry
- St Mary's Junior High, Lurgan
- Christian Brothers' School, Belfast

**Controlled Integrated Primary School**

- All Children's Integrated Primary, Newcastle

**Controlled Nursery Schools**

- Barbour Nursery, Lisburn
- Edenderry Nursery, Belfast
- Magherafelt Nursery, Magherafelt

**Controlled Primary Schools**

- Carrickfergus Central Primary, Carrickfergus
- Darkley Primary, Armagh
- Castle Gardens Primary, Newtownards
- Duneane Primary, Antrim
- Creavery Primary, Antrim
- Millburn Primary, Coleraine

**Controlled Secondary Schools**

- Newtownbreda High, Belfast
- Newry High, Newry
- Ashfield Girls' High, Belfast
- Lisneal College, Derry
- Lurgan Junior High, Lurgan
- Ballyclare Secondary, Ballyclare
- Movilla High, Newtownards
- Dundonald High, Belfast
- Knockbreda High, Belfast

**Controlled Special Schools**

- Arvalee School and Resource Centre, Omagh
- Glenveagh Special, Belfast
- Fleming Fulton, Belfast
- Park School & St Gerard's Resource Centre, Belfast
- Beechlawn Special, Hillsborough
- Woodland Speech & Language Unit, Derry

**Grant Maintained Integrated Secondary Schools**

- New Bridge Integrated College, Banbridge
- Shimna Integrated College, Newcastle
- Oakgrove Integrated College, Derry
- Erne Integrated College, Enniskillen

**Grant Maintained Integrated Primary Schools**

- Phoenix Integrated Primary, Cookstown
- Rowandale Integrated Primary, Moira

**Other Maintained Primary Schools**

- Gaelscoil Ui Neill, Coalisland
- Gaescoil Aodha Rua, Dungannon

**Voluntary Grammar Schools**

- St Joseph's Grammar, Donaghmore
- St Michael's Grammar, Lurgan
- Portora Royal, Enniskillen
- St Louis Grammar, Ballymena
- Victoria College, Belfast

## Department of the Environment

*In Bound Volume 86, page WA 414, please replace AQW 24720/11-15 with:*

### Belfast Metropolitan Area Plan

**Mr Girvan** asked the Minister of the Environment why has the Belfast Metropolitan Area Plan not been published, given that the public enquiry has been completed and passed to his Department.

**(AQW 24720/11-15)**

**Mr Attwood (The Minister of the Environment):** I took the unprecedented step of publishing the Planning Appeals Commission Reports in June 2012. I plan to publish BMAP when the relevant processes are concluded shortly, including following the issue of a certificate of general conformity with the RDS 2035. I should also confirm that I unambiguously stand by the advice I provided on the retail element of BMAP to the now aborted Sprucefield Public Inquiry.

*In this Bound Volume, page WA 88, please replace AQW 21814/11-15 with:*

### Driver and Vehicle Agency: Drivers' Registration Details

**Mr Ross** asked the Minister of the Environment what importance is placed by the Driver and Vehicle Agency on drivers' data protection; and how his Department ensures the integrity of companies who pay for getting information on drivers.

**(AQW 21814/11-15)**

**Mr Attwood (The Minister of the Environment):** Vehicle licensing is an excepted matter which is the responsibility of the Secretary of State for Transport. It is not a devolved matter. It is administered in Northern Ireland by the Driver & Vehicle Agency (DVA) under a formal agreement with the Driver and Vehicle Licensing Agency (DVLA) of the Department for Transport.

In relation to the release of information, DVA is governed by the policy as set by DVLA. The relevant legislation permitting the release of information from the vehicles register is regulation 27 (1) (e) of the Road Vehicles (Registration and Licensing) Regulations 2002 which states "(1) The Secretary of State may make any particulars contained in the register available for use - ... (e) by any person who can show to the satisfaction of the Secretary of State that he has reasonable cause for wanting the particulars to be made available to him".

Some of the circumstances considered to be 'reasonable cause' include

- matters of road safety
- events that occur as a result of vehicle use
- the enforcement of road traffic legislation
- the collection of taxes

Enquirers are required to give full details of why they want the information and how it will be used and DVA evaluates this information very carefully, in line with procedures and on a case by case basis, before deciding if the information will be disclosed.

The evidence that enquirers are required to produce varies depending on the nature of the enquiry. For example, enquirers are asked to provide details of their Companies House registration, if applicable, and their Data Protection Registration Number. Enquirers may also be required to produce further supporting documentation, such as a court order, a copy of a finance agreement, or a copy of a landowner's agreement. If the enquirer is unable to provide the documentation required, the information is not disclosed and the application is rejected.

The DVA takes its responsibility to protect personal details on the vehicle register seriously and any complaints about alleged abuse of information supplied are investigated fully. Abuses would result in future requests being refused. Additionally, any legitimate complaints about information obtained unlawfully would be passed to the Information Commissioner to consider prosecution.

As a result of careful handling of these enquiries there have been very few legitimate complaints from customers in Northern Ireland, none of which have identified abuse of the facility to obtain information for unlawful or malicious purposes.

There is a particular arrangement entered into by DVLA in relation to the release of information to companies which manage car parks. Again, DVA is governed in this regard by the arrangement DfT have entered into. I have concerns about this arrangement – I met the BPA in London on 8 March 2013, together with one of their members (Civil Enforcement Ltd.). As I outlined my concerns including: punitive "fines", failure to properly advertise "terms and conditions", the appearance of the "demand" and its contents, no right of appeal (etc).

Since then, I have met the Chief Executive of BPA in Belfast and received unsatisfactory answers to a series of questions and issues. As a result, I have taken a series of further actions:

- Written to BPA repeating concerns that the approach of BPA is to protect its fee paying members, not the customer;
- Written to DRD suggesting that DRD should review its membership of BPA;

- Asked for Counsels advice on the legal basis on which BPA members issue and seek payment of "penalties";
- Sent a letter to DfT requesting a review by DfT of the code of practice issued by BPA and it's evident inadequacies and how the release of driven information should be handled meanwhile;
- A 'notice' has been drafted for release to the Northern Ireland public so that the public know more fully their entitlements.

I am determined that aggressive conduct is addressed and the industry better regulated and the customers protected.

*In this Bound Volume, page WA 272, please replace AQW 25615/11-15 with:*

## Compliance, Improvement and Review Team

**Mr Agnew** asked the Minister of the Environment, pursuant to AQW 22037/11-15, on what legal basis he is withholding the reference numbers; and to detail the planning applications.

**(AQW 25615/11-15)**

**Mr Durkan (The Minister of the Environment):** In response to AQW 22037/11-15 my predecessor (Minister Alex Attwood) indicated that there was an ongoing audit of minerals planning application files which had not yet been completed. The reference numbers, locations and descriptions of minerals applications forms part of this audit work which is still in the course of completion.

The Environmental Information Regulations 2004, Part 3, Regulation 12(4)(d) outlines the exception to the duty to disclose environmental information in this instance.

## Department of Finance and Personnel

*In this Bound Volume, page WA 31, please replace AQW 24731/11-15 with:*

### Tourist Attractions in County Down

**Mr Weir** asked the Minister of Finance and Personnel to detail (i) the top ten tourist attractions in County Down, in terms of visitor numbers; and (ii) the number of visitors each received, in the last available year.

**(AQW 24731/11-15)**

**Mr Wilson (The Minister of Finance and Personnel):** I replied on 9 July 2013 to AQW 24731/11-15 in which you asked for details of (i) the top ten tourist attractions in County Down, in terms of visitor numbers; and (ii) the number of visitors each received, in the last available year.

NISRA have subsequently identified an error in the response submitted.

In the original response issued to the AQ the top ten tourist attractions in County Down during 2012 were identified as follows:

Attraction	Visitor Numbers 2012
Delamont Country Park	577,320
Dundonald International Ice Bowl	459,308
Newry Cathedral	200,000
Scrabo Country Park	180,000
The Saint Patrick Centre	91,780
Kilbroney Park	85,794
North Down Museum	69,148
Rowallane Garden	51,615
Newry and Mourne Museum	34,719
Ards Arts Centre	33,332



Having now identified and resolved the error in the initial response the top ten tourist attractions in County Down during 2012 were as follows:

Attraction	Visitor Numbers 2012
Dundonald International Ice Bowl	459,308
Pickie Fun Park	244,879
Newry Cathedral	200,000
Ulster Folk and Transport Museum	176,551
Castle Ward House & Demesne	161,339
Mount Stewart House and Gardens	158,500
The Saint Patrick Centre	91,780
North Down Museum	69,148
Hillsborough Courthouse	54,376
FE McWilliam Gallery/Studio (incl Tourist Information Centre)	50,466

For the purposes of NISRA's Annual Tourism Statistics publication 2012 country parks/parks/forests and gardens are separated into a category of their own. Responding country parks/parks/forests and gardens in County Down who did not wish their details to remain confidential are also provided separately as follows:

Attraction	Visitor Numbers 2012
Crawfordsburn Country Park	800,000
Delamont Country Park	577,320
Scrabo Country Park	180,000
Rowallane Garden	51,615

This information is sourced from the Northern Ireland Statistics and Research Agency's Visitor Attraction Survey. It is important to note that the Visitor Attraction Survey is a voluntary survey and all data presented in the report is based solely on the visitor numbers provided by the attractions choosing to take part in the survey. Visitor numbers are accepted in good faith from the proprietor of the attraction.

I apologise for any inconvenience this may have caused.

I have copied this letter to the Speaker and all MLAs. A copy has also been placed in the library.

## Department for Regional Development

*In this Bound Volume, page WA 61, please replace AQW 24830/11-15 with:*

### Northern Ireland Water: Ernst & Young

**Mr McGlone** asked the Minister for Regional Development (i) whether Ernst & Young carried out any work, on an ex gratia basis, between July 2009 and July 2010 for, or in relation to, Northern Ireland Water; (ii) for whom was any such work carried out; (iii) who was the recipient of the work; and (iv) who instructed the work to be carried out.

**(AQW 24830/11-15)**

**Mr Kennedy (The Minister for Regional Development):** The information below replaces my previous answer on 8 July 2013, which advised that Ernst & Young had undertaken work on an ex gratia basis for or in relation to Northern Ireland Water (NIW). This was subsequently found to be incorrect.

I have been advised by NIW that it has no record of any work being carried out by Ernst & Young on an ex gratia basis between July 2009 and July 2010 at NIW's request.

# Department for Social Development

## Housing Executive: Double Glazing

**Mr McKay** asked the Minister for Social Development to detail all the meetings he has had in the last year in relation to the Housing Executive double-glazing scheme; and who he met on each occasion.

**(AQW 11512/11-15)**

**Mr McCausland (The Minister for Social Development):** I and the Chief Executive of the Housing Executive met with representatives of the Glass & Glazing Federation on 16 April 2012 to discuss double glazing specifications in Housing Executive properties in relation to the Glass & Glazing Federation's guidelines 'The Good Practice Guide for the Installation of Replacement Windows and Doors'.

I also met with Fusion 21 on 23 April 2012 to discuss generally their procurement model. Fusion 21 then raised the issue of the Housing Executive's double glazing programme with my officials who advised that, as this was an operational matter for the Housing Executive, they should contact the Housing Executive's Head of Procurement to discuss this.

I also met with DUP colleagues Ian McCrea, Mervyn Storey and Paul McLean on 15 May 2012 to discuss issues they had about the manufacture of double glazing units.

*In Bound Volume 85, page WA 413, please replace AQW 23130/11-15 with:*

## Public and Private Housing Stock: Single-skin Properties

**Mr Buchanan** asked the Minister for Social Development to detail the number of single-skin properties in (i) public; and (ii) private housing stock, broken down by constituency.

**(AQW 23130/11-15)**

**Mr McCausland (The Minister for Social Development):** The information is not available in the format requested as the Housing Executive does not specifically record this data, nor does it routinely collate information by Parliamentary Constituency.

However, in relation to (i), Table 1 below details Housing Executive properties such as Orlits, Easiform and No Fines, which have solid wall construction, as well as Rural Cottages and pre-1940s terraced housing which are likely to be single wall construction.

**Table 1: Housing Executive Properties**

District Name	No Fines	Orlit	Easiform	Rural Cottage	Pre 1940s Terraced housing
East Belfast	55	10			417
North Belfast	666				718
Shankill	404	49	348		357
South Belfast	222				989
West Belfast	292	193		1	428
Antrim	538	27		9	
Ballycastle				69	1
Ballymena	52	144		4	60
Ballymoney				121	5
Carrickfergus	83		267		5
Coleraine	188			104	36
Larne	70			2	
Newtownabbey 1	248				1
Newtownabbey 2				2	4
Armagh		7		14	21
Banbridge	3	3		42	27
Dungannon	60	13		27	67

District Name	No Fines	Orlit	Easiform	Rural Cottage	Pre 1940s Terraced housing
Fermanagh	71	20		17	19
Lurgan Brownlow	397			16	31
Newry	17			7	61
Portadown	190	9		3	12
Bangor	336			30	5
Castlereagh	47			11	
Downpatrick		6		21	14
Lisburn Antrim Street	406	141		47	32
Lisburn Dairyfarm	279				
Newtownards	200			141	28
Collon Terrace	304			5	
Cookstown				11	4
Limavady				27	5
Magherafelt		17		28	
Omagh	19	68		17	39
Strabane	21	20		8	25
Waterloo Place	104				28
Waterside	18			17	5
<b>Total</b>	<b>5290</b>	<b>727</b>	<b>615</b>	<b>801</b>	<b>3444</b>

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# Strangers' Index

**Committee Clerk, The**

Committee Stages

Tobacco Retailers Bill, CS1





# Journal of Proceedings



# Minutes of Proceedings



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# Northern Ireland Assembly

**Monday 8 July 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 confirmed that the sitting had been convened following receipt of a valid notice, signed by not less than 30 Members, in accordance with Standing Order 11, for the purpose of debating a motion on the "Call for an Inquiry into Allegations of Wrongful Political Interference in the Northern Ireland Housing Executive, Potential Breaches of the Ministerial Code of Conduct and Misleading the Assembly and the Committee for Social Development" (Appendix 1).

## 3. Private Members' Business

### 3.1 **Motion – Call for an Inquiry into Allegations of Wrongful Political Interference in the Northern Ireland Housing Executive, Potential Breaches of the Ministerial Code of Conduct and Misleading the Assembly and the Committee for Social Development**

*A valid Petition of Concern was presented in relation to this motion under Standing Order 28, on Friday 5 July 2013 (Appendix 2).*

#### **Proposed:**

That this Assembly expresses concern at the contents of the major investigation by the BBC Spotlight programme broadcast on Wednesday 3 July 2013; notes the allegations of serious and wrongful political interference in the Housing Executive and that the Assembly and the Committee for Social Development were purposely misled by the Minister for Social Development over his decision to seek a review of the specification for the supply and fitting of double glazing; and calls for a full inquiry into the relevant Minister to establish any impropriety or irregularity as well as any breach of the Ministerial Code of Conduct.

*Mr R Swann*

*Ms C Ruane*

*Mr S Dickson*

*Mr M Durkan*



**3.2 Amendment 1****Proposed:**

Leave out all after the first 'Assembly' and insert:

'welcomes the Committee for Social Development's investigation into the BBC Spotlight programme of 3 July and the allegations made within it; notes that the inquiry will consider the conduct of the Minister for Social Development; considers that such an inquiry should also include the activities, comments broadcast and role of Mr Brian Rowntree in relation to the issues raised including the Rinmore development, the allegations made by politicians and commentators in relation to the issues raised by the programme both during and since the broadcast, the range of companies similar to Red Sky involved in alleged overcharging and the failure of the Housing Executive and previous Ministers to investigate, and the role of previous Ministers in relation to the issues raised; and calls on the Committee for Social Development to request a report from the police into the allegations of corruption made in relation to the Housing Executive.'

*Mr G Campbell*

*Ms P Brown*

*Mr S Douglas*

*Mr P Weir*

**3.3 Amendment 2****Proposed:**

Leave out all after 'glazing' and insert:

'; and having no confidence in the Minister for Social Development calls on him to resign.'

*Mr J Allister*

*Debate ensued.*

The Question being put, Amendment No. 1 **fell** (Division 1).

The Question being put, Amendment No. 2 **fell** without division.

The Question being put, the Motion, was **negatived** on a cross-community vote (Division 2).

**4. Adjournment****Proposed:**

That the Assembly do now adjourn.

*The Speaker*

*The Assembly adjourned at 2.52pm.*

**Mr William Hay**

**The Speaker**

8 July 2013

# Appendix 1

## Northern Ireland Assembly

**The undersigned Members of the Northern Ireland Assembly support the call for an earlier sitting on Monday 8 July 2013, under Standing Order 11, to debate the following Motion:**

**Call for an Inquiry into Allegations of Wrongful Political Interference in the Northern Ireland Housing Executive, Potential Breaches of the Ministerial Code of Conduct and Misleading the Assembly and the Committee for Social Development**

That this Assembly expresses concern at the contents of the major investigation by the BBC Spotlight programme broadcast on Wednesday 3 July 2013; notes the allegations of serious and wrongful political interference in the Housing Executive and that the Assembly and the Committee for Social Development were purposely misled by the Minister for Social Development over his decision to seek a review of the specification for the supply and fitting of double glazing; and calls for a full inquiry into the relevant Minister to establish any impropriety or irregularity as well as any breach of the Ministerial Code of Conduct.

- |                         |                        |
|-------------------------|------------------------|
| ■ Mr Robin Swann        | ■ Mr Mickey Brady      |
| ■ Mr Michael Copeland   | ■ Ms Bronwyn McGahan   |
| ■ Mr Steven Agnew       | ■ Mr Declan McAleer    |
| ■ Mrs Sandra Overend    | ■ Mr Phil Flanagan     |
| ■ Mr Tom Elliott        | ■ Mr John O'Dowd       |
| ■ Mr Stewart Dickson    | ■ Mr Alex Maskey       |
| ■ Mr Mike Nesbitt       | ■ Mr Chris Hazzard     |
| ■ Mr Alban Maginness    | ■ Ms Caitríona Ruane   |
| ■ Mr Patsy McGlone      | ■ Mr Cathal Boylan     |
| ■ Mr Mark Durkan        | ■ Ms Sue Ramsey        |
| ■ Mrs Dolores Kelly     | ■ Ms Maeve McLaughlin  |
| ■ Mr Conall McDevitt    | ■ Mr Barry McElduff    |
| ■ Mr Sean Rogers        | ■ Mr Ian Milne         |
| ■ Dr Alasdair McDonnell | ■ Mr Raymond McCartney |
| ■ Mr Gerry Kelly        | ■ Ms Carál Ní Chuilín  |
| ■ Mr Cathal Ó Hosín     | ■ Mrs Karen McEivitt   |
| ■ Ms Jennifer McCann    | ■ Mr Dominic Bradley   |
| ■ Mrs Michelle O'Neill  | ■ Mr John McCallister  |
| ■ Ms Rosaleen McCorley  | ■ Mr Basil McCrea      |
| ■ Mr Daithí McKay       | ■ Mr Alex Attwood      |
| ■ Ms Megan Fearon       |                        |

## Appendix 2

### Northern Ireland Assembly

**The undersigned Members of the Northern Ireland Assembly presented a Petition of Concern, in accordance with Standing Order 28, on Friday 5 July 2013 in relation to the following motion:**

**Call for an Inquiry into Allegations of Wrongful Political Interference in the Northern Ireland Housing Executive, Potential Breaches of the Ministerial Code of Conduct and Misleading the Assembly and the Committee for Social Development**

That this Assembly expresses concern at the contents of the major investigation by the BBC Spotlight programme broadcast on Wednesday 3 July 2013; notes the allegations of serious and wrongful political interference in the Housing Executive and that the Assembly and the Committee for Social Development were purposely misled by the Minister for Social Development over his decision to seek a review of the specification for the supply and fitting of double glazing; and calls for a full inquiry into the relevant Minister to establish any impropriety or irregularity as well as any breach of the Ministerial Code of Conduct.

- |                       |                          |
|-----------------------|--------------------------|
| ■ Mr Sydney Anderson  | ■ Mr William Humphrey    |
| ■ Mr Jonathan Bell    | ■ Mr William Irwin       |
| ■ Ms Paula Bradley    | ■ Mr Ian McCrea          |
| ■ Ms Pam Brown        | ■ Mr David McIlveen      |
| ■ Mr Thomas Buchanan  | ■ Miss Michelle McIlveen |
| ■ Mr Gregory Campbell | ■ Mr Adrian McQuillan    |
| ■ Mr Trevor Clarke    | ■ The Lord Morrow        |
| ■ Mr Jonathan Craig   | ■ Mr Stephen Moutray     |
| ■ Mr Sammy Douglas    | ■ Mr Robin Newton        |
| ■ Mr Gordon Dunne     | ■ Mr Edwin Poots         |
| ■ Mr Alex Easton      | ■ Mr George Robinson     |
| ■ Mrs Arlene Foster   | ■ Mr Peter Robinson      |
| ■ Mr Paul Frew        | ■ Mr Alastair Ross       |
| ■ Mr Paul Girvan      | ■ Mr Jimmy Spratt        |
| ■ Mr Paul Givan       | ■ Mr Mervyn Storey       |
| ■ Mrs Brenda Hale     | ■ Mr Peter Weir          |
| ■ Mr Simon Hamilton   | ■ Mr Jim Wells           |
| ■ Mr David Hilditch   | ■ Mr Sammy Wilson        |

# Northern Ireland Assembly

8 July 2013

## Division 1

**Motion – Call for an Inquiry into Allegations of Wrongful Political Interference in the Northern Ireland Housing Executive, Potential Breaches of the Ministerial Code of Conduct and Misleading the Assembly and the Committee for Social Development – Amendment 1**

**Proposed:**

Leave out all after the first 'Assembly' and insert:

'welcomes the Committee for Social Development's investigation into the BBC Spotlight programme of 3 July and the allegations made within it; notes that the inquiry will consider the conduct of the Minister for Social Development; considers that such an inquiry should also include the activities, comments broadcast and role of Mr Brian Rowntree in relation to the issues raised including the Rinmore development, the allegations made by politicians and commentators in relation to the issues raised by the programme both during and since the broadcast, the range of companies similar to Red Sky involved in alleged overcharging and the failure of the Housing Executive and previous Ministers to investigate, and the role of previous Ministers in relation to the issues raised; and calls on the Committee for Social Development to request a report from the police into the allegations of corruption made in relation to the Housing Executive.'

*Mr G Campbell*

*Ms P Brown*

*Mr S Douglas*

*Mr P Weir*

The Question was put and the Assembly divided.

**Ayes:** 34

**Noes:** 55

**AYES**

*Mr Anderson, Mr Bell, Ms Brown, Mr Buchanan, Mr Campbell, Mr Clarke, Mr Craig, Mr Douglas, Mr Dunne, Mr Easton, Mr Frew, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Irwin, Mr McCausland, Mr I McCrea, Mr D McIlveen, Miss M McIlveen, Mr McQuillan, Mr Moutray, Mr Newton, Mr Poots, Mr G Robinson, Mr P Robinson, Mr Ross, Mr Spratt, Mr Storey, Mr Weir, Mr Wells, Mr Wilson.*

*Tellers for the Ayes: Mr McQuillan and Mr G Robinson.*

**NOES**

*Mr Agnew, Mr Allister, Mr Attwood, Mr Beggs, Mr Boylan, Ms Boyle, Mr D Bradley, Mr Brady, Mr Byrne, Mr Copeland, Mr Cree, Mr Dallat, Mr Dickson, Mr Durkan, Mr Elliott, Dr Farry, Mr Flanagan, Mr Ford, Mr Gardiner, Mr Hazzard, Mr Hussey, Mr G Kelly, Mr Kennedy, Mr Kinahan, Mr Lynch, Mr Lyttle, Mr McCallister, Ms J McCann, Mr McCarthy, Mr McCartney, Mr McClarty, Ms McCorley, Mr B McCrea, Mr McDevitt, Dr McDonnell, Ms McGahan, Mr McGimpsey, Mr McGlone, Mr M McGuinness, Mr McKay, Ms Maeve McLaughlin, Mr McMullan, Mr A Maginness, Mr Maskey, Mr Milne, Mr Nesbitt, Ms Ní Chuilín, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Mrs Overend, Ms S Ramsey, Ms Ruane, Mr Sheehan, Mr Swann.*

*Tellers for the Noes: Ms Ruane and Mr Swann.*

The Amendment **fell**.

# Northern Ireland Assembly

8 July 2013

## Division 2

**Motion – Call for an Inquiry into Allegations of Wrongful Political Interference in the Northern Ireland Housing Executive, Potential Breaches of the Ministerial Code of Conduct and Misleading the Assembly and the Committee for Social Development**

### Proposed:

That this Assembly expresses concern at the contents of the major investigation by the BBC Spotlight programme broadcast on Wednesday 3 July 2013; notes the allegations of serious and wrongful political interference in the Housing Executive and that the Assembly and the Committee for Social Development were purposely misled by the Minister for Social Development over his decision to seek a review of the specification for the supply and fitting of double glazing; and calls for a full inquiry into the relevant Minister to establish any impropriety or irregularity as well as any breach of the Ministerial Code of Conduct.

*Mr R Swann  
Ms C Ruane  
Mr S Dickson  
Mr M Durkan*

The Question was put and the Assembly divided.

**Ayes:** 54

**Noes:** 34

### AYES

#### Nationalist

*Mr Attwood, Mr Boylan, Ms Boyle, Mr D Bradley, Mr Brady, Mr Byrne, Mr Durkan, Mr Flanagan, Mr Hazzard, Mr G Kelly, Mr Lynch, Ms J McCann, Mr McCartney, Ms McCorley, Mr McDevitt, Dr McDonnell, Ms McGahan, Mr McGlone, Mr M McGuinness, Mr McKay, Ms Maeve McLaughlin, Mr McMullan, Mr A Maginness, Mr Maskey, Mr Milne, Ms Ní Chuillín, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Ms S Ramsey, Ms Ruane, Mr Sheehan.*

#### Unionist

*Mr Allister, Mr Beggs, Mr Copeland, Mr Cree, Mr Elliott, Mr Gardiner, Mr Hussey, Mr Kennedy, Mr Kinahan, Mr McCallister, Mr McClarty, Mr B McCrea, Mr McGimpsey, Mr Nesbitt, Mrs Overend, Mr Swann.*

#### Other

*Mr Agnew, Mr Dickson, Dr Farry, Mr Ford, Mr Lyttle, Mr McCarthy.*

*Tellers for the Ayes: Mr McGlone and Ms Ruane.*

### NOES

#### Unionist

*Mr Anderson, Mr Bell, Ms Brown, Mr Buchanan, Mr Campbell, Mr Clarke, Mr Craig, Mr Douglas, Mr Dunne, Mr Easton, Mr Frew, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Irwin, Mr McCausland, Mr I McCrea, Mr D McIlveen, Miss M McIlveen, Mr McQuillan, Mr Moutray, Mr Newton, Mr Poots, Mr G Robinson, Mr P Robinson, Mr Ross, Mr Spratt, Mr Storey, Mr Weir, Mr Wells, Mr Wilson.*

*Tellers for the Noes: Mr McQuillan and Mr G Robinson.*

Total votes	88	Total Ayes	54	[61.4%]
Nationalist votes	32	Nationalist Ayes	32	[100.0%]
Unionist votes	50	Unionist Ayes	16	[32.0%]
Other votes	6	Other Ayes	6	[100.0%]

The Motion was **negatived** on a cross-community vote.



# Northern Ireland Assembly

## Papers Presented to the Assembly on 3 – 8 July 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

Professional Standards Authority for Health and Social Care Annual Report and Accounts and Performance Review Report 2012-13 Volume II (DHSSPS)

Northern Ireland Prison Service Annual Report and Accounts for the year ended 31 March 2013 (DOJ)

Courts and Tribunals Service Annual Report and Accounts 2012-2013 (DOJ)

Forensic Science Northern Ireland Annual Report and Accounts 2012-2013 (DOJ)

Staff Commission for Education and Library Boards Annual Report and Accounts for the year ended 31 March 2013 (DE)

Northern Ireland Policing Board Annual Report and Accounts for the period 1 April 2012 - 31 March 2013 (DOJ)

The Commissioner for Older People for Northern Ireland Corporate Plan 2013-2015 (OFMDFM)

Invest Northern Ireland Annual Report and Accounts 2012-13 (DETI)

Police Service of Northern Ireland Annual Report and Accounts for the year ended 31 March 2013 (DOJ)

Police Service of Northern Ireland Police Pension Accounts for the year ended 31 March 2013 (DOJ)

Youth Justice Agency Annual Report and Accounts 2012 – 2013 (DOJ)

Housing Executive 41st Annual Report 1 April 2012-31 March 2013 (DSD)

Police Ombudsman for Northern Ireland Annual Report and Accounts for the year ended 31 March 2013 (DOJ)

Office of the First Minister and deputy First Minister Resource Accounts for the year ended 31 March 2013 (DFP)

Public Prosecution Service for Northern Ireland Annual Report and Resource Accounts 2012-13 (DOJ)

The Arts Council of Northern Ireland Annual Report and Accounts for the year ended 31 March 2013 (DCAL)

The Sports Council for Northern Ireland Annual Report and Accounts for the year ended 31 March 2013 (DCAL)

The North/South Language Body Annual Report and Accounts for the year ended 31 December 2010 (DCAL)

Labour Relations Agency Annual Report and Accounts 2012-2013 (DEL)

Criminal Justice Inspection Northern Ireland Annual Report and Accounts 2012-13 (DOJ)

Northern Ireland Ombudsman Resource Accounts 2012- 2013 (OFMDFM)

Livestock and Meat Commission for Northern Ireland Annual Report and Accounts for the year ended 31 March 2013 (DARD)

Council for the Curriculum, Examinations and Assessment Annual Report and Accounts 2012-2013 (DE)

Northern Ireland Authority for Utility Regulation Resource Accounts for Year Ended 31 March 2013 (DFP)

Youth Council for Northern Ireland Annual Report and Accounts for the year ended 31 March 2013 (DE)

Council for Catholic Maintained Schools Annual Report and Accounts for the year ended 31 March 2013 (DE)

Northern Ireland Audit Office Annual Report and Accounts for the year ended 31 March 2013 (DFP)

Department of Finance and Personnel Resource Accounts for the year ended 31 March 2013 (DFP)

Department of Finance and Personnel Superannuation and Other Allowances Resource Accounts for the year ended 31 March 2013 (DFP)

Department for Regional Development Resource Accounts for the year ended 31 March 2013 (DFP)

Department of the Environment Resource Accounts for the year ended 31 March 2013 (DFP)

Department of Enterprise, Trade and Investment Resource Accounts for the year ended 31 March 2013 (DFP)

Department of Justice Annual Report and Resource Accounts for the year ended 31 March 2013 (DFP)

Department of Education Resource Accounts for the year ended 31 March 2013 (DFP)

Department of Culture, Arts and Leisure Resource Accounts for the year ended 31 March 2013 (DFP)

Department for Social Development Resource Accounts for the year ended 31 March 2013 (DFP)

Department of Health, Social Services and Public Safety Resource Accounts for the year ended 31 March 2013 (DFP)

Department of Education - Teachers' Superannuation Annual Scheme Statements for the year ended 31 March 2013 (DFP)

Department for Employment and Learning Resource Accounts for the year ended 31 March 2013 (DFP)

Northern Ireland Assembly Resource Accounts for the year ended 31 March 2013 (DFP)

Department of Health, Social Services and Public Safety HSC Pension Scheme Accounts for the year ended 31 March 2013 (DFP)

The Patient and Client Council Annual Report and Accounts for the year ended 31 March 2013 (DHSSPS)

Northern Ireland Fire and Rescue Service Annual Report and Statement of Accounts 2012-2013 (DHSSPS)

Northern Ireland Courts and Tribunals Service Investment Accounts for the year ended 31 March 2013 (DOJ)

Food Standards Agency in Northern Ireland Resource Accounts 2012-2013 (DFP)

Health Protection Agency Annual Report and Accounts 2012-2013 (DHSSPS)

## 5. Assembly Reports

## 6. Statutory Rules

S. R. 2013/172 The New Firefighters' Pension Scheme (Amendment) (No. 2) Order (Northern Ireland) 2013 (DHSSPS)

S. R. 2013/178 The Healthy Start Scheme and Day Care Food Scheme (Amendment) Regulations (Northern Ireland) 2013 (DHSSPS)

S. R. 2013/180 The Specified Products from China (Restriction on First Placing on the Market) (Amendment) Regulations (Northern Ireland) 2013 (DHSSPS)

S. R. 2013/182 The Child Support (Miscellaneous Amendments) Regulations (Northern Ireland) 2013 (DSD)

S. R. 2013/183 Local Government (Severance Payments to Councillors) Regulations (Northern Ireland) 2013 (DOE)

### **For Information Only:**

S. R. 2013/174 The Renewables Obligation (Amendment No. 2) Order (Northern Ireland) 2013 (DETI)

S. R. 2013/176 The Road Races (Mid-Antrim 150 ) Order (Northern Ireland) 2013 (DRD)

S. R. 2013/177 The Control of Traffic (Belfast City Centre) Order (Northern Ireland) 2013 (DRD)

S. R. 2013/179 The Local Government (Statutory Transition Committees) Regulations (Northern Ireland) 2013

Draft S. R. 2013 The Controlled Waste (Seizure of Property) Regulations (Northern Ireland) 2013 (DOE)

## 7. Written Ministerial Statements

## 8. Consultation Documents

Consultation on Northern Ireland Law Commission Report on Bail in Criminal Proceedings (DOJ)

Consultation on Proposed Amendments to the Gas (Applications for Licenses and Extensions) Regulations (Northern Ireland) 1996 and the Published Criteria July 2013 (DETI)

Draft Controlled Waste (Seizure of Property) Regulations (Northern Ireland) 2013 (DOE)

## 9. Departmental Publications

Urban Regeneration and Community Development Policy Framework July 2013 (DSD)

The Commissioner for Public Appointments Northern Ireland Annual Report 2011-12 - Guardian of the Public Appointments Process (OFMDFM)

## 10. Agency Publications

Youth Justice Agency Business Plan 2013 – 2014 (DOJ)

## 11. Westminster Publications

## 12. Miscellaneous Publications



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# Northern Ireland Assembly

**Tuesday 16 July 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 confirmed that the sitting had been convened following receipt of a valid notice, signed by not less than 30 Members, in accordance with Standing Order 11, for the purpose of debating a motion on the "Determination of Parades Commission" (Appendix 1).

## 3. Private Members' Business

### 3.1 Motion – Determination of Parades Commission

#### **Proposed:**

That this Assembly notes the lawful but illogical determination issued by the Parades Commission on 9 July 2013 in relation to the application by the three Ligoniel Orange Lodges for a parade in Belfast on 12 July 2013; further notes the consequences of the determination and its outworking in that attempts to build a shared future have been harmed by the actions of those who oppose the concept of sharing space and respecting cultural identity; and calls, not only for the rule of law to be upheld, but also for respect and tolerance to be shown for everyone's cultural identity.

*Mr P Robinson  
Mr N McCausland  
Mr G Campbell  
Mr S Wilson*

### 3.2 Amendment

#### **Proposed:**

Leave out all after first 'notes' and insert:

' the determination issued by the Parades Commission on 9 July 2013 in relation to the application by the three Ligoniel Orange Lodges for a Parade in Belfast on 12 July 2013; supports the Parades Commission's efforts to bring about a resolution to contentious parades; condemns unreservedly the orchestrated attacks on the PSNI and the community in the past few days which arose as a direct consequence of the refusal by the Orange Order to respect the Parades Commission's determination; supports the PSNI in its task of bringing forward those responsible for prosecution; recognises that the building of a shared future requires mutual respect for the differing cultural identities; calls for respect and tolerance to be shown for everyone's cultural identity; and further calls for immediate dialogue between parade organisers and the local community in any area where there is a contentious parade with a view to securing a resolution to the issue.'

*Mr G Kelly  
Ms C Ní Chuilín  
Mr D McKay*

*Debate ensued.*

*The sitting was suspended at 12.59pm because of a false fire alarm.*



*The sitting resumed at 1.04pm.*

The Question being put, the Amendment **fell** (Division 1).

The Question being put, the Motion was **carried** (Division 2).

## 4. Adjournment

**Proposed:**

That the Assembly do now adjourn.

*The Speaker*

*The Assembly adjourned at 2.38pm.*

**Mr William Hay**

**The Speaker**

16 July 2013

# Appendix 1

## Northern Ireland Assembly

**The undersigned Members of the Northern Ireland Assembly support the call for an earlier sitting on Tuesday 16 July 2013, under Standing Order 11, to debate the following Motion:**

### **Determination of Parades Commission**

That this Assembly notes the lawful but illogical determination issued by the Parades Commission on 9 July 2013 in relation to the application by the three Ligoniel Orange Lodges for a parade in Belfast on 12 July 2013; further notes the consequences of the determination and its outworking in that attempts to build a shared future have been harmed by the actions of those who oppose the concept of sharing space and respecting cultural identity; and calls, not only for the rule of law to be upheld, but also for respect and tolerance to be shown for everyone's cultural identity.

- |                        |                          |
|------------------------|--------------------------|
| ■ Mr Peter Robinson    | ■ Mr Simon Hamilton      |
| ■ Mr Nelson McCausland | ■ Mr David Hilditch      |
| ■ Mr Gregory Campbell  | ■ Mr William Humphrey    |
| ■ Mr Sammy Wilson      | ■ Mr William Irwin       |
| ■ Mr Sydney Anderson   | ■ Mr Ian McCrea          |
| ■ Mr Jonathan Bell     | ■ Mr David McIlveen      |
| ■ Ms Paula Bradley     | ■ Miss Michelle McIlveen |
| ■ Ms Pam Brown         | ■ Mr Adrian McQuillan    |
| ■ Mr Thomas Buchanan   | ■ The Lord Morrow        |
| ■ Mr Trevor Clarke     | ■ Mr Stephen Moutray     |
| ■ Mr Jonathan Craig    | ■ Mr Robin Newton        |
| ■ Mr Sammy Douglas     | ■ Mr Edwin Poots         |
| ■ Mr Gordon Dunne      | ■ Mr George Robinson     |
| ■ Mr Alex Easton       | ■ Mr Alastair Ross       |
| ■ Mrs Arlene Foster    | ■ Mr Jimmy Spratt        |
| ■ Mr Paul Frew         | ■ Mr Mervyn Storey       |
| ■ Mr Paul Girvan       | ■ Mr Peter Weir          |
| ■ Mr Paul Givan        | ■ Mr Jim Wells           |
| ■ Mrs Brenda Hale      |                          |

# Northern Ireland Assembly

16 July 2013

## Division 1

### Motion – Determination of Parades Commission– Amendment

#### Proposed:

Leave out all after first 'notes' and insert:

' the determination issued by the Parades Commission on 9 July 2013 in relation to the application by the three Ligoniel Orange Lodges for a Parade in Belfast on 12 July 2013; supports the Parades Commission's efforts to bring about a resolution to contentious parades; condemns unreservedly the orchestrated attacks on the PSNI and the community in the past few days which arose as a direct consequence of the refusal by the Orange Order to respect the Parades Commission's determination; supports the PSNI in its task of bringing forward those responsible for prosecution; recognises that the building of a shared future requires mutual respect for the differing cultural identities; calls for respect and tolerance to be shown for everyone's cultural identity; and further calls for immediate dialogue between parade organisers and the local community in any area where there is a contentious parade with a view to securing a resolution to the issue.'

*Mr G Kelly  
Ms C Ní Chuilín  
Mr D McKay*

The Question was put and the Assembly divided.

**Ayes:** 41

**Noes:** 44

#### AYES

*Mr Attwood, Mr Boylan, Mr D Bradley, Mr Dallat, Mr Dickson, Mr Durkan, Mr Eastwood, Dr Farry, Ms Fearon, Mr Flanagan, Mr Ford, Mr Hazzard, Mr G Kelly, Ms Lo, Mr Lynch, Mr Lyttle, Mr McAleer, Mr McCallister, 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, Ms Maeve McLaughlin, Mr McMullan, Mr A Maginness, Mr Maskey, Ms Ní Chuilín, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Mr P Ramsey, Ms S Ramsey, Mr Rogers, Mr Sheehan.*

*Tellers for the Ayes: Mr G Kelly and Mr McKay.*

#### NOES

*Mr Agnew, Mr Allister, Mr Beggs, Mr Bell, 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 Givan, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Hussey, Mr Irwin, Mr Kinahan, Mr McCausland, Mr I McCrea, Mr McGimpsey, Miss M McIlveen, Mr McNarry, Mr McQuillan, Lord Morrow, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mr Poots, Mr P Robinson, Mr Ross, Mr Storey, Mr Swann, Mr Weir, Mr Wells, Mr Wilson.*

*Tellers for the Noes: Mr Clarke and Mr McQuillan.*

The Amendment **fell**.

# Northern Ireland Assembly

16 July 2013

## Division 2

### Motion – Determination of Parades Commission

#### Proposed:

That this Assembly notes the lawful but illogical determination issued by the Parades Commission on 9 July 2013 in relation to the application by the three Ligoniel Orange Lodges for a parade in Belfast on 12 July 2013; further notes the consequences of the determination and its outworking in that attempts to build a shared future have been harmed by the actions of those who oppose the concept of sharing space and respecting cultural identity; and calls, not only for the rule of law to be upheld, but also for respect and tolerance to be shown for everyone's cultural identity.

*Mr P Robinson*

*Mr N McCausland*

*Mr G Campbell*

*Mr S Wilson*

The Question was put and the Assembly divided.

**Ayes:** 43

**Noes:** 42

#### AYES

*Mr Allister, Mr Beggs, Mr Bell, 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 Givan, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Hussey, Mr Irwin, Mr Kinahan, Mr McCausland, Mr I McCrea, Mr McGimpsey, Miss M McIlveen, Mr McNarry, Mr McQuillan, Lord Morrow, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mr Poots, Mr P Robinson, Mr Ross, Mr Storey, Mr Swann, Mr Weir, Mr Wells, Mr Wilson.*

*Tellers for the Ayes: Mr Clarke and Mr McQuillan.*

#### NOES

*Mr Agnew, Mr Attwood, Mr Boylan, Mr D Bradley, Mr Dallat, Mr Dickson, Mr Durkan, Mr Eastwood, Dr Farry, Ms Fearon, Mr Flanagan, Mr Ford, Mr Hazzard, Mr G Kelly, Ms Lo, Mr Lynch, Mr Lyttle, Mr McAleer, Mr McCallister, 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, Ms Maeve McLaughlin, Mr McMullan, Mr A Maginness, Mr Maskey, Ms Ní Chuilín, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Mr P Ramsey, Ms S Ramsey, Mr Rogers, Mr Sheehan.*

*Tellers for the Noes: Mr G Kelly and Mr McKay.*

The Motion was **carried**.

# Northern Ireland Assembly

## **Papers Presented to the Assembly on 9 – 16 July 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

The Northern Ireland Practice and Education Council for Nursing and Midwifery Accounts for the year ended 31 March 2013 (DHSSPS)

Northern Ireland Legal Services Commission Annual Report and Financial Statements for the year ended 31 March 2013 (DOJ)

Draft Code of Practice No. 13: Governance and administration of occupational defined contribution trust-based pension schemes (DSD)

Public Health Agency Annual Report and Accounts for the Year Ending 31 March 2013 (DHSSPS)

British Library Annual Report and Accounts 2012/13 (DCMS)

Probation Board for Northern Ireland – Annual Report and Accounts 2012/13 (DOJ)

SOCA Annual Report and Accounts 2012/13 (DOJ)

## 5. Assembly Reports

## 6. Statutory Rules

S. R. 2012/159 The Fuel Allowance Payments Scheme Regulations (Northern Ireland) 2013 (DSD)

S. R. 2013/175 The Rules of the Court of Judicature (Northern Ireland) (Amendment) 2013 (DOJ)

S. R. 2013/181 The Sex Discrimination Code of Practice (Equal Pay) (Appointed Day) Order (Northern Ireland) 2013 (OFMDFM)

S. R. 2013/184 The Road Races (Garron Point Hill Climb) Order (Northern Ireland) 2013 (DRD)

S. R. 2013/185 The Road Races (Ulster Grand Prix Bike Week) Order (Northern Ireland) 2013 (DRD)

S. R. 2013/188 The Frome Street, Belfast (Footpaths) (Abandonment) Order (Northern Ireland) 2013 (DRD)

S.R. 2013/190 The Child Support and Claims and Payments (Miscellaneous Amendments and Change to the Minimum Amount of Liability) Regulations (Northern Ireland) 2013 (DSD)

S.R. 2013/191 The Social Fund Winter Fuel Payment (Amendment) Regulations (Northern Ireland) 2013 (DSD)

### **For Information Only:**

S. R. 2013/186 The Waiting Restrictions (Larne) (Amendment) Order (Northern Ireland) 2013 (DRD)

S. R. 2013/187 The Loading Bays on Roads (Amendment No. 2) Order (Northern Ireland) 2013 (DRD)

## 7. Written Ministerial Statements

Waste Crime: The Threat of Criminality and Organised Crime (DOE)

Review into the Operation of PPS21 'Sustainable Development in the Countryside' (DOE)

Position Statement on High Volume Hydraulic Fracturing (DOE)

## 8. Consultation Documents

Taxis Act (NI) 2008 Taxi Driver Test and Periodic Training Proposals for Public Consultation July 2013 (DOE)

Consultation on Proposed Road Races (Amendment) Bill (DRD)

Employment Law Review (DEL)

## 9. Departmental Publications

## 10. Agency Publications

## 11. Westminster Publications

## 12. Miscellaneous Publications

National Lottery Commission Annual Report and Accounts 2012/13 (National Lottery Commission)

General Dental Council Annual Report and Accounts 2012 (GDC)





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# Northern Ireland Assembly

**Monday 9 September 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

### 2.2 Royal Assent

The Speaker informed Members that Royal Assent had been signified on 8 July 2013 to the Civil Service (Special Advisers) Act (Northern Ireland) 2013 and on 18 July 2013 to the Budget (No.2) Act (Northern Ireland) 2013.

### 2.1 Ministerial Appointments

The Speaker informed Members that, on 16 July 2013, Mr Mark H Durkan had taken up the office of Minister for the Environment and that, on 29 July 2013, Mr Simon Hamilton had taken up the office of Minister of Finance and Personnel.

### 2.3 Resignation

The Speaker informed Members that Mr Conall McDevitt resigned as a Member of the Assembly with effect from Wednesday 4 September 2013.

## 3. Matter of the Day

### 3.1 Tribute to Seamus Heaney

Mr Patsy McGlone made a statement, under Standing Order 24, in relation to a tribute to Seamus Heaney. Other Members were also called to speak on the matter.

### 3.2 The birth of HRH Prince George

Mr Jim Allister made a statement, under Standing Order 24, in relation to the birth of HRH Prince George. Other Members were also called to speak on the matter.

## 4. Assembly Business

### 4.1 Motion – Committee Membership

#### **Proposed:**

That Mr Jim Allister replace Mr David McClarty as a member of the Committee for Social Development; that Mr David McClarty replace Mr Jim Allister as a member of the Committee for Employment and Learning.

*Mr P Ramsey  
Mr R Swann*

The Question being put, the Motion was **carried** without division.

## 5. Committee Business

### 5.1 Motion – Plant Health and Tree Disease

**Proposed:**

That this Assembly notes the recent increase in instances of tree disease; and calls on the Minister of Agriculture and Rural Development to address the issues as detailed in the Committee for Agriculture and Rural Development position paper on Plant Health and Tree Disease.

*Chairperson, Committee for Agriculture and Rural Development*

*Debate ensued.*

*The Deputy Speaker (Mr Dallat) took the Chair.*

*The Speaker took the Chair.*

The Question being put, the Motion was **carried** without division.

## 6. Private Members' Business

### 6.1 Motion – Support for the terms of the Ministerial Pledge of Office and the Code of Conduct for Members

**Proposed:**

That this Assembly confirms its continued support for the terms of the Ministerial Pledge of Office, in particular, the commitment to non-violence and exclusively peaceful and democratic means; further confirms its commitment to the principles of personal conduct contained in the Code of Conduct for Members of the Northern Ireland Assembly, in particular, the requirement to promote good relations; rejects the comments of Gerry Kelly MLA at the Castlederg IRA memorial event that will give succour to dissident republican groups and help indoctrinate a new generation down the path of violence; and condemns the use of terrorist violence in the present day, and the past.

*Mr T Buchanan*

*Mr N McCausland*

*Lord Morrow*

### 6.2 Amendment

Leave out all after the second 'particular' and insert:

'operating in a way conducive to good relations, and promoting the principle tenets of the Good Friday Agreement of equality, mutual respect, parity of esteem and the right to live free from sectarian harassment.'

**Proposed:**

*Mr G Kelly*

*Ms C Ruane*

*Mr J O'Dowd*

*Debate ensued.*

*The debate was suspended at 1.51pm for Question Time.*

*The sitting resumed at 2.00pm, with the Speaker in the Chair.*

## 7. Question Time

### 7.1 Regional Development

Questions were put to, and answered by, the Minister for Regional Development, Mr Danny Kennedy.

### 7.2 Social Development

Questions were put to, and answered by, the Minister for Social Development, Mr Nelson McCausland.

## 8. Private Members' Business (Cont'd)

### 8.1 Motion - Support for the terms of the Ministerial Pledge of Office and the Code of Conduct for Members

*Debate resumed on the Motion.*

*The Deputy Speaker (Mr Beggs) took the Chair.*

The Question being put, the Amendment **fell** (Division 1).

The Question being put, the Motion was **carried** (Division 2).

## 9. Adjournment

### **Proposed:**

That the Assembly do now adjourn.

*The Speaker*

*The Assembly adjourned at 5.21pm.*

**Mr William Hay**

**The Speaker**

9 September 2013

# Northern Ireland Assembly

9 September 2013

## Division 1

### **Motion – Support for the terms of the Ministerial Pledge of Office and the Code of Conduct for Members – Amendment**

#### **Proposed:**

Leave out all after the second 'particular' and insert:

'operating in a way conducive to good relations, and promoting the principle tenets of the Good Friday Agreement of equality, mutual respect, parity of esteem and the right to live free from sectarian harassment.'

*Mr G Kelly  
Ms C Ruane  
Mr J O'Dowd*

The Question was put and the Assembly divided.

**Ayes:** 36

**Noes:** 52

#### **AYES**

*Mr Attwood, Mr Boylan, Ms Boyle, Mr D Bradley, Mr Brady, Mr Byrne, Mr Dallat, Mr Durkan, Mr Eastwood, Ms Fearon, Mr Flanagan, Mrs D Kelly, Mr G Kelly, Mr Lynch, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCartney, Ms McCorley, Dr McDonnell, Mr McElduff, Ms McGahan, Mr McGlone, Mr McKay, Mrs McKevitt, Ms Maeve McLaughlin, Mr Mitchel McLaughlin, Mr A Maginness, Mr Maskey, Mr Milne, Ms Ní Chuilín, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Mr P Ramsey, Ms Ruane.*

*Tellers for the Ayes: Mr G Kelly and Ms Ruane.*

#### **NOES**

*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, Mr Dickson, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Easton, Mr Elliott, Dr Farry, Mrs Foster, Mr Frew, Mr Gardiner, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hussey, Mr Irwin, Mr Kennedy, Mr Kinahan, Ms Lo, Mr Lunn, Mr Lyttle, Mr McCarthy, Mr McCausland, Mr I McCrea, Mr McGimpsey, Mr D McIlveen, Miss M McIlveen, Mr McQuillan, Lord Morrow, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mr Poots, Mr G Robinson, Mr Ross, Mr Storey, Mr Swann, Mr Weir, Mr Wells.*

*Tellers for the Noes: Mr Anderson and Mr G Robinson.*

*The following Members voted in both Lobbies and are therefore not counted in the result: Mr Agnew, Mr McCallister, Mr B McCrea*

The Amendment **fell**.

# Northern Ireland Assembly

9 September 2013

## Division 2

### Motion – Support for the terms of the Ministerial Pledge of Office and the Code of Conduct for Members

#### Proposed:

That this Assembly confirms its continued support for the terms of the Ministerial Pledge of Office, in particular, the commitment to non-violence and exclusively peaceful and democratic means; further confirms its commitment to the principles of personal conduct contained in the Code of Conduct for Members of the Northern Ireland Assembly, in particular, the requirement to promote good relations; rejects the comments of Gerry Kelly MLA at the Castlederg IRA memorial event that will give succour to dissident republican groups and help indoctrinate a new generation down the path of violence; and condemns the use of terrorist violence in the present day, and the past.

*Mr T Buchanan  
Mr N McCausland  
Lord Morrow*

The Question was put and the Assembly divided.

**Ayes:** 52

**Noes:** 24

#### AYES

*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, Mr Dickson, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Easton, Mr Elliott, Dr Farry, Mrs Foster, Mr Frew, Mr Gardiner, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hussey, Mr Irwin, Mr Kennedy, Mr Kinahan, Ms Lo, Mr Lunn, Mr Lyttle, Mr McCarthy, Mr McCausland, Mr I McCrea, Mr McGimpsey, Mr D McIlveen, Miss M McIlveen, Mr McQuillan, Lord Morrow, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mr Poots, Mr G Robinson, Mr Ross, Mr Storey, Mr Swann, Mr Weir, Mr Wells.*

*Tellers for the Ayes: Mr Anderson and Mr G Robinson.*

#### NOES

*Mr Boylan, Ms Boyle, Mr Brady, Ms Fearon, Mr Flanagan, 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 Maskey, Mr Milne, Ms Ní Chuilín, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Ms Ruane.*

*Tellers for the Noes: Mr G Kelly and Ms Ruane.*

*The following Members voted in both Lobbies and are therefore not counted in the result: Mr Agnew, Mr McCallister, Mr B McCrea.*

The Motion was **carried**.



# Northern Ireland Assembly

## **Papers Presented to the Assembly on 17 July – 9 September 2013**

### **1. Acts of the Northern Ireland Assembly**

Civil Service (Special Advisers) Act (Northern Ireland) 2013

Budget (No.2) Act (Northern Ireland) 2013

### **2. Bills of the Northern Ireland Assembly**

### **3. Orders in Council**

### **4. Publications Laid in the Northern Ireland Assembly**

Annual Report of the Equality Commission for Northern Ireland for the year ended 31 March 2013 (OFMDFM)

The Northern Ireland Social Care Council Accounts for the year ended 31 March 2013 (Comptroller and Auditor General for Northern Ireland)

Professional Standards Authority for Health and Social Care Annual Report and Accounts and Performance Review Report 2012-13 Volume I (DHSSPS)

Health and Social Care Board Annual Report & Accounts for the year ending 31 March 2013 (DHSSPS)

Report of the Appointed Person for Northern Ireland under Section 291 of the Proceeds of Crime Act 2002 for 2013-2013 (DOJ)

DFP Minute on the Direction of Accruing Resources (DFP)

Northern Ireland Water Annual Report and Accounts 2012/13 (DRD)

Driver and Vehicle Agency Annual Report and Statement of Accounts for the Year Ended March 2013 (DOE)

Northern Ireland Law Commission Report Unfitness to Plead (DOJ)

The Regulation and Quality Improvement Authority Annual Report and Accounts 1 April 2012 to 31 March 2013 (DHSSPS)

NI Guardian Ad Litem Agency Annual Report 2012-2013 (DHSSPS)

Northern Ireland Medical and Dental Training Agency Annual Report and Accounts 31 March 2013 (DHSSPS)

Health and Social Care Board Annual Report and Accounts for the year ended 31 March 2013 (DHSSPS)

Public Health Agency Annual Report and Accounts for the year ended 31 March 2013 (DHSSPS)

The Northern Ireland Environment Agency Annual Report and Accounts 2012/13 (DOE)

The Armagh Observatory and Planetarium Annual Report and Accounts for Year Ended 31 March 2013 (DCAL)

Northern Ireland Blood Transfusion Service Annual Accounts For the Year Ended 31 March 2013 (DHSSPS)

Code of Conduct for Special Advisers (DFP)

Code Governing the Appointment of Special Advisers (DFP)

Northern Ireland Housing Executive 42nd Annual Report 1 April 2012 - 31 March 2013 (DSD)

Northern Ireland Prison Service Annual Report and Accounts 2012-2013 (DOJ)

The Patient and Client Council Annual Report and Accounts for the year ended 31 March 2013 (DHSSPS)

Northern Ireland Water Annual Report and Accounts 2012-2013 (DRD)

Department of Enterprise, Trade and Investment Resource Accounts Annual Report and Accounts for the year to 31 March 2013 (DFP)

Legislative Consent Memorandum Intellectual Property Bill (DETI)

Legislative Consent Memorandum for Energy Bill - Electricity Market Reform - 2nd Legislative Consent Memorandum (Power Sector Decarbonisation) (DETI)

National Heritage Memorial Fund Annual Report and Accounts 2012-2013 (Heritage Lottery Fund) (Department of Culture, Media and Sport)

## 5. Assembly Reports

Report on the Committee's Proposals for a Northern Ireland Public Services Ombudsman Bill (NIA 120/11-15) (OFMDFM)

## 6. Statutory Rules

S. R. 2013/160 The Pollution Prevention and Control (Industrial Emissions) Regulations (Northern Ireland) 2013 (DOE)

S. R. 2013/196 The Road Traffic (Fixed Penalty) (Offences) (Amendment No. 2) Order (Northern Ireland) 2013 (DOE)

S. R. 2013/198 The Smoke Control Areas (Exempted Fireplaces) Regulations (Northern Ireland) 2013 (DOE)

S. R. 2013/199 The Employer's Liability (Compulsory Insurance) (Amendment) Regulations (Northern Ireland) 2013 (DETI)

S. R. 2013/202 The Rules of the Court of Judicature (Northern Ireland) (Amendment No. 2) 2013 (DOJ)

S. R. 2013/204 Optical Charges and Payments (Amendment) Regulations (Northern Ireland) 2013 (DHSSPS)

S. R. 2013/205 The Smoke Control Areas (Authorised Fuels) Regulations (Northern Ireland) 2013 (DOE)

S. R. 2013/206 The Biocidal Products and Chemicals (Appointment of Authorities and Enforcement) Regulations (Northern Ireland) 2013 (DETI)

S. R. 2013/207 The Biocidal Products (Fees and Charges) Regulations (Northern Ireland) 2013 (DETI)

S. R. 2013/208 The Electricity and Gas (Market Integrity and Transparency) (Enforcement etc.) Regulations (Northern Ireland) 2013 (DETI)

S. R. 2013/209 The Housing Benefit (Executive Determinations) (Amendment) Regulations (Northern Ireland) 2013 (DSD)

S. R. 2013/210 The Planning (General Development) (Amendment No. 2) Order (Northern Ireland) 2013 (DOE)

S. R. 2013/211 The Charities Act 2008 (Transitional Provision) Order (Northern Ireland) 2013 (DSD)

S. R. 2013/212 The Fishing Boats (Satellite-Tracking Devices) Scheme (Northern Ireland) 2013 (DARD)

S. R. 2013/214 The Access to Justice (Membership of the Northern Ireland Legal Services Commission) Order (Northern Ireland) 2013 (DOJ)

S. R. 2013/217 The Motor Vehicle Testing (Amendment) Regulations (Northern Ireland) 2013 (DOE)

S. R. 2013/218 The Goods Vehicles (Testing) (Amendment) Regulations (Northern Ireland) 2013 (DOE)

S. R. 2013/213 The Pension Protection Fund and Occupational Pension Schemes (Miscellaneous Amendments) Regulations (Northern Ireland) 2013 (DSD)

### **For Information Only:**

S. R. 2013/193 The Road Races (Ulster Rally) Order (Northern Ireland) 2013 (DRD)

S. R. 2013/194 The Waiting Restrictions (Carrickfergus) Order (Northern Ireland) 2013 (DRD)

S. R. 2013/195 The Waiting Restrictions (Warrenpoint) Order (Northern Ireland) 2013 (DRD)

S. R. 2013/200 The Waiting Restrictions (Bangor) (Amendment) Order (Northern Ireland) 2013 (DRD)

S. R. 2013/201 (C. 13) The Child Maintenance (2008 Act) (Commencement No. 11 and Transitional Provisions) Order (Northern Ireland) 2013 (DSD)

S. R. 2013/203 The Magistrates' Courts (Domestic Proceedings) (Amendment) Rules (Northern Ireland) 2013 (DOJ)

## 7. Written Ministerial Statements

Dental Hospital Inquiry Report (DHSSPS)

Investment Strategy Northern Ireland 2011 – 2021 (OFMDFM)

## 8. Consultation Documents

Phase 2 of the Northern Ireland Renewable Heat Incentive (DETI)

Cross Border Healthcare and Patient Mobility July 2013 (DHSSPS)

Rate Rebate Replacement Arrangements: The Way Forward Public Consultation Paper July 2013 (DFP)

Consultation on Proposals for a Five Year Strategy for Pharmacy in the Community (DHSSPS)

Alcohol on Public Service Vehicles [excluding taxis] Consultation (DOE)

Public Consultation on Further European Changes to Driving Licences and Driving Test Requirements (DOE)

Consultation on Proposed Amendments to the NI Teachers' Pension Scheme (NITPS) to Remove "Cap and Share" Provisions and to Provide for Completion of a 2012 Valuation Without Having First Completed a 2008 Valuation (DE)

## 9. Departmental Publications

Publication of a Report by the Industrial Injuries Advisory Council on Occupational Chloracne (DSD)

District Housing Plan and Local Housing Strategy 2012/13 (DSD)

Forest Service Annual Report for 2012/2013 (DARD)

An Action Plan for Active Travel in Northern Ireland Action Plan 2013-2015 (DRD)

Proposed Statutory Rule: The Housing Benefit (Executive Determinations) (Amendment) Regulations (Northern Ireland) 2013 (DSD)

S. R. 2013 No. 175 The Rules of the Court of Judicature (Northern Ireland) (Amendment) 2013 (DOJ)

Improving Literacy and Numeracy Achievement in Schools 23 August 2013 (DFP)

Police Service of Northern Ireland Annual Report and Accounts 2012/13 (DOJ)

Northern Ireland Audit Office Annual Report and Accounts 2012-2013 (DFP)

Food Standards Agency in Northern Ireland Resource Accounts 2012-2013 (DFP)

Queen's Quay Final Masterplan Document August 2013 (DSD)

Northern Ireland Audit Office Review of Continuous Improvement arrangements in Policing (DFP)

The Agri-Food and Biosciences Institute Report by the Comptroller and Auditor General 12 September 2013 (DFP)

Attorney General for Northern Ireland Third Annual Report 2012/13 (OFMDFM)

Northern Ireland Guardian Ad Litem Agency Annual Report and Accounts for the year ended 2012-2013 (DHSSPS)

Disposal of Records Schedule Department for Regional Development (Including Transport NI) (DRD)

Public Health Agency Management Statement and Financial Memorandum 2013 (DHSSPS)

Criminal Cases Review Commission Annual Report and Accounts 2011/12 (DOJ)

## 10. Agency Publications

Forest Service Business Plan 2013/2014 (DARD)

Northern Ireland Prison Service Business Plan 2013-2014 (DOJ)

The Northern Ireland Council for Integrated Education Directors' Report and Financial Statements for the year ended 31 March 2013 (DE)

## 11. Westminster Publications

## 12. Miscellaneous Publications



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# Northern Ireland Assembly

**Tuesday 10 September 2013**

*The Assembly met at 10.30am, the Speaker in the Chair.*

## 1. Personal Prayer or Meditation

Members observed two minutes' silence.

## 2. Public Petition

### 2.1 Public Petition – Pinewood Residential Care Home

Mr Paul Frew was granted leave, in accordance with Standing Order 22, to present a Public Petition regarding the Pinewood Residential Care Home.

## 3. Executive Committee Business

### 3.1 Statement – North South Ministerial Council meeting in Tourism Sectoral Format

The Minister of Enterprise, Trade and Investment, Mrs Arlene Foster, made a statement regarding the North South Ministerial Council meeting in Tourism sectoral format, held on 26 June 2013, following which she replied to questions.

### 3.2 Statement – North South Ministerial Council meeting in Trade and Business Development Sectoral Format

The Minister of Enterprise, Trade and Investment, Mrs Arlene Foster, made a statement regarding the North South Ministerial Council meeting in Trade and Business Development sectoral format, held on 26 June 2013, following which she replied to questions.

## 4. Private Members' Business

### 4.1 Motion – Promotion of Equality and Reconciliation

#### **Proposed:**

That this Assembly notes with grave concern the violence and disorder over the summer months; deplores the activities of all those who engaged in acts of violence against local communities, elected representatives, and the PSNI; affirms the commitment of all elected representatives to promote a culture of tolerance and reconciliation and to act in a way which promotes mutual respect rather than division; and to work constructively to find long term and sustainable solutions to contentious political issues in the best interests of the communities we serve.

*Mr G Kelly  
Ms C Ní Chuilín  
Mr A Maskey*



## 4.2 Amendment

### Proposed:

Insert after 'PSNI':

'condemns those who damaged community relations by engaging in commemorations glorifying the acts of terrorists;'

*Mr R Newton  
Mr T Buchanan*

*Debate ensued.*

*The Principal Deputy Speaker (Mr McLaughlin) took the Chair.*

*The sitting was suspended at 12.35pm for Question Time.*

*The sitting resumed at 2.00pm, with the Speaker in the Chair.*

## 5. Question Time

### 5.1 Agriculture and Rural Development

Questions were put to, and answered by, the Minister of Agriculture and Rural Development, Mrs Michelle O'Neill.

### 5.2 Culture, Arts and Leisure

Questions were put to, and answered by, the Minister of Culture, Arts and Leisure, Ms Carál Ní Chuilín.

## 6. Private Members' Business (Cont'd)

### 6.1 Motion – Promotion of Equality and Reconciliation

*Debate resumed on the Motion.*

The Question being put, the Amendment was **carried** (Division 1).

The Question being put, the Motion, as amended, was **carried** (Division 2).

*The Deputy Speaker (Mr Beggs) took the Chair.*

### 6.2 Motion – Compensation Policy

#### Proposed:

That this Assembly rejects the shift in compensation policy that led to a substantial award following the death of a Real IRA member at the hands of the same organisation; recognises that the change in policy is a significant break from past practice and inconsistent with previous treatment of victims of terrorism and crime; and calls upon the Minister of Justice to intervene immediately to prevent this payment.

*Mrs A Foster  
Mr P Givan  
Mr J Craig*

### 6.3 Amendment 1

#### Proposed:

Leave out all after 'Justice' and insert:

'to launch a review of compensation policy and reverse this unnecessary, unwanted and offensive policy change.'

*Mrs A Foster  
Mr P Givan  
Mr J Craig*

## 6.4 Amendment 2

**Proposed:**

Insert after 'crime':

'notes with regret the grave offence which has been caused to many, including and most notably those innocent victims of terrorism, by this award;

*Mr T Elliott*

*Mr R Hussey*

*Debate ensued.*

The Question being put, Amendment No. 1 was **carried** (Division 3).

The Question being put, Amendment No. 2 was **carried** (Division 4).

The Question being put, the Motion as amended was **carried** (Division 5).

*The Deputy Speaker (Mr Dallat) took the Chair.*

## 7. Adjournment

Mr Alex Easton spoke to his topic regarding the state of the road infrastructure, Beechfield and Ashfield Estates, Donaghadee.

**Proposed:**

That the Assembly do now adjourn.

*The Speaker*

*The Assembly adjourned at 6.47pm.*

**Mr William Hay**

**The Speaker**

10 September 2013

# Northern Ireland Assembly

10 September 2013

## Division 1

### Motion – Promotion of Equality and Reconciliation – Amendment 1

#### Proposed:

Insert after 'PSNI':

'condemns those who damaged community relations by engaging in commemorations glorifying the acts of terrorists;'

*Mr R Newton*

*Mr T Buchanan*

The Question was put and the Assembly divided.

**Ayes:** 65

**Noes:** 25

#### AYES

*Mr Allister, Mr Anderson, Mr Attwood, Mr Beggs, Mr Bell, Mr D Bradley, Ms P Bradley, Ms Brown, Mr Buchanan, Mr Byrne, Mr Clarke, Mrs Cochrane, Mr Craig, Mr Cree, Mr Dallat, Mr Dickson, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Durkan, Mr Easton, Mr Eastwood, Mr Elliott, Dr Farry, Mr Ford, Mrs Foster, Mr Frew, Mr Gardiner, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Humphrey, Mr Hussey, Mr Irwin, Mrs D Kelly, Mr Kennedy, Mr Kinahan, Ms Lo, Mr Lyttle, Mr McCallister, Mr McCarthy, Mr McCausland, Mr B McCrea, Mr I McCrea, Mr McGimpsey, Mr McGlone, Mr D McIlveen, Miss M McIlveen, Mrs McKevitt, Mr McQuillan, Mr A Maginness, Lord Morrow, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mr Poots, Mr P Ramsey, Mr G Robinson, Mr Rogers, Mr Ross, Mr Storey, Mr Swann, Mr Weir.*

*Tellers for the Ayes: Mr Buchanan and Mr G Robinson.*

#### NOES

*Mr Boylan, Ms Boyle, Mr Brady, Ms Fearon, Mr Flanagan, Mr Hazzard, Mr G Kelly, Mr Lynch, Mr McAleer, Mr F McCann, Mr McCartney, Ms McCorley, Mr McElduff, Ms McGahan, Mr McKay, Ms Maeve McLaughlin, Mr Mitchel McLaughlin, Mr Maskey, Mr Milne, Ms Ní Chuilín, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Ms Ruane, Mr Sheehan.*

*Tellers for the Noes: Mr G Kelly and Ms Ruane.*

*The following Member voted in both Lobbies and is therefore not counted in the result: Mr Agnew.*

The amendment was **carried**.

# Northern Ireland Assembly

10 September 2013

## Division 2

### Motion – Promotion of Equality and Reconciliation

#### Proposed:

That this Assembly notes with grave concern the violence and disorder over the summer months; deplores the activities of all those who engaged in acts of violence against local communities, elected representatives, and the PSNI; condemns those who damaged community relations by engaging in commemorations glorifying the acts of terrorists; affirms the commitment of all elected representatives to promote a culture of tolerance and reconciliation and to act in a way which promotes mutual respect rather than division; and to work constructively to find long term and sustainable solutions to contentious political issues in the best interests of the communities we serve

The Question, as amended, was put and the Assembly divided.

**Ayes:** 65

**Noes:** 25

#### AYES

*Mr Allister, Mr Anderson, Mr Attwood, Mr Beggs, Mr Bell, Mr D Bradley, Ms P Bradley, Ms Brown, Mr Buchanan, Mr Byrne, Mr Clarke, Mrs Cochrane, Mr Craig, Mr Cree, Mr Dallat, Mr Dickson, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Durkan, Mr Easton, Mr Eastwood, Mr Elliott, Dr Farry, Mr Ford, Mrs Foster, Mr Frew, Mr Gardiner, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Humphrey, Mr Hussey, Mr Irwin, Mrs D Kelly, Mr Kennedy, Mr Kinahan, Ms Lo, Mr Lyttle, Mr McCallister, Mr McCarthy, Mr McCausland, Mr B McCrea, Mr I McCrea, Mr McGimpsey, Mr McGlone, Mr D McIlveen, Miss M McIlveen, Mrs McKeivitt, Mr McQuillan, Mr A Maginness, Lord Morrow, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mr Poots, Mr P Ramsey, Mr G Robinson, Mr Rogers, Mr Ross, Mr Storey, Mr Swann, Mr Weir.*

*Tellers for the Ayes: Mr Buchanan and Mr G Robinson.*

#### NOES

*Mr Boylan, Ms Boyle, Mr Brady, Ms Fearon, Mr Flanagan, Mr Hazzard, Mr G Kelly, Mr Lynch, Mr McAleer, Mr F McCann, Mr McCartney, Ms McCorley, Mr McElduff, Ms McGahan, Mr McKay, Ms Maeve McLaughlin, Mr Mitchel McLaughlin, Mr Maskey, Mr Milne, Ms Ni Chuilín, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Ms Ruane, Mr Sheehan.*

*Tellers for the Noes: Mr G Kelly and Ms Ruane.*

*The following Member voted in both Lobbies and is therefore not counted in the result: Mr Agnew.*

The Motion as amended was **carried**.

# Northern Ireland Assembly

10 September 2013

## Division 3

### Motion – Compensation Policy – Amendment 1

#### Proposed:

Leave out all after 'Justice' and insert:

'to launch a review of compensation policy and reverse this unnecessary, unwanted and offensive policy change.'

*Mrs A Foster*

*Mr P Givan*

*Mr J Craig*

The Question was put and the Assembly divided.

**Ayes:** 44

**Noes:** 40

#### 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 Givan, Mrs Hale, Mr Hamilton, Mr Humphrey, Mr Hussey, Mr Irwin, Mr Kennedy, Mr Kinahan, Mr I McCrea, Mr McGimpsey, Mr D McIlveen, Miss M McIlveen, Mr McQuillan, Lord Morrow, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mr Poots, Mr G Robinson, Mr Ross, Mr Storey, Mr Swann, Mr Weir, Mr Wells.*

*Tellers for the Ayes: Mr Craig and Mr D McIlveen.*

#### NOES

*Mr Attwood, Mr Boylan, Ms Boyle, Mr D Bradley, Mr Brady, Mr Byrne, Mr Dallat, Mr Durkan, Mr Eastwood, Ms Fearon, Mr Flanagan, Mr Hazzard, Mrs D Kelly, Mr G Kelly, Mr Lynch, Mr McAleer, Mr McCallister, Mr F McCann, Ms J McCann, Mr McCartney, Ms McCorley, Mr B McCrea, Mr McElduff, Ms McGahan, Mr McGlone, Mr McKay, Mrs McKevitt, Ms Maeve McLaughlin, Mr Mitchel McLaughlin, Mr A Maginness, Mr Maskey, Mr Milne, Ms Ní Chuilín, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Mr P Ramsey, Mr Rogers, Ms Ruane, Mr Sheehan.*

*Tellers for the Noes: Mr Byrne and Ms Ruane.*

*The following Members voted in both Lobbies and are therefore not counted in the result:*

*Mr Agnew, Mrs Cochrane, Mr Dickson.*

The Amendment was **carried**.

# Northern Ireland Assembly

10 September 2013

## Division 4

### Motion – Compensation Policy – Amendment 2

#### Proposed:

Insert after 'crime':

'notes with regret the grave offence which has been caused to many, including and most notably those innocent victims of terrorism, by this award;

*Mr T Elliott*  
*Mr R Hussey*

The Question was put and the Assembly divided.

**Ayes:** 45

**Noes:** 40

#### 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 Givan, Mrs Hale, Mr Hamilton, Mr Humphrey, Mr Hussey, Mr Irwin, Mr Kennedy, Mr Kinahan, Mr McCausland, Mr I McCrea, Mr McGimpsey, Mr D McIlveen, Miss M McIlveen, Mr McQuillan, Lord Morrow, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mr Poots, Mr G Robinson, Mr Ross, Mr Storey, Mr Swann, Mr Weir, Mr Wells.*

*Tellers for the Ayes: Mr Elliott and Mr Hussey.*

#### NOES

*Mr Attwood, Mr Boylan, Ms Boyle, Mr D Bradley, Mr Brady, Mr Byrne, Mr Dallat, Mr Durkan, Mr Eastwood, Ms Fearon, Mr Flanagan, Mr Hazzard, Mrs D Kelly, Mr G Kelly, Mr Lynch, Mr McAleer, Mr McCallister, Mr F McCann, Ms J McCann, Mr McCartney, Ms McCorley, Mr B McCrea, Mr McElduff, Ms McGahan, Mr McGlone, Mr McKay, Mrs McKevitt, Ms Maeve McLaughlin, Mr Mitchel McLaughlin, Mr A Maginness, Mr Maskey, Mr Milne, Ms Ní Chuilín, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Mr P Ramsey, Mr Rogers, Ms Ruane, Mr Sheehan.*

*Tellers for the Noes: Mr Byrne and Ms Ruane.*

*The following Members voted in both Lobbies and are therefore not counted in the result:*  
*Mr Agnew, Mrs Cochrane, Mr Dickson.*

The Amendment was **carried**.



# Northern Ireland Assembly

10 September 2013

## Division 5

### Motion – Compensation Policy

#### Proposed:

That this Assembly rejects the shift in compensation policy that led to a substantial award following the death of a Real IRA member at the hands of the same organisation; recognises that the change in policy is a significant break from past practice and inconsistent with previous treatment of victims of terrorism and crime; notes with regret the grave offence which has been caused to many, including and most notably those innocent victims of terrorism, by this award; and calls upon the Minister of Justice to launch a review of compensation policy and reverse this unnecessary, unwanted and offensive policy change.

The Question, as amended, was put and the Assembly divided.

**Ayes:** 44

**Noes:** 39

#### 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 Givan, Mrs Hale, Mr Humphrey, Mr Hussey, Mr Irwin, Mr Kennedy, Mr Kinahan, Mr McCausland, Mr I McCrea, Mr McGimpsey, Mr D McIlveen, Miss M McIlveen, Mr McQuillan, Lord Morrow, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mr Poots, Mr G Robinson, Mr Ross, Mr Storey, Mr Swann, Mr Weir, Mr Wells.*

*Tellers for the Ayes: Mr Craig and Mr D McIlveen.*

#### NOES

*Mr Attwood, Mr Boylan, Ms Boyle, Mr D Bradley, Mr Brady, Mr Byrne, Mr Dallat, Mr Durkan, Mr Eastwood, Ms Fearon, Mr Flanagan, Mr Hazzard, Mrs D Kelly, Mr G Kelly, Mr Lynch, Mr McAleer, Mr McCallister, Mr F McCann, Ms J McCann, Mr McCartney, Ms McCorley, Mr B McCrea, Mr McElduff, Ms McGahan, Mr McGlone, Mrs McKeivitt, Ms Maeve McLaughlin, Mr Mitchel McLaughlin, Mr A Maginness, Mr Maskey, Mr Milne, Ms Ní Chuilín, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Mr P Ramsey, Mr Rogers, Ms Ruane, Mr Sheehan.*

*Tellers for the Noes: Mr Byrne and Ms Ruane.*

*The following Members voted in both Lobbies and are therefore not counted in the result:*

*Mr Agnew, Mrs Cochrane, Mr Dickson.*

The Motion as amended was **carried**.

# Northern Ireland Assembly

## **Papers Presented to the Assembly on 10 July 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. 2013/215 The Sea Fish Industry (Harbour and Landing Dues Scheme (Northern Ireland) 2013 (DARD)

## **For Information Only:**

7. Written Ministerial Statements
8. Consultation Documents
9. Departmental Publications
10. Agency Publications
11. Westminster Publications
12. Miscellaneous Publications

An Inspection of the Accuracy of Court Orders: accuracy, administration and assurance September 2013 (DOJ)

# 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 11 September 2013

### 2011-2015 Mandate

#### Executive Bills

Title & NIA Bill Number	First Stage	Second Stage	Comm. Stage to Conclude	Report Ordered to be Printed	CS	FCS	Final Stage	Royal Assent
Marine Bill 5/11-15	21.02.12	05.03.12	06.07.12	05.07.12	30.04.13	13.05.13	21.05.13	
Welfare Reform Bill 13/11-15	01.10.12	09.10.12	19.02.13	14.02.13				
Education Bill 14/11-15	02.10.12	15.10.12	08.04.13	08.04.13				
Planning Bill 17/11-15	14.01.13	22.01.13	07.06.13	06.06.13	24.06.13 & 25.06.13			
Tobacco Retailers Bill 19/11-15	15.04.13	23.04.13	18.10.13					
Carrier Bags Bill 20/11-15	03.06.13	11.06.13	30.11.13					
Financial Provisions Bill 22/11-15	17.06.13	01.07.13	07.10.13					
Public Service Pensions Bill 23/11-15	17.06.13	25.06.13	01.10.13					
Licensing of Pavement Cafés Bill 24/11-15	17.06.13	25.06.13	01.10.13					

**2011-2015 Mandate  
Non-Executive Bills**

<b>Title &amp; Bill Number</b>	<b>First Stage</b>	<b>Second Stage</b>	<b>Comm. Stage to Conclude</b>	<b>Report Ordered to be Printed</b>	<b>CS</b>	<b>FCS</b>	<b>Final Stage</b>	<b>Royal Assent</b>
Road Traffic (Speed Limits) Bill 25/11-15	17.06.13							
Human Trafficking and Exploitation (Further Provisions and Support for Victims) Bill 26/11-15	24.06.13							

/ Bill progressing by accelerated passage

\*\* Please note that any bills that received Royal Assent in the previous session have been removed from the table.



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# Northern Ireland Assembly

**Monday 16 September 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 New Member

The Speaker informed Members that he had been notified by the Chief Electoral Officer that Mr Fearghal McKinney had been returned as a Member of the Assembly for the South Belfast constituency to fill the vacancy that resulted from the resignation of Mr Conall McDevitt.

*Mr Fearghal McKinney signed the Roll of Members on 16 September 2013 in the presence of the Speaker. The Speaker confirmed that the Member had signed the Roll and had entered his designation of identity.*

### 2.2 Deputy Chairperson Nomination

The Speaker informed Members that he had received the resignation of Mr Simon Hamilton as Deputy Chairperson of the Committee for the Environment. The Speaker also received the nomination of Ms Pam Brown as Deputy Chairperson of the Committee for the Environment with effect from 10 September 2013. The Speaker confirmed the appointment.

## 3. Public Petition

### 3.1 Public Petition – Hazelwood Integrated College

Mr Alban Maginness was granted leave, in accordance with Standing Order 22, to present a Public Petition regarding Hazelwood Integrated College.

## 4. Assembly Business

### 4.1 Motion – Committee Membership

#### **Proposed:**

That Miss Michelle McIlveen replace Mr Trevor Clarke as a member of the Committee for Agriculture and Rural Development; that Mr Stephen Moutray and Mr Robin Newton replace Mrs Brenda Hale and Miss Michelle McIlveen as members of the Committee for Education; that Mr Sydney Anderson and Mr Sammy Douglas replace Mr Stephen Moutray and Mr Robin Newton as members of the Committee for Enterprise, Trade and Investment; that Mr Ian McCrea replace Mr Sydney Anderson as a member of the Committee for the Environment; that Mr Ian McCrea replace Mr David McIlveen as a member of the Committee for Finance and Personnel; that Mr David McIlveen replace Ms Paula Bradley as a member of the Committee for Health, Social Services and Public Safety; that Mr Sydney Anderson replace Mr Alex Easton as a member of the Committee for Justice; that Mrs Brenda Hale replace Mr Ian McCrea as a member of the Committee for Regional Development; that Mr Trevor Clarke and Mr Sammy Wilson replace Ms Pam Brown and Mr Sammy Douglas as members of the Committee for Social Development; that Ms Paula Bradley replace Mr Mervyn Storey as a member of the Committee on Procedures; that Mr Alex Easton replace Mr David McIlveen as a member of the Public Accounts Committee; that Mr Mervyn Storey replace Mr Sydney Anderson as a member of the Committee for Standards and Privileges.

*Mr P Weir  
Lord Morrow*

The Question being put, the Motion was **carried** without division.



## 5. Executive Committee Business

### 5.1 Statement – North South Ministerial Council meeting in Agriculture Sectoral Format

The Minister of Agriculture and Rural Development, Mrs Michelle O'Neill, made a statement regarding the North South Ministerial Council meeting in Agriculture sectoral format, held on 10 July 2013, following which she replied to questions.

### 5.2 First Stage: Health and Social Care (Amendment) Bill (NIA 27/11-15)

The Minister of Health, Social Services and Public Safety, Mr Edwin Poots, introduced a Bill to amend the Health and Social Care (Reform) Act (Northern Ireland) 2009 and to make amendments consequential on that Act.

The Health and Social Care (Amendment) Bill (NIA 27/11-15) passed First Stage and ordered to be printed.

## 6. Committee Business

### 6.1 Motion – Amend Standing Order 30

#### Proposed:

In standing order 30, after paragraph (6), insert –

“(7) Subject to paragraph 8, a Bill which is in the same or similar terms to a Bill which has fallen or been rejected by the Assembly –

(a) must not be introduced in the Assembly within a period of 6 months from the date of that fall or rejection; but

(b) may be introduced at any time following the dissolution of the Assembly in which the fallen or rejected Bill was introduced.

(8) In exceptional circumstances, the Assembly may, on a motion by the appropriate person, allow the introduction of a Bill to which paragraph 7 applies. The

‘appropriate person’ is –

(a) where the Bill is proposed to be introduced by a Minister, that Minister;

(b) where the Bill is proposed to be introduced by a member of the Assembly, that member”.

*Chairperson, Committee on Procedures*

*Debate ensued.*

*The Principal Deputy Speaker (Mr McLaughlin) took the Chair.*

The Question being put, the Motion was **carried** with cross-community support *nemine contradicente*.

### 6.2 Motion – Report on Proposals for a Northern Ireland Public Services Ombudsman Bill

#### Proposed:

That this Assembly approves the Report of the Committee for the Office of the First Minister and deputy First Minister on its proposals for a Northern Ireland Public Services Ombudsman Bill.

*Chairperson, Committee for the Office of the First Minister and deputy First Minister*

*Debate ensued.*

The Question being put, the Motion was **carried** without division.

## 7. Private Members' Business

### 7.1 Motion – Free School Meals Entitlement

**Proposed:**

That this Assembly recognises the importance of free school meals entitlement; welcomes the increase in children who are accessing free school meals; and calls on the Minister of Education to explore ways in which the uptake of free school meals can be improved.

*Mr C Hazzard*

*Mr M Boyle*

*Mr P Sheehan*

### 7.2 Amendment

Leave out all after 'recognises' and insert:

'the important role of nutrition in the educational attainment of children; and, in light of increased financial pressures on working families, calls on the Minister of Education to explore ways in which to extend access to free school meals to more children.'

**Proposed:**

*Mr S Rogers*

*Mrs D Kelly*

*Debate ensued.*

*The debate was suspended for Question Time.*

*The Speaker took the Chair.*

## 8. Question Time

### 8.1 Finance and Personnel

Questions were put to, and answered by, the Minister of Finance and Personnel, Mr Simon Hamilton.

### 8.2 Education

Questions were put to, and answered by, the Minister of Education, Mr John O'Dowd.

*The Deputy Speaker (Mr Dallat) took the Chair.*

## 9. Private Members' Business (Cont'd)

### 9.1 Motion – Free School Meals Entitlement

*Debate resumed on the Motion.*

The Question being put, the Amendment was **carried** without division.

The Question being put, the Motion, as amended, was **carried** without division.

## 10. Adjournment

**Proposed:**

That the Assembly do now adjourn.

*The Speaker*

*The Assembly adjourned at 4.11pm.*

**Mr William Hay**

**The Speaker**

16 September 2013

# Northern Ireland Assembly

## Papers Presented to the Assembly on 11 – 16 September 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

Pharmaceutical Society of Northern Ireland Annual Report and Accounts 2012-13 (DHSSPS)

Belfast Education and Library Board Retention and Disposal of Records Schedule (DCAL)

### 5. Assembly Reports

Legislative Consent Motion to allow the inclusion of Amendments to Court Rule-Making Procedures in the Northern Ireland (Miscellaneous Provisions) Bill (NIA 111/11-15)

### 6. Statutory Rules

S. R. 2013/219 The Fish Labelling Regulations (Northern Ireland) 2013 (DHSSPS)

S. R. 2013/221 The Occupational and Personal Pension Schemes (Automatic Enrolment) (Amendment) Regulations (Northern Ireland) 2013 (DSD)

#### For Information Only:

S. R. 2013/216 The Disability Discrimination (2006 Order) (Commencement No.5) Order (Northern Ireland) 2013 (OFMDFM)

### 7. Written Ministerial Statements

Appointment of a Speech and Language Therapist to the Youth Justice Agency (DOJ)

### 8. Consultation Documents

Consultation on the Introduction of Restrictions on the Landfilling of Food Waste (Draft Food Waste Regulations (Northern Ireland) 2013) (DOE)

### 9. Departmental Publications

Department of Finance and Personnel Memorandum on the Fourteenth Report from the Public Accounts Committee Mandate 2011-2015. Invest NI a Performance Review 11 September 2013. (DFP)

### 10. Agency Publications

### 11. Westminster Publications

### 12. Miscellaneous Publications

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# Northern Ireland Assembly

**Tuesday 17 September 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

### 2.1 Deputy Chairperson Nomination

The Speaker informed Members that he had received the nomination of Ms Maeve McLaughlin to replace Ms Sue Ramsey as Chairperson of the Committee for Health, Social Services and Public Safety with effect from 16 September 2013. The Speaker confirmed the appointment.

## 3. Executive Committee Business

### 3.1 Statement – North South Ministerial Council Plenary meeting

The deputy First Minister, Mr Martin McGuinness, made a statement regarding the North South Ministerial Council Plenary meeting, held on 5 July 2013, following which he replied to questions.

### 3.2 Statement – North South Ministerial Council meeting in Inland Waterways Sectoral Format

The Minister of Culture, Arts and Leisure, Ms Carál Ní Chuilín made a statement regarding the North South Ministerial Council meeting in Inland Waterways sectoral format held on 19 June 2013, following which she replied to questions.

### 3.3 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 19 June and 10 July 2013, following which she replied to questions.

## 4. Committee Business

### 4.1 Motion – Regional Library for Northern Ireland

#### **Proposed:**

That this Assembly recognises the economic, cultural, social and educational benefits that a regional library for Northern Ireland would provide; and urges the Minister of Culture, Arts and Leisure to engage with Executive colleagues and other partners to pursue Belfast Central Library's redevelopment plan to create a regional library as part of the overall 'Library Square' project.

*Chairperson, Committee for Culture, Arts and Leisure*

*Debate ensued*

*The sitting was suspended at 12.29pm.*

*The sitting resumed at 2.00pm, with the Principal Deputy Speaker (Mr McLaughlin) in the Chair.*

## 5. Question Time

### 5.1 Employment and Learning

Questions were put to, and answered by, the Minister for Employment and Learning, Dr Stephen Farry.

### 5.2 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.

## 6. Committee Business (Cont'd)

### 6.1 Motion – Regional Library for Northern Ireland

*Debate resumed on the Motion.*

The Question being put, the Motion was **carried** without division.

## 7. Private Members' Business

### 7.1 Motion – Day of Recognition for the Emergency Services

#### **Proposed:**

That this Assembly recognises the valuable and life-saving work of the emergency services; and calls on the Minister of Health, Social Services and Public Safety and the Minister of Culture, Arts and Leisure, to set aside an annual day of recognition, beginning with Michaelmas Day on 29th September 2013, in order to create a lasting legacy of the World Police and Fire Games 2013.

*Mrs K McKeivitt*

*Mr D Bradley*

*Debate ensued.*

*The Speaker took the Chair.*

The Question being put, the Motion was **carried** without division.

*The Deputy Speaker (Mr Beggs) took the Chair.*

## 8. Adjournment

Ms Maeve McLaughlin spoke to her topic regarding the University of Ulster expansion at Magee.

#### **Proposed:**

That the Assembly do now adjourn.

*The Speaker*

*The Assembly adjourned at 5.53pm.*

**Mr William Hay**

**The Speaker**

17 September 2013

# Northern Ireland Assembly

## **Papers Presented to the Assembly on 17 September 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:**

7. Written Ministerial Statements
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 18 September 2013

### 2011-2015 Mandate

#### Executive Bills

Title & NIA Bill Number	First Stage	Second Stage	Comm. Stage to Conclude	Report Ordered to be Printed	CS	FCS	Final Stage	Royal Assent
Marine Bill 5/11-15	21.02.12	05.03.12	06.07.12	05.07.12	30.04.13	13.05.13	21.05.13	17.09.13
Welfare Reform Bill 13/11-15	01.10.12	09.10.12	19.02.13	14.02.13				
Education Bill 14/11-15	02.10.12	15.10.12	08.04.13	08.04.13				
Planning Bill 17/11-15	14.01.13	22.01.13	07.06.13	06.06.13	24.06.13 & 25.06.13			
Tobacco Retailers Bill 19/11-15	15.04.13	23.04.13	18.10.13					
Carrier Bags Bill 20/11-15	03.06.13	11.06.13	30.11.13					
Financial Provisions Bill 22/11-15	17.06.13	01.07.13	07.10.13					
Public Service Pensions Bill 23/11-15	17.06.13	25.06.13	01.10.13					
Licensing of Pavement Cafés Bill 24/11-15	17.06.13	25.06.13	01.10.13					

<b>Title &amp; NIA Bill Number</b>	<b>First Stage</b>	<b>Second Stage</b>	<b>Comm. Stage to Conclude</b>	<b>Report Ordered to be Printed</b>	<b>CS</b>	<b>FCS</b>	<b>Final Stage</b>	<b>Royal Assent</b>
Health and Social Care (Amendment) Bill 27/11-15	16.09.13							

**2011-2015 Mandate****Non-Executive Bills**

<b>Title &amp; Bill Number</b>	<b>First Stage</b>	<b>Second Stage</b>	<b>Comm. Stage to Conclude</b>	<b>Report Ordered to be Printed</b>	<b>CS</b>	<b>FCS</b>	<b>Final Stage</b>	<b>Royal Assent</b>
Road Traffic (Speed Limits) Bill 25/11-15	17.06.13							
Human Trafficking and Exploitation (Further Provisions and Support for Victims) Bill 26/11-15	24.06.13							

/ Bill progressing by accelerated passage

\*\* Please note that any bills that received Royal Assent in the previous session have been removed from the table.



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# Northern Ireland Assembly

**Monday 23 September 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 Royal Assent

The Speaker informed Members that Royal Assent had been signified on 17 September 2013 to the Marine Act (Northern Ireland) 2013.

## 3. Executive Committee Business

### 3.1 First Stage: Local Government Bill (NIA 28/11-15)

The Minister of the Environment, Mr Mark H Durkan, introduced a Bill to amend the law relating to local government.

The Local Government Bill (NIA 28/11-15) passed First Stage and ordered to be printed.

### 3.2 Legislative Consent Motion – Northern Ireland (Miscellaneous Provisions) Bill

#### **Proposed:**

That this Assembly agrees that the provisions contained in the Schedule to the Northern Ireland (Miscellaneous Provisions) Bill, as introduced in the House of Commons on 9 May 2013, which deal with court rule-making procedures in the county courts, the magistrates' courts and the coroners' courts, should be considered by the United Kingdom Parliament.

*Minister of Justice*

*Debate ensued.*

The Question being put, the Motion was **carried** without division.

## 4. Committee Business

### 4.1 Motion - Extension of Committee Stage: Licensing of Pavement Cafés Bill (NIA 24/11-15)

#### **Proposed:**

That, in accordance with Standing Order 33(4), the period referred to in Standing Order 33(2) be extended to 13 December 2013, in relation to the Committee Stage of the Licensing of Pavement Cafés Bill (NIA 24/11-15).

*Chairperson, Committee for Social Development*

The Question being put, the Motion was **carried** without division.

## 5. Private Members' Business

### 5.1 **Second Stage: Human Trafficking and Exploitation (Further Provisions and Support for Victims) Bill (NIA 26/11-15)**

Lord Morrow moved the Second Stage of the Human Trafficking and Exploitation (Further Provisions and Support for Victims) Bill (NIA 26/11-15).

*Debate ensued.*

*The Principal Deputy Speaker (Mr McLaughlin) took the Chair.*

*The debate was suspended for Question Time.*

*The Speaker took the Chair.*

## 6. Question Time

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

Questions were put to, and answered by, the First Minister, the Rt Hon Peter Robinson. The junior Minister, Mr Bell, also answered a number of questions.

### 6.2 **Environment**

Questions were put to, and answered by, the Minister of the Environment, Mr Mark H Durkan.

## 7. Assembly Business

### 7.1 **Motion - Extension of sitting on Monday 23 September 2013 under SO 10(3A)**

#### **Proposed:**

That, in accordance with Standing Order 10(3A), the sitting on Monday 23 September 2013 be extended to no later than 9.00pm.

*Mr S Dickson*

*Mr P Weir*

The Question being put, the Motion was **carried** without division.

## 8. Private Members' Business (Cont'd)

### 8.1 **Second Stage: Human Trafficking and Exploitation (Further Provisions and Support for Victims) Bill (NIA 26/11-15)**

*Debate resumed on the Bill.*

*The Deputy Speaker (Mr Beggs) took the Chair.*

*The Deputy Speaker (Mr Dallat) took the Chair.*

*The Speaker took the Chair.*

Second Stage of the Human Trafficking and Exploitation (Further Provisions and Support for Victims) Bill stood suspended.

## 9. Adjournment

**Proposed:**

That the Assembly do now adjourn.

*The Speaker*

*The Assembly adjourned at 9.00pm.*

**Mr William Hay**

**The Speaker**

23 September 2013



# Northern Ireland Assembly

## **Papers Presented to the Assembly on 18 – 23 September 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

Northern Ireland Audit Office Tackling Social Housing Tenancy Fraud in Northern Ireland (DFP)

Northern Ireland Local Government Officers' Superannuation Committee Annual Report 2012/2013 (DOE)

Public Income and Expenditure Account for the year ended 31 March 2013 (DFP)

### 5. Assembly Reports

### 6. Statutory Rules

S. R. 2013/220 The Food Additives, Flavourings, Enzymes and Extraction Solvents Regulations (Northern Ireland) 2013 (DHSSPS)

#### **For Information Only:**

### 7. Written Ministerial Statements

### 8. Consultation Documents

Consultation on the Waste Prevention Programme for Northern Ireland 18 September 2013 (DOE)

### 9. Departmental Publications

Institute of Public Health in Ireland: Audited Accounts for the year ended 31 December 2012 (DHSSPS)

### 10. Agency Publications

### 11. Westminster Publications

### 12. Miscellaneous Publications

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# Northern Ireland Assembly

**Tuesday 24 September 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 Second Stage - Health and Social Care (Amendment) Bill (NIA 27/11-15)

The Minister of Health, Social Services and Public Safety moved the Second Stage of the Health and Social Care (Amendment) Bill (NIA 27/11-15).

*Debate ensued.*

The Health and Social Care (Amendment) Bill passed Second Stage.

## 3. Committee Business

### 3.1 Motion - Extension of Committee Stage: Public Service Pensions Bill (NIA 23/11-15)

#### **Proposed:**

That, in accordance with Standing Order 33(4), the period referred to in Standing Order 33(2) be extended to 29 November 2013, in relation to the Committee Stage of the Public Service Pensions Bill (NIA 23/11-15).

*Chairperson, Committee for Finance and Personnel*

The Question being put, the Motion was **carried** without division.

### 3.2 Motion - Appointment of an Acting Commissioner

#### **Proposed:**

That this Assembly notes that the Northern Ireland Assembly Commissioner for Standards is unable to act in relation to any complaint arising from the public assemblies in Castlederg on 11th August 2013; appoints Mr Stuart Allan as an Acting Commissioner, in accordance with section 23(1) of the Assembly Members (Independent Financial Review and Standards) Act (Northern Ireland) 2011, to investigate all such complaints; directs that this appointment shall cease when Mr Allan has reported on all such complaints; and that the terms of his appointment, in particular his remuneration will, subject to any necessary modification, be the same as those of the Northern Ireland Assembly Commissioner for Standards.

*Chairperson, Committee on Standards and Privileges*

Question being put, the Motion was **carried** without division.

## 4. Private Members' Business

### 4.1 Motion – Access to Public Procurement Opportunities

#### Proposed:

That this Assembly notes that the procurement of goods, services and infrastructure projects is a key driver of the economy; further notes the on-going work in other devolved regions in this area; and calls on the Minister of Finance and Personnel to take action to address the criticisms of the current system and to ensure that there is sufficient access for small and medium sized enterprises, as well as the social economy, to public procurement opportunities.

*Mrs S Overend*

*Mr R Swann*

### 4.2 Amendment

#### Proposed:

Leave out all after 'system' and insert:

'to ensure that there is sufficient access for small and medium-sized enterprises, and for organisations in the social economy, to public procurement opportunities and to ensure that employees in companies that are contracted and sub-contracted through Government procurement are paid at least the living wage.'

*Mr S Agnew*

*Debate ensued*

*The Deputy Speaker (Mr Dallat) took the Chair.*

*The sitting was suspended at 12.27pm.*

*The sitting resumed at 2.00pm, with the Deputy Speaker (Mr Beggs) in the Chair.*

## 5. Assembly Business

*The Deputy Speaker advised the House that the Business Committee had scheduled the remainder of the Second Stage of the Human Trafficking and Exploitation (Further Provisions and Support for Victims) Bill (NIA 26/11-15) to follow the debate on Access to Public Procurement Opportunities.*

## 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.

### 6.1 Justice

Questions were put to, and answered by, the Minister of Justice, Mr David Ford.

## 7. Private Members' Business (Cont'd)

### 7.1 Motion – Access to Public Procurement Opportunities

*Debate resumed on the Motion.*

The Question being put, the Amendment **fell** without division.

The Question being put, the Motion was **carried** without division.

### 7.2 Resumption of Second Stage: Human Trafficking and Exploitation (Further Provisions and Support for Victims) Bill (NIA 26/11-15)

*Second Stage of the Human Trafficking and Exploitation (Further Provisions and Support for Victims) Bill began on Monday 23 September 2013 but stood suspended at 9.00pm.*

*Debate resumed on the Bill.*

*The Principal Deputy Speaker (Mr McLaughlin) took the Chair.*

The Human Trafficking and Exploitation (Further Provisions and Support for Victims) Bill passed Second Stage.

**7.3 Motion – Common Funding Formula****Proposed:**

That this Assembly notes the current proposals by the Minister of Education to revise the Common Funding Formula; further notes, with grave concern, the apparent disproportionate impact of the proposals on controlled schools; and calls on the Minister to establish, as a matter of urgency, a controlled schools body to properly represent the views of this sector in the consultation.

*Mr M Storey  
Miss M McIlveen  
Mr J Craig  
Mrs B Hale*

*Debate ensued.*

*The Deputy Speaker (Mr Dallat) took the Chair.*

The Question being put, the Motion was **carried** (Division).

*The Speaker took the Chair.*

**7.4 Motion – Support for DVANI Office Staff****Proposed:**

That this Assembly supports the staff of Driver and Vehicle Agency offices in Northern Ireland; calls on the Westminster Government and the Northern Ireland Executive to take the necessary steps to retain the existing jobs and services; and further calls for new investment by the Department of Transport in equipment and technology.

*Mr J Dallat  
Mr C Ó hOisín  
Mr R Swann  
Mr S Dickson  
Mr G Robinson  
Mr D McClarty*

*Debate ensued.*

The Question being put, the Motion was **carried** without division.

**8. Adjournment**

Mr Sammy Douglas spoke to his topic regarding the Historical Enquiries Team Report into the Death of Kirk Watters.

**Proposed:**

That the Assembly do now adjourn.

*The Speaker*

*The Assembly adjourned at 9.16pm.*

**Mr William Hay**  
**The Speaker**

24 September 2013

# Northern Ireland Assembly

24 September 2013

## Division

### Motion – Common Funding Formula

#### Proposed:

That this Assembly notes the current proposals by the Minister of Education to revise the Common Funding Formula; further notes, with grave concern, the apparent disproportionate impact of the proposals on controlled schools; and calls on the Minister to establish, as a matter of urgency, a controlled schools body to properly represent the views of this sector in the consultation.

*Mr M Storey*  
*Miss M McIlveen*  
*Mr J Craig*  
*Mrs B Hale*

The Question was put and the Assembly divided.

**Ayes:** 53

**Noes:** 24

#### AYES

*Mr Allister, Mr Anderson, Mr Attwood, Mr Beggs, Mr Bell, Mr D Bradley, Ms P Bradley, Ms Brown, Mr Buchanan, Mr Campbell, Mr Clarke, Mr Copeland, Mr Craig, Mr Cree, Mr Douglas, Mr Dunne, Mr Durkan, Mr Easton, Mr Eastwood, Mr Frew, Mr Girvan, Mr Givan, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Irwin, Mr Kennedy, Mr Kinahan, Mr McCausland, Mr I McCrea, Mr McGimpsey, Mr McGlone, Mr D McIlveen, Miss M McIlveen, Mrs McKeivitt, Mr McKinney, Mr McQuillan, Mr A Maginness, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mr Poots, Mr P Ramsey, Mr G Robinson, Mr P Robinson, Mr Rogers, Mr Ross, Mr Spratt, Mr Storey, Mr Weir, Mr Wells, Mr Wilson.*

*Tellers for the Ayes: Mr Anderson and Mr G Robinson.*

#### 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 M McGuinness, Mr McKay, Ms Maeve McLaughlin, Mr Mitchel McLaughlin, Mr Maskey, Ms Ní Chuilín, Mr O'Dowd, Ms Ruane, Mr Sheehan.*

*Tellers for the Noes: Mr Hazzard and Mr Sheehan.*

*The following Members voted in both Lobbies and are therefore not counted in the result: Mr Agnew, Mrs Cochrane, Mr Ford, Mr Lunn, Mr Lyttle, Mr McCallister, Mr B McCrea.*

The Motion was **carried**.

# Northern Ireland Assembly

## **Papers Presented to the Assembly on 24 September 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  
Report on a complaint against Mr Alex Maskey MLA, NIA 126/11-15 (Committee on Standards and Privileges)
6. Statutory Rules  
The Pensions (2005 Order) (Codes of Practice) (Reporting Late Payment of Contributions) (Appointed Day) Order (Northern Ireland) 2013 (DSD)  
  
**For Information Only:**
7. Written Ministerial Statements
8. Consultation Documents  
Consultation on a Draft Innovation Strategy for Northern Ireland 2013-2015 (DETI)
9. Departmental Publications  
Healthy Food for Healthy Outcomes - Food in Schools Policy (DE)  
Tourism Ireland Annual Report 2013 (DETI)
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 18 September 2013

### 2011-2015 Mandate

#### Executive Bills

Title & NIA Bill Number	First Stage	Second Stage	Comm. Stage to Conclude	Report Ordered to be Printed	CS	FCS	Final Stage	Royal Assent
Marine Bill 5/11-15	21.02.12	05.03.12	06.07.12	05.07.12	30.04.13	13.05.13	21.05.13	17.09.13
Welfare Reform Bill 13/11-15	01.10.12	09.10.12	19.02.13	14.02.13				
Education Bill 14/11-15	02.10.12	15.10.12	08.04.13	08.04.13				
Planning Bill 17/11-15	14.01.13	22.01.13	07.06.13	06.06.13	24.06.13 & 25.06.13			
Tobacco Retailers Bill 19/11-15	15.04.13	23.04.13	18.10.13					
Carrier Bags Bill 20/11-15	03.06.13	11.06.13	30.11.13					
Financial Provisions Bill 22/11-15	17.06.13	01.07.13	07.10.13					
Public Service Pensions Bill 23/11-15	17.06.13	25.06.13	29.11.13					
Licensing of Pavement Cafés Bill 24/11-15	17.06.13	25.06.13	13.12.13					

Title & NIA Bill Number	First Stage	Second Stage	Comm. Stage to Conclude	Report Ordered to be Printed	CS	FCS	Final Stage	Royal Assent
Health and Social Care (Amendment) Bill 27/11-15	16.09.13	24.09.13	12.11.13					
Local Government Bill 28/11-15	23.09.13							

**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
Road Traffic (Speed Limits) Bill 25/11-15	17.06.13							
Human Trafficking and Exploitation (Further Provisions and Support for Victims) Bill 26/11-15	24.06.13	23.09.13 & 24.09.13	12.11.13					

/ Bill progressing by accelerated passage

\*\* Please note that any bills that received Royal Assent in the previous session have been removed from the table.

